

1. Considered 5-27 in 81
2. Name of Applicant CLIFFORD JORGENSEN
3. Post Office Address HURLEY
4. Amount of Water Claimed 1.14
5. Source of Water Supply 4-7' DEEP WELL
6. Water to be used for IRRIGATION
7. Acres to be irrigated 80 maximum acre feet
8. Water to be diverted and used in TURNER County
about 5 1/2 miles NORTH of HURLEY
9. PROOF OF PUBLICATION Received 1ST 5-22-81

Not Received _____

APPLICATION

Approved 5/27/81

Subject to WI-1Q

Not Approved _____

Action deferred _____

Priority

Date

Received 6-17-81 Application Complete yes ☒ no ☐ FEE ☒

Remarks _____

Date information and/or
fee or corrected Application received _____
Period of Annual use _____

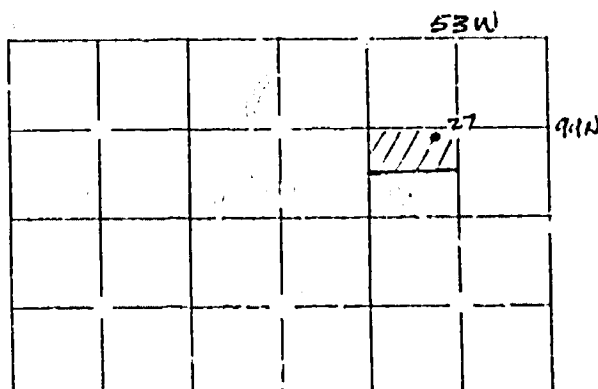
WATER
QUALITY

Received yes 5/8/81 no ☐ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no ☐ Remark _____

Disapproved _____

Returned _____



Diversion Point _____

NE 1/4 SW 1/4, SEC 27, T99N, R53W

N 1/2 SW 1/4, SEC 27, T99N, R53W

Lands to be irrigated _____

WELL
LOG

Remarks _____

Driller

REINERS

Licensed yes ☒ no ☐

Depth

47'

MAP

Map No. 3959-3 Map located in Water Right ☒ Map file _____

Type of Map aerial photo Prepared by Rezek - DC.

+++++

REVIEWED

This Application was reviewed within 30 days of data received, accepted as complete, Number assigned and written up for advertisement before the Board on 5-8-81.

[Signature]
(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

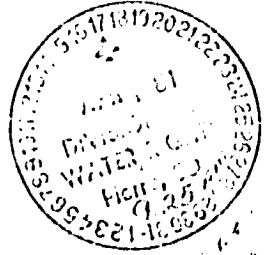
Final Decision mailed to parties and/or parties notified that Final Decision

DECISIONS

was adopted _____

ETC.

Remarks _____

No. 4748-3Map No. 3959-3 Water Division No. 3 VERMILLION 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 _____

1. Name of Applicant -Clifford Jorgensen-- Alvin Plucker Phone No. 238-5360
 Post Office Address -Harley-- RR, Chancellor State S. D. 57636-57015
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation n/a
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Jorgensen Irrig. System #1 (1.14 MAX ALLOWABLE)
4. Amount of water claimed (cubic feet per second) 1.77 (need at least 800 gpm to run C.P.)
5. Source of water supply well
6. Location of point of diversion 205 rods, 42°E of the SW corner Sec. 27099-53

- County Turner
7. Annual period or periods during which water is to be used April-November
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrig.
9. For irrigation use, Total number of acres to be irrigated 80

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.
NW 1/4 SW 1/4 27-99-53	40
NE 1/4 SW 1/4 27-99-53	40

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Hurley Leader New Era
Parker, S. D. 57053
12. Principal Features of the Proposed Water Supply System.

A Works proposed to divert water from its natural source.

Elec. Pump

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

Buried Pipeline to C. F.

C. Works proposed to apply water to beneficial use.

C. P. Sprinkler system

Estimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA)
)ss.
County of Turner)I, Clifford Jorgensen 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 Clifford JorgensenSubscribed and sworn to before me this 15th day of April, 1981[Signature]
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4748-3

TRANS: Alvin Plucker

CLIFFORD JORGENSEN
(Applicant) 57015

HURLEY RR, Chancellor
(Post Office Address)

SOUTH DAKOTA-57036
(State)

With the following qualifications

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

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

Date of first receipt of application April 17, 19 81
Date of return to applicant for correction, amendments or changes required April 20, 19 81
Date of receipt of corrected application May 8, 19 81
Approved May 27, 19 81, Recorded in Book 22 Page 202

WATER RIGHT PERMIT NO. 4748-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4748-3 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 17, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 27, 19 82
3. The whole of said work is to be completed on or before May 27, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 23, 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.14 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before May 27, 19 85; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 3rd day of June, 19 81

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights JOHN HATCH

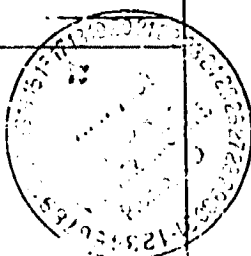
Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

6/60

7

4-15



D Well Information

- (1) Drill Hole, Diameter 18", Depth 47'
- (2) Casing, Type asbestos-cement (wood, concrete, steel, etc.) Diameter 14", Thickness 1 1/4"
- (3) Screen, Type same, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 40'

E Dugout Information or Estimates

- (1) Surface dimensions, n/a, Depth

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

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material log attached

Depth to bottom of water bearing material

Depth to water (ground surface to water level)

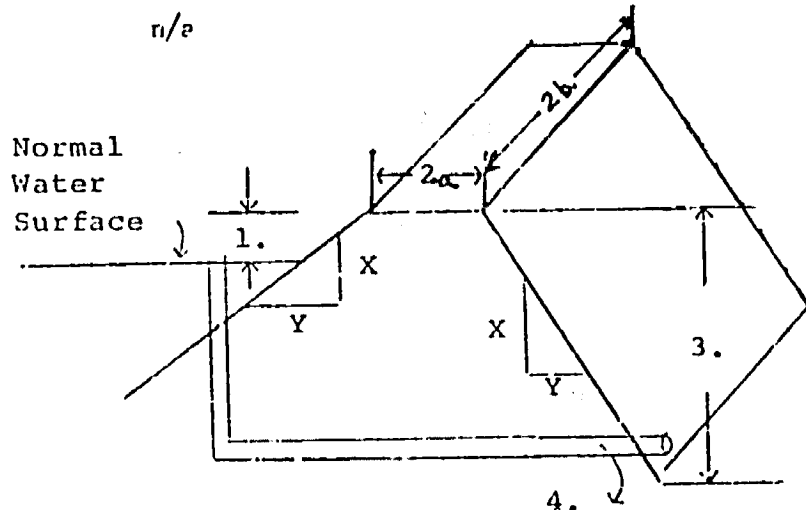
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property none rds.

On property owned by others 140 rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



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

Clifford J. Jorgensen
Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

OWNERS NAME: Clifford Jorgensen OWNERS ADDRESS: Burley, S. D. 57036

COUNTY LAND LOCATED IN: Turner PHONE: 223-5360

TENANT'S NAME AND ADDRESS: (If Other Than Owner) James Davis, Parker S. D. 57053

2869-TU

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)

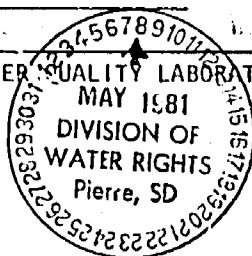
1. WELL LOCATION OR DIVERSION POINT: 205 rods, 1/2 mi. of the SE corner Sec. 27-29-53
2. SURFACE WATER SOURCE: n/a
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>N 1/2 SW 1/4 27-29-53</u>	<u>80</u>		

4. TYPE OF IRRIGATION: GRAVITY: TOWNLIN: CENTER PIVOT: GUN: OTHER: (Specify)
5. CROPS TO BE IRRIGATED: corn, soybeans
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: none
LEGAL DESCRIPTION:
IN WHAT NAME:

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

7. WATER SAMPLE NUMBER: 81-356
8. SALINITY (EC X 10⁶): 470
9. SODIUM (SAR): 0.28
10. ADJUSTED (SAR): 0.68



RECEIVED

1981

MAY 01 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 1:00 a.m./p.m., on April 13, 1981, at the following location: 1/2 mile from above by myself (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

15th DAY OF April, 1981.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

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.

No. 4748-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, Earl J. Bormann hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the 1 ground water well

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

New Era of Parker, S. D.,

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

Thursday, May 14, 1981

Thursday, May 21, 1981

Earl J. Bormann, owner (Signature)

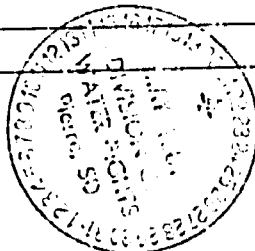
owner--publisher
(Title)

5-11-'81

(Date Signed)

Cost of Printing: 173 C/D 2267

WNR-308-7/79
Proof of Publication



No. 4748-3
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that
Clifford Jorgenson, whose post
office address is Hurley, South
Dakota, has made an application
in accordance with the provisions
of SDCL 40-1-1 thru 40-1-9, 40-1-
14; 40-2-9 thru 40-2-11, 40-2-13;
40-5-1 thru 40-5-8; 40-5-10 thru
40-5-22, 40-5-41; 40-6-3, 40-6-3.1,
40-6-5, 40-6-10, 40-6-14 and Board
Rules ARSD 52:01:01:01 thru
52:01:01:13, for a permit to appro-
priate for beneficial use 1.14 cubic
feet of water per second of time
from groundwater (one well)
through the Jorgenson No. 1, the
point of diversion of which is to
be located in the NE 1/4 SW 1/4 of
Section 27, Twp. 99N, Range
53W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

N 1/4 SW 1/4, Section 27, T99N,
R53W.

This Application No. 4748-3
will be considered by the Water
Management Board at Meeting
Room No. 1, Kneip Building,
Church & Illinois, Pierre, SD upon
the 27th day of May 1981 at 9
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 repre-
sented 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, DWNR,
Joe Foss Building, Pierre, SD,
prior to the hearing date for
assistance to assure access to the
hearing.

WATER MANAGEMENT
BOARD

Burton F. Jones,

Water Rights Specialist.

cc: Clifford Jorgenson,

Hurley, South Dakota 57076

(21c May 11 & 21, 1981)

4748-3
Publish first publication, on or before May 13, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that Clifford Jorgenson whose post office address is Hurley, 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 1.14 cubic feet of water per second of time from groundwater (one well) through the Jorgenson #1, the point ~~(xx)~~ of diversion of which is ~~(xxx)~~ to be located in the NE 1/4 SW 1/4

of Section 27, Twp. 99N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

~~NE 1/4, Section 27, T99N, R53W~~

This Application No. 4748-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building Church & Illinois, Pierre SD upon the 27th 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, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Clifford Jorgenson
Hurley,
South Dakota 57036

BETTY WESTLUND
~~XXXXXXXXXXXX~~ BURTON F JONES
Water Rights Specialist

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

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 8162

April 17, 1981

PIERRE

Clifford Jorgenson, Hurley, SD 57036

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

Fee for Application for Permit to Appropriate Water No. 47108-2 (examination, processing, recording and filing)	225	00
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		

TOTAL

225 00

WATER RIGHTS COMMISSION
By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (97)

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 8410

August 4, 1981

PIERRE

Alvin Plucker, Rural Route, Chancellor, SD 57015

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
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 transfer of WR# 4748-2		2 50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		

TOTAL

2 50

WATER RIGHTS COMMISSION
By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (97)

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 29, 1981.

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

The North Half (N $\frac{1}{2}$) of the South West Quarter (SW $\frac{1}{4}$), of
Section 27, Township 99 North, Range 53, West of the 5th P.M.,
in Turner County, South Dakota, containing about 40 acres.
formerly owned by Clifford L. Jorgensen and Zola P. Jorgensen, husband and wife
of Hurley, South Dakota,
has been transferred to Alvin Plucker, Chancellor, SD 57015

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

Water Right Permit No. 4748-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

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

I, Clifford L. Jorgensen being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Clifford L. Jorgensen
(Signed)

Subscribed and sworn to before me this 29th Day of July, 1981.

A. F. Jorgensen
(Notary Public)

My Com. expires: Aug. 3, 1982.

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

4605-3, 4605-3A, 4606-3, 4748-3
Alvin L Plucker
Rt 1 Box 160
Chancellor SD 57015

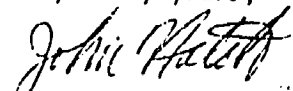
Dear Sir: 4605-3, 4605-3A,

Water Permit No. 4606-3, 4748-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure



114P-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

November 13, 1992

No. 439-3
439-3A
4606-3
(4748-3)

Wieman Land and Auction
ATTN: GARY
Box 135
Marion, SD 57043

Dear Gary:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 439-3 and 439-3A and Water Permit Nos. 4606-3 and 4748-3. The water rights and permits are currently listed in the name of Alvin Plucker.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$10.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

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

enclosure

4748-3

WIEMAN LAND & AUCTION CO.

Box 135
MARION, SOUTH DAKOTA 57043
PHONE 605 648 3111



January 4, 1993

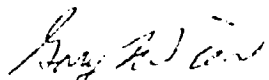
Department of Environment & Natural Resources
Joe Loss Building
523 East Capitol
Pierie, SD 57501-3181

Dear Madam,

Please file the enclosed and send notice to Kenneth Hoogestraat that the water rights have been transferred.

Thank you.

Sincerely,
Wieman Land & Auction Company


Gary L. Wieman
Auctioneer - Broker

GLW/dh

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4748-3

Date: January 4, 1993

I/We request that Water Permit No. 4748-3

formerly owned by: Alvin Plucker, RR #1 Box 160, Chancellor, SD 57015

be transferred to: (name & address) Kenneth Hoogestraat, RR#1 Box 44, Chancellor, SD 57015

(Telephone No) 605-647-5627

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

80 acres - N 1/2 SW 1/4 Section 14, T 9N, R53W

I/We understand that the validity of Water Permit No. 4748-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Turner)

I/We Kenneth Hoogestraat 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.

Kenneth Hoogestraat
(Signed)

Subscribed and sworn to before me this 4th day of January, 19 93.

Ray Z. Wilson
(Notary Public)
My commission expires: 5/2/94

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

413577

Pierre, _____ January 5, 1995

RECEIVED OF Wierman Land & Auction Co (Kenneth Hoogestraat), Box 155, Marion, SD 57645
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ <u>Water Permit No. 4748-5</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John Haddock
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

January 11, 1993

No. 4606-3

4748-3

Gary L. Wieman
Wieman Land & Auction Co.
Box 135
Marion, SD 57043

Dear Mr. Wieman:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 4606-3 and 4748-3.

Our records now show Kenneth Hoogestraat as the owner of Water Permit Nos. 4606-3 and 4748-3.

Sincerely,

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

enclosure

cc: Kenneth Hoogestraat, RR 1, Box 44, Chancellor, SD 57015.

4748-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 1995

4606-3
4748-3

Paul Petersen
RR #1 Box 4A
Hurley, SD 57036

Dear Mr. Petersen:

Enclosed, as we discussed, are the 1994 irrigation questionnaires for Water Permit Nos. 4606-3 and 4748-3 (Kenneth Hoogestraat).

Water Permit No. 4606-3 is for irrigation of 75 acres in the S 1/2 SW 1/4 Section 27, T99N, R53W. Water Permit No. 4748-3 describes irrigation of 80 acres in the N 1/2 SW 1/4 Section 27, T99N, R53W.

Please complete the forms and return them to our office as soon as possible. If all of the above land is irrigated by one irrigation system, it may be easier for you to put the information all on one form. If this is the case, make a notation on the form you do not use and return both of them to our office.

If you will be renting this land from Mr. Hoogestraat again next year and would rather future irrigation questionnaires be sent directly to you, make a notation to that effect on the top of the forms. Thank you for your assistance in this matter. If you have any questions, please contact me.

Sincerely,

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

enclosures

4748-3

File No. 4606-3/4748-3

Water Rights Division --DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Ken Hoogestraat

ADDRESS: RR1 Box 44 Chancellor, SD 57015

COUNTY: Turner

DATE: 1/13/92

TELEPHONE: 647-5627

RE: Permit Nos. 4606-3 and 4748-3

COMMENTS:

Both Water Permit Nos. 4606-3 and 4748-3 were transferred from Alvin Plucker to Ken Hoogestraat. Permit No. 4606-3 appropriates 1.1 cfs from one well located in the SE1/4 SW1/4 Section 27-T99N-R53W to irrigate 75 acres located in the S1/2 SW1/4 Section 27-T99N-R53W. Permit No. 4748-3 appropriates 1.14 cfs from one well located in the NE1/4 SW1/4 Section 27-T99N-R53W to irrigate 80 acres located in the N1/2 SW1/4 Section 27-T99N-R53W.

I inspected the two permits on September 8, 1992 and discovered that the well covered under Permit No. 4606-3 (located in the SE1/4 SW1/4 of Section 27) was being used to supply an 8 tower center pivot system which covered 155 acres in the entire SW1/4 of Section 27-T99N-R53W. I did not find the well covered under 4748-3.

I called Mr. Hoogestraat and he said that Alvin Plucker had developed the S1/2 SW1/4 Section 27 and irrigated the 80 acres with the center pivot using a "windshield washer pattern". Mr. Plucker then purchased the N1/2 SW1/4 Section 27 and used the center pivot system to cover the whole SW1/4 of Section 27. The same well covered under No. 4606-3 has always been used for the center pivot system. The Irrigation Questionnaires from 1981 to 1991 for both permits indicated that one center pivot system was being used on the entire 155 acres in every year except 1982.

The well being used (SE1/4 SW1/4 Section 27) is within 660 feet of the advertised acreages under No. 4748-3, and is also out of the same aquifer (Parker-Centerville) as the well originally planned to irrigate the N1/2 SW1/4 Section 27 (under No. 4748-3). I will incorporate both Water Permits into one Water License. The water irrigating the 80 acres in the N1/2 SW1/4 will take the priority date of Permit No. 4748-3 (April 17, 1981). The water irrigating the 75 acres in the S1/2 SW1/4 will take the priority date of No. 4606-3 (December 23, 1980). The center pivot has a

650 GPM (1'.44 cfs) capacity and irrigates 155 acres total. Therefore, the proportional amount of water under No. 4606-3 being diverted is $75 \text{ ac}/155 \text{ ac} \times 650 \text{ GPM} = 315 \text{ GPM}$ (0.70 cfs). The proportional amount of water being diverted under No. 4748-3 is $80 \text{ ac}/155 \text{ ac} \times 650 \text{ GPM} = 335 \text{ GPM}$ (0.74 cfs). These amounts will be used on the incorporated Water License for both Permit Nos. 4606-3 and 4748-3.


Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

Permit No. 4606-3/4748-3

Vermillion River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Ken Hoogestraat of RR1 Box 44 Chancellor, SD 57015 holder of Permit No. 4606-3/4748-3, bearing the priority of December 23, 1980/April 17, 1981 authorizing the diversion of 1.14/1.1 cu. ft. per second of the waters of the Parker-Centerville Aquifer for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

One well - 54' deep (completed to 40') with 25' of 16" steel casing and 15' of 16" .080 slot stainless steel screen, Valley pump, Model No. J-81, 10", 3 stages, 700 GPM @ 40 PSI, GE Motor, Model No. 5K6237XN501E, 40 HP

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

1100' of 8" PVC pipe

C. Works used to apply water to beneficial use:

8 tower Valley Corner System, 1250' long with Low Pressure End Gun, 650 GPM

The system is in the following condition good. The point of diversion is located 2574'E and 1254'N of the SW corner of Section 27-T99N-R53W. The works are capable of diverting and conveying to the place of use 1.44 (0.70 cfs under No. 4606-3 and 0.74 cfs under No. 4748-3) 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 Section 27-T99N-R53W:

NW1/4 SW1/4 = 40 acres under No. 4748-3

NE1/4 SW1/4 = 40 acres " " "

SW1/4 SW1/4 = 40 acres under No. 4606-3

SE1/4 SW1/4 = 35 acres " " "

comprising a total of 155 acres of land and the license should be issued for 1.44 cfs.

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: None Date 2/8/92

Gregory C. Johnston
Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 4606-3
Other permit(s) associated with the project 4748-3

DATE 1/13/93

DIVERSION POINT LEGAL LOCATION: 2574'E and 1254'N of the SW corner of Section 27-T99N-R53W

WELL INFORMATION: Well Drilling Firm Grimshaw Drilling

- No. of Wells 1 Depth(s) 54 (completed to 40')
- a) Casing: 1) diameter 16" inches b) Screen: 1) type .080 slot s.s.
2) length 25 feet 2) length 15 feet
3) type steel c) Pump 1) make Valley
d) Static Water Level 15 feet 2) model J-81
e) Motor: 3) size 10 inches
1) make GE 4) capacity 700 GPM
2) model No. 5K6237XM501E 5) turbine pump - No. of stages 3
3) horsepower rating 40 hp 6) operating pressure 40 PSI

DISTRIBUTION LINES OR CANALS:

- a) type PVC b) size 8 inches c) length 1100 feet

System Type:

- e) Center pivot:
1) make Valley Corner System
2) overall length 1250 feet
3) number of towers 8
4) distance between towers 150 feet
5) end gun Y (Y/N)
6) high or low pressure Low
7) capacity 650 GPM

CHEMIGATION EQUIPMENT:

- a) does chemigate Y (Y/N)
b) main line check valve Y (Y/N) c) in section port/air relief Y
d) low pressure drain Y (Y/N) e) discharge is 20' from source Y
f) interlock type electric g) injection pump type Agri-inject (piston)
h) injection check valve Y (Y/N) i) injection line check valve or
positive displacement pump Y (Y/N)
j) all chemigation equipment appears to be installed in the proper position and
complies with chemigation laws and rules Y (Y/N)
k) comments :

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Center Pivot system covers 155 acres and includes ground covered by Water Permit Nos. 4606-3 and 4748-3. Water License No. 4606-3 incorporates both permits used for the single center pivot system.

Mathison's

1213 NP Ave. Box 333, Fargo, ND 58107 (701) 232-8971
 112 N. 4th St. Box 1256, Bismarck, ND 58502 (701) 258-5060
 109 Indiana Box 31, Sioux Falls, SD 57117 (605) 336-2437
 2928 Gordon Dr. Box 1646, Sioux City, IA 51102 (712) 274-2650

Toll-Free: 1-800-437-4744

Fax: (701) 280-9106

Ken Hoogstraal

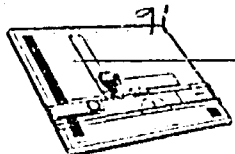
G C J 1/14/93

Irrigation Questionnaires

4748-3

PERMIT NO. →	4606-3	4748-3	
YR			water pumped
81	130 acres total → (4606-3 + 4748-3 are combined)		700 GPM
82	70 ac.	73 ac.	650 GPM
83	NO IQ →		650 GPM
84	150 acres → (both combined)		650 GPM
85	150 acres →		650 GPM
86	NO Irrigation →		
87	150 ac →		650 GPM
88	150 ac →		650 GPM
89	* 154 acres →		650 GPM
90	150 acres →		650
91	150 153 acres →		600 GPM

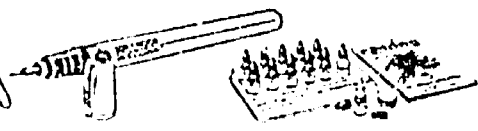
System used
on both
lands covered
by 4606-3
& 4748-3
exc.
182



KOH-I-NOOR
RAPIDOGRAPH

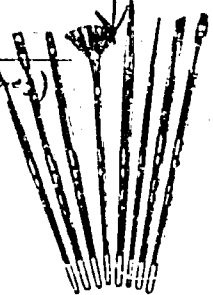
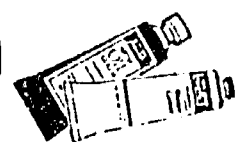
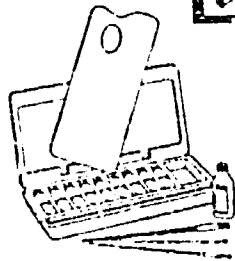
a rotting company

for Designers, Graphic
 and Fine Artists



(* Removed from test to add 4-5 acres)

Liquitex

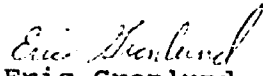


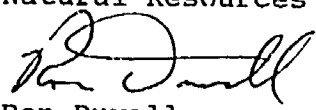
REPORT ON WATER PERMIT NO. 4748-3
KENNETH MCGESTRAAT
December 17, 1993

Water Permit No. 4748-3 appropriates 1.14 cubic feet of water per second (cfs) from one well, 40 feet deep located in the NE 1/4 SW 1/4 Section 27-T99N-R53W to irrigate 80 acres. Readvertisement of the notice of hearing published on May 14 and 21, 1981 is needed to correct the legal description of the irrigated acres prior to issuance of the water license. The location of the 80 irrigated acres was incorrectly advertised as being located in the N 1/4 SW 1/4 Section 27-T99N-R53W. The correct location of the acreage developed for irrigation is the N 1/2 SW 1/4 Section 27-T99N-R53W. This readvertisement does not authorize any increase in the acreage irrigated or increase in the developed diversion rate.

Conclusions

1. This is a readvertisement of the Notice of Hearing for Water Permit No. 4748-3.
2. This readvertisement is necessary to correct the legal description of the lands being irrigated prior to issuance of the water license.
3. The correct legal description of the lands being irrigated is the N 1/2 SW 1/4 Section 27-T99N-R53W.


Eric Gronlund
Natural Resources Engineer


Ron Duvall
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER
PERMIT APPLICATION NO. 4748-3, Kenneth Hoogestraat

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning readvertised Water Permit Application No. 4748-3, Ken Hoogestraat, RR 1 Box 44, Chancellor, SD 57015.

The Chief Engineer is recommending APPROVAL of readvertised Application No. 4748-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. 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.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
December 20, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 1993

Ken Hoogestraat
RR 1 Box 44
Chancellor, SD 57015

Dear Mr. Hoogestraat:

The original notice of hearing for Water Permit No. 4748-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of The New Era printed at Parker, SD (Ph # 297-4419). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 21, 1993

The New Era
Box 577
Parker, SD 57053-0577

Attn: Legal Department

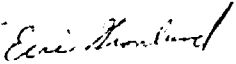
Enclosed is a Readvertisement of Notice of Hearing on Permit No. 4748-3 to be published twice. Please publish the first notice on January 6, 1994, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter or _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 6, 1994, with the second publication 7 days later.

Readvertisement of NOTICE OF APPLICATION NO. 4748-3 to Appropriate Water

Notice is given of readvertisement of Water Permit No. 4748-3 held by Ken Hoogestraat, RR 1 Box 44, Chancellor, SD 57015. The permit was originally applied for on April 17, 1981. Water Permit No. 4748-3 appropriates 1.14 cubic feet of water per second (cfs) from one well 40 feet deep located in the NE 1/4 SW 1/4 Section 27-T99N-R53W to irrigate 80 acres. Readvertisement of the notice of hearing published on May 14 and 21, 1981, is needed to correct the legal description of the irrigated acres. The location of the 80 irrigated acres was incorrectly advertised as being located in the N 1/4 SW 1/4 Section 27-T99N-R53W. The correct location of the acreage developed for irrigation is the N 1/2 SW 1/4 Section 27-T99N-R53W. The well authorized under Permit No. 4748-3 is the same well utilized by Water Permit No. 4606-3 located in the SE 1/4 SW 1/4 Section 27-T99N-R53W. Water Permit Nos. 4606-3 and 4748-3, combined, have been developed to divert 1.44 cfs from the one well to irrigate 155 acres. This readvertisement does not authorize any increase in the acreage irrigated or increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 4748-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 24, 1994.

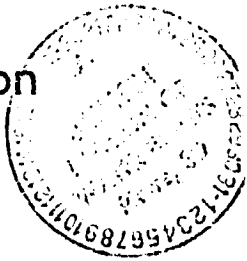
The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF TURNER

SS.



Scott Munger of the City of Parker, County of Turner, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Scott Munger or J. Munger, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, the

affiant, is the publisher of the said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts

stated in this affidavit and the advertisement headed Readvertisement of

Notice of Application No. 4748-3 printed copy of which her unto attached, was printed and published in the said

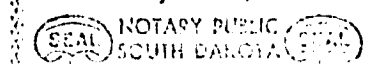
newspaper for 2 successive weeks, one each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 11 day of June, 1994;
On Thursday, the 13 day of June, 1994;
On _____, the _____ day of _____, 19____;
On _____, the _____ day of _____, 19____;
On _____, the _____ day of _____, 19____;
On _____, the _____ day of _____, 19____;
On _____, the _____ day of _____, 19____;

That \$32.57 being the full amount of the fees for publication of the attached notice insures solely for the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Scott Munger
Subscribed and sworn to before me this 13
day of JANUARY, 1994

Shirley L. Tappin
Notary Public, Turner County, South Dakota.



Readvertisement of NOTICE OF APPLICATION NO. 4748-3 to Appropriate Water

Notice is given of readvertisement of Water Permit No. 4748-3 held by Ken Hoogestrom, RR1 Box 44, Chancellor, SD 57015. The permit was originally applied for on April 17, 1981. Water Permit No. 4748-3 appropriates 1.14 cubic feet of water per second (cfs) from one well 40 feet deep located in the NE 1/4 SW 1/4 Section 27-T99N-R53W to irrigate 80 acres.

Readvertisement of the notice of hearing published on May 14 and 21, 1981, is needed to correct the legal description of the irrigated acres. The location of the 80 irrigated acres was incorrectly advertised as being located in the N 1/4 SW 1/4 Section 27-T99N-R55W. The correct location of the acreage developed for irrigation is the N 1/2 SW 1/4 Section 27-T99N-R53W. The well authorized under Permit No. 4748-3 is the same well utilized by Water Permit No. 4606-3 located in the SE 1/4 SW 1/4 Section 27-T99N-R53W. Water Permit Nos. 4606-3 and 4748-3, combined, have been developed to divert 1.44 cfs from the one well to irrigate 153 acres. This readvertisement does not authorize any increase in the acreage irrigated or increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvised Application No. 4748-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. A petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Fors Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 24, 1994.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Publica

Notary

Receiv

(Publish 1-6 & 13.)

PAYMENT REQUEST FORM

PAYEE: The New Era
Box 577
Parker, SD 57053-0577

FROM: DENR
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCT OR TRANSFER

Publication of Readvertisement of Notice of
Application No. 4748-2 to Appropriate Water.

AMOUNT: \$22.57

FUNDING SOURCE:

GENERAL:

FEDERAL:

COMMENTS:

AUTHORIZATION:

John H. Bates

1-21-94

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 1994

Permit No. 4748-3

Kenneth Hoogestraat
RR 1, Box 44
Chancellor, SD 57015

Dear Mr. Hoogestraat:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 4606-3 and 4748-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 4606-3 will be incorporated into 4748-3.

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

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

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-1181

April 25, 1994

Kenneth Hoogestraat
RR 1, Box 44
Chancellor, SD 57015

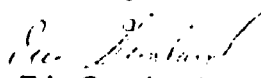
Dear Mr. Hoogestraat:

I am writing in response to your inquiry regarding the status of licensing Water Permit No. 4748-3. This Permit to irrigate 155 acres in the SW¼ Section 27, T99N, R53W was readvertised last January to correct an error in the original publication.

The draft of the water license is in its final review prior to being issued by the Chief Engineer. I am now trying to expedite the process and hopefully we will get the water license out to you within the next few weeks.

If you have any questions or just want another update on where the water license is in the process, please do not hesitate to call me.

Sincerely,


Eric Gronlund
Water Rights Division
605 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414026

Pierre, February 4, 19 34

RECEIVED OF Kenneth Hoogestraat, RR 1 Box 44, Chancellor, SD 57015

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4748-5</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

(John) Hatch

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4748-3 FOR IRRIGATION

(1) Clifford Jorgenson of Hurley SD made Application No. 4748-3, April 17, 1981 for a water permit to appropriate 1.14 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 4748-3, with a priority date of April 17, 1981 was approved May 27, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 27, 1983 and for the application to beneficial use of said water on or before May 27, 1986.

Water Permit No. 4748-3 was transferred August 4, 1981 to Alvin Plucker. On January 5, 1993, Water Permit Nos. 4748-3 and 4606-3 were transferred to Kenneth Hoogestraat.

The applicable portions of Water Permit No. 4606-3 have been incorporated into this Water License No. 4748-3. A priority date of December 23, 1980 (established under No. 4606-3) is retained for 0.70 cfs to irrigate the S 1/2 SW 1/4 Section 27. A priority date of April 17, 1981 (established under No. 4748-3) is retained for 0.74 cfs to irrigate the N 1/2 SW 1/4 Section 27. The same well is used to irrigate the acreage covered by both permits.

Permit No. 4748-3 was readvertised January 6 and 13, 1994 to correct an error on the original notice of hearing in the legal description of the irrigated acres. The land was described as being in the N 1/4 SW 1/4 and should have been N 1/2 SW 1/4. The readvertisement of the original notice of hearing did not authorize an increase in the acreage or developed diversion rate.

(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 1.44 cubic feet of water per second for beneficial use. The location of the diversion point is 2574 feet E and 1254 feet N of the SW corner of Section 27-T99N-R53W.

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

Section 27-T99N-R53W	NW 1/4 SW 1/4	40 acres
	NE 1/4 SW 1/4	40 acres
	SW 1/4 SW 1/4	40 acres
	SE 1/4 SW 1/4	35 acres
	Total	155 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kenneth Hoogestraat of RR 1, Box 44, Chancellor SD 57015 the holder and/or owner of Water Permit No. 4748-3 is issued a license to appropriate water, the right to use 1.44 cubic feet of water per second from groundwater (one well) with priority dates of December 23, 1980 and April 17, 1981 from the location specified in (2) of this license. The water is conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. and subject to South Dakota State Law.



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

MAY 3 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 3 1994

4748-3

Kenneth Hoogestraat
RR 1, Box 44
Chancellor, SD 57015

Dear Mr. Hoogestraat:

Enclosed is Water License No. 4748-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414026 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4748-3, 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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4606-3 have been incorporated into this Water License No. 4748-3.



4748-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 21, 1998

Jon Reiners
45805 281st St
Hurley, SD 57036

Dear Mr. Reiners:

Enclosed is a copy of the "Report of Examination of Works" as completed by one of our staff engineers for Mr. Hoogestraat's irrigation system. It includes a segment on the well construction. I am not sure where the data was obtained from, my guess would be from visiting with Mr. Hoogestraat during the investigation.

I also included a copy of the well log that we had in the file. The well construction portion was not filled in so I am assuming it is a test hole log.

If I can be of further assistance, please give me a call.

Sincerely,

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

encl

NOT TO SCALE

R. 53 W.

MAP No. 4748-3 APD No. 4748-3

Clifford Jorgensen Irrigation System #1
Ow: Clifford Jorgensen, Hurley, S. D. 57036

Land to be Irrigated:

$N\frac{1}{2}SW\frac{1}{4}$ 27-99-53 - 80 ac.

J. R. Ryals

Irrigation Well

205 Rods 42° E

28 27
33 34 50.7

T. 99 N.

File No. 4748-3
6763-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Kenneth Hoogestraat, Chancellor, SD

DATE: May 1, 2007

RE: Water Right No. 4748-3 and Water Permit No. 6763-3

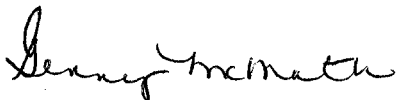
COMMENTS:

Neil Hoogestraat (Kenneth's son) called about permits listed in Kenneth's name. He indicated that recently, due to the onset of Alzheimer's disease, Kenneth was placed in a nursing home.

For now, Neil said both 4748-3 and 6763-3 should remain in Kenneth's name until the family makes a decision about what they wanted to do. Paul Peterson from Hurley still operates the irrigation systems and would still receive the annual irrigation questionnaires.

If anything else needs to be done with the permits, contact Neil as follows:

Neil Hoogestraat
46080 276th St
Chancellor SD 57015
phone: 605 351-5057



Genny McMath
Water Rights Program

4748-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 2009

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

Dear Sir:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2962-3, 3675-3 and 6763-3. Paul Petersen had already returned the questionnaire for No. 4748-3.

As you requested, I have made the following changes to the operator status for the above water permits/rights.

- Nos. 2962-3 and 3675-3 will be directed to Hoogestraat Farm Partnership;
- Nos. 4748-3 and 6763-3 (owned by Kenneth Hoogestraat) will be directed to you as operator.

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

If you have any questions, please contact me.

Sincerely,

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

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



4748-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: NEIL HOOGESTRAAT, OP, 46080 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4748-3 & 6763-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

c: KENNETH HOOGESTRAAT, 46117 276TH ST, CHANCELLOR SD 57015

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2010

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

RE: 2009 Irrigation Questionnaires for Water Right Nos. 2962-3, 3675-3, 4748-3 & 6763-3

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With reference to your notation on ownership changes needed for Water Right Nos. 2962-3 and 3675-3 from Hoogestraat Farm Partnership to Hoogestraat Farms LLC, enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

c: Kenneth Hoogestraat



4748-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: NEIL HOOGESTRAAT, OP, 46080 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<http://denr.sd.gov/iq.aspx>

c: KENNETH HOOGESTRAAT, 46117 276TH ST, CHANCELLOR SD 57015

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2012

Neil Hoogestraat
46080 276th St
Chancellor SD 57015

RE: Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3, 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Water Right No. 4748-3 and Water Permit No. 6763-3 are listed in the name of Kenneth Hoogestraat. Do they need to be transferred to the farm partnership or to your name? If so, I am enclosing partially completed transfer forms to be used for changing ownership. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures



4748-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2013

NOTICE

TO: NEIL HOOGESTRAAT, 46080 276TH ST, CHANCELLOR, SD 57015
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:

<http://denr.sd.gov/iq.aspx>

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

4748-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
Hoogestraat Farm Partnership
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 2962-3, 3675-3 & 4748-3 and Water Permit No. 6763-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I note from the files that Water Right Nos. 4748-3 and 6763-3 are still listed in Kenneth Hoogestraat's name with you as the operator. If an ownership change is needed, please complete the enclosed forms and return them to us with a required filing fee of \$50 each (total of \$100).

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

FEB 27 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4748-3

Date: 2-18-13

I/We request that Water Right No. 4748-3

formerly owned by: Kenneth Hoogestraat

be transferred to: (name & address) Hoogestraat Farms LLC
46080 276th St, Chancellor SD 57015

Telephone No. 605-697-5620

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

155 acres - SW 1/4 Section 27, T99N, R53W

I/We understand that the validity of Water Right No. 4748-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Hoogestraat Farms LLC, the new owner, certify that the above information is true and correct.

Nail Hoogestraat

Nail Hoogestraat

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/27, 20 13

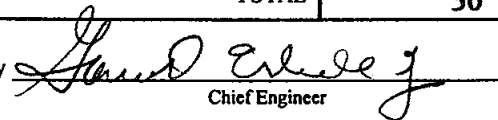
RECEIVED OF Hoogestraat Farm Partnership 46080 276th St Chancellor SD 57015

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>4748-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 06177

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 20, 2013

4748-3

6763-3

Neil Hoogestraat
Hoogestraat Farms LLC
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for transferring ownership of Water Right No. 4748-3 and Water Permit No. 6763-3.

The ownership changes have been completed. Water Right No. 4748-3 and Water Permit No. 6763-3 formerly held by Kenneth Hoogestraat are now listed in the name of Hoogestraat Farms LLC.

Enclosed for your records are Receipt Nos. 06177 and 06178 in the amount of \$50 each. If you have any questions, please contact me.

Sincerely,

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

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

enclosures



4748-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: HOOGESTRAAT FARMS LLC, NEIL HOOGESTRAAT, 46080 276TH ST, CHANCELLOR, SD 57015

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 2962-3 & 3675-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4748-3 & 6763-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 4748-3 & 6763-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2962-3 & 3675-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

4748-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2014

2962-3
3675-3
4748-3
6763-3

Neil Hoogestraat
Hoogestraat Farms LLC
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit No. 6763-3 and Water Right Nos. 2962-3, 3675-3 and 4748-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

No. 4748-3

July 22, 2015

Neil Hoogestraat
Hoogestraat Farms LLC
46080 276th St
Chancellor SD 57015

Dear Mr. Hoogestraat:

On Thursday, July 16, 2015, a staff member from the Department of Environment and Natural Resources (DENR) observed overspray from the irrigation system located in the SW 1/4 Section 27-T99N-R53W onto the adjacent north/south road (see attached photo). This irrigation system is covered by Water Right No. 4748-3 which is held by you.

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 insure end gun stops are functioning properly so there is not direct overspray on to the road.

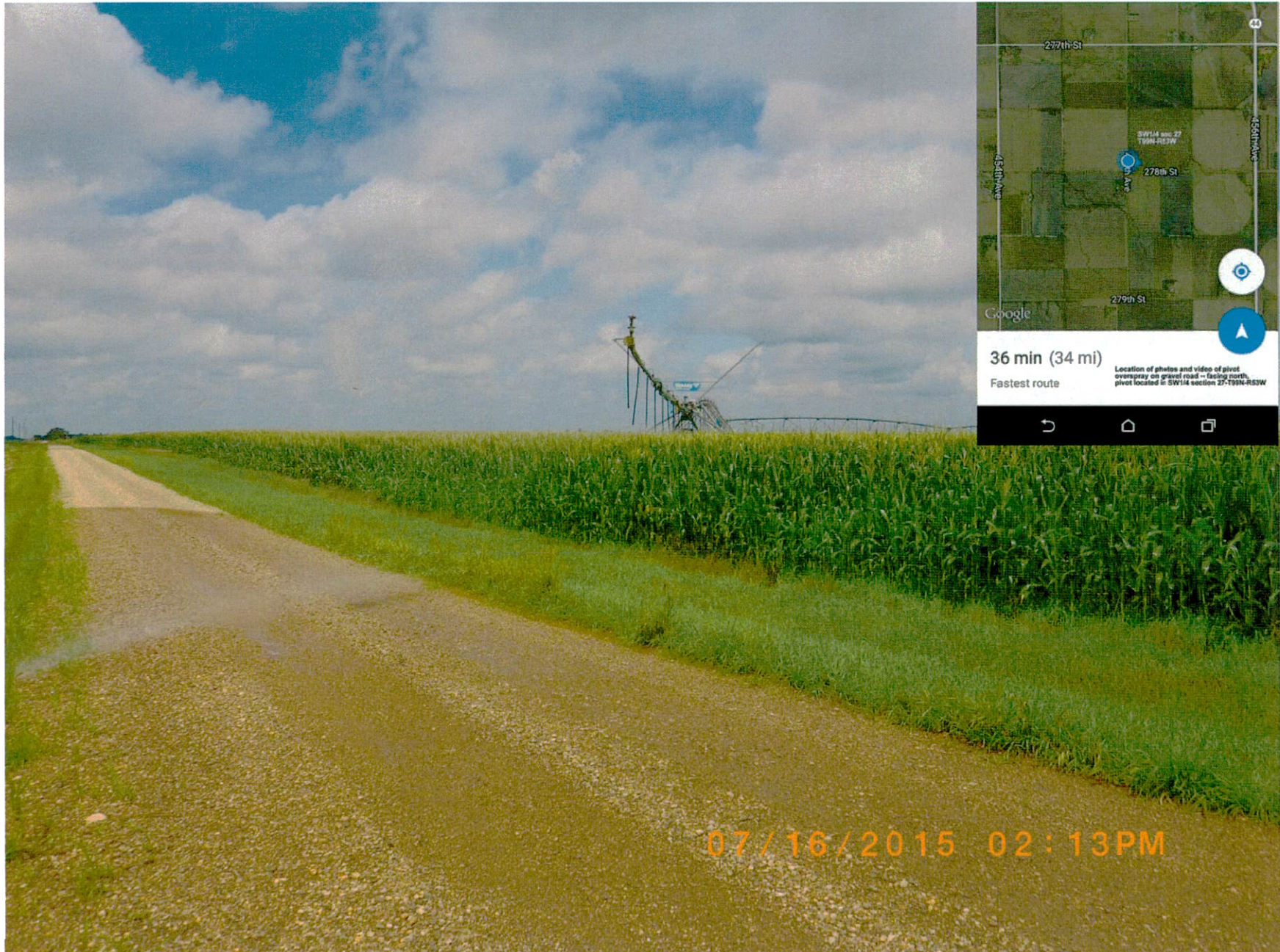
A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

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 eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure



07/16/2015 02:13PM

RECEIVED

DEC - 4 2015

WATER RIGHTS
PROGRAM

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 4748-3

Date: _____

I/We request that Water Right/Permit No. 4748-3 formerly owned by:Hoogestroat Farms, LLC be transferred to:New Owner Name: Kent & Vickie PluckerAddress: 46184 275th StCity, State, Zip Chancellor SD 57015 Telephone No. 605.389.9817

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

SW 1/4 & Lot 1 Guischer Tract 2
§27-99-53 Turner County, SD

☐ I understand that the validity of Water Right/Permit No. 4748-3 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, Kent & Vickie Plucker, the new owner, certify that the above information is true and correct.

Kent Plucker Vickie Plucker
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

DALE L. STRASSER, P.C.

ATTORNEYS AT LAW
P.O. BOX 428
FREEMAN, S.D. 57029

Dale L. Strasser
dale@strasserlawoffice.com

Diana L. Randall, Associate
diana@strasserlawoffice.com

OFFICE (605) 925-7745
FAX (605) 925-7480

www.strasserlawoffice.com

RECEIVED

DEC - 4 2015

**WATER RIGHTS
PROGRAM**

December 1, 2015

PMB 2020
DENR - Water Rights Program
523 E. Capitol Ave.
Pierre, SD 57501-3182

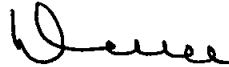
RE: Kent B. Plucker and Vickie A. Plucker

Dear Sir/Madam:

Enclosed, please find the Notice of Transfer of Ownership, along with my Trust Account check in the amount of \$50.00 for the transfer fee.

If you have any questions, please feel free to contact my office.

Very truly yours,



Dale L. Strasser

DLSeW
Enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/4, 20 15

RECEIVED OF Dale L Strasser PC PO Box 428 Freeman SD 57029

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>4748-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07545

By J. Anne Handman
Chief Engineer

4748-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 23, 2015

4748-3

Kent & Vickie Plucker
46184 275th St
Chancellor SD 57015

Dear Mr. & Mrs. Plucker:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 4748-3. The ownership change has been completed. Water Right No. 4748-3 formerly held by Hoogestraat Farms LLC is now listed in your names.

For informational purposes, each year we send out an irrigation questionnaire for irrigators to report how much water was pumped during that crop year. The 2015 questionnaire for Water Right No. 4748-3 was sent to Neil Hoogestraat for completion. It is my understanding that he is working on it and will get it submitted to us soon.

Receipt No. 07545 in the amount of \$50 is being forwarded by copy of this letter to Dale Strasser, Attorney at Law, Freeman SD. If you have any questions, please contact me.

Sincerely,

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

c: Dale L Strasser, PC, PO Box 428, Freeman SD 57029



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 10th, 2025

4748-3

Kent & Vickie Plucker
46184 275th St
Chancellor SD 57015

Dear Mr. & Ms. Plucker:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

I understand that you would like to transfer ownership of 4748-3 from yourselves to your Living Trust. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

RECEIVED

DEC 19 2025

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

DEC 19 2025

Ck# 5208

Rec't# _____

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 4748-3

Date: 12-15-2025

I/We request that Water Right/Permit No. 4748-3 formerly owned by:

Kent & Vickie Plucker

be transferred to:

New Owner Name:

Kent + Vickie Plucker Living Trust

Address:

46184 275th St

mobile: 605-359-9817

City, State, Zip

Chancellor, SD 57015

email: vkplucker@yahoo.com

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

155 acres Located in Section 27, T099N, R53W
NW1/4 SW1/4 - 40 acres
NE1/4 SW1/4 - 40 acres
SW1/4 SW1/4 - 40 acres
SE1/4 SW1/4 - 35 acres



I understand that the validity of Water Right/Permit No. 4748-3 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, Kent + Vickie Plucker Living Trust, 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.

RECEIPT

WATER RIGHTS PROGRAM

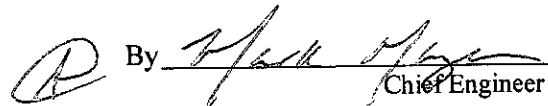
South Dakota Department of Agriculture and Natural Resources

Date December 19, 2025

RECEIVED OF Kent & Vickie Plucker Living Trust 46184 275th St Chancellor SD 57015

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 #4748-3 _____	\$50.00
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
	\$50.00

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 22nd, 2025

4748-3

Kent & Vickie Plucker Living Trust
46184 275th St
Chancellor, SD 57015

Dear Kent & Vickie Plucker:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right No. 4748-3. Enclosed is a receipt of payment for your records.

Water Right No. 4748-3 previously held by Kent & Vickie Plucker is now listed under Kent & Vickie Plucker Living Trust. 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 License (copy enclosed), 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 License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 4748-3 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