

Considered: _____

WATER PERMIT NO. 4912A-3

MAP No. Same

Name of Applicant Huizenga Brothers

Post Office Address Route 2, Box 15-A, Hitchcock SD 57348

Amount of Water Claimed 2.67 cfs Total Acres 301

Source of Water Supply ground water 3 existing wells (1 add'l)

Water to be used for irrigation County Beadle

About 3 1/2 miles S of Hitchcock.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received April 29, 1987 Fee \$50.00 Remarks change location
of div.pt., add a div.pt. and correct div. rate on 4912-3

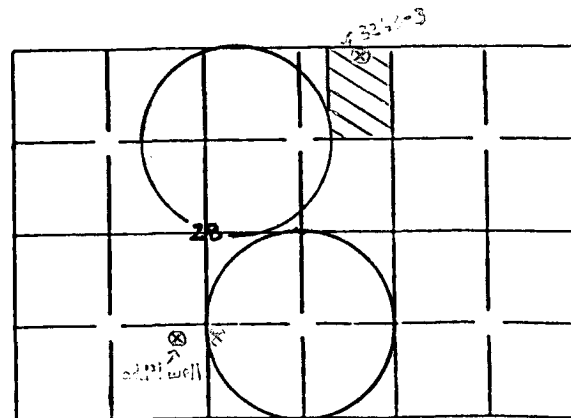
Corrected Application Received May 4, 1987 Period of Annual Use Apr 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED not needed APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: NE 1/4 NE 1/4 (change in location on No. 3263-3); SE 1/4 SW 1/4 (add'l div.pt. on No. 4912-3); both in section 28 - T113N-R63W

Land to be Irrigated E 1/2 NW 1/4, NE 1/4, SE 1/4 section 28 - T113N-R63W



Well Log: Driller Pullman Drilling Licensed YES ☒ NO _____

Depth of Well 62 feet REMARKS _____

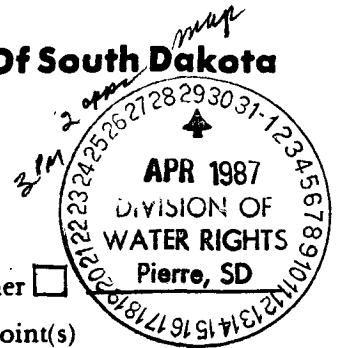
Type of Map aerial photo PREPARED BY Jim Wendte Reviewed and the Number assigned on June 17, 1987 By Ron D. Wall

No. 4912A-3 Hydrologic Unit 10160006
 Map No. same Basin James River
 Newspaper Huron Daily Plainsman, 49 3rd Str. SE

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

- New ☒ Vested Right ☐ Future Use ☐
☒ Application to amend Permit No. 3263-3 4912-3 with old priority date retained
☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Change acreage ☐ Other ☐
☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant Huizenga Brothers Phone No. 266-2117
 Post Office Address Route 2, Box 15-A, Hitchcock, South Dakota State 57348
 (Street, RR or Box) City Zip Code
 2. Amount of water claimed (c.f.s.) 2.67 ~~1.33~~ Total acres irrigated 380 ~~300~~ about 300 A
 3. Source of Water supply 3 groundwater (wells)
 4. Location of point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$ (change in location #3263-3) and SE $\frac{1}{4}$ SW $\frac{1}{4}$ (additional, #4912-3), both in Section 28, T113N, R63W.
 _____ County Beadle
 5. Counties where water will be used Beadle
 6. Annual period during which water is to be used April 1 thru October 31
 7. 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.
ELNW $\frac{1}{4}$ Sec. 28, T113N, R63W	80
NE $\frac{1}{4}$ Sec. 28, T113N, R63W	140
SE $\frac{1}{4}$ Sec. 28, T113N, R63W	160

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This permit changes the location of the diversion point on Permit No. 3263-3. It also adds a diversion point (well) to permit 4912-3. The two separate wells will retain the priority date of the original permit which they are associated with. This application is also to correct the amount of water claimed on Permit No. 4912-3. No diversion rate was specified on Permit No. 4912-3. The total combined diversions for Permit Nos. 3263-3 (225 gpm), 4912-3 and this application (1200 gpm) is 1425 gpm (3.17 cfs). Therefore, Permit No. 4912-3 should have specified a diversion rate of at least 1200 gpm (2.67 cfs).

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

STATE OF SOUTH DAKOTA)
 County of Beadle)^{ss}

I, Huizenga Bros the applicant, certify that I have read the foregoing application, 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 Huizenga Bros Clayton
28 day of April 1987
Warren Gilchrist
 A Notary

Subscribed and sworn to before me this

IRRIGATION WATER PERMIT APPROVAL

The Water Management Board hereby approves Water Permit Application No. 4912A-3

to irrigate _____ acres in change the diversion point authorized by Permit No. 3263-3; amend Permit
(legal description of land)
No. 4912-3 to add one well 62 feet deep and authorize a water appropriation (2.67 cfs). The correct
diversion point location is the NE¼NE¼ and the additional well is in the SE¼SW¼; both in for
section 28-T113N-R63W
(diversion point, source, depth of well, etc.)

Huizenga Brothers Route 2, Box 15-A
(Applicant) (Street, RR or Box)
Hitchcock SD 57348 With the following qualifications.
(City) (State) (Zip Code)

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application April 29, 1987.

Date Soil/Water Compatibility Permit received not required, 19____.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved December 2, 1987.

The Water Management Board approved this Water Permit No. 4912A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is see Permit No. 3263-3 October 18, 1976
see Permit No. 4912-3 July 1, 1982.*
2. One-fifth of the work is ~~to be completed on or before~~ _____, ~~19~~____.
3. The whole of said work is ~~to be completed on or before~~ _____, ~~19~~____.
4. The time limit for proof of beneficial use of water is _____, ~~19~~____.
5. 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 unlawfully impaired by this appropriation.
6. The amount of the appropriation herein granted shall not exceed 2.67 cubic feet per second; neither shall it exceed 2 acre feet per acre per year or 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~~ _____, ~~19~~____. The water is to be used during the following described annual period: Apr 1 - Oct 31

* A water appropriation of 0.50 cfs has been developed under Permit No. 3263-3 and 2.67 cfs is authorized by Permit No. 4912A-3 with the priority date specified on Permit No. 4912-3. The total authorized water appropriation is 3.17 cfs.

WATER MANAGEMENT BOARD

By: John H. Hatcher

Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

FEB 9 1988

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410869

Pierre, May 4, 19 87

RECEIVED OF Huizenga Brothess (Monte Huizenga) RR 1, Box 102, Hitchcock, SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	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 _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH



Conversation or File Documentation

NAME OF PERSON OR FILE: HuizengaADDRESS: Rt. 2 Box 15-A Hitchcock, SD 57348 COUNTY BeadleDATE: 4-24-87 TELEPHONE _____RE: Soil & Water For 3263-3 & 4912-3

COMMENTS:

Contacted Jim Stukel concerning Soil
& Water. Since the well which replaced
the dugout is within 2,000 feet of
the other well, no additional soil &
water approval is needed. Other well
where the change of location was required
is also o.k. since it is within 2,000
feet of the original.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Jim Wendt



Department of Water & Natural Resources

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

April 24, 1987

Clayton Huizenga
Rt. 2 Box 15-A
Hitchcock, SD 57348

Dear Mr. Huizenga:

On April 8, 1987, I inspected your irrigation systems which were constructed for Water Permits 3263-3 and 4912-3. These permits cover acreage in Section 28, T113N, R63W. Before your permits can be licensed, there are two discrepancies which must be cleared up.

Permit 3263-3 described a well in the SE1/4 NE1/4 of Sec. 28. However, this well is actually in the NE1/4 NE1/4. Permit 4912-3 accounts for a dugout and a well. Instead, you developed two wells and no dugout. This new permit application accounts for the correct location of the first well and the addition of the second well instead of the dugout. The application is for an amendment permit for which there is a \$50.00 processing fee.

You also have a Water Permit No. 4871-3 which covers 110 acres on the E1/2 of Sec. 23, T113N, R62W. The time limit for construction on this permit expired on April 7, 1987. However, I am of the understanding that you may wish to have the permit reinstated. If this is so, you have until April 7, 1990 to reinstate the permit. Please inform our office as to your plans in this matter.

Please review the enclosed application, make any additions or corrections, and sign both copies. After you have returned the notarized copies and fee to our office, we can then continue with the process of licensing your permits. If you have any questions, please contact our office.

Sincerely,

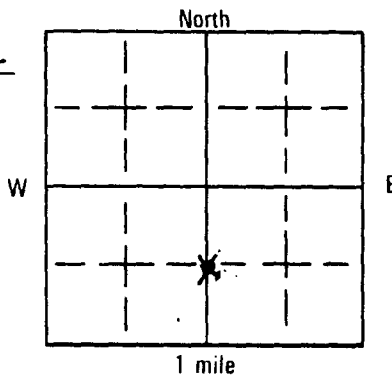
A handwritten signature in cursive script that reads "James L. Wendt".

James L. Wendt
Natural Resources Engineer
605 773-3352

enc

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SE 1/4 Sec 28 Twp 13N Rg 63
East of 71County Spink BeadlePlease mark well
location with
an "X"Well Completion Date 7-9-86

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Reverse Circulation
~~Forward Rotary~~

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>1 1/2</u> IN	<u>0</u> FT	<u>70</u> FT	<u>28</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? cementIf cement, number of sacks? 20

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 1 1/2 IN Length 20 FEET

Material _____

Slot Size .060 Set From 50 Feet To 70 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☒ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Huizenga Bros.
Address Hitchcock S. Dak. 57348
Well Log: _____ Depth _____

Formation	From	To
top soil	0	10
sand & coal	10	15
sand, clay & coal	15	32
coal, med fine sand	32	38
coarse sand	38	42
coarse sand & good gravel	42	56
blue clay & gravel	56	62

STATIC WATER LEVEL 11 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: line shaft pump

Pumping Level Below Land Surface

38.3 ft. After 530 Hrs. pumped 818 GPM38.4 ft. After 600 Hrs. pumped 818 GPM38.5 ft. After 630 Hrs. pumped 818 GPM

REMARKS:

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman Well Drilling

Signature of License Representative:

Ralph Pullman

Signature of Well Owner:

Clayton HuizengaDate 9-4-86

		80-90 blue clay
		90-100 blue clay & streaks of medium sand
		100-102 blue clay
		102-112 medium sand with couple small streaks blue clay - slate - took some water
		112-120 fine to medium sand - slate - traces of blue clay - little water take - hard drilling
7	120-140	blue clay & streaks of medium sand - 4' streak from 128'-132'

Hole # 4

SW-28-113-63

1	0-20	0-2 top soil 2-10 yellow clay 10-17 blue clay 17-20 medium to coarse sand - slate
2	20-40	20-22 coarse sand & small rocks 22-40 medium sand - slate - good water take - some fine sand present
3	40-50	40-41 medium sand 41-50 blue clay
4	50-60	blue clay & small rocks
5	60-80	blue clay & small rocks

Hole # 5

SW-28-113-63

1	0-20	0-4 top soil 4-8 yellow clay & streaks 8-20 fine blue sand with streaks of blue clay
2	20-40	fine to medium sand - some coarse sand & gravel - slate - some coal - took water
3	40-60	40-45 medium sand - took water 45-55 coarse sand & gravel - took water 55-60 blue clay

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4912A-3

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4912A-3, Huizenga Brothers, Rt 2, Box 15A, Hitchcock SD.

The Chief Engineer is recommending APPROVAL of Application No. 4912A-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 26, 1987

REPORT ON APPLICATION NO. 4912A-3
HUIZENGA BROTHERS
June 25, 1987

This application is the result of a staff inspection to license Permit No. 4912-3 and Permit No. 3263-3 conducted April 8, 1987.

Permit Application No. 4912A-3 proposes to amend Permit No. 4912-3 by adding a diversion point and correcting Permit No. 4912-3 by specifying a water appropriation. The additional well is located in the SE 1/4 SW 1/4 and the well authorized by Permit No. 4912-3 is located in the SW 1/4 SE 1/4; both wells are located in Section 28, T113N, R63W. This application is to allow an appropriation of 2.67 cubic feet of water per second from both wells to irrigate lands in the E 1/2 NW 1/4; the NE 1/4; and the SE 1/4 all in Section 28, T113N, R63W.

This application is also to allow a change in the well location specified on Permit No. 3263-3 from the SE 1/4 NE 1/4 Section 28, T113N, R63W to the NE 1/4 NE 1/4 Section 28, T113N, R63W.

The combined diversion rate for this application, Permit No. 4912-3 and Permit No. 3263-3, is not to exceed 3.17 cfs for the irrigation of 301 acres located in the E 1/2 NW 1/4; the NE 1/4; and the SE 1/4; all in Section 28, T113N, R63W.

History

Permit No. 3263-3 was approved for an appropriation of 2.28 cfs from one well to irrigate portions of the N 1/2, SE 1/4 Section 28, T113N, R63W. An inspection completed by Leroy Mernaugh on March 8, 1979 found 2 wells in addition to the one well specified on Permit No. 3263-3. One of the two additional wells was subsequently abandoned. Permit No. 4912-3 was approved for no additional cfs appropriation with a new priority date to cover the additional well found by Leroy Mernaugh and also add a dugout. An inspection completed by Jim Wendte on April 8, 1987 found that no dugout had been constructed; however, a second well in addition to the well specified on Permit No. 4912-3 had been constructed.

1. The well location specified on Permit No. 3263-3 is not the same as the physical location of the well. This application proposes to authorize a change in the well location to the present location in the NE 1/4 NE 1/4 Section 28, T113N, R63W. The well specified on Permit No. 3263-3 is capable of diverting 0.50 cfs.
2. Permit No. 4912-3 should have specified a cfs appropriation since a new priority date was assigned. Permit No. 3263-3 authorizes construction of one well only which currently diverts 0.50 cfs. Therefore, Permit No. 4912-3 should have authorized an increase in the diversion rate based on the amount of irrigated acreage (301 acres). The diversion rate that should have been authorized is 301 acres/1 cfs/70 acres

minus the existing 0.50 cfs equals 3.8 cfs on Permit No. 4912-3. This application proposes to correct the omission of a cfs appropriation on Permit No. 4912-3 and amend Permit No. 4912-3 to allow an additional diversion point. The diversion rate that should have been specified on Permit No. 4912-3 is 3.8 cfs; however, the current physical pumping capacity of the well authorized by Permit No. 4912-3 and the additional well is 2.67 cfs (600 gpm each). Therefore, the lesser water appropriation of 2.67 cfs is specified on this application to correct the omission of a water appropriation on Permit No. 4912-3. The total water appropriation authorized by Permit No. 3263-3 (0.50 cfs), Permit No. 4912-3 and this application (2.67 cfs) is 3.17 cfs to irrigate 301 acres.

Aquifer: Tulare-Western Spink

Geology and Aquifer Characteristics

The Western Spink Management Unit of the Tulare Aquifer is a glacial outwash aquifer approximately 45 feet thick in this area (Kuiper, 1984). The aquifer underlies approximately 57,000 acres of Beadle County and contains an estimated 162,000 acre feet of recoverable water in storage (Hedges, 1982). The aquifer is under artesian conditions because the till cover over the aquifer confines the water moving through the aquifer from recharge areas at a higher elevation. Recharge estimates for the Tulare-Western Spink Aquifer based on computer model analysis, range from 0.41 to 1.66 inches per year, with a "best fit" of 0.83 inches per year (Hedges, 1983). Based on the "best fit" recharge estimate, average annual recharge to the Tulare-Western Spink Aquifer in Beadle County would equal 3942.50 acre feet.

The Division of Water Rights monitors four observation wells in the Tulare-Western Spink aquifer within approximately five miles of this application's wells. Water levels measured at these wells show the elevation of the potentiometric surface fluctuates as much as 42 feet depending on annual recharge and discharge. The highest water levels recorded from the observation wells were measured in the spring of 1987 and the lowest water levels recorded were measured in the summer of 1981.

Review of Existing Permits

The 1986 irrigation summary (Division of Water Rights, 1987) identifies 8 irrigation permits appropriating water from the Western Spink Management Unit of Tulare Aquifer. The total appropriation for irrigation from the management unit was 3558 acre-feet and the reported irrigation pumpage from the management unit during 1986 was 82 acre-feet.

There are no existing water rights appropriating groundwater from the Tulare-Western Spink within 3 1/2 miles of the applicant's well.

There are several domestic wells that obtain water supplies from the Tulare-Western Spink Aquifer in this area.

Conclusions

1. The Tulare-Western Spink is a viable source of water. Less than 2.2% of the estimated recoverable water in storage is appropriated.
2. The Tulare-Western Spink Aquifer is under artesian conditions and withdrawals from the aquifer may lower the potentiometric surface several feet in the proximity of the production well.
3. This application is a "clean up" application to correct discrepancies identified during a water license inspection conducted on April 8, 1987 (History section).
4. Based on the "best fit" annual recharge estimated, the appropriation from the Tulare-Western Spink does not exceed the average annual recharge to the aquifer. Reported pumpage is considerable less than even a conservative average annual recharge estimate.
5. The proposed appropriation should not have an adverse effect on existing water rights or adequate domestic wells.



KENT BUHLER
Natural Resources Engineer

References

- Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand and Spink Counties, South Dakota, Water Resources Investigations Report 84-4078, US Geological Survey, Huron SD.
- Hedges, L.S., S. L. Burch, D. L. Iles, R. A. Barari, R. A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, For US Army Corps of Engineers Contract # DACW 45-80-C-0185.
- Hedges, L.S., J. Allen, D. Holly, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge, For US Army Corps of Engineers Contract # DACW 45-80-C-0185.
- Division of Water Rights, 1987, "1986 Irrigation Report", preliminary report, DWNr, Division of Water Rights, Joe Foss Building, Pierre SD.
- Division of Water Rights, 1987, "Domestic Well Log, Observation Well and Water Permit Files", DWNr, Division of Water Rights, Joe Foss Building, Pierre SD.



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

July 30, 1987

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Huizenga Brothees
Route 2, Box 15 A
Hitchcock, South Dakota 57348

Dear Sir:

Your Application No. 4912A-3 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Huron Daily Plainsman

printed at Huron

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
July 30, 1987

Huron Daily Plainsman
49 Third Street, SE
Huron, South Dakota 57350

Dear Sir:

Enclosed is a Notice of Hearing to Application No. 4912A-3. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 6, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Huizenga Brothers, Route 2, Box 15 A, Hitchcock, South Dakota 57348.

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 before 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,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

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

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first publication of the following Notice on or before August 6, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4912A-3 to Appropriate Water
and to Amend Water Permit No. 4912-3

Notice is hereby given that Huizenga Brothers whose mailing address is Rt 2, Box 15-A, Hitchcock, South Dakota has filed an application for a permit to amend Permit No. 4912-3 to add a well (Tulare-Western Spink Aquifer) 62 feet deep and to correct the permit by specifying a water appropriation (cubic feet of water per second). One well (authorized by Permit No. 4912-3) is located in the SW 1/4 SE 1/4 and the additional well is located in the SE 1/4 SW 1/4; both in Section 28, T113N, R63W. This application is to allow an appropriation of 2.67 cubic feet of water per second from both wells combined to irrigate lands in the E 1/2 NW 1/4, NE 1/4, SE 1/4 Section 28, T113N, R63W. This application is also to allow a change in the well location specified on Permit No. 3263-3 from the SE 1/4 NE 1/4 Section 28, T113N, R63W to the NE 1/4 NE 1/4 Section 28, T113N, R63W. The combined diversion rate for this application, Permit No. 4912-3 and Permit No. 3263-3 is not to exceed 3.17 cfs for irrigation of the 301 acres located in the E 1/2 NW 1/4, NE 1/4, SE 1/4 Section 28, T113N, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4912A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

The application will be considered by the Water Management Board in Room 216, Joe Foss Bldg, Pierre SD, September 9, 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve the with qualifications, 3) defer, or 4) deny the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-5-30.4, 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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 State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.

No. 4912A-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, James Hein hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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

City Huron of Beadle

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

August 5, 1987

August 12, 1987

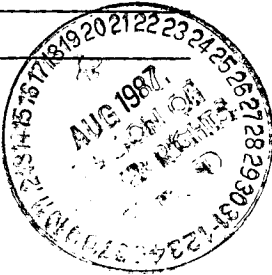
James Hein
(Signature)

Contractor
(Title)

August 12, 1987
(Date Signed)

Cost of Printing: \$88.40

WNR-808-7/79
Proof of Publication



F.P. 8-5-87 L.P. 8-12-87
NOTICE OF HEARING ON APPLICATION NO. 4912A-3 TO APPROPRIATE WATER AND TO AMEND WATER PERMIT NO. 4912-3
Notice is hereby given that Huizenga Brothers whose mailing address is Rt 2, Box 15-A, Hitchcock, South Dakota has filed an application for a permit to amend Permit No. 4912-3 to add a well (Tulare-Western Spink Aquifer) 62 feet deep and to correct the permit by specifying a water appropriation (cubic feet of water per second). One well (authorized by Permit No. 4912-3) is located in the SW¼ SE¼ and the additional well is located in the SE¼ SW¼; both in Section 28, T113N, R63W. This application is to allow an appropriation of 2.67 cubic feet of water per second from both wells combined to irrigate lands in the E½ NW¼, NE¼, SE¼ Section 28, T113N, R63W. This application is also to allow a change in the well location specified on Permit No. 3263-3 from the SE¼ NE¼ Section 28, T113N, R63W to the NE¼ NE¼ Section 28, T113N, R63W. The combined diversion rate for this application, Permit No. 4912-3 and Permit No. 3263-3 is not to exceed 3.17 cfs for irrigation of the 301 acres located in the E½ NW¼, NE¼, SE¼ Section 28, T113N, R63W.
Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4912A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.
The application will be considered by the Water Management Board in Room 216, Joe Foss Bldg, Pierre SD, September 9, 1987 at 10:00 am.
The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve the with qualifications, 3) defer, or 4) deny the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.
This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-5-30.4, 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.
This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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 State Supreme Court as provided by law.
Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.
No. 353 (adv.)



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 16, 1987

Huizenga Brothers
Route 2, Box 15-A
Hitchcock, South Dakota 57348

Dear Mr. Huizenga:

I am writing to advise you that the legal notice of hearing published in the Huron Daily Plainsman on August 5, and 12, 1987 was not correct. A publication error was made in the legal description of the wells in the first publication received by our office on August 10, 1987. I called the newspaper on August 11, 1987 to have the error corrected on the second publication; however, the legal description was still incorrect in the August 12, 1987 publication. Enclosed are copies of both publications and a copy of the notice sent to the newspaper.

As a result of the error, the legal notice will need to be readvertised for the December 2, 1987 Water Management Board meeting. The readvertisement is needed to ensure that the permit application is free from any potential legal problems due to inaccurate and incomplete public notice. The information needed to readvertise the notice will be sent to you under separate cover.

I am sorry I neglected to contact you prior to the September 9, 1987 Board meeting regarding the publication problem. I did not realize you planned on attending the Board meeting. Generally, applicants for water permits do not attend the Board meetings unless there is opposition to the permit application. Your application was not being opposed so I assumed you did not plan on coming to the meeting. The next time a similar situation occurs I will assume the applicant is coming to the meeting. Again, I am sorry for your unnecessary trip to Pierre.

Please contact us if you have any questions.

Sincerely,

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

Ron Duvall
Natural Resources Engineer

Enc.

cc: Daily Plainsman



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

September 17, 1987

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Huizenga Brothers
Route 2, Box 15-A
Hitchcock, South Dakota 57348

Dear Mr. Huizenga:

Your Application No. 4912 A-3 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Huron Daily Plainsman printed at Huron

South Dakota. For your information, a copy of the notice is enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 17, 1987

Huron Daily Plainsman
49 Third Street SE
Huron, South Dakota 57350

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 4912A-3. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before October 2, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. This notice is a readvertisement of the notice published in your paper on August 5 and 12, 1987. Due to publishing errors on the original notice this notice needs to be readvertised.

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,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

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

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first publication of the following Notice on or before October 2, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4912A-3 to Appropriate Water
and to Amend Water Permit No. 4912-3

Notice is hereby given that Huizenga Brothers whose mailing address is Rt 2, Box 15-A, Hitchcock, South Dakota has filed an application for a permit to amend Permit No. 4912-3 to add a well (Tulare-Western Spink Aquifer) 62 feet deep and to correct the permit by specifying a water appropriation (cubic feet of water per second). One well (authorized by Permit No. 4912-3) is located in the SW 1/4 SE 1/4 and the additional well is located in the SE 1/4 SW 1/4; both in Section 28, T113N, R63W. This application is to allow an appropriation of 2.67 cubic feet of water per second from both wells combined to irrigate lands in the E 1/2 NW 1/4, NE 1/4, SE 1/4 Section 28, T113N, R63W. This application is also to allow a change in the well location specified on Permit No. 3263-3 from the SE 1/4 NE 1/4 Section 28, T113N, R63W to the NE 1/4 NE 1/4 Section 28, T113N, R63W. The combined diversion rate for this application, Permit No. 4912-3 and Permit No. 3263-3 is not to exceed 3.17 cfs for irrigation of the 301 acres located in the E 1/2 NW 1/4, NE 1/4, SE 1/4 Section 28, T113N, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4912A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

The application will be considered by the Water Management Board at the Howard Johnsons, Roosevelt and Jefferson Rooms, 2211 LaCrosse, Rapid City SD on December 2, 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve the with qualifications, 3) defer, or 4) deny the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by November 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-5-30.4, 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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 State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 20, 1987.

No. 4912-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, James L. Hein hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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

City of Huron

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

September 25, 1987

October 2, 1987

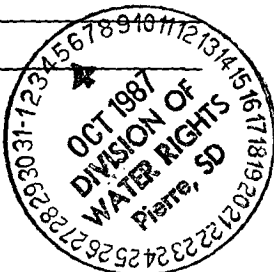
James L. Hein
(Signature)

Controller
(Title)

Sept 25, 1987 / Oct 2 1987
(Date Signed)

Cost of Printing: 88.40

WNR-808-7/79
Proof of Publication



F.P. 9-25-87 P. 10-2-87
NOTICE OF HEARING ON
APPLICATION NO. 4912A-3 TO
APPROPRIATE WATER AND
TO AMEND WATER PERMIT
NO. 4912-3

NOTICE IS HEREBY GIVEN
THAT Huizenga Brothers
whose mailing address is Rt. 2,
Box 15-A, Hitchcock, South
Dakota has filed an application
for a permit to amend Permit
No. 4912-3 to add a well
(Tulare Western Spink Aquifer)
62 feet deep and to correct
the permit by specifying a
water appropriation (cubic feet
of water per second). One well
(authorized by Permit No.
4912-3) is located in the SW 1/4
SE 1/4 and the additional well is
located in the SE 1/4 SW 1/4; both
in Section 28, T113N, R63W. This
application is to allow an
appropriation of 2.67 cubic feet
of water per second from both
wells combined to irrigate lands
in the E 1/2 NW 1/4, NE 1/4, SE 1/4
Section 28, T113N, R63W. This
application is also to allow a
change in the well location
specified on Permit No. 3263-3
from the SE 1/4 NE 1/4 Section 28,
T113N, R63W to the NE 1/4 NE 1/4
Section 28, T113N, R63W. The
combined diversion rate for this
application, Permit No. 4912-3
and Permit No. 3263-3 is not to
exceed 3.17 cfs for irrigation of
the 301 acres located in the E 1/2
NW 1/4, NE 1/4, SE 1/4 Section 28,
T113N, R63W.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
APPROVAL of Application No.
4912A-3 because 1) unappropri-
ated water is available, 2) will
be no unlawful impairment of
existing rights, 3) it is a
beneficial use of water and 4) it
is in a public interest.

The application will be con-
sidered by the Water Manage-
ment Board at the Howard
Johnsons, Roosevelt and Jeffer-
son Rooms, 2211 LaCrosse,
Rapid City SD on December 2,
1987 at 10:00 am.

The recommendation of the
Chief Engineer is not final or
binding upon the Board and the
Board is authorized to 1)
approve, 2) approve with the
qualifications, 3) defer, or 4)
deny the application after it
reaches a conclusion based
upon facts presented at the
public hearing. Any interested
person who may be affected by
a Board decision and who
intends to participate in the
hearing before the Board and
present evidence or cross-ex-
amine witnesses according to
SDCL 1-26, must file a written
petition with BOTH the appli-
cant and the Chief Engineer by
November 20, 1987. The Petition
may be informal, but it must
include a statement describing
the Petitioner's interest in the
application, the reasons for the
signature and mailing address
of the Petitioner or his legal
counsel if legal counsel is
obtained. The applicant need
not file a Petition.

This application is made
pursuant to the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15; 46-2-3.1, 46-2-9,
46-2-11, 46-2-13, 46-2-17; 46-2A-1
thru 46-2A-10, 46-2A-12, 46-2A-14,
46-2A-15, 46-5-1 thru 46-5-11,
46-5-13 thru 46-5-15, 46-5-24,
46-5-25, 46-5-30.2, 46-5-30.4, 46-5-
31; 46-6-3, 46-6-3.1, 46-6-6.1,
46-6-10, 46-6-13, 46-6-14, 46-5-30.4,
46-5-33 thru 46-5-35; and Board
Rules ARSD 74:02:01:01 thru
74:02:01:15.

This hearing is an adversary
proceeding. The applicant or
any person, after filing a
Petition, 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 State Supreme Court as
provided by law.

Any person wishing a copy of
the Chief Engineer's recom-
mendation, further information
on this application or to assure
access to the hearing by the
handicapped can contact the
Water Rights Division, Joe Foss
Bldg, Pierre, SD (605-773-3352)
for assistance prior to the
hearing date. The time of the
hearing will be automatically
extended for at least twenty
days upon written request of the
applicant or person who has
filed a Petition to oppose or
support the application. The
request for extension must be
filed with the Chief Engineer by
November 20, 1987.



Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

4912A -3

FEB 9 1988

Huizenga Brothers
Route 2, Box 15 A
Hitchcock, South Dakota 57348

Dear Sir:

Enclosed herewith is your Water Permit No. 4912A-3 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 4912A-3.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 13, 1988, 19

RECEIVED OF Huizenga Brothers, Monte Huizenga, RR 1, Box 102, Hitchcock, SD 57347
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4912A-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By [Signature]
Chief Engineer

Big Gun

4-8-87
Huizenga

LICENSE FOR PERMIT NUMBER 326334 4912-3

1. Legal location of wells: NE 1/4 NE 1/4 28-113-63

dams & structures: _____

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells 1 Depth 60-80'

Casing a) diameter 16"
b) length —
c) type Plastic

Screen a) type St. Steel

b) length 20'

Static Water Level —

Pump a) make National
b) model N 280
c) ~~size~~ ^{Ser. No.} A-1-79-254
d) capacity 225 GPM
e) turbine pump
no. of stages —

Motor a) make (Propane) Chrysler Industrial
b) ~~model~~ ^{Ser.} no. E128246 (413)
c) horsepower rating —
d) motor efficiency rating —

3. Distribution lines:

a) size of lines ~~6"~~ 6"
b) type ~~Alum.~~ Alum.
c) length —

U.S. Electrical Motor
Holloshaft Gear Drive
70 H.P.
Ser. # 1398625

4. Dam information:

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

i) Outlet tubes:

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

System Type: a) sideroll:

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

b) towline:

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

5. System Type: c) center pivot

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

g) Gun

- 1) make EZ Rain
- 2) serial number 55113-1
- 3) nozzle size 1"
- 4) capacity (GPM) 225
- 5) PSI 100
- 6) hose size 4 1/2"
- 7) hose length 600'

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

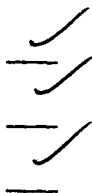
h) Hydromatic

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

YES

NO

Check Items



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

REMARKS:

Pivots

4-8-87
Huizenga

LICENSE FOR PERMIT NUMBER 3263-3
4912-3

1. Legal location of wells: (West) SE 1/4 SW 1/4 & (East) SW 1/4 SE 1/4
28-113-63

dams & structures: _____

2. Well Information: Well Drilling Firm Huron Drilling

No. of wells 2

Depth 60-80'

Casing a) diameter W(16") E(10")

b) length _____

c) type Plastic

a) make Layne & Bowler

b) ~~model~~ ^{Ser. No.} N10922

c) size _____

d) capacity W(600) E(600) GPM

e) turbine pump
no. of stages _____

Screen a) type Plastic

b) length 20'

Static Water Level _____

^{West} Motor a) make Minneapolis Moline (Propane)

b) model no. 336A-4A

c) horsepower rating 60

d) ~~motor efficiency rating~~

Ser. No. 30100695

East Pump & Motor
Case Diesel - 65 H.P.
Model 336BD Ser. # 8765640
Aurora Vertiline Pump
Amarillo Gear Drive

3. Distribution lines:

a) size of lines 8"

b) type PVC & Aluminum

c) length 4100'

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

West Pump
U.S. Electrical
Holloshaft Gear
Drive
50 H.P.
I.D. #
R-2723-00-168-H
Ser. #
R-1000612

5. System Type: c) center pivot

d) Gate Pipe

- 1) make Valley
2) number of towers 7 (both)
3) distance between towers _____
4) overall length _____
5) End gun (Y/N) (Both)
6) high or (low) pressure (Both)
7) make & size of nozzles _____
8) PSI reading while system is running 25-30
9) GPM 600 (each)

- 1) length _____
2) diameter _____
3) spacing of gates _____

e) Siphons

- 1) number _____
2) size _____

f) Portable boom

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

g) Gun

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

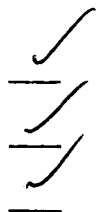
h) Hydromatic

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

YES

NO

Check Items



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

REMARKS:

South Pivot
Electrogator by Reinke
Model 670
Ser. # 381-C-7594

- 8" PVC underground to SE Pivot
- 8" Alam. above ground to center of Section,
Followed by 8" PVC underground to North Pivot

Permit No. 3263-3, 4912-3, & 4912A-3

James River Water District

10160006

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

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

I have this day made a thorough examination of the water use system constructed by April 8, 1987

Huizenga Brothers of Rt. 2, Box 15-A, Hitchcock, SD holder of
3263-3 Oct. 18, 1976 57348

Permit No. 4912-3 & 4912A-3 bearing the priority of July 1, 1982 19____ authorizing

the diversion of 4.95 cu. ft. per second of the waters of groundwater (3 wells)

for irrigation purposes, in Beadle County.

I have to report on the conditions of the same as follows: (Continued on Addl. sheets)

- A. Works used to divert the water: 3 wells (60') in Sec. 28, T113N, R63W
Well in NE 1/4 NE 1/4: 16" Plastic Casing, 20' St. Steel Screen
Pump: National, Model N 280, Ser. # A-1-79-254
Motor: Chrysler Industrial, Propane, Ser. # E128246, U.S. Elec. Hollister
 B. Works used to transport water to place of use: Gear Drive, 70 H.P., Ser. # 1398625

4100' of Aluminum and PVC 8" pipe.

- C. Works used to apply water to beneficial use:
Big Gun in NE 1/4 NE 1/4: EZ Rain, Serial # 55113-1,
1" Nozzle, 4 1/2" hose, 600' of hose

The system is in the following condition good

The point of diversion is located all wells in Sec. 28, T113N, R63W:
NE 1/4 NE 1/4 - 360' W & 100' S of the NE corner, (Continued)

The works are capable of diverting and conveying to the place of use 3.17

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: Sec. 28, T113N, R63W

NE 1/4 NW 1/4 - 25 acres SE 1/4 NE 1/4 - 4 acres SE 1/4 SE 1/4 - 34 acres

SE 1/4 NW 1/4 - 25 " SW 1/4 NE 1/4 - 37 " SW 1/4 SE 1/4 - 34 "

NW 1/4 NE 1/4 - 37 " NW 1/4 SE 1/4 - 34 "

NE 1/4 NE 1/4 - 37 " NE 1/4 SE 1/4 - 34 "

comprising a total of 301 acres of land and the license should be issued for 3.17 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date Jan 8, 1988

0.50 cfs From well in NE 1/4 - Oct. 18, 1976 Priority Date

James L. Wendt
 (signature)

2.67 cfs From wells in SW 1/4 & SE 1/4 - July 1, 1982 Priority Date

A. Works used to divert the water: Continued

- Well in SE $\frac{1}{4}$ SW $\frac{1}{4}$: 16" Plastic Casing, 20' Plastic Screen

Pump: Layne & Bowler, Ser. # N10922

Motor: Minneapolis Moline, Propane, Model #336A-4A

Serial #30100695, 60 H.P.; U.S. Electrical

Holloshaft Gear Drive, 50 H.P.,

I.D. # R-2723-00-168-H, Ser. # R-1000612

- Well in SW $\frac{1}{4}$ SE $\frac{1}{4}$: 10" Plastic Casing, 20' Plastic Screen

Pump: Aurora Vertiline, Amarillo Gear Drive

Motor: Case Diesel, 65 H.P., Model #336BD,

Serial # 8765640

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

- Center Pivot on north half of section:

Valley, 7 towers, Model #2171, Ser. #21396

- Center Pivot in SE $\frac{1}{4}$ of section:

Reinke, Model 670, Ser. #381-C-7594

Point of Diversion Locations: Continued

- SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 2300' E & 1200' N of the SW corner

- SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 2600' W & 1250' N of the SE corner

State of South Dakota
Water License No. 4912A-3

(1) Huizenga Brothers
of Rural Route 2, Box 15A, Hitchcock, South Dakota 57348
made Application No. 4912A-3, April 29, 1987 for a water permit to appropriate
2.67 cubic feet per second of water from groundwater,
Beadle County, South Dakota for irrigation purposes.
Permit No. 4912A-3, with ~~/~~ priority date of October 18, 1976 and July 1, 1982
was approved December 2, 1987 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ _____ and ~~for the application to beneficial use of said~~
water ~~on or before~~ _____ completed _____.

Water Permit No. 4912A-3 authorized the following: 1) a change in the location of the diversion point on Water Permit No. 3263-3, 2) an additional diversion point for Water Permit No. 4912-3, and 3) to correct the amount of water claimed on Permit No. 4912-3. The total authorized water appropriation is 3.17 cfs with 0.50 cfs developed under No. 3263-3 and 2.67 cfs authorized by No. 4912A-3 (with a priority date specified on No. 4912-3).

The applicable portions of Water Permit Nos. 3263-3 and 4912-3 have been incorporated into this Water License No. 4912A-3.

Priority dates are as follows: October 18, 1976 for 0.50 cfs from the well in the NE $\frac{1}{4}$ Section 28; July 1, 1982 for 2.67 cfs from the wells in the SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Section 28.

and

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.17 cubic feet per second of water for beneficial use. The location of the diversion point(s) ~~is~~ are 360 feet West and 100 feet South of the NE $\frac{1}{4}$ Corner of Section 28 (NE $\frac{1}{4}$ NE $\frac{1}{4}$); 2300 feet East and 1200 feet North of the SW $\frac{1}{4}$ Section 28 (SE $\frac{1}{4}$ SW $\frac{1}{4}$); 2600 feet West and 1250 feet North of the SE Corner, Section 28 (SW $\frac{1}{4}$ SE $\frac{1}{4}$); all in T113N, R63W.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, irrigate the following land all in T113N, R63W Section 28

<u>NE$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>25 Acres</u>
<u>SE$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>25 Acres</u>
<u>NW$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>37 Acres</u>
<u>NE$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>37 Acres</u>
<u>SE$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>4 Acres</u>
<u>SW$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>37 Acres</u>
<u>NW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>34 Acres</u>
<u>NE$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>34 Acres</u>
<u>SE$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>34 Acres</u>
<u>SW$\frac{1}{4}$SE$\frac{1}{4}$</u>	<u>34 Acres</u>
<u>TOTAL</u>	<u>301 ACRES</u>

(4) Pursuant to §46-5-30.1 Huizenga Brothers
of Rural Route 2, Box 15 A, Hitchcock, South Dakota 57348
the holder(s) and/or owner(s) of ^{Incorporated}~~Water Permit~~ No. 4912A-3 is issued a license to appropriate water, the right to use
3.17 cubic feet per second of water from groundwater (3 wells) with ~~priority~~ dates
of October 18, 1976 (0.5 cfs); July 1, 1982 (2.67 cfs) from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in ^{Incorporated}~~Water Permit~~ No. 4912A-3 and subject
to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources
DEC 19 1988

JOHN HATCH



Department of Water & Natural Resources

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

DEC 19 1988

3263-3
4912-3
4912A-3

Clayton Huizenga
Huizenga Brothers
RR #2 Box 15A
Hitchcock, SD 57348

Dear Mr. Huizenga:

Enclosed is Water License No. 4912A-3. This is the final water right document completing your process of obtaining a Water Right. The applicable portions of Water Permit Nos. 3263-3 and 4912-3 were incorporated into this Water License.

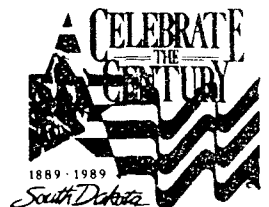
For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4912-A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures



**Department of
Water & Natural Resources**

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

February 17, 1989

Huizenga Brothers
RR 2, Box 15A
Hitchcock, SD 57348

Dear Sirs:

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

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

The new standards include:

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

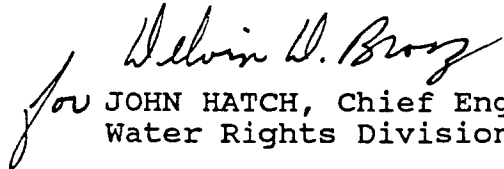


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 9, 1990

HUIZENGA BROTHERS
RR 2 BOX 15A
HITCHCOCK, SD 57348

NOTICE

RE: Violation of Water Permit No(s). 4912A-3, 5178-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 4912A-3, 5178-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4912A-3, 5178-3 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, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

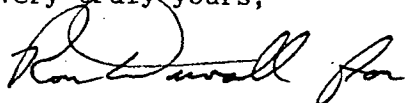
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4912A-3, 5178-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



Department of Water & Natural Resources

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

March 14, 1990

4912A-3
5178-3

Huizenga Brothers
RR #1 Box 102
Hitchcock, SD 57348

Dear Sirs:

I am writing to acknowledge receipt of your 1989 irrigation questionnaires for Water Permit Nos. 4912A-3 and 5178-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaires. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

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

RON DUVALL
Natural Resources Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 31 2002

Jerry Huizenga
19511 392 Ave
Hitchcock SD 57348-6820

4912A-3
4912B-3

Dear Mr. Huizenga:

Enclosed is Reissued Water License No. 4912B-3. Water Right No. 4912A-3 is being divided and reissued to reflect separate ownership. Enclosed is Receipt No. 416734 in the amount of \$2.50 which you paid for the filing the transfer of ownership.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 23, 2024

4912A-3

Huizenga Brothers
39211 192nd Ave
Hitchcock SD 57348

To whom it may concern:

I am writing in regard to the ownership and irrigation under Water Right No. 4912A-3.

Water Right No. 4912A-3 was divided and reissued to reflect new ownership in 2002. The remaining portions of Water Right No. 4912A-3, held by Huizenga Brothers, authorize the diversion of 1.84 cubic feet of water per second (approx. 825 GPM) from groundwater, two wells (Tulare: Western Spink Hitchcock Aquifer), for the irrigation of 165 acres located in the E ½ NW ¼ & NE ¼ Section 28, T113N, R63W, Beadle County.

Under SD Water Laws, water rights for irrigation are appurtenant to the land. Our records indicate that you own a portion of the properties authorized for irrigation by Water Right No. 4912A-3 (see enclosed map for reference). Due to past confusion surround ownership of these parcels, annual irrigation questionnaires had been put on hold. Be advised that annual irrigation questionnaires will resume mailing for the 2024 irrigation season. Please report for the number of acres you actively irrigate.

SDCL 46-5-37 also require water be put to beneficial use, as described in the water right, at least once every three years. Failure to exercise a water permit/right may render it subject to cancellation for abandonment and/or forfeiture. Water Rule 74:02:01:37.1 allows for exceptions of non-use, such as the unavailability of water, sufficient moisture, or legal proceeding preventing access to the irrigation system.

Should you no longer irrigate, please let us know so that we may cancel the unused portions of the water right.

Sincerely,

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

NOTE: It is the understanding of our office that Greg & Kathy Huizenga now own the NE ¼ Section 28, T113N, R63W. A letter is also being sent to them.

enclosures

Cc: Huizenga Brothers, 19511 392nd Ave, Hitchcock SD 57348



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: HUIZENGA BROTHERS, JERRY HUIZENGA, 19511 392ND AVE, HITCHCOCK, SD 57348
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4912A-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4912A-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4912A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FAGODC**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 9, 2026

4912A-3

Jerry Huizenga
Huizenga Brothers
19511 392nd Ave
Hitchcock, SD 57348

Dear Mr. Huizenga,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us