

Considered: _____

WATER PERMIT NO. 5039-3

MAP No. same

Name of Applicant Lloyd Terrill Jr.

Post Office Address RT. 2 Box 101 Clark

Amount of Water Claimed ~~300~~ No add'l Total Acres 160

Source of Water Supply groundwater (140 foot existing well see #2700-3)

Water to be used for IRR. County Clark

About _____ miles SW of Clark

PROOF OF PUBLICATION: Received 1st 2-4-85 Not Received _____

APPLICATION: Approved 3-6-85 Subject to _____

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

PRIORITY _____ Date Received 11-20-84 Fee \$250⁰⁰ Remarks _____

11-20-84

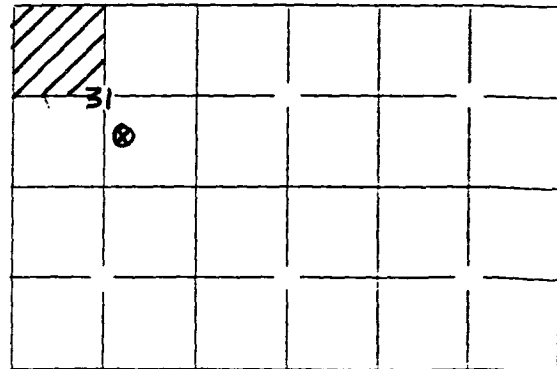
Corrected Application Received _____ Period of Annual Use 4/1 to 10/31

WATER QUALITY APPROVAL RECEIVED 1-14-85 APPROVED (CONDITIONAL) (Circle one)

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

Diversion Point well to be used was drilled
under permit #2700-3. NW⁴ SE⁴ sec. 31
T116N-R58W

Land to be Irrigated NW⁴ section 31 T116N-R58W



Well Log: Driller Empire Drilling Licensed YES X NO _____

Depth of Well 140 feet REMARKS Well drilled July 1977 for
permit #2700-3

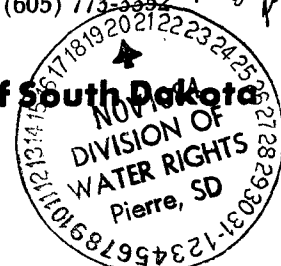
Type of Map Aerial PREPARED BY Ron Duval Reviewed and the Number _____
assigned on 1-15-85 By Kevin P. Larson

No. 5039-3 Hydrologic Unit 10160006
 Map No. same? Basin JR
 Newspaper Clark Co. Courier 117 1 E. Clark Wed

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

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

SEE 2700-3

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ 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. 2700-3☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Lloyd Terrill Jr. Phone No. _____Post Office Address RR 2, Box 101 Clark State SD 57225
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 2.2 Total acres irrigated 1603. Source of Water supply groundwater4. Location of point of diversion 1650 feet West and 1450 feet North from SE corner of
Section 31, T116N, R53WCounty Clark5. Counties where water will be used Clark6. Annual period during which water is to be used April - October 4/1 - 10/31

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.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ <u>SEC 31-T116N-R53W</u>	<u>40</u>
NE $\frac{1}{4}$ NW $\frac{1}{4}$ "	<u>40</u>
SW $\frac{1}{4}$ NW $\frac{1}{4}$ "	<u>40</u>
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	<u>40</u>

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)

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 Hughes
L.S. Terrill, Jr.

I, _____ 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 L.S. Terrill Jr.
20th November 1984

Subscribed and sworn to before me this _____ day of _____ 1984

Karen Schlaack
Administrative Aide, Water Rights Division

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5039-3
Lloyd Terrill Jr. RT. 2 Box 101 Clark
 (Applicant) (Post Office Address)
South Dakota _____
 (State) (Zip Code) With the following qualifications.

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate 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 November 20, 1984.
Date of return to applicant for correction, amendments or changes required —, 19—.
Date of receipt of corrected application —, 19—. Approved March 6, 1985.

The Water Management Board hereby approves this Water Permit No. 5039-3 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 November 20, 1984.
2. One-fifth of the work is to be completed on or before September 6, 1987.
3. The whole of said work is to be completed on or before March 6, 1990.
4. The time limit for proof of beneficial use of water is March 6, 1994.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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. 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 March 6, 1994; said water to be used during the following described annual period: April 1 to October 31.

WATER MANAGEMENT BOARD

By: John Hatch Chief Engineer

Division of Water Rights JOHN HATCH
Dept. of Water and Natural Resources

APR 23 1985

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth 140 feet
- b) Casing Type plastic Diameter 18 inches Thickness _____
- c) Screen Type stainless steel Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) 26
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

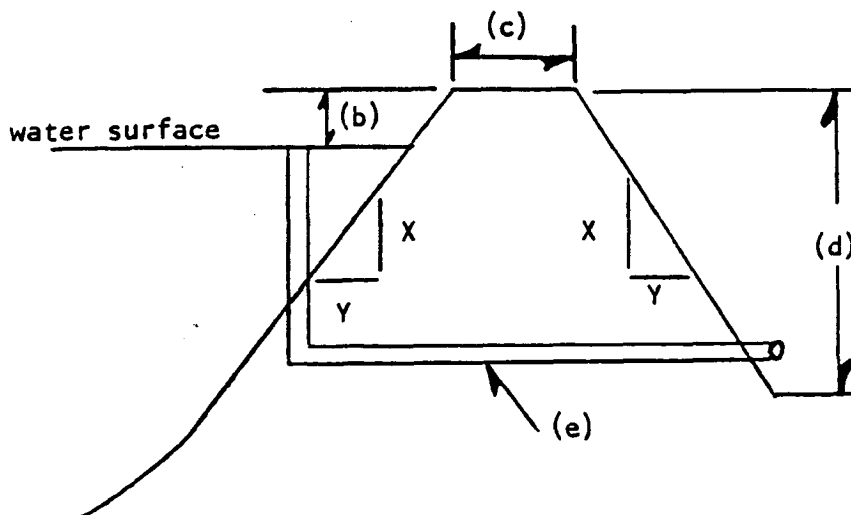
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



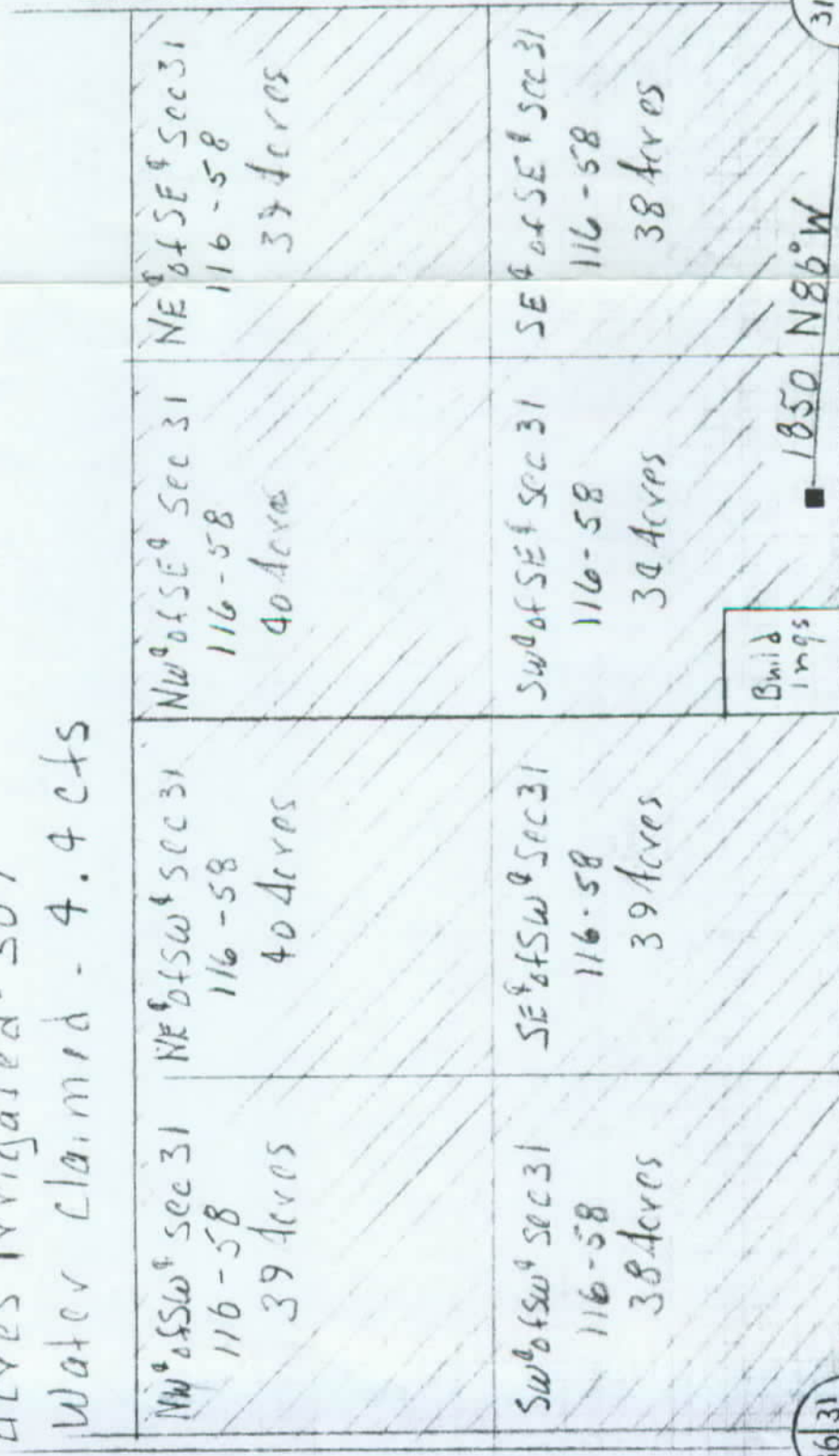
L. V. Ferrell Jr.
Signature of Applicant

Point of Diversion - 1850' N86°W of SE corner Sec 31 - 116-58
 Acres Irrigated - 307
 Water Claimed - 4.4 cfs

LLOYD TERRILL

Irrigation Project #2
 Clark 57225 S. Dak

Clark County



Scale - 8" = 1 Mile

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land as:

Lloyd Terrill

Clark 57225

South Dakota

4-13-76

Clark County

P.E.#1916

John L. Wiersma
 Brookings S.D.

PULLMAN DRILLING — DRILLERS LOG

replacement well

Phone: 1-800-451-4884

Lloyd Terrill Jr.
JOB NAME

S.E 31-114-58
Clark, ^{county}
LOCATION

4/16/91
DATE

RIG NO.

Jeram
FOREMAN

Jt No.	DEPTH	TIME	REMARKS
1	20		0-13 yellow clay
2	40		13-18 yellow sand
3	60		18-80 Blue Clay
4	80		80-85 yellow clay
5	100		85-100 Blue Clay
6	120		100-110 Blue Clay
7	140		110-120 med sand
8			120-139 med sand
9			139-140 shale
10			
11			
12			
13			Depth 140 ft.
14			
15			110 ft. 16 P.V.C. Blank pipe
16			30 ft. 16 P.V.C. screen
17			
18			
19			water head Ground level
20			
21			test Pump 1000 GPM
22			Draw Down to 43 ft. 4 in
23			
24			
25			
26			
27			
28			
29			Copy sent to
30			
31			norman job
32			water Rights
33			Bierre
34			
35			
36			
37			
38			
39			
40			

REMARKS:



RECEIPT

Division of Water Rights

Nº 4 9831 -

South Dakota Department of Water and Natural Resources

Pierre, November 20, 1984

RECEIVED OF L. S. Terrill, RR#2 Box 101, Clark, SD 57225

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

Fee for Application for Permit No. <u>5039-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	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	250 00

By

Chief Engineer

John Hatch
JOHN HATCH (ms)

2700-3

Lloyd Terrill Jr.

10/31/84

Inspected # 2700-3. Land & well location check out. License # 2700-3 with new permit when approved. The same diversion pt. will be used and the pivot will be towed between the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$.

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4122

WR#

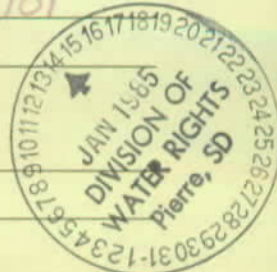
OWNERS NAME: Lloyd Terrill Jr.

OWNERS ADDRESS: RR 2, Box 101

COUNTY LAND LOCATED IN: Clark

PHONE: _____

TENANT'S NAME AND ADDRESS: _____



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

1. WELL LOCATION 1650 Ft. W. and 1450 Ft. N. from SE corner of sec 31, T116N, R58W

Depth 140 ft

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
<u>NW 1/4 NW 1/4</u>	<u>40</u>		
<u>NE 1/4 NW 1/4 all in sec. 31, T116N, R58W</u>	<u>40</u>		
<u>SW 1/4 NW 1/4</u>	<u>40</u>		
<u>SE 1/4 NW 1/4</u>	<u>40</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 76

LEGAL DESCRIPTION: S 1/2 of sec 31, T116N, R58W

IN WHAT NAME: Lloyd Terrill Jr.

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: (Specify) _____

6. CROPS TO BE IRRIGATED: corn and alfalfa

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

7. WATER SAMPLE NUMBER: 76-331

10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): 2197

11. PERCENT SODIUM 25.82

9. SODIUM (SAR): 2.67

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____ by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

20th DAY OF November, 1984

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Conditional Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATIONNAME OF APPLICANT: Lloyd Terrill, Jr.LEGAL DESCRIPTION: NW1/4 31-116-58 = 160 acresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

The drainageway in the northeast corner of the quarter is subject to erosion due to slope. This area should remain in grass and/or alfalfa and shall not be irrigated. The use of an automatic shutoff may be used in addressing this area.

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

We recommend the use of conservation tillage to control erosion.

Your water management program will be very important to assure the leaching of salts, and prevent the development of a water table above the less permeable material found in the lower soil profile.

SIGNATURE

DATE

REPORT ON APPLICATION NO. 5039-3

Lloyd Terrill Jr.

January 17, 1984

This application submitted by Lloyd Terrill Jr. is to irrigate an additional 160 acres in the NW $\frac{1}{4}$ Section 31, T116N, R58W. The water will be pumped from an existing irrigation well in the SE $\frac{1}{4}$ Section 31, T116N, R58W approved under Permit No. 2700-3. The location of the diversion is 1650 ft west and 1450 ft north of the SE corner of Section 31, T116N, R58W.

Aquifer - Prairie Coteau

Geology and Aquifer Characteristics

The Prairie Coteau aquifer is approximately 25 feet thick in this area. Properly constructed wells may yield 800 gal/min. The water occurs under artesian conditions (USGS, 1978). The Prairie Coteau in Clark County covers 217,600 acres and has approximately 825,000 ac-ft of recoverable water.

The well log and supplemental information indicate that the well is 140 feet deep and cased with 18 inch plastic pipe. The static water level is 26 feet below the ground surface. Estimated well production is 20 gpm/foot of drawdown.

Two observation wells exist in this area (CK-76K and CK-76L). These wells have been monitored since 1977. Well readings indicate water level fluctuations of approximately 30 feet. Water levels have not dropped, other than the periodic fluctuations, since monitoring began in 1977.

Review of Existing Water Rights

The nearest irrigation water permit is also owned by Mr. Terrill and is approximately 2 miles NE of the proposed development. Domestic well data is very limited. Only one domestic well appears in Division records and the well location is 5 miles NE of the proposed development.

Conclusions

1. Water is available from the Prairie Coteau Aquifer.
2. Water levels for this area of the Prairie Coteau are available from two observation wells (CK-76K and CK-76L).
3. An effort should be made to determine specific capacity in this area. Estimated specific capacity is 20 gpm/foot of drawdown.

Gregory Powell /rs

GREGORY S POWELL
Natural Resources Engineer

Bibliography

- Hamilton, 1978, Major Aquifers in Clark County, South Dakota, USGS, Huron SD.
- Burch et al, 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, for U.S.A.C.E., SDGS, DWNr, Vermillion SD.
- Water Rights Division, 1984, Permit Files and Observation Well Files, DWNr Joe Foss Bldg, Pierre SD

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5039-3, Lloyd Terrill, Jr.

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. 5039-3, Lloyd Terrill, Jr., Rt 2, Box 101, Clark SD.

The Chief Engineer is recommending APPROVAL of Application No. 5039-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

The irrigation well approved under this Permit will be located near domestic wells and other 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 adequate wells having prior water rights.

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

See the attached report for additional information.

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

JOHN HATCH, Chief Engineer
January 18, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before January 23, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5039-3 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Lloyd Terrill, Jr. whose mailing address is Rt 2, Box 101, Clark, South Dakota has made an application for a permit

to irrigate an additional 160 acres from a well authorized by Permit No. 2700-3. The well is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T116N, R58W. The land to be irrigated is located in the NW $\frac{1}{4}$ Section 31, T116N, R58W. This permit does not authorize diversion of any additional cubic feet per second.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5039-3 because ~~1) unappropriated water is available,~~ 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Joe Foss Building, Room 216, 523 E Capitol, Pierre SD on March 6 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this 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 February 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason 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, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

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 the 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, DWNR, 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 any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, Bert Moritz hereby

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

Water was taken from the Clark County Courier

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

County & town of Clark

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

January 23, 1985

January 30, 1985

Bert Moritz
(Signature)
publisher
(Title)
2/1/85
(Date Signed)

Cost of Printing: 84 lines - 2 times
\$ 34.78

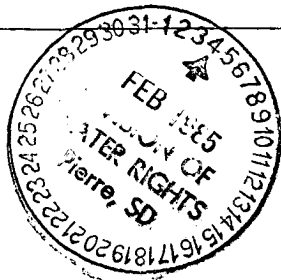
Notice of Hearing on Application
No. 5039-3 to Appropriate Water

Notice is hereby given that Lloyd Terrill, Jr. whose mailing address is Rt. 2, Box 101, Clark, South Dakota has made an application for a permit to irrigate an additional 160 acres from a well authorized by Permit No. 2700-3. The well is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T116N, R58W. The land to be irrigated is located in the NW $\frac{1}{4}$ Section 31, T116N, R58W. This permit does not authorize diversion of any additional cubic feet per second.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5039-3 because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at Joe Foss Building, Room 216, 523 E Capitol, Pierre, SD on March 6, 1985 at 10:00 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this 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 February 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason 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, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 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 the 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, DWNR, 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 any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

1-23-2t



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

5039-3

APR 23 1985

Lloyd Terrill, Jr.
Route #2, Box 101
Clark, South Dakota 57225

Dear Mr. Terrill:

Enclosed herewith is your Water Permit No. 5039-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5039-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

December 18, 1987

Lloyd Terrill, Jr.
RR 1, Box 101
Clark, South Dakota 57225

Dear Mr. Terrill:

Enclosed are copies of Water Right or Permit Nos. 1776-3, 1898-3, 1899-3, 2700-3, 3013-3 and 5039-3 listed in your name. The legal description contained on these will help you in completing next year's irrigation questionnaires.

I appreciate your suggestion about having the legal descriptions printed on the questionnaires when they are mailed out. Presently, we are not set up to do that; however, it may be something we could work with and try to do in the future.

Thank you for stopping by the office to complete your irrigation questionnaires. If you have any questions concerning the enclosed copies, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

 **Department of
Water & Natural Resources**

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

#1776-3
#1898-3
#1899-3
#2700-3
#3013-3
#5039-3

February 17, 1989

Lloyd S. Terrill Jr.
RR 2, Box 101
Clark, SD 57225

Dear Mr. Terrill:

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;

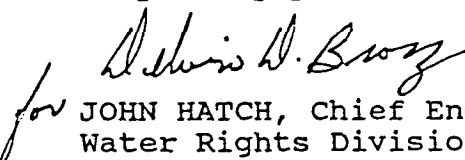


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

James River Water District**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 Lloyd Terrill Jr.
Rt 2 Box 101 of Clark SD 57225 holder of
 Permit No. 2700-3
5039-3, bearing the priority of April 14
November 20 1984 authorizing
 the diversion of 4.4 cu. ft. per second of the waters of groundwater
 for Irrigation purposes, in Clark County.

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

A. Works used to divert the water:

1- 60 HP - 6" Western Land Roller SN-C761101 with a U.S. Electric High
 Thrust motor Model No. 3647P Capable of 750 gpm

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

6" PVC 5345' long

C. Works used to apply water to beneficial use:

8 tower Lockwood towable pivot 1280' long with an endgun
 capable of 750 gpm

The system is in the following condition good

The point of diversion is located 1585' W and 1520' N of SE corner of Section
31-T116N-R58W

The works are capable of diverting and conveying to the place of use 1.66
 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: Section 31-T116N-R58W

<u>NW 1/4 NW 1/4 - 33 Acres</u>	<u>NW 1/4 SW 1/4 - 23 Acres</u>	<u>NW 1/4 SE 1/4 - 5 Acres</u>
<u>NE 1/4 NW 1/4 - 33 Acres</u>	<u>NE 1/4 SW 1/4 - 38 Acres</u>	<u>SW 1/4 SE 1/4 - 5 Acres</u>
<u>SW 1/4 NW 1/4 - 33 Acres</u>	<u>SW 1/4 SW 1/4 - 23 Acres</u>	
<u>SE 1/4 NW 1/4 - 33 Acres</u>	<u>SE 1/4 SW 1/4 - 38 Acres</u>	

comprising a total of 264 acres of land and the license should be issued for 1.66 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 8/5/1991

Norma C. Tob
 (signature)

LICENSE FOR PERMIT NUMBER 5039-3 + 2700-3

1. Legal location of wells: NW 1/4 SE 1/4 Section 31-T116N-R58W

dams & structures: _____

2. Well Information: Well Drilling Firm Pullman's Drilling

Completion Report Yes No No. of Wells 1 Depth 140

Casing a) diameter 16" Screen a) type PVC

b) length 110' b) length 30

c) type PVC Static Water Level _____

Pump a) make Western Land Roller Motor a) make High Thrust U.S. Electric

b) model 610C H SN-C761101 b) model No. 364 TP

c) size 6" c) horsepower rating 60

d) capacity 750 gpm

e) turbine pump - no. of stages _____

f) operating PSI 55

3. Distribution lines or canals

a) size 6"

b) type PVC

c) length 5345'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make towable lockwood
- 2) number of towers 8
- 3) distance between towers _____
- 4) overall length 1280
- 5) end gun (Y/N) Y
- 6) high or low pressure low
- 7) make & size of nozzles 5w 1/4 45 No 1/4 42

- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

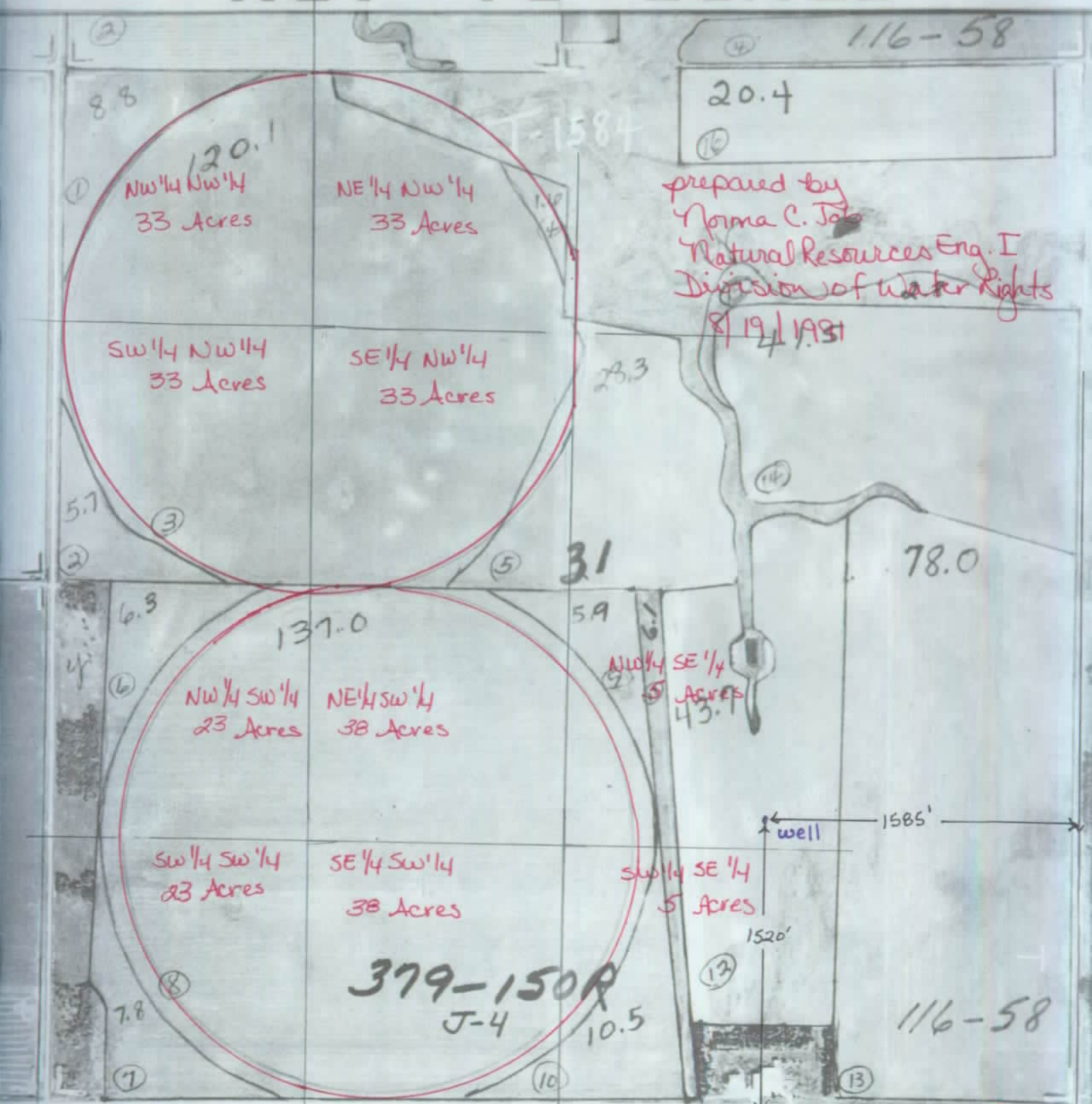
NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

NOT TO SCALE



South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 4, 1991

5039-3

Lloyd Terrill, Jr
RR #2 Box 101
Clark, SD 57225

Dear Mr. Terrill:

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 2700-3 and 5039-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2700-3 will be incorporated into Water License No. 5039-3.

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,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412914

Pierre, November 14, 1991

RECEIVED OF L. S. or Darlene Terrill, Rt 2, Box 101, Clark, SD 57225

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>5039-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



GREAT FACES. GREAT PLACES.

FEB 19 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5039-3

Lloyd Terrill, Jr.
RR 2, Box 101
Clark, SD 57225

Dear Mr. Terrill:

Enclosed is Water License No. 5039-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412914 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. 5039-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 2700-3 are incorporated into Water License No. 5039-3.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5039-3

(1) Lloyd Terrill, Jr. of RR 2, Box 101, Clark, SD 57225 made Application No. 5039-3, November 20, 1984 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one existing well), Clark County, South Dakota for irrigation purposes. Permit No. 5039-3 with a priority date of November 20, 1984 was approved March 6, 1985 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 6, 1990 and for the application to beneficial use of said water on or before March 6, 1994.

Water Permit No. 5039-3 authorized irrigation of an additional 160 acres to be irrigated with a well authorized by Permit No. 2700-3. No. 5039-3 did not allow an increase in the diversion rate from the existing well.

The applicable portions of Water Permit No. 2700-3 are incorporated into Water License No. 5039-3. Priority dates, as they pertain to the acres irrigated, are described in (3) of this License.

(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 1.66 cubic feet of water per second for beneficial use. The location of the diversion point is: 1585'W and 1520'N of the SE corner of Section 31, T116N, R58W (NW 1/4 SE 1/4).

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

T116N, R58W Section 31	NW 1/4 NW 1/4	33 Acres
	NE 1/4 NW 1/4	33 Acres
	SW 1/4 NW 1/4	33 Acres
	SE 1/4 NW 1/4	33 Acres
	NW 1/4 SW 1/4	23 Acres
	NE 1/4 SW 1/4	38 Acres
	SW 1/4 SW 1/4	23 Acres
	SE 1/4 SW 1/4	38 Acres
	NW 1/4 SE 1/4	5 Acres
	SW 1/4 SE 1/4	5 Acres
	Total-----	264 Acres

Priority dates: April 14, 1976 (established under 2700-3) for S 1/2 Section 31; November 20, 1984 (established under 5039-3) for NW 1/4 Section 31.

(4) Pursuant to Section 46-5-30.1 Lloyd Terrill, Jr. of RR 2, Box 101, Clark, SD 57225 the holder(s) and/or owner(s) of Incorporated No. 5039-3 is issued a license to appropriate water, the right to use 1.66 cubic feet of water per second from groundwater (one well) with a priority date of April 14, 1976 and November 20, 1984 from the location specified in (2) of this license. The water is 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 No. 5039-3 and subject to South Dakota State Law.



FEB 19 1992

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 16, 2002

1776-3
5039-3

Lloyd S Terrill Jr
415 N Idaho St
Clark SD 57225-1134

Dear Mr. Terrill:

Enclosed are your 2002 irrigation questionnaires. In order for the forms to be considered complete, you will need to fill out the back portion of the sheets.

Please write in the acres, pump rate, days per month and average hours per day in the months that water was applied. We use the information to calculate how much water was used from a specific source.

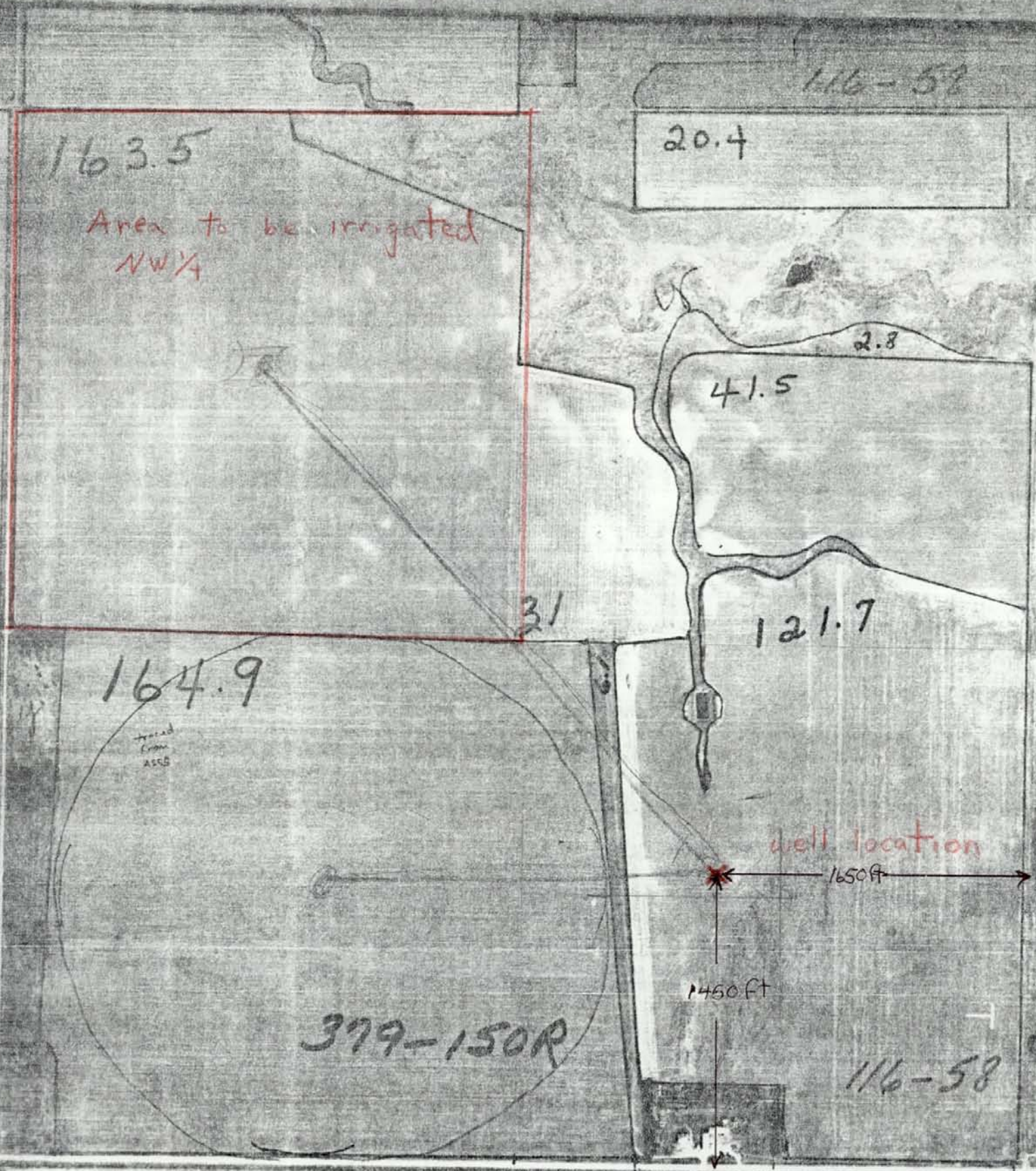
The forms should be completed and returned to us prior to December 31st. Thank you in advance for your help. If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

NOT TO SCALE



Ron Duvall Appl. #5039-3
Water Resources Engineer.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 3, 2009

5039-3

Tony Terrill
Terrill Farms Inc
42099 176th St
Clark SD 57225

Dear Mr. Terrill:

Thank you for sending in the 2009 irrigation questionnaires for Water Right Nos. 1776-3, 6883-3 and 5039-3 and for letting us know that an ownership change is needed. The only thing that needs to be done at this point for Water Right No. 5039-3 is to transfer ownership to Terrill Farms Inc. The other two water rights formerly held by Lloyd were transferred to West Central Land LLP back in March of this year.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. 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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC 10 2009

WATER RIGHTS
PROGRAM

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

No. 5039-3

Date: 12-9-09

I/We request that Water Right No. 5039-3

formerly owned by: Lloyd S Terrill Jr

be transferred to: (name & address) Terrill Farms Inc.

42099 176th St. Clark, S. Dak. 57225

Telephone No. 605 532 3856

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

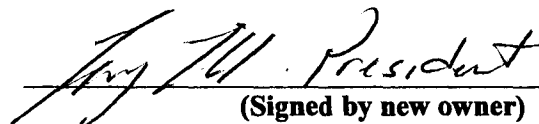
264 acres - W 1/2 and W 1/2 SE 1/4 Section 31, T116N, R58W

I/We understand that the validity of Water Right No. 5039-3 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 Terrill Farms Inc., 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 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 December 10, 2009, 20

RECEIVED OF Terrill Farms Inc., 42099 176th St, Clark SD 57225

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>5039-3</u>	
Fee for _____	50.00
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. _____	50.00
(Any Other Work Provided by Law)	
TOTAL	50.00

No. **04265**

By

Garland Erbele

Chief Engineer

Garland Erbele



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 10, 2009

5039-3

Tony Terrill
Terrill Farms Inc
42099 176th St
Clark SD 57225

Dear Mr. Terrill:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you sent in for transferring Water Right No. 5039-3. The transfer has been completed. The water right formerly held by Lloyd S Terrill Jr. is now listed in the name of "Terrill Farms Inc."

Enclosed is your Receipt No. 04265 in the amount of \$50.00. You may keep this for your records.

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

enclosure



5039-3
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 20, 2017

NOTICE

TO: TERRILL FARMS INC, TONY TERRILL, PRESIDENT, 42099 176TH ST, CLARK, SD 57225

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5039-3 & 7942-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 5039-3 & 7942-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5039-3 & 7942-3 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 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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.



5039-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 2, 2017

5039-3
7942-3

Tony Terrill
Terrill Farms Inc
42099 176th St
Clark SD 57225

Dear Mr. Terrill:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5039-3 and Water Permit No. 7942-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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