

Considered: _____

WATER PERMIT NO. 5060-3

MAP No. same

Name of Applicant Milton Van Gerpen

Post Office Address RR 1 Box 129 Tyndall

Amount of Water Claimed 2.30 cfs Total Acres 160

Source of Water Supply Groundwater (existing well permit no. 4096-3)

Water to be used for IRR County Bon Homme

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 1st 2nd 6-5-85 Not Received _____

APPLICATION: Approved 7-10-85 Subject to _____

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

PRIORITY _____ Date Received 4-9-85 Fee \$250.00 Remarks _____

4-9-85

Corrected Application Received _____ Period of Annual Use 5/1 to 10/31

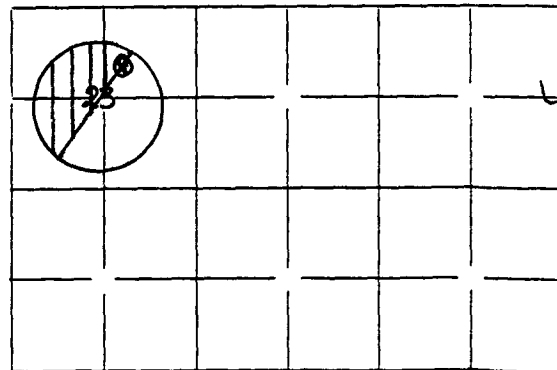
WATER QUALITY APPROVAL RECEIVED 5-10-85 APPROVED CONDITIONAL (Circle one)

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

Diversion Point NW⁴ SW⁴ NE⁴ sec. 23 T94N-R60W

Land to be Irrigated W² SW⁴ & S² NW⁴ sec. 23

T94N-R60W



Well Log: Driller existing Well Licensed YES _____ NO _____

Depth of Well ≈ 254 FT. REMARKS well depth from #4096-3

Type of Map Aerial PREPARED BY Gary LaCompte Reviewed and the Number

assigned on 5-13-85 By Kevin C. Larson

No. 5060-3 Hydrologic Unit 10170101
 Map No. Same Basin Missouri
 Newspaper Tyndall Tribune, Tyndall, S.D.
Box 520 Wed.

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 ☐

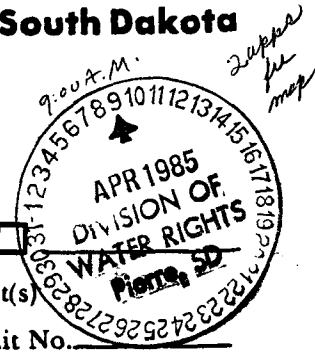
☒ Application to amend Permit No. ~~XXXXXX~~ with old priority date retained

☐ 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 ~~XXXXXX~~ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant Milton Van Gerpen Phone No. 369-5471

Post Office Address RR 1 Box 129 Tyndall State SD 57066
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s) 320 ac ft Total acres irrigated 160

3. Source of Water supply well

4. Location of point of diversion NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ in 23-94-60

County Bon Homme

5. Counties where water will be used Bon Homme County

6. Annual period during which water is to be used May through October

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 $\frac{1}{4}$ of SW $\frac{1}{4}$ in 23-94-60	40
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ in 23-94-60	40
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ in 23-94-60	40
SE $\frac{1}{4}$ of NW $\frac{1}{4}$ in 23-94-60	40

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)

Railroad removed-extended pivot - See attached map

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 Bon Homme ss

I, Milton Van Gerpen 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 Milton Van Gerpen

Subscribed and sworn to before me this 8th day of April 1985

Charles A. Thompson
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5060-3
Milton Van Gerpen RR 1 Box 129 Tyndall
 (Applicant) (Post Office Address)
South Dakota 57066 With the following qualifications.
 (State) (Zip Code)

The well 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 wells having prior water rights.

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

Portions of lands covered under this Permit are also covered under Permit No. 3370-3. Combinations of diversion under the two permits shall not exceed the Statutory limit of 1 cfs for each 70 acres of land to be irrigated.

Date of first receipt of application April 9, 1985.

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

Date of receipt of corrected application —, 19—. Approved July 10, 1985.

The Water Management Board hereby approves this Water Permit No. 5060-3 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 April 9, 1985.
2. One-fifth of the work is to be completed on or before December 10, 1987.
3. The whole of said work is to be completed on or before July 10, 1990.
4. The time limit for proof of beneficial use of water is July 10, 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 2.30 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 July 10, 1994; said water to be used during the following described annual period: May 1 to October 31.

WATER MANAGEMENT BOARD

By: John Halis
 Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

SEP 11 1985, 19—

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 18", Depth 254'

(2) Casing, Type Steel Diameter 14 I.D. Thickness .250
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Stainless, Diameter 14", Length 20'

(4) Gravel Pack. Thickness 2", Length of gravel pack 254'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 155-155 Fine Sand

135-140 clay

190-254 Coar. Sand Gravel

Depth to top of water bearing material 155'

Depth to bottom of water bearing material 254'

Thickness of water bearing material 100'

Depth to water (ground surface to water level) _____

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

On same owner's property 200 rds. On property owned by others 140 rds.

G. Water Storage Dams.

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

From permit #4096-3

RECEIPT

Division of Water Rights

No 4 10000

South Dakota Department of Water and Natural Resources

Pierre, April 9, 1985

RECEIVED OF Milton Van Garpen, RR#1, Box 129, Tyndall, SD 57066

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

Fee for Application for Permit No. 5060-3 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 John Hatch
Chief Engineer

JOHN HATCH ms

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4142

WR#

OWNERS NAME: Milton Van Gerpen OWNERS ADDRESS: RR 1 Box 129

Tyndall, S. D. 57066

COUNTY LAND LOCATED IN: Bon Homme PHONE: 369-5471

TENANT'S NAME AND ADDRESS: Same

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

1. WELL LOCATION NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ in 23-94-60

Depth 254'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
<u>W$\frac{1}{2}$ of SW$\frac{1}{4}$ and S$\frac{1}{2}$ of NW$\frac{1}{4}$ 23-94-60</u>	<u>160</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1977

LEGAL DESCRIPTION: SE $\frac{1}{4}$, S $\frac{1}{2}$ -NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ all in 23-94-60

IN WHAT NAME: Milton Van Gerpen

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: X GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: corn, beans and alfalfa

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

7. WATER SAMPLE NUMBER: 77-220 10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): 840 11. PERCENT SODIUM 9.24

9. SODIUM (SAR): 0.43

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

24th DAY OF April, 1985

(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.

#4142

Conditional Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Milton Van GarpenLEGAL DESCRIPTION: W 1/2 SW 1/4 & S 1/2 NW 1/4 23-94-60 = 160 acresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

The area mapped as Tetonka (Te) found in the NW corner is subject to ponding and excess wetness. For this reason this area shall be restricted from irrigation. Through proper positioning of the center pivot and the use of an automatic shutoff for the end gun most of the area may be avoided.

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

RECOMMENDED MANAGEMENT:

We recommend the use of conservation tillage to reduce erosion and to control erosion.

We also recommend the use of a soil ripper (at least 24 inches) on areas where water tends to stand or runoff occurs to increase the soils ability to take water i.e. small areas of Tetonka.

Finally you should be aware of the importance of the water management plan not only for addressing the crops needs but also for the leaching of salts, and the development of a water table in or near the root zone. These 2 possible problems may result in reduction in crop yield and additional management practices would be needed to address them.

John M. Spivey
SIGNATURE

5-9-85
DATE

REPORT ON APPLICATION NO. 5060-3

MILTON VAN GERPEN

May 20, 1985

Application No. 5060-3, Milton Van Gerpen, proposes to irrigate 160 acres in the W 1/2 SW 1/4 and S 1/2 NW 1/4 Section 23, T94N, R60W. This land would be irrigated from an existing well located in the SW 1/4 NE 1/4 Section 23, T94N, R60W utilizing 2.30 cubic feet per second of water from the Choteau-Tyndall management unit.

Application No. 5060-3 would allow the center pivot covered under Permit No. 4096-3 to make a complete circle. Previously there was a railroad line thru the section which limited the pivot under No. 4096-3 to a half circle.

A portion of the land covered by application No. 5060-3 is already covered under Permit No. 3851-3 for Larry Grimme. Mr. Grimme has reported no irrigation for the last four years. Permit No. 3851-3 must be cancelled before 5060-3 is approved.

A portion of the land is also covered under Permit No. 3374-3 for the Lewis and Clark irrigation project (E 1/2 SW 1/4 Section 23). The combined diversion from No. 3370-3 and No. 5060-3 cannot exceed 1 cfs per 70 acres of land.

The Choteau-Tyndall (CH-T) management unit is a glacial sand and gravel aquifer. The aquifer either fills a pre-glacial bedrock valley or the valley was cut into the niobrara chalk and was filled by the outwash.

The CH-T contains an estimated 140,850 acre feet of recoverable water (Hedges, 1983). The Water Management Board has issued 21 permits from the CH-T for 9890 acre feet of water. The amount of water appropriated is 7% of the total amount available for appropriation.

The Division of Water Rights monitors nine observation wells in the Choteau-Tyndall unit. The data from these wells show that the aquifer functions both as an artesian and water table aquifer. Although the aquifer is in a niobrara valley; the water levels do not indicate an extensive hydraulic connection between the two aquifers. Water levels in Water Rights Division observation wells are at small-time recorded high. This would indicate that the aquifer is being recharged and that the existing withdrawals are not exceeding the recharge.

The information available indicates that the aquifer is not being mined and that water is available for Application No. 5060-3.

Conclusions

1. Unappropriated water is available for Application No. 5060-3.
2. Application No. 5060-3 in conjunction with permit No. 4096-3 will appropriate 4.6 cfs from one well (No. 5060-3 2.3 cfs and 4096-3 2.3 cfs).
3. Observation well data indicates that the aquifer is not being mined.
4. The water will be withdrawn from the Choteau-Tyndall management unit.

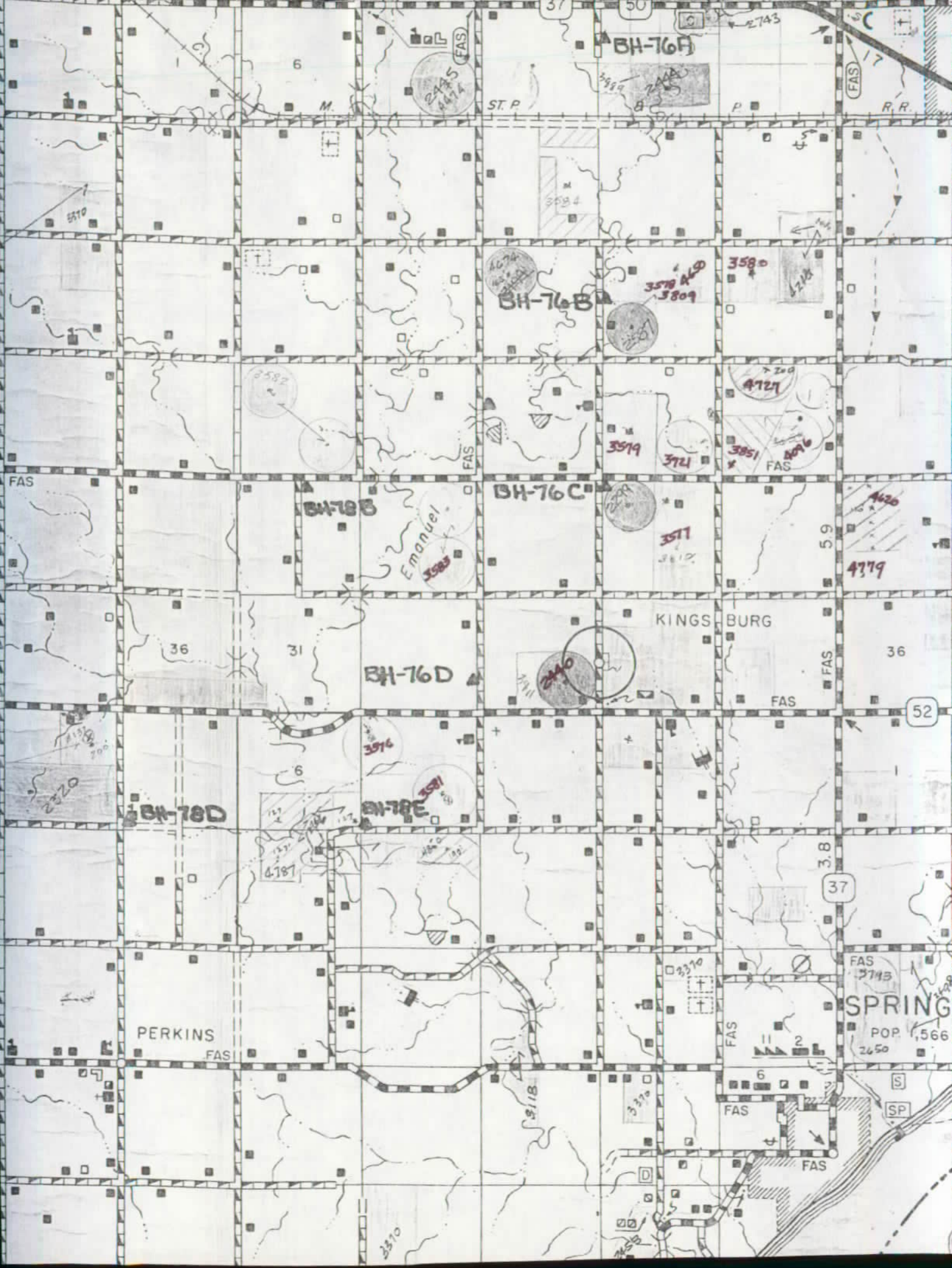
Gale N Selken

GALE N SELKEN
Hydrologist

Application No. 5060-3

References

- Hedges, Burch, Iles, Barari, Schoon, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Final Report DWNR-SDGS, Vermillion SD 1982.
- Jorgenson, Donald G, Geology and Water Resources of Bon Homme County South Dakota, Bulletin 21, 1971



BH-76A

BH-76B

BH-76C

BH-76D

BH-78D

BH-78C

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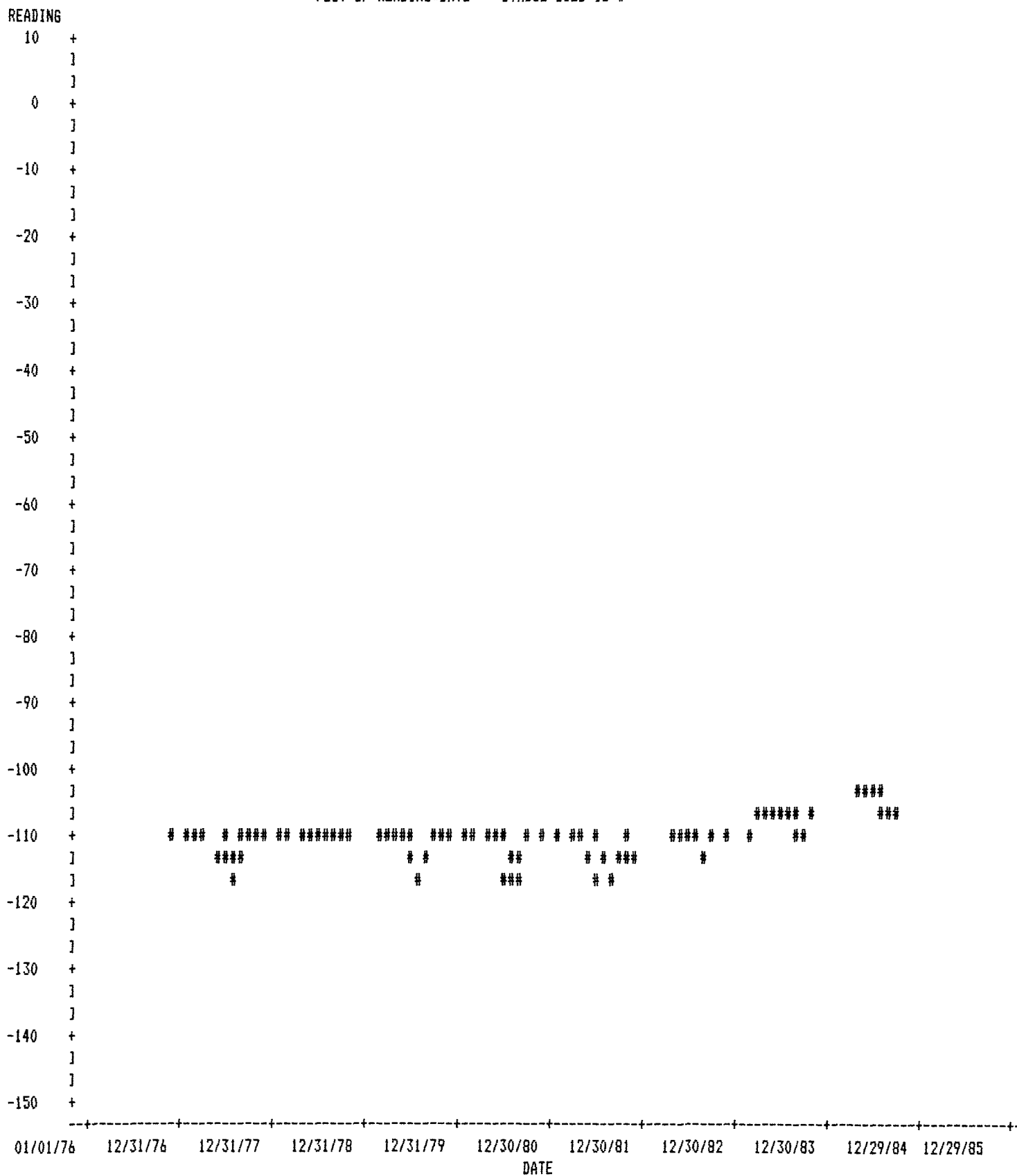
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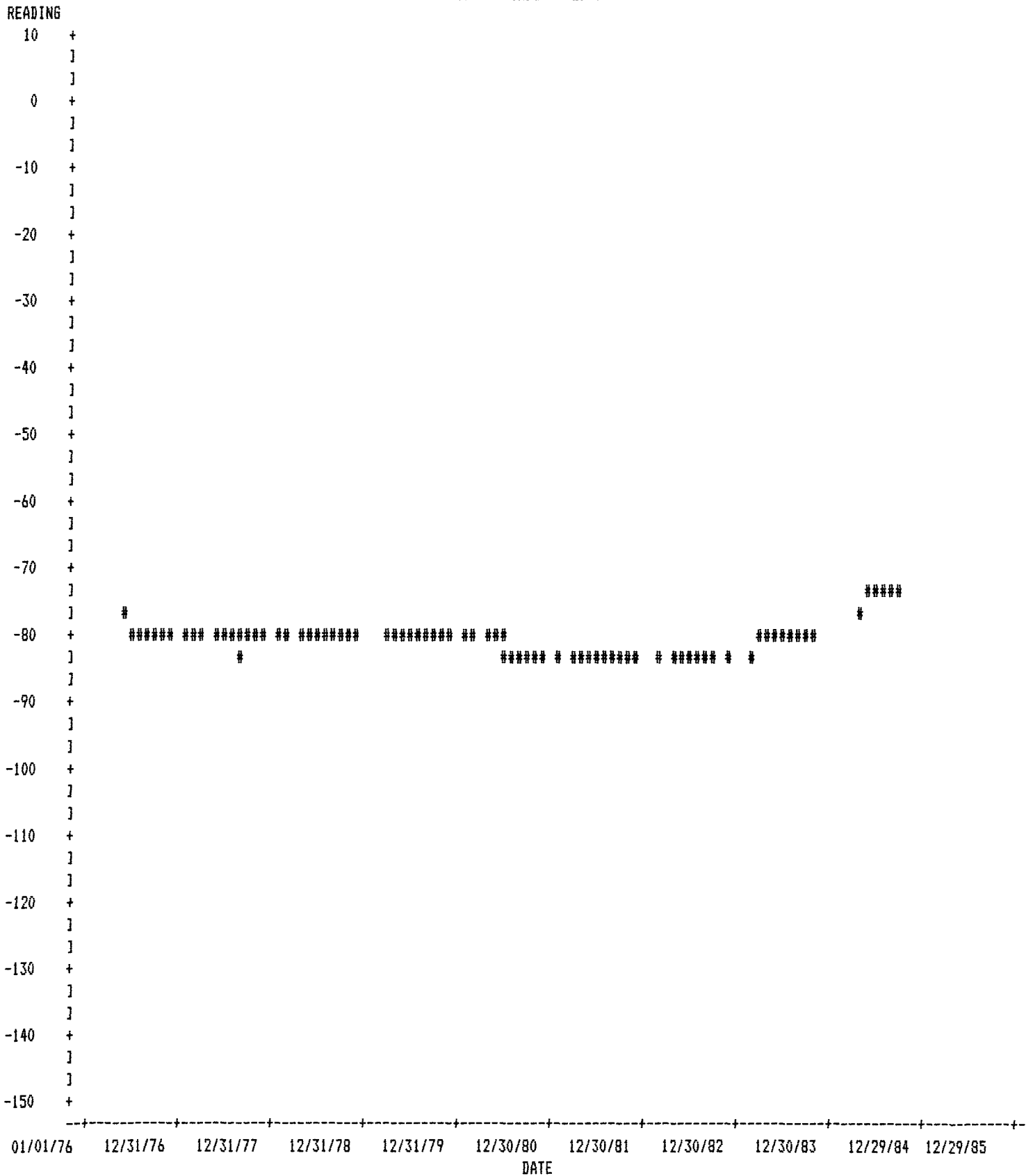
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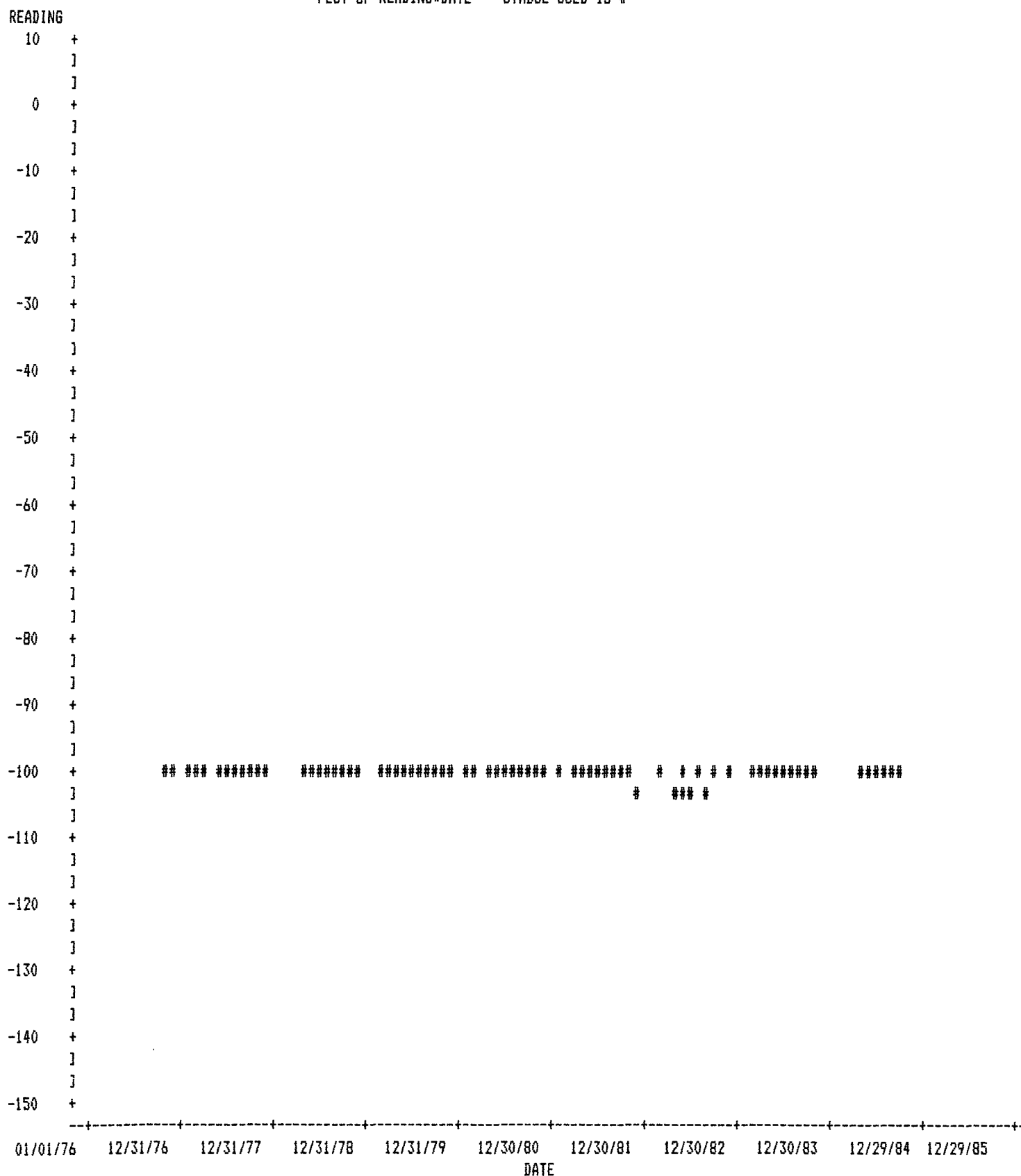
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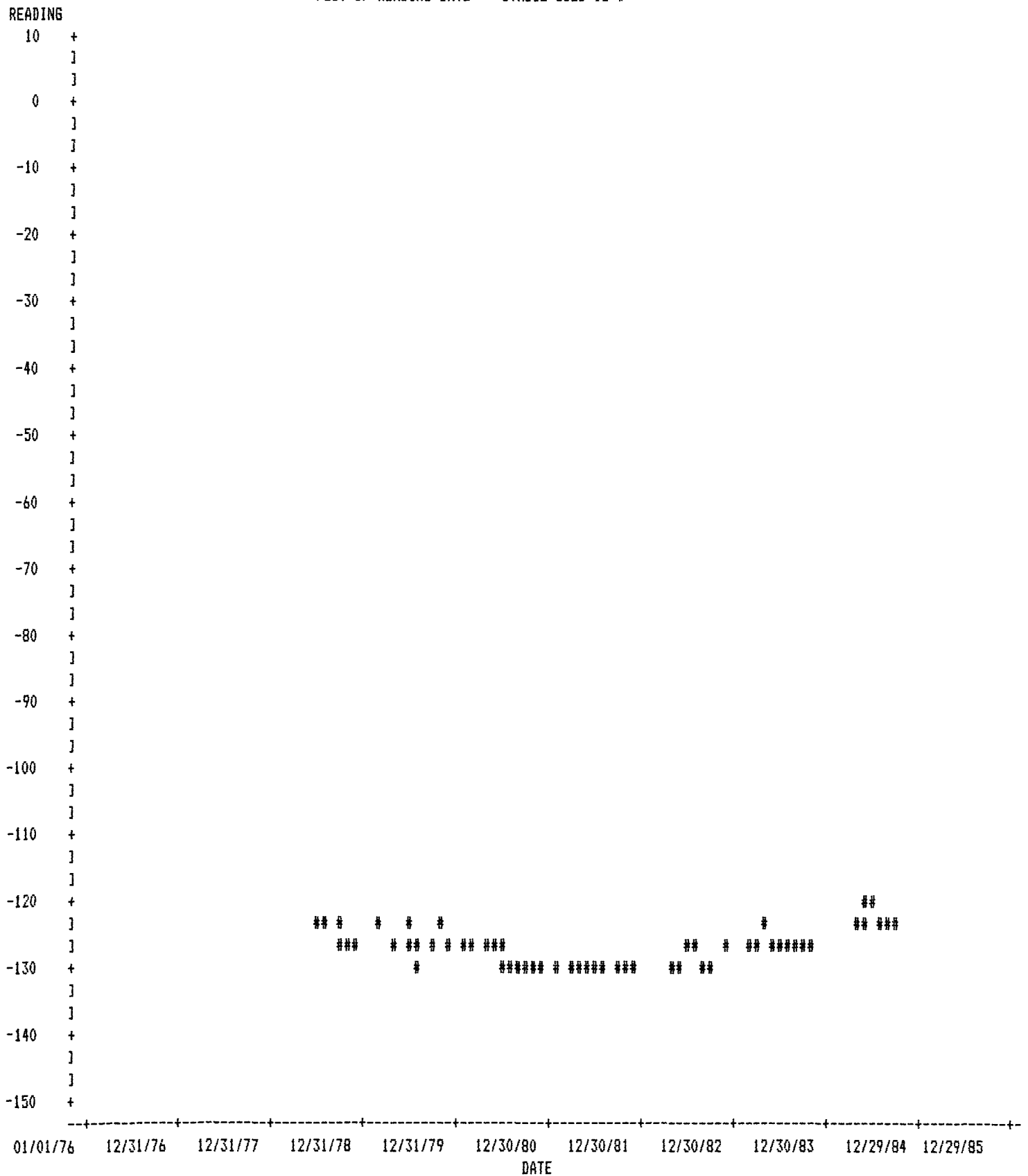
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NOTE: 14 OBS HIDDEN

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NOTE: 6 OBS HIDDEN

12:48 FRIDAY, MAY 17, 1985 8

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NOTE: LU+80+{'j4Rr" DEN

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 5060-3, Milton Van Gerpen

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. 5060-3, Milton Van Gerpen, RR 1 Box 129, Tyndall SD.

The Chief Engineer is recommending APPROVAL of Application No. 5060-3 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:

The well 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 wells having prior water rights.

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

Portions of lands covered under this Permit are also covered under Permit No. 3370-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 cfs for each 70 acres of land to be irrigated.

See the attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
May 21, 1985

No. 5060-3

Instruction to Newspaper - Publish first publication of the following Notice on or before May 29, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5060-3 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Milton Van Gerpen whose mailing address is
RR#1, Box 129, Tyndal, South Dakota has made an application for a permit

To appropriate 2.3 cfs from one existing well 254 feet deep located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T94N-R60W. To irrigate 160 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, T94N-R60W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5060-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room, Basement, Capitol Building, Pierre, SD, July 10 1985 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 June 28, 1985. The petition may be informal, but it must include a statement describing the petitioner's 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 June 28, 1985.

No. 5060-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Beutner hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Tyndall Tribune & Register

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 Tyndall

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

May 29, 1985
June 5, 1985

Wayne L. Beutner
(Signature)

Publisher
(Title)

6-5-85
(Date Signed)

Cost of Printing: 81 @ 24.2 + 80% X 1
2 wks. - \$35.28

NOTICE OF HEARING ON
APPLICATION NO. 5060-3
TO APPROPRIATE WATER

Notice is hereby given that Milton Van Gerpen, whose mailing address is RR#1, Box 129, Tyndall, South Dakota, has made an application for a permit to appropriate 2.3 cfs from one existing well 254 feet deep located in the SW 1/4 NE 1/4 Section 23, T94N-R60W. To irrigate 160 acres in the W 1/2 SE 1/4 and S 1/2 NW 1/4 Section 23, T94N-R60W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5060-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room, Basement, Capitol Building, Pierre, South Dakota, July 10, 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 June 28, 1985. The petition may be informal, but it must include a statement describing the petitioner's 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, DWRN, Joe Penn Building, Pierre, South Dakota (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 June 28, 1985.

(May 29 & June 5)





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

SEP 11 1985

Milton Van Gerpen
RR 1, Box 129
Tyndall SD 57066

Dear Mr. Van Gerpen:

Enclosed herewith is your Water Permit No. 5060-3 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. 5060-3.

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,

A handwritten signature in black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

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

4096-3
5060-3

February 17, 1989

Milton Van Gerpen
RR 1, Box 129
Tyndall, SD 57066

Dear Mr. Van Gerpen:

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;

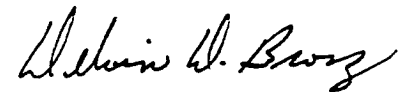


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



Department of Water & Natural Resources

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

November 14, 1989



Jim Van Gerpen
RR 1, Box 129
Tyndall SD 57066

Dear Mr. Van Gerpen:

Our office is in the process of issuing Water Licenses for Water Permit No. 4096-3 and No. 5060-3. In order to complete the file, and before the license can be issued, a well log is needed for the following described well:

SW 1/4 NE 1/4 Sec.23, T94N-R60W

The water license is nearly ready to be issued but cannot be done until an "as constructed" log of this well is obtained. Your prompt attention in this matter will be appreciated. If you have any questions, please contact me.

Very truly yours,

KEN BUHLER
Natural Resources Engineer
Water Rights Division
(605)773-3352

Dear Sir

The well driller filled this sheet out when he drilled the well. This is all I can find for a log. If you have any further questions contact me

phone 369.5471

Jim



D. Well Information or Estimates

(1) Drill Hole, Diameter 18", Depth 254'

(2) Casing, Type Steel Diameter 14 I.D. Thickness .250
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Stainless Steel, Diameter 14" I.D., Length 20'

(4) Gravel Pack. Thickness 2", Length of gravel pack 254'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

(1) **Water Bearing Materials.** (Please attach a copy to test well log if available.)

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 155 - 185 Fine sand
185 - 190 clay
190 - 254 Coar. sand gravel

Depth to top of water bearing material 155

Depth to bottom of water bearing material 254

Thickness of water bearing material 100'

Depth to water (ground surface to water level) _____

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

On same owner's property 200 rds. On property owned by others 140 rds.

G. Water Storage Dams.

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

Water quality sample was sent with first permit



Milita van Ligen

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 Milton VanGerpen
 _____ of Tyndall, SD holder of
4096-3
 Permit No. 5060-3, bearing the priority of February 17
April 9 1985 authorizing
 the diversion of 2.30 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in _____ Bon Homme County.

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

A. Works used to divert the water:

The system consists of one well 254 feet deep, constructed by Getting Industries, Inc.,
 (SD Driller's License No. 379). The pump is a National Pump Model # N200 capable of
 producing 1000 gpm. The motor is a 125 HP, 3 phase, General Electric.

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

The Distribution pipeline is an 8-inch diameter PVC pipeline 1450 feet long

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a Valley Center Pivot system. The system
 has 11 towers. The span between towers is 180 feet and the overall length of the system
 is 2000 feet. The system has an end gun and operates at 70-75 psi, with 1000 gpm.
 (3 towers are disconnected from an azimuth of 247° to an azimuth of 35°)

The system is in the following condition _____ GOOD

The point of diversion is located 2800 feet S 47° W from the NE Corner of Sec.23, T94N-R60W
(SE 1/4 NW 1/4 SW 1/4 NE 1/4 Sec.23, T94N-R60W)

The works are capable of diverting and conveying to the place of use 2.23

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: SE 1/4 NE 1/4 - 6 acres, SW 1/4 NE 1/4
- 32 acres, SE 1/4 NW 1/4 - 31 acres, SW 1/4 NW 1/4 - 4 acres, NE 1/4 SE 1/4 - 14 acres, NW
1/4 SE 1/4 - 40 acres, SW 1/4 SE 1/4 - 27 acres, SE 1/4 SE 1/4 - 2 acres, NE 1/4 SW 1/4 - 40
acres, NW 1/4 SW 1/4 - 14 acres, SW 1/4 SW 1/4 - 9 acres, SE 1/4 SW 1/4 - 33 acres; all in
Sec. 23, T94N-R60W

comprising a total of 252 acres of land and the license should be issued for 2.23 cfs

Applicable permit qualifications have been complied with X Yes _____ No Inspected Sept 1-1987

Exceptions to compliance are: _____ Date Dec 1, 1989

[Signature]
 (signature)

LICENSE FOR PERMIT NUMBER 4096-3 and 5060-3

1. Legal location of wells: 2800 feet S47°W from the NE corner of Sec. 23, T94N-R60W
(SE 1/4 NW 1/4 SW 1/4 NE 1/4 Sec. 23, T94N-R60W)

dams & structures: _____

2. Well Information: Well Drilling Firm Gettling Industries, Inc. (SD Driller's License #379)
—Can not locate driller to obtain log

No. of wells one Depth 254

Casing a) diameter 14-inch Screen a) type Stainless steel
b) length 234 feet b) length 20 feet
c) type steel Static Water Level unknown

Pump a) make National Pump Motor a) make General Electric
b) model # N200 b) model no. 5K6268XH1A
c) size SN 776138 SN ANJ119130
d) capacity 1000 GPM c) horsepower rating 125
e) turbine pump d) motor efficiency rating
no. of stages unknown 100 HP, Serfice Factor 1.15
460 Volts, 60 Cycle, 3 phase

3. Distribution lines:

a) size of lines 8-inch
b) type PVC
c) length 1450 feet

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 _____

- i) Outlet tubes:

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

- h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

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 _____

5. System Type: c) center pivot

- 1) make Valley Electric
- 2) number of towers 11 and 8
- 3) distance between towers
180 feet
- 4) overall length 2000
- 5) End gun (Y/N) yes
- 6) high or low pressure high
- 7) make & size of nozzles
Valley
- 8) PSI reading while system is
running 70-75 psi
- 9) GPM 1000

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

h) Hydromatic

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

YES

NO

Check Items

☒

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

☒

2. Special Qualifications to permit being abided by.

☒

3. All Structures, wells and lands on map.

REMARKS:

Uses 11 towers to cover a portion of the acres (from 1:00 to 8:00) and disconnects 3 towers, using only 8 towers for a portion of the acres (8:00 to 1:00)

WATER RIGHTS DIVISION
FILE DOCUMENTATION

TO: File - Water Permit No. 5060-3
Milton Van Gerpen
RR #1 Box 129
Tyndall, SD 57066

DATE: July 23, 1990

COMMENTS:

A review of Water Permit Nos. 4096-3 and 5060-3 for licensing purposes found an error in the advertisement notice for Permit No 5060-3.

The application for No. 5060-3 was for irrigation of the following:

W 1/2 SW 1/4 and S 1/2 NW 1/4 Section 23, T94N, R60W

The advertisement notice, published on May 29 and June 5, 1985 listed the land as follows:

W 1/2 SE 1/4 and S 1/2 NW 1/4 Section 23, T94N, R60W

The advertisement should have read as follows: W 1/2 SW 1/4 etc.

Conclusion:

Permit No. 5060-3 should be readvertised prior to licensing to correct this error. The Division of Water Rights should pay for the cost of publication. Upon approval of the readvertisement by the Water Management Board, Water Permit No. 5060-3 can be licensed. The applicable portions of Permit No. 4096-3 will be incorporated into License No. 5060-3.

Garry McMath
NR Analyst

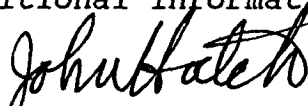
RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED
WATER PERMIT APPLICATION NO. 5060-3, Milton Van Gerpen

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 Readvertised Water Permit Application No. 5060-3, Milton Van Gerpen, RR #1 Box 129, Tyndall SD.

The Chief Engineer is recommending APPROVAL of Readvertised Application No. 5060-3 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 well 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.
3. Portions of lands covered under this Permit are also covered under Permit No. 3370-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 cfs for each 70 acres of land to be irrigated.

See report on application for additional information.



JOHN HATCH, Chief Engineer
August 22, 1990



Department of Water & Natural Resources

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

August 24, 1990

Milton Van Gerpen
RR #1 Box 129
Tyndall SD 57066

Dear Mr. Van Gerpen:

The original notice of hearing for Water Permit No. 5060-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Tyndall Tribune printed at Tyndall SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 24, 1990

Tyndall Tribune
Box 520
Tyndall SD 57066-0520

ATTN: Legal Publications

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 5060-3 to be published twice. Please publish the first notice on or before September 5, 1990 with the second publication 7 days later.

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

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before September 5, 1990 with 2nd publication 7 days later.

Readvertisement of NOTICE OF HEARING on Application No. 5060-3
to Appropriate Water

Notice is given that Milton Van Gerpen, RR #1 Box 129, Tyndall SD 57066 filed an application for a water permit on April 9, 1985. Water Permit No. 5060-3 appropriates 2.30 cubic feet of water per second from one well 254 feet deep located in the SW1/4 NE1/4 Section 23 T94N-R60W to irrigate 160 acres. Readvertisement of the notice of hearing published on May 29 and June 5, 1985 is needed to correct the legal description of the irrigated acreage. The corrected legal description of the irrigated acreage is the W1/2 SW1/4, S1/2 NW1/4 Section 23 T94N-R60W. This readvertisement does not authorize any increase in the acreage irrigated or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5060-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in the Community Room, Brule Co. Courthouse, 300 S. Courtland, Chamberlain, SD on October 3, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Bon Homme) ss.

1. Wayne L. Bertrand

certify that the attached printed Notice was taken
 from the Tyndall Tribune & Register

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 Tyndall

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

Aug. 29, 1990

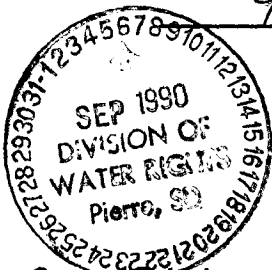
Sept 5, 1990

Wayne L. Bertrand
 (Signature)

Publisher
 (Title)

9-5-90

(Date Signed)



Cost of Printing: _____

96 Lines @ 26.2 - 1st wk. - 25.15

96 " " @ 20.12 - 2nd wk. - 20.12

45.27

ADVERTISEMENT OF
 HEARING
 CASE NO. 5060-3
 APPROPRIATE WATER

Notice is given that Milton Va
 pen, RR 1 Box 129, Tyndall, SI
 066 filed an application for a wa
 permit on April 9, 1985. Wate
 Permit No. 5060-3 appropriates 2.3
 cubic feet of water per second from
 one well 254 feet deep located in th
 SW1/4 NE1/4 Section 23 T94N
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 tement of the notice of hearing
 published on May 29 and June 5
 1985 is needed to correct the lega
 description of the irrigated acreage
 The corrected legal description of th
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 S1/2 NW1/4 Section 23 T94N R60W
 This readvertisement does not
 authorize any increase in the
 acreage irrigated or an increase in
 the water appropriation.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer of the Water Rights
 Division recommended APPROVAL
 of Application No. 5060-3 because 1)
 unaappropriated water is available, 2)
 existing rights will not be unlaw
 fully impaired, 3) it is a beneficial
 use of water and 4) it is in the public
 interest. This application will be
 considered by the Water Manage
 ment Board in the Community
 Room, Brule County Courthouse, 300
 S. Courtland, Chamberlain, SD on
 October 3, 1990 at 10 a.m. The Chief
 Engineer's recommendation is not
 final or binding upon the Board. The
 Board is authorized to 1) approve, 2)
 approve with qualifications, 3) defer
 or 4) deny this application based on
 the facts presented at the public
 hearing.

Any interested person that in
 tends to participate in the hearing
 before the Board by presenting evi
 dence or cross-examining witnesses
 according to SDCL 1-26, must file a
 written petition with BOTH the ap
 plicant and Chief Engineering by
 September 21, 1990. The Chief Engi
 neer's address is "Water Rights Divi
 sion, Foss Building, 523 E. Capitol,
 Pierre, SD 57501 (605-773-3352)".
 The petition may be informal, but
 must include a statement describing
 the petitioner's interest in the appli
 cation, the petitioner's reasons for
 opposing or supporting the applica
 tion and the signature and mailing
 address of the petitioner or legal
 counsel if legal counsel is obtained.
 The applicant need not file a peti
 tion. Contact the Water Rights Divi
 sion to request information on this
 application or to assure access to the
 hearing by the handicapped.

This hearing is an adversary
 proceeding. Any person filing a peti
 tion and/or the applicant have the
 right to be represented by a lawyer.
 These and other due process rights
 will be forfeited if not exercised. De
 cisions of the Board may be appealed
 to the Circuit Court and State
 Supreme Court as provided by law.
 The time of the hearing will also be
 automatically delayed for at least
 twenty days upon written request to
 the Chief Engineer from the appli
 cant or a petitioner. The request for
 a delay must be received by Septem
 ber 21, 1990.

This application is made pur
 suant to 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; and Board Rules ARSI
 74:02:01:01 thru 74:02:01:15.

(Aug 29 & Sept 5)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

August 22, 1991

5060-3

Milton Van Gerpen
RR #1 Box 129
Tyndall, SD 57066

Dear Mr. Van Gerpen:

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. 5060-3 and 4096-3, has been completed. The Water License has been written up to incorporate the applicable portions of No. 4096-3 into No. 5060-3.

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, your Water License will be forwarded to you.

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
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

412848

Pierre, September 25, 1991

RECEIVED OF M. J. Feedlot, Inc., RR 1, Box 129, Tyndall, SD 57066

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>5060-3</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.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 26 1991

5060-3

Milton VanGerpen
RR 1, Box 129
Tyndall, SD 57066

Dear Mr. VanGerpen:

Enclosed is Water License No. 5060-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5060-3, 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

The applicable portions of Permit No. 4096-3 has been incorporated into this Water License No. 5060-3.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5060-3

(1) Milton VanGerpen of RR 1, Box 129, Tyndall, SD 57066 made Application No. 5060-3, April 9, 1985 for a water permit to appropriate 2.30 cubic feet of water per second from groundwater, BonHomme County, South Dakota for irrigation purposes. Permit No. 5060-3 with a priority date of April 9, 1985 was approved July 10, 1985 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 10, 1990 and for the application to beneficial use of said water on or before July 10, 1994.

The original advertisement for Water Permit No. 5060-3, published May 29 and June 5, 1985, contained an error in the legal description of the acreage to be irrigated. Permit No. 5060-3 was readvertised August 29 and September 5, 1990 to correct the error. The readvertisement was approved October 3, 1990.

The same diversion point and center pivot are used to irrigate land described under Water Permit Nos. 4096-3 and 5060-3. The applicable portions of Water Permit No. 4096-3 are incorporated into this Water License No. 5060-3. The priority dates, as they pertain to the acreage 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 2.23 cubic feet of water per second for beneficial use. The location of the diversion point is: 2800 feet S47 degrees W from the NE corner of Section 23, T94N, R60W (SW 1/4 NE 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:

	Priority date:
T94N, R60W Section 23 SE 1/4 NE 1/4 6 Acres	February 17, 1977
SW 1/4 NE 1/4 32 Acres	February 17, 1977
SE 1/4 NW 1/4 31 Acres	April 9, 1985
SW 1/4 NW 1/4 4 Acres	April 9, 1985
NE 1/4 SE 1/4 14 Acres	February 17, 1977
NW 1/4 SE 1/4 40 Acres	February 17, 1977
SW 1/4 SE 1/4 27 Acres	February 17, 1977
SE 1/4 SE 1/4 2 Acres	February 17, 1977
NE 1/4 SW 1/4 40 Acres	February 17, 1977
NW 1/4 SW 1/4 14 Acres	April 9, 1985
SW 1/4 SW 1/4 9 Acres	April 9, 1985
SE 1/4 SW 1/4 33 Acres	February 17, 1977
Total-----	252 Acres

NOTE: February 17, 1977 priority date was established under Water Permit No. 4096-3.

April 9, 1985 priority date was established under Water Permit No. 5060-3.

(4) Pursuant to Section 46-5-30.1 Milton VanGerpen of RR 1, Box 129, Tyndall, SD 57066 the holder(s) and/or owner(s) of Incorporated No. 5060-3 is issued a license to appropriate water, the right to use 2.23 cubic feet of water per second from groundwater (one well) with a priority date of February 17, 1977 and April 9, 1985 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. 5060-3 and subject to South Dakota State Law.



SEP 26 1991

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 57501-3181

December 5, 1995

5060-3

Jeff Van Gerpen
RR 1 Box 129
Tyndall, SD 57066

Dear Mr. Van Gerpen:

Thank you for the prompt return of your 1995 irrigation questionnaire. It is my understanding from reading your questionnaire that you wish to have the name changed on the water right.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

If I can answer any questions for you concerning the water right or the transfer form. please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5060-3

Date: 12-18-95



☒ We request that Water Right No. 5060-3

formerly owned by: Milton Van Gerpen

be transferred to: (name & address) Jeff Van Gerpen, RR #1 Box 129, Tyndall, SD 57066

Telephone No. 605 589-3630

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

252 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 23, T94N, R60W

☒ We understand that the validity of Water Right No. 5060-3 has not been determined by this transfer action. If ☒ We have any questions on validity, ☒ We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

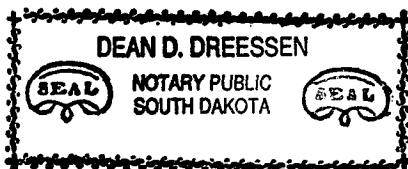
STATE OF SOUTH DAKOTA)

County of Bon Homme)

I/We Jeff Van Gerpen being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Jeff Van Gerpen
(Signed)

Subscribed and sworn to before me this 18th day of December, 19 95.



Dean D. Dreesen
(Notary Public)

My commission Expires 12-20-98

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

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

RECEIPT

414722

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, December 21, 19 95

RECEIVED OF Jeff VanGerpen, RR 1, Box 129, Tyndall, SD 57066

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 5060-3	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatcher



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 2, 1996

No. 5060-3

Jeff VanGerpen
RR 1, Box 129
Tyndall, SD 57066

Dear Mr. VanGerpen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 5060-3.

Our records now show you as the owner of Water Right No. 5060-3.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 19, 1999

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans:

I am contacting you in regard to land authorized for irrigation under Water Right No. 5060-3. Jeff Van Gerpen has notified our office that he has rented out his crop land to you.

Water Right No. 5060-3 authorizes diversion of 2.23 cubic feet of water per second from a well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 to irrigate 252 acres in portions of Section 23, T94N, R60W.

Enclosed is the 1999 irrigation questionnaire. Please complete the questionnaire and return it to our office by December 1, 1999. I have enclosed a postage paid envelope for your convenience in returning the form.

Thank you in advance for your help. If you have any questions when completing the form, please give me a call.

Sincerely,

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

enclosures



5060-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: SCOTT SCHUURMANS, RENTER, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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) 5060-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: JEFF VAN GERPEN, 30673 SD HWY 37, TYNDALL, SD 57066-5931

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.

5060-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SCOTT SCHUURMANS, RENTER
30407 416TH AVE
TYNDALL SD 57066

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Scott Schuurmans

C. Signature

X

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 1969

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jeff Van Gerpen
30673 SD Hwy 37
Tyndall SD 57066-5931

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Jeff Van Gerpen

C. Signature

X

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 1952

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2001

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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

If you have any questions, please contact me.

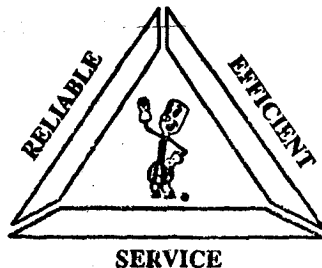
Sincerely,

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

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

c: Jeff Van Gerpen

Member Owned



BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.

P.O. BOX 158 • TAPCO, SOUTH DAKOTA 57063
PHONE (605) 463-2507 • TOLL FREE 1-800-925-2929 • FAX (605) 463-2419
10/13/00

SCHUURMANS, SCOTT & LESLIE
30407 416TH AVE

Account#: 7165500-003

Annual Minimum: \$1,781.00

TYNDALL, SD

57066

HorsePower: 125

2000 Irrigation Season Summary and Minimum Adjustment

7165500-003

Date		Present Reading	Previous Reading	KWH	KWHS	KW Demand	KWS	Tax	Total
5-2000	1 Charges	4170	0	4,170	\$333.60	102	\$0.00	\$0.00	\$333.60
6-2000	3 Payment								(\$333.60)
6-2000	1 Charges	15300	4170	11,130	\$578.76	102	\$495.67	\$0.00	\$1,074.43
7-2000	3 Payment								(\$1,074.42)
7-2000	1 Charges	70100	15300	54,800	\$2,020.85	107	\$518.51	\$0.00	\$2,539.36
8-2000	3 Payment								(\$2,539.37)
8-2000	1 Charges	77430	70100	7,330	\$381.16	101	\$490.29	\$0.00	\$871.45
9-2000	3 Payment								(\$871.45)
9-2000	1 Charges	77430	77430	0	\$0.00	0	\$0.00	\$0.00	\$0.00
Totals				77,430	\$3,314.37	413	\$1,504.47	\$0.00	\$0.00

Total Charges \$4,818.84

Total Adjustments \$0.00

Total Sales 2000 \$4,818.84

Minimum Adjustment \$0.00

Total with Adjustment \$4,818.84

Total Payments (\$4,818.84)

Total Amount Due \$0.00

Hour Readings

7165500-003

Motor#	Reg Read	End Read	Hours Run
1	12273	13057	784



A Touchstone Energy® Partner
The power of human connections



NOTICE OF TRANSFER OF OWNERSHIP

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



No. 5060-3

Date: _____

I/We request that Water Right No. 5060-3

formerly owned by: Jeff Van Gerpen

be transferred to: (name & address) Scott Schuurmans, 30407 416th Ave, Tyndall, SD 57066

Telephone No. (605) 589-3052

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

252 acres - S 1/2 NE 1/4, S 1/2 NW 1/4, SE 1/4 and SW 1/4 Section 23, T94N, R60W

I/We understand that the validity of Water Right No. 5060-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Bon Homme)

I/We Scott Schuurmans being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

(Signature of new owner)

Subscribed and sworn to before me this 15th day of March, 2001.

(Notary Public)

6-06-2001

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416787

Pierre, MARCH 1 2001

RECEIVED OF Scott Schuurmans, 30400 416th Ave, Tyndall, SD 57066
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form 5060-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

Darland Erbe
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2001

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans:

Thank you for contacting us concerning the change of ownership for Water Right No. 5060-3.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have the "2000 irrigation questionnaire", I am sending along another copy. If you have already sent the original form in, you can go ahead and toss this one.

Thank you in advance for your help. If you have any questions when completing the enclosed forms, please give me a call.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2001

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans:

We have received your "Notice of Transfer of Ownership" form and the filing fee for transferring Water Right No. 5060-3 to your name. Prior to filing the transfer of ownership, the form will need to be signed and notarized.

Please sign the form in the presence of a notary and return it to our office. You have already paid the filing fee and no further fees are required.

Thank you in advance for your help. If you have any questions, please give me a call.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 20, 2001

5060-3

Scott Schuurmans
30407 416th Ave.
Tyndall, SD 57066

Dear Mr. Schuurmans:

Thank you for following up on the ownership change for Water Right No. 5060-3. The transfer has been completed. The water permit formerly listed in the name of Jeff Van Gerpen is now listed in your name.

Enclosed is your Receipt No. 416787 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Glenda Marks
Secretary
Water Rights Program
(605) 773-3352

enclosure



5060-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 5060-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

5060-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

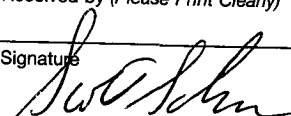
SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL SD 57066

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

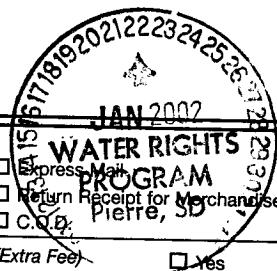

☐ Agent
☒ Addressee

 D. Is delivery address different from item 1? ☒ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Registered☐ Insured Mail☐☐ Express Mail☐☐ Return Receipt for Merchandise☐☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2.

7001 2510 0004 4797 3855

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 2002

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Sir:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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www.state.sd.us/denr

January 17, 2003

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 5060-3 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 5, 2003 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 28, 2003**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



5060-3

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Delivery Status

You entered 2301 0370 0000 7541 4166

Your item was delivered at 2:38 pm on January 24, 2003 in TYNDALL, SD 57066. The item was signed for by S SCHUURMANS.

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30407 416TH AVE
TYNDALL SD 57066

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

February 10, 2003

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



5060-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
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www.state.sd.us/denr

January 14, 2004

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 5060-3 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 3, 2004 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



5060-3

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Current Status

You entered 2301 3460 0000 8515 9630

Your item was delivered at 3:32 pm on January 20, 2004 in TYNDALL, SD 57066. The item was signed for by S SCHUUMANS.

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SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL SD 57066

Waiver of Signature ☐ YES ☐ NO

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February 11, 2004

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE



App # 5660-3



5060-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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January 24, 2006

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 5060-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



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2303 2160 0000 0799 5401

SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL SD 57066

Waiver of Signature ☐ YES ☐ NO

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January 30, 2006

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



5060-3

**DEPARTMENT of ENVIRONMENT
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January 26, 2007

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 5060-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.



5060-3

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Status: **Delivered**

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February 9, 2007

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



DEPARTMENT of ENVIRONMENT
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January 22, 2010

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5060-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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.

5060-3

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Service(s): **Signature Confirmation™**Status: **Delivered**

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- Notice Left, January 23, 2010, 10:52 am, TYNDALL, SD 57066
- Out for Delivery or Available at PO Box, January 23, 2010, 9:33 am, TYNDALL, SD 57066
- Sorting Complete, January 23, 2010, 9:03 am, TYNDALL, SD 57066
- Arrival at Post Office, January 23, 2010, 8:26 am, TYNDALL, SD 57066

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30407 416TH AVE
TYNDALL SD 57066Waiver of Signature ☐ YES ☐ NOPostmark
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February 17, 2010

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 5060-3.

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

If you have any questions, please contact me.

Sincerely,

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

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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 21, 2011

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 5060-3 qualification:

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

The hearing will be held at **10:00 am, March 9, 2011** 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) 5060-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, 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.

5060-3

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Service(s): **Signature Confirmation™**Status: **Delivered**

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- Out for Delivery, January 22, 2011, 9:14 am, TYNDALL, SD 57066
- Sorting Complete, January 22, 2011, 9:04 am, TYNDALL, SD 57066
- Arrival at Post Office, January 22, 2011, 8:18 am, TYNDALL, SD 57066
- Processed through Sort Facility, January 22, 2011, 3:52 am, SIOUX FALLS, SD 57104

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FOIA

SIGNATURE CONFIRMATION NUMBER:
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SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL SD 57066

ling.

Waiver of Signature ☐ YES ☐ NO

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February 14, 2011

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 5060-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



5060-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



5060-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2013

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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

5060-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2014

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. 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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 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, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

5060-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 2, 2015

5060-3

7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. 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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 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 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 19, 2016

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Permit No. 7331-3. 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



5060-3

**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: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066

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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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.



5060-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 27, 2017

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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. 5060-3 and Water Permit No. 7331-3. 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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 1, 2017

Scott Schuurmans
30407 416 Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

A well driller's report filed by Sargent Irrigation Co. shows that they completed a new well for you in July located in the SW 1/4 NE 1/4 Section 23-T94N-R60W.

A review of our files indicates Water Right No. 5060-3 was licensed for 1,000 gallons per minute (gpm) from one well to irrigate 252 acres located in the middle of Section 23-T94N-R60W.

Mr. Schuurmans, was this well drilled as a replacement well or an additional well which does not increase the total appropriation of 1,000 gpm? The report indicates a 1,200 gpm pump was installed. If the authorized diversion rate is increased, a new water permit will need to be obtained. Once we know this information, we can determine what additional action, if any, needs to be taken to ensure the water right accurately reflects your use of water.

Please contact Eric Gronlund or me regarding the status of this well or if you have any questions.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SW ¼ NE ¼ Sec 23 Twp 94 Rg 60

Well Owner: Scott Schuurmans

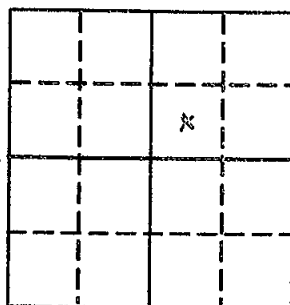
Business Name:

Address: 30407 416 Ave.

City, State, Zip: Tyndall SD 57066

County
Bon Homme

North

Please mark well
location with an "X"

Well Completion Date

7/19/2016

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
37.0 LB/FT	16.00 IN	0.0 FT	220.0 FT	30.00 IN

LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite		14.0 Lb/gal	20.0 Ft	220.0 Ft

Lb/gal	Ft	Ft

Describe grouting procedure

Tremmie

SCREEN:

☒ Perforated pipe ☐ Manufactured
 Diameter 16.00 inches Length 40.0 Feet

Material 26 SDR PVC Casing

Slot Size .085 Set From 220.0 Feet to 260.0 Feet

Other information

Gravel

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Concrete

Describe packer(s) and location

20' to Surface

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH

☐ No, Why Not?
Lab sample sent to for
water quality analysis

WELL LOG:

		DEPTH	
FORMATION		FROM	TO
0 To 20	top soil, clay		
20 To 40	clay		
40 To 100	gray clay		
100 To 120	gray clay (rock at 102')		
120 To 140	stiff gray clay w/bedded sand & gravel		
140 To 164	gray clay w/bedded sand & gravel		
164 To 180	sand w/ clay streaks		
180 To 194	sand w/ clay streaks		
194 To 200	sand w/ some fine gravel & clay layers		
200 To 213	clay & sand		
213 To 220	fine med sand w/ trace of gravel		
220 To 240	sand & fine gravel		
240 To 280	sand & fine med gravel w/ rock		
280 To 280	rock (couldn't go through)		

STATIC WATER LEVEL

106.0 FEET

If flowing: closed in pressure

PSI

GPM flow 1,200.0 through 8.62 inch pipe

Controlled by ☐ Valve ☐ Reducers ☒ Other Sprinkler System

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

116.0 Ft. After 1.0 Hrs. pumped 900.0 GPM

124.0 Ft. After 1.0 Hrs. pumped 1,400.0 GPM

If pump installed, pump rate: 1,200.0 GPM

REMARKS

RECEIVED

JAN 25 2017

Choteau: Tyndall WATER RIGHTS PROGRAM

This well was drilled under license # 273

And this report is true and accurate.

Drilling firm: Sargent Irrigation Co.

Signature of License Representative:

Sargent Irrigation Co. Dale Schickel

Signature of Well Owner or Equitable Property Holder:

Date:

Schlaak, Karen

From: Gronlund, Eric
Sent: Wednesday, February 22, 2017 8:05 AM
To: Schlaak, Karen
Subject: Schuurman - 5060-3

Received a call from Schuurman regarding a letter you sent him on a well. I believe it is authorized under 5060-3. The water right is for 2.23 cfs (1000 gpm) for irrigation of 252 acres (one large pivot). We questioned the well producing 1,200 gpm based on what the driller reported. Mr. Schuurman stated the pivot remains nozzled at 1000 gpm. He is going to submit a letter to that affect so we can document the file accordingly.



5060-3
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 25, 2019

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

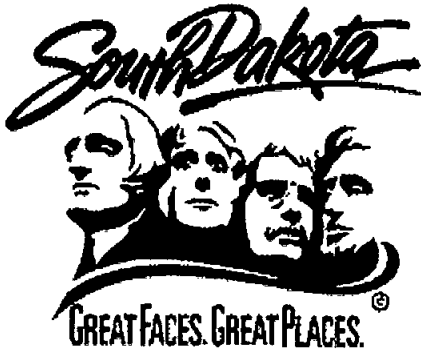
1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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.

5060-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2019

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, which appears to read "Genny McMath". The signature is fluid and cursive.

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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 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 **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: YBOHTA**

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.

5060-3

ALERT: USPS WILL BE TEMPORARILY SUSPENDING THE GUARANTEE ON PRIORIT...

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70191120000129106949

Remove X

Your item could not be delivered on February 10, 2020 at 8:14 am in TYNDALL, SD 57066. It was held for the required number of days and is being returned to the sender.

Alert

February 10, 2020 at 8:14 am
Unclaimed/Being Returned to Sender
TYNDALL, SD 57066

Get Updates ▼

Text & Email Updates

Tracking History

February 10, 2020, 8:14 am

Unclaimed/Being Returned to Sender
TYNDALL, SD 57066

Your item could not be delivered on February 10, 2020 at 8:14 am in TYNDALL, SD 57066. It was held for the required number of days and is being returned to the sender.

Feed

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postmark
Here

SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL SD 57066

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1120 0001 2910 6949



5060-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 11, 2020

NOTICE

TO: Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066

FROM: Ron Duvall, Water Rights Permitting Administrator
for Jeanne Goodman, Chief Engineer
Water Rights Division 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 5060-3 and
Water Permit No. 7331-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed".

Please note from the attached notice that the Water Management Board meeting is **February 26, 2020.**

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



5060-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2020

Nos. 5060-3 & 7331-3

SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL, SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Permit Nos. 5060-3 & 7331-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

5060-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 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 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: FHGYU**

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.

5060-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 5060-3 and 7331-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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

5060-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 24, 2023

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 5060-3 & 7331-3. 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
Genny.mcmath@state.sd.us

5060-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 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 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: MVJGYW**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

5060-3 & 7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 5060-3 & 7331-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

7331-3

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans,

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

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

5060-3, 7331-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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: PGOACP**

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.