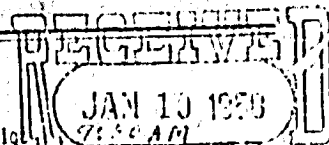


1. Considered February 19, 1958 Appl. No. 515-3
2. Name of Applicant Ella Schaefer
3. Post Office Address Parker, South Dakota
4. Amount of water claimed 300 cfs
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 160
7. Water to be diverted and used in Terrace County about
1.15 miles NE of Healy.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☒
10. Remarks:

In deflected area - critical area



Water Division No. 3 (Blank to be filled by the Engineer for the W. R. C.)

District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant

Postoffice address

Ella Schaefer
Parker, County Turner, State South Dakota

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand, \$ 10,000

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed

cubic feet per second

4. Source of water supply

5. Location of point of diversion

on

County

6. Annual period or periods during which water is to be used

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated 160 acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Or same owner's property 80 rods. On property owned by others

Map No. 395-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures

(d) Canal earth, \$-----

(b) Pumping plant, \$--7000.00

Rock, \$-----

Total, \$-----

Sprinkler System \$6000.00

9. Description of diversion works

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----

Material used in construction-----

(b) Reservoir: Capacity when filled-----acre feet. Surface area at highwater mark-----acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT CAPACITY

(c) Head gate: Width-----feet; height-----feet;

Material-----

(d) Canal: Total length-----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet
At-----Mile	-----feet	-----feet	-----feet	-----feet

(Give dimensions where sections in size are made.)

10. Time required for completion of work-----3-----years.

11. Time required for complete application of water to the proposed beneficial use-----5-----years.

12. Choice of newspaper for publication of notice of intention to appropriate

New York
Charleston & Co.

STATE OF SOUTH DAKOTA

County of-----

ss.

I, *Ellen Schaefer*, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

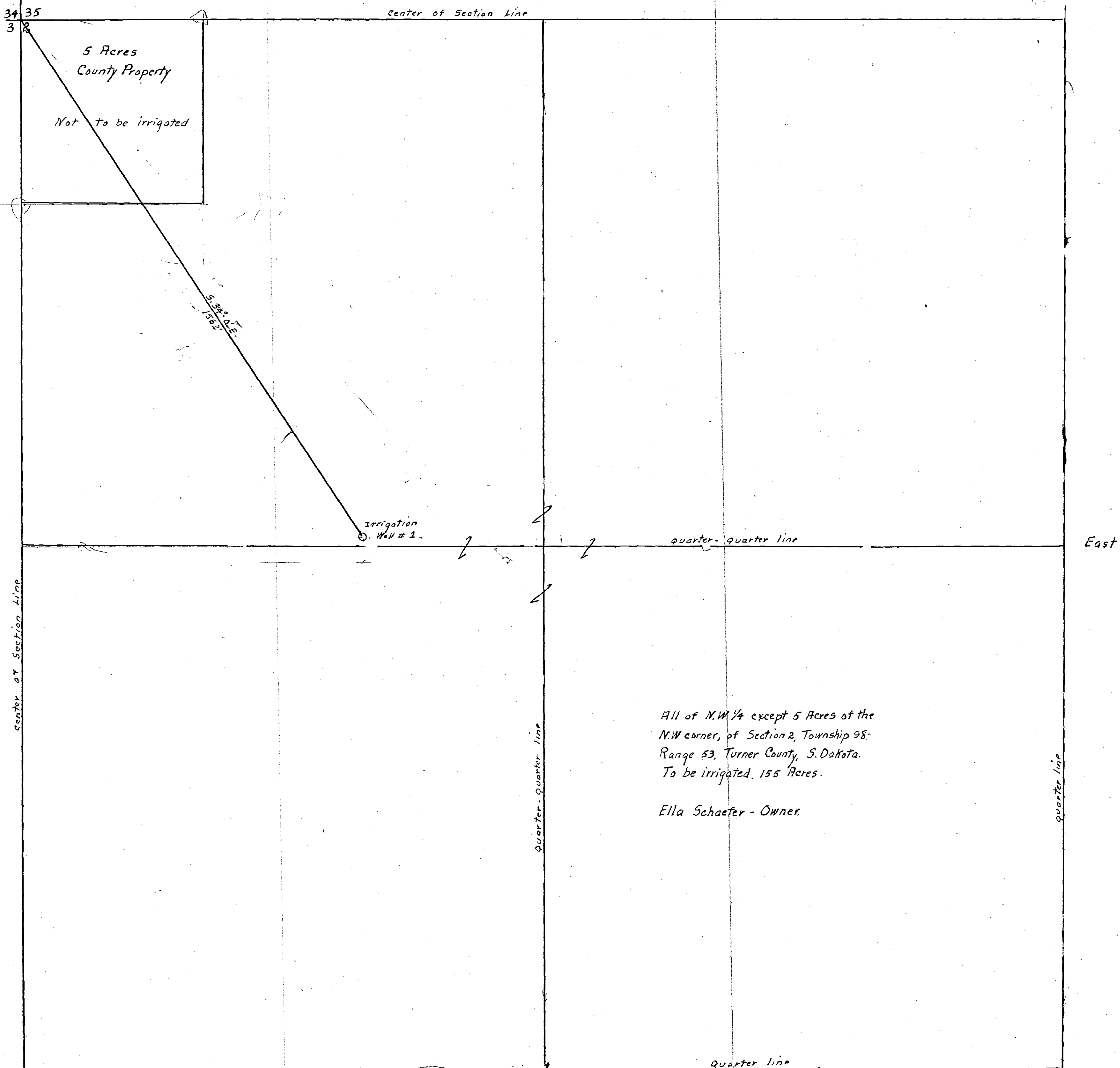
Signed

Mrs Ellen Schaefer

Subscribed and sworn to before me this-----7-----day of-----Jan-----

Notary Public (or other qualified officer)

North



All of N.W. 1/4 except 5 Acres of the
N.W. corner, of Section 2, Township 98-
Range 53, Turner County, S. Dakota.
To be irrigated, 155 Acres.

Ella Schaefer - Owner

Ella Schaefer Irrigation Project # I
All of N.W. 1/4 except 5 Acres of the
N.W. corner, of Section 2, Township 98-
Range 53, Turner County, South Dakota.

I, Ellis V. Nelson, a licensed engineer, hereby certify
that I have made a survey of the N.W. 1/4 of Section 2
Township 98-Range 53, Turner County, South Dakota and
located irrigation well # 1 as indicated on the
above plat.

Dated at Sioux Falls, South Dakota, December 28-1957

Ellis V. Nelson
Licensed Engineer

State of South Dakota } ss
County of Minnehaha }

On this 28th day of December, 1957 before me, the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person whose
name is subscribed to the within certificate and acknowledged
that he executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official
seal.

Kathryn M. Lunsch
Notary Public
KATHRYN M. LUNSCH
Minnehaha County, South Dakota
My commission expires June 1, 1960.

Ellis V. Nelson, Civil Engineer
Sioux Falls, S. Dakota. December-1957

Map No. 395-3
Appl. No. 515-3

STATE OF SOUTH DAKOTA

County of Hughes } ES.

Pierre, South Dakota, January 10, 1958

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock 9 a.m. upon the 10 day of January, 1958

State Water Resources Commission

By: John R. Miller
Chief Engineer, Executive Officer

Number of permit 515-3

Date of first receipt of application January 10, 1958

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right January 10, 1958

Approved December 3, 1958 Recorded in Book 5 Page 92

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

June 3, 1960

2nd. The whole of said work is to be completed on or before December 3, 1961

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

December 3, 1960

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 December 3, 1963; said water to be used during the following described annual period:

March to November inclusive

Witness my hand this 2 day of February, 1959

State Water Resources Commission

By: John R. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 6, 1973

Water License Issued MARCH 6, 1973

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" Depth 45'

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 18" Thickness of casing 14 ga.

Length of casing 46' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Shutter

Size of perforated screen 18" 21'
(diameter) (length)

Thickness of gravel pack 6" length of gravel pack 30'

(c) Water Bearing Materials

Distance to water 11' Character of water bearing materials

Gravel coarse + gray with
clean water sand & gravel shale

Thickness of water bearing material

(d) Pump and Motor

Type of pump Clear Pump
(centrifugal, propeller, mixed flow, etc.)

Name of pump Burgess size 8"

Kind of motor E. E. Electric
(gasoline, electric, diesel, etc.)

Horsepower 60 Name of Motor E. E.

(e) Complete well

Capacity 1500 at drawdown of 5' Estimated cost \$2000.00

(f) Owner of land upon which well is located Ella Schaefer
Name

Paris S. D. 2
Address

(g) Distance to nearest existing wells

On same owner's property None rods. On property owned by others 80 rods

Permit No. 515-3Water Diversion No. 3 VERMILLION RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Mrs. Ella Schaefer

_____ the holder _____ of
Permit No. 515-3, issued upon Application No. 515-3, bearing date of priority of January 10,
1958 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota at _____
a point South 34° East, 1562 feet from the NW Corner, Section 2, T98N,
R53W
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date March 6, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 515-3

(1) WHEREAS, On the 10th day of January, A. D. 19 58

Mrs. Ella Schaefer

made Water Right Application No. 515-3 for a permit to use 2.28 cubic feet per second of the waters of Ground Water

County of Turner, State of South Dakota, for Irrigation

purposes: and

(2) WHEREAS, On the 2nd day of February, A. D. 19 59

Permit No. 515-3, with a date of priority of January 10, 1958

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 3rd day of December, A. D. 19 61 and for the application to beneficial use of said water on or before the 3rd day of December, A. D. 19 63

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.92 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating 135 acres in the NW $\frac{1}{4}$, Section 2, T98N, R53W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Mrs. Ella Schaefer

of Parker, S.D.

the holder _____ and owner _____ of said permit No. 515-3 a water right, dating from January 10, 1958

1.92 cubic feet per second of the waters of Ground Water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point South 34° East, 1562 feet from the NW Corner, Section 2, T98N, R53W

and conduct to and upon 135 acres in the NW 1/4, Section 2, T98N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 515-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of March A. D.
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

(First Publication before January 23, 1958.)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., January 10, 1958

Notice is hereby given that Mrs. Ella Schaefer whose postoffice address is Parker S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.00 cubic feet of water per second of time from the ground water through the Ella Schaefer #1, the point of diversion of which is to be located on the NE 1/4 of the NW 1/4 of Section 2 Twp. 98 N. Range 53 W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, Sec. 2, T 98 N, R 53 W~~XXXXX~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of February, 1958, at 2:00 p.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Las Wyborny
 Water Rights Engineer

cc Mr. E. J. Bormann, Publisher
 The New Era
 Parker, South Dakota

Affidavit of Publication

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF TURNER)

Earl J. Bormann

of said County and State, being duly sworn, on his oath says:

The New Era is a weekly newspaper of general circulation, printed and published in Parker, in Turner County and State of South Dakota by Earl J. Bormann and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bona-fide circulation of more than 200 copies weekly, that it has been published within said county of Turner in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit; that the advertisement headed Notice of Intention to

a printed copy of which is hereto attached, was printed and published in the said newspaper for 1 week; that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication being made on 1/16, 1927;
the second publication on 1/22, 1927;
the third publication on 1/29, 1927;
the fourth publication on 2/6, 1927;
the fifth publication on _____, 19____;
the sixth publication on _____, 19____;
and the last publication on _____, 19____;

that \$17.00, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Earl J. Bormann

Subscribed and sworn to before me this 6

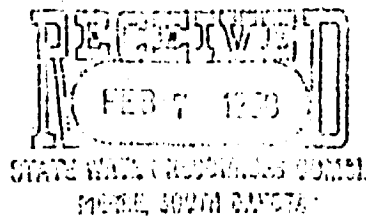
day of February, 1927

W. L. Wyborny

Notary Public, Turner County, South Dakota.

NOTICE OF INTENTION TO
APPROPRIATE WATER
No. 313-1
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., Janu-
ary 16, 1927.
Notice is hereby given that Mrs.
Ella Schaefer, whose postoffice ad-
dress is Parker, S. Dak., has made
application in accordance with the
provisions of the water laws of
South Dakota for a permit to appro-
priate for beneficial use 300 cubic
feet of water per second of time
from ground water, through the Ella
Schaefer No. 1, the point of diver-
sion of which is to be located in
the NW 1/4 of the NW 1/4 of Section 2,
Twp. 92 N. Range 63 W. Said water
to be used for the purpose of provi-
ding irrigation on the following
described land:
NW 1/4 Sec. 2, T. 92 N., R. 63 W. 24
This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 15th day of
February, 1927, at 2:00 P. M. All
interested persons may appear and
be heard.
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elapsed
for the consideration of any or all
information presented.
State Water Resources Com-
mission, By: Les Wyborny,
Water Rights Engineer.

4tc-45



Publication Fees \$17.00

Received Payment,

1/17/27

Cash

10/20/70

Inspected this system. The pump and electric motor were there but it appeared there had been no irrigation use for a long time.

No pipe or sprinkler equipment was stored in the area. Local people reported that Ella Schaefer lived a number of miles west. The NW $\frac{1}{4}$ NW $\frac{1}{4}$ had large gravel pit--still being quarried.

10/21/70

Talked to Mrs. Gerald Schaefer, daughter-in-law of Ella, who lives in Omaha. Mr. Gerald Schaefer said they had irrigated the land in 1968, but had been hailed out in 1969 and 1970 (the 1970 questionnaire also so states.) She said that the irrigation pipe and sprinkler were stored at this west location and they planned to irrigate next year.

I told her to notify the Water Resources Commission as soon as they were irrigating so a final inspection could be made.

Donald Driscoll

3/4 mile 6' diameter

Two vacuum lines

400

16 in. d.

135 d.c.

Hoffman (Englewood)

Electric motor

75 H.P.

C. L. P.

No P051205

Permit No. 515-3Water Division 3 VERMILLION RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Mrs. Ella Schaefer_____ of Parker, S.D. holder _____of Permit No. 515-3, hearing date of priority of January 10, 1958, 19____authorizing the diversion of 2.28 cu. ft. per second of the waters of Ground Waterfor irrigation purposes, in Turner County.

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

The Water Use System consists of,

A. Works used to divert the water:

Well, 50 ft. deep - 18" steel casing, Western Land Koller turbine pump - Mod. 8-M
Newmon (English made) electric motor - 75 HP, No. P651205

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

3/4 mile of 6 inch diameter aluminum pipe

C. Works used to apply water to beneficial use.

Two Vermeer sprinkler booms, Mod. 150

The system is in the following condition: Fair - minus

The point of diversion is located South 34° East 1562 ft. from the NW Corner of Sec. 2,
T98N, R53W

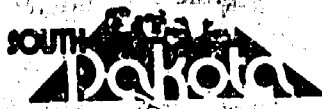
The works are capable of diverting and conveying to the place of use 2cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: _____

NW¼ of Sec. 2, T98N, R53W, except for west 25 acres of NW¼ NW¼comprising a total of 135 acres of land.Date January 31, 1973

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engr. W.R.C.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

No. 515-3

April 8, 1983

Doug Bliss
Done Farm Management
3905 S. Western Avenue
Sioux Falls, South Dakota 57105

Dear Sir:

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

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

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

Please advise this office if you have any questions.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

Conversation or File Documentation

NAME OF PERSON OR FILE:

Don & Bliss, Lane Area Mgmt

ADDRESS:

Sion Falls 57105

COUNTY

DATE:

April 11, 1983

TELEPHONE

RE:

Transfer of 515-3 (listed under the name of Ella Schaeffer)

COMMENTS:

Brief history: Ella Schaeffer sold land to her son & daughter-in-law, (permit never transferred) her son Ron died in Sept of 1982 - her daughter-in-law sold land on an auction sale in February, 1983.

Mr Bliss called to find out who had to sign the transfer form I sent him. I indicated the new owner could sign on the daughter-in-law since her and her husband had been the prior owners.

Mr Bliss indicated that Ella Schaeffer refused to sign over the water rights. I indicated to Mr Bliss that Ella no longer had any say in the matter. The water rights go with the land

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

NAME:

Dennis Young

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9238

PIERRE, April 27, 1983

RECEIVED OF Bruce Peterson, 4501 Mountain Ash Drive, Sioux Falls, SD 57103

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.....		
Fee for inspecting Beneficial Use, and issuing Water License No.....		
Fee for issuing Location Certificate-Dry Draw, No.....		
Fee for filing <u>Transfer of WR#515-3</u>	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

135 Acres NW¼ Section 2, T98N, R53W

formerly owned by Ella Schaefer, Parker, South Dakota 57053

has been transferred to Bruce D. Peterson 4501 Ash Drive Sioux Falls, S.D. 57102

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

Water Right Permit No. 515-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

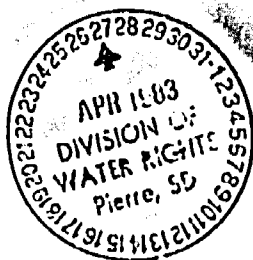
STATE OF SOUTH DAKOTA)
County of Minnehaha) ss.

I, Henri E. Evers being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Donna L. Schaefer
(Signed)

Subscribed and sworn to before me this 11th Day of April, 1983.

Denise Enos
(Notary Public)



South Dakota
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

April 27, 1983

Bruce D. Peterson
4501 Ash Drive
Sioux Falls, South Dakota 57103

Dear Mr. Peterson:

Enclosed is receipt No. 4 9238 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 515-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

#515-3

South Dakota
Department of
Water & Natural Resources

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

February 17, 1989

Bruce D. Peterson
4501 Ash Drive
Sioux Falls, SD 57103

Dear Mr. Peterson:

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,

John W. Hatch

for JOHN HATCH, Chief Engineer
Water Rights Division



515-3
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: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009

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 has not been submitted for Permit No(s) 515-3 as required by administrative rule 74:02:01:14.02. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 515-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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>

c: **BRUCE D PETERSON, 4501 ASH DR, SIOUX FALLS, SD 57013**

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 16, 2017

515-3

Daniel Benson
45586 US Hwy 18
Hurley SD 57035

Dear Mr. Benson:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 515-3. 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



515-3
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 26, 2018

NOTICE

TO: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 515-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 7, 2018 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 515-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 7, 2018** 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>

BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103

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.



515-3
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: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009

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 has not been submitted for Permit No(s) 515-3 as required by administrative rule 74:02:01:14.02. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 515-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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>

c: **BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103**

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.

ALERT: PAYMENT TRANSACTIONS ON SOME APPLICATIONS WILL BE TEMPORARILY...

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)**Track Another Package +****Tracking Number:** 70171000000032517473

Remove X

Your item was delivered to an individual at the address at 3:12 pm on January 29, 2019 in SIOUX FALLS, SD 57103.

✓ Delivered

January 29, 2019 at 3:12 pm
Delivered, Left with Individual
SIOUX FALLS, SD 57103

Get Updates ✓**Text & Email Updates****Tracking History****Product Information**

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BRUCE D PETERSON 3600 S SLATEN PARK DR SIOUX FALLS SD 57103	
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Feedback

See Less ^**Can't find what you're looking for?**

ALERT: PAYMENT TRANSACTIONS ON SOME APPLICATIONS WILL BE TEMPORARILY...

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)**Track Another Package +****Tracking Number:** 70171000000032517466

Remove X

Expected Delivery on**TUESDAY****19**FEBRUARY
2019 ⓘ**See Product Information** ▾

Feedback

*Returned-tracked unclaimed***✓ Delivered**February 19, 2019 at 8:57 am
Delivered, To Original Sender
PIERRE, SD 57501**Get Updates** ▾**Text & Email Updates****Tracking History****Product Information**

9942 152E 0000 000T 2102

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☐ Return Receipt (hardcopy) \$☐ Return Receipt (electronic) \$☐ Certified Mail Restricted Delivery \$☐ Adult Signature Required \$☐ Adult Signature Restricted Delivery \$

Postage

Postmark
HereDANIEL BENSON, OPERATOR
45586 US HWY 18
HURLEY SD 57036 6009

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

See Less ^



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RETURN SERVICE REQUESTED

RECEIVED

FEB 19 2019

WATER RIGHTS
PROGRAM

UNC

9400920878046180

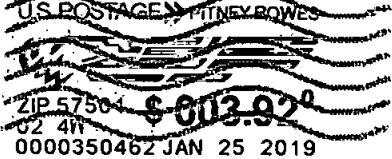
UNC

5706636434
57501>3182

CERTIFIED MAIL



7017 1000 0000 3251 7466



1st NOTICE

2nd NOTICE

RETURNED

1-28-19
02-01-19
02-11-19

DANIEL BENSON, OPERATOR

NIXIE

553 DE 1

0002/15/19

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 57501318299

*0711-07383-25-40



515-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

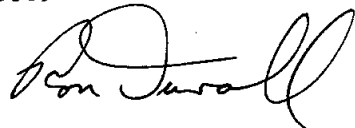
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 20, 2019

NOTICE

TO: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009

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. 515-3

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". The envelope indicated the post office notified you January 28, 2019 and February 1, 2019 to pick up and sign for the certified mail before returning it to our office.

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

CERTIFICATION

I hereby certify that on February 20, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated February 20, 2019 regarding Unclaimed Certified Mail concerning irrigation questionnaire violations addressed as stated below:

No. 2072-3: Darwin Ulvestad, 46679 201st St, Bruce SD 57220

No. 6168-3: Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

No. 417-1: Vivian F. & Ron Sjodin, 3001 Sunnyhill Circle, Rapid City SD 57702

No. 515-3: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009

Nos. 5290-3

8148-3: Troi D Andernacht, 45835 284th St, Hurley SD 57036


Eric Gronlund
Water Rights Program
Environment and Natural Resources

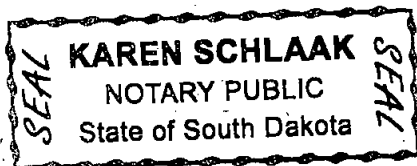
STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

Sworn to, before me, this 20th day of February, 20 19

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2019





515-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

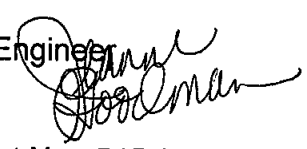
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 7, 2019

NOTICE OF ENTRY OF ORDER TO AMEND WATER RIGHT

TO: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009
Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment to Water Right No. 515-3

On March 6, 2019, the Water Management Board amended Water Right No. 515-3 to add the following qualification:

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

This action was taken for your failure to return the 2018 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

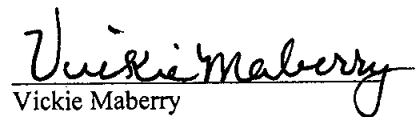
Please contact Genny McMath (605) 773-3352, if you have any questions.

515-3

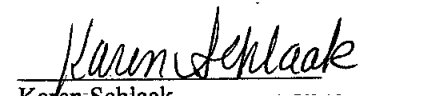
CERTIFICATION

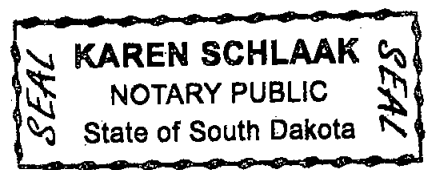
I hereby certify that on March 7, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated March 7, 2019 regarding Amended Water Rights addressed as stated below:

- No. 515-3: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009
Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
- No. 1175-2: Wayne Bond, 28623 234th Ave, Tuthill SD 57574
- No. 577-1: Max & Brenda Bowen, 13525 Wilson Cemetery Rd, Newell SD 57760
- Nos. 291-1
513-1 George Johnson, False Bottom Livestock, 11295 SD Hwy 34, St Onge SD 57779
- No. 3469-3 Stan Kopfman, PO Box 100, Alpena SD 57312-0100
- No. 2983-3 Skip Rau, 12553 309th Ave, Selby SD 57472


Vickie Maberry
Water Rights Program
Environment and Natural Resources

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)
Sworn to, before me, this 7th day of March, 2019.


Karen Schlaak
Notary Public
My Commission expires April 1, 2019





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: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009
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) 515-3. 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) 515-3 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) 515-3 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: SHCRCP**

C: BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103

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.

515-3

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FAQs >

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Your item was delivered to an individual at the address at 9:38 am on January 26, 2021 in PARKER, SD 57053.

 **Delivered**

January 26, 2021 at 9:38 am
Delivered, Left with Individual
PARKER, SD 57053

Get Updates ✓

Text & Email Updates

Tracking History

Product Information

7019 1120 0001 2910 3092

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☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage	
DANIEL BENSON, OPERATOR 45586 US HWY 18 HURLEY SD 57036 6009	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Feedback

✓

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USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: 70191120000129104099

Remove X

Your item was delivered to an individual at the address at 5:22 pm on January 25, 2021 in SIOUX FALLS, SD 57103.

 **Delivered**

January 25, 2021 at 5:22 pm
Delivered, Left with Individual
SIOUX FALLS, SD 57103

Get Updates ▾

Text & Email Updates

Tracking History

Product Information

6604 0162 1000 0211 6102

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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 \$ _____	Delivered 1-25-2021 Postmark Here
Postage \$ _____ BRUCE D PETERSON 3600 S SLATEN PARK DR SIOUX FALLS SD 57103	
PS Form 3800, April 2015 PSN 7530-02-000 9047 See Reverse for Instructions	

Feedback

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▾

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See Less ^



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2021

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
Daniel Benson, 45586 US Hwy 18, Hurley SD 57036

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 515-3

On March 3, 2021, the Water Management Board ordered:

Effective April 3, 2021, Water Right No. 515-3 be suspended for the 2021 irrigation season for failure to submit the 2020 irrigation questionnaire.

If the 2020 irrigation questionnaire is received prior to April 3, 2021, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2021 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2021 unless the 2020 irrigation questionnaire is submitted by April 3, 2021.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2020 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 5-6, 2021 in Pierre, SD. The letter should include your reasons for not completing the 2020 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

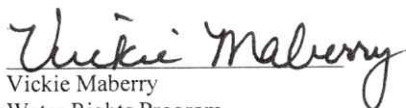
No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

Suspend/Amend

Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:
• Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

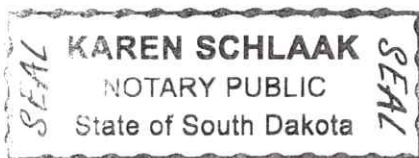
- Brandon Ritter, 30489 115th St, Mound City SD 57646
- Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646


Vickie Maberry
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.


Karen Schlaak
Notary Public
My Commission expires April 1, 2025





DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2021

515-3

Daniel Benson
45586 US Hwy 18
Hurley SD 57036

Dear Mr. Benson:

On March 3, 2021, the Water Management Board ordered Water Right No. 515-3 (held by Bruce Peterson) suspended if the 2020 irrigation questionnaire was not received prior to April 3, 2021. The questionnaire information for the water right has been received.

Since the irrigation questionnaire is on file, no violation has occurred, and no suspension will take place. You may irrigate during the 2021 irrigation season.

If you have any questions, please contact us.

Sincerely,

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

c: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103



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

January 20, 2022

NOTICE

TO: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 515-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 515-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 515-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: DMXICM**

c: BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 7, 2022

515-3

Daniel Benson
45586 US Hwy 18
Hurley SD 57036-6009

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 515-3. 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

c: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls, SD 57103



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: DANIEL BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009

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) 515-3. 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) 515-3 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) 515-3 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: DGVKCT**

c: BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 14, 2023

515-3

Bruce D Peterson
3600 S Slaten Park Dr
Sioux Falls SD 57103

Dear Mr. Peterson:

I am contacting you in regard to the land you own in Turner County that was farmed by Daniel Benson.

The 2022 irrigation questionnaire was originally sent to Daniel Benson in Hurley SD. I didn't realize until recently that Mr. Benson passed away.

Please give me a call and let me know if you have the information on what was irrigated last season or if you have someone I can call. As indicated in our January 20th Notice to you, the hearing is on March 8th.

We can certainly work with you to obtain the information. If you no longer own the land, please let me know that as well. Thank you in advance.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 24, 2023

515-3

Bruce D Peterson
3600 S Slaten Park Dr
Sioux Falls SD 57103

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire. Greg Benson submitted the form online and took care of the reporting requirement for 2022.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 515-3. 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



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

January 14, 2025

NOTICE

TO: GREG BENSON, OPERATOR, 45586 US HWY 18, HURLEY, SD 57036 6009

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 515-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 515-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 515-3 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 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **LBKEJT****

cc: BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103

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

February 4, 2025

515-3

Greg Benson
45586 US HWY 18
Hurley SD 57036

Dear Mr. Benson:

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). 515-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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

cc: BRUCE D PETERSON, 3600 S SLATEN PARK DR, SIOUX FALLS, SD 57103