

Considered: _____

WATER PERMIT NO. 5341-3

HAP No. same 565-2121

Name of Applicant Van Lunen Farms

Post Office Address RR 4, Box 88, Le Mars IA 51031

Amount of Water Claimed 2.67 cfs Total Acres 420

Source of Water Supply 2 wells

Water to be used for irrigation County Union

About 19 miles N of Jefferson.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Mar 17, 1989 Fee 350⁰⁰ Remarks _____

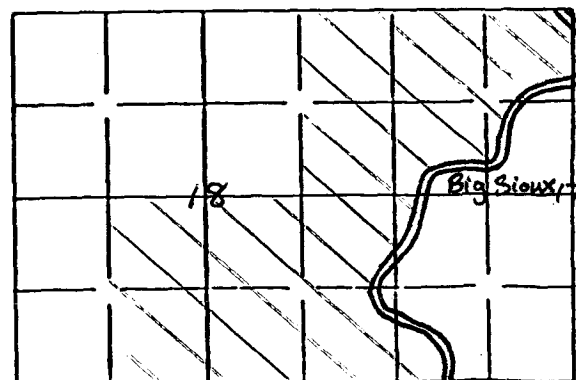
Corrected Application Received July 25, 1989 Period of Annual Use May 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED ✓ APPROVED/CONDITIONAL (Circle one)

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

Diversion Points 2 wells: SW¹/₄ SE¹/₄, NE¹/₄ SE¹/₄
section 18 - T93N-R48W

Land to be Irrigated SE¹/₄, E¹/₂ SW¹/₄, E¹/₂ NE¹/₄
section 18; NW¹/₄, W¹/₂ SW¹/₄ section 17; all in
T93N-R48W



Well Log: Driller Van't Hul & Sons Licensed YES ✓ NO _____

Depth of Wells 54 + 58 feet REMARKS _____

Type of Map aerial photo PREPARED BY Larry Wilcox Reviewed and the Number
assigned on August 2, 1989 By Ron D. Swall

(See instructions)

No. 5341-3 Hydrologic Unit 10170203
Basin Big Sioux
Newspaper Elk Point Leader-Courier, Box 310
(Thurs) 57025

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application:

- ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Von Lunen farms Phone No. 605 365 2121
Post Office Address RR #4 Box 88 Le Mars State Iowa Zip Code 51031
(Street, RR or Box) 2.67 cfs (City)
2. Amount of water claimed 1200 gpm Total acres irrigated 420
3. Source of Water supply Two Existing Wells SW $\frac{1}{4}$ SE $\frac{1}{4}$;
4. Location of point of diversion Well #1: 1477' from NE Corner South to Well
Well #2: 2514' from NE NES then go East 1208' to Well
NE $\frac{1}{4}$ SE $\frac{1}{4}$; both in Sec 18-T93N-R48W County Union
5. Counties where water will be used Union
6. Annual period during which water is to be used App ~~Oct~~ May 1 to Early Sept 30
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.
SE $\frac{1}{4}$ Section 18 T93N R48W	-404-- 420
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18 T93N R48W	
E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 18 T93N R48W	
SW $\frac{1}{4}$ Section 17 T93N R48W	

Land Description	No. Acres Irr.
NW $\frac{1}{4}$ Section 17 T93N R48W	

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ (2) Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Corn & Beans
10. Give a description of proposed project. (Attach sheet if more space is needed)

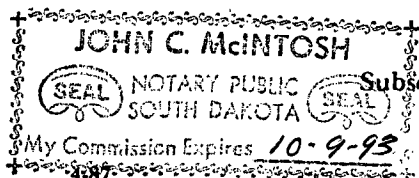
Land covered under this permit was covered under Water Permit No. 4848-3. The permitted water source under Water Permit No. 4848-3 was the Sioux River, but the irrigation systems were developed using two ground water wells. Hence, this is a corrective application for a change in water source.

Water Sample #2

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of UNION) ss

I, Von Lunen farms, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.



Signed [Signature] My Comm. Expires 14TH day of MARCH 1989
John C. McIntosh
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5341-3 FOR IRRIGATION

Date of first receipt of application March 17, 1989.

Date Soil/Water Compatibility Permit received July 25, 1989.

Date of return to applicant for corrections, amendments or changes April 19, 1989.

Date of receipt of corrected application June 23, 1989.

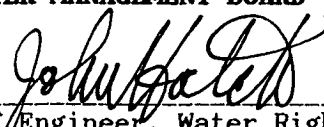
The Water Management Board approved Water Permit Application No. 5341-3 on September 28, 1989 for Van Lunen Farms, RR 4, Box 88, Le Mars IA 51031 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5341-3 appropriates 2.67 cubic feet of water per second from 2 existing wells (Big Sioux-South Aquifer) 54 and 58 feet deep to irrigate 420 acres. The 2 existing wells are located in the SW1/4 SE1/4, NE1/4 SE1/4 section 18 and the irrigated acreage is located in the SE1/4, E1/2 SW1/4, E1/2 NE1/4 section 18; NW1/4, W1/2 SW1/4 section 17; all in T93N-R48W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is July 25, 1989.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 26 1989

(date)

permit # 1

Supplemental Information

(type or print in ink)

see driller log already on file

1. Well Information - Proposed construction

- Drill Hole Diameter _____ Depth _____
- Casing Type _____ Diameter _____ Thickness _____
- Screen Type _____ Diameter _____ Thickness _____
- Gravel Pack Thickness _____ Length of Gravel Pack _____
- Depth to Top of Water Bearing Material _____
- Depth to Water (ground surface to water level) _____
- Distance to nearest existing domestic well:
On applicants property *3/8 mi* On property owned by others *1/4 mi*

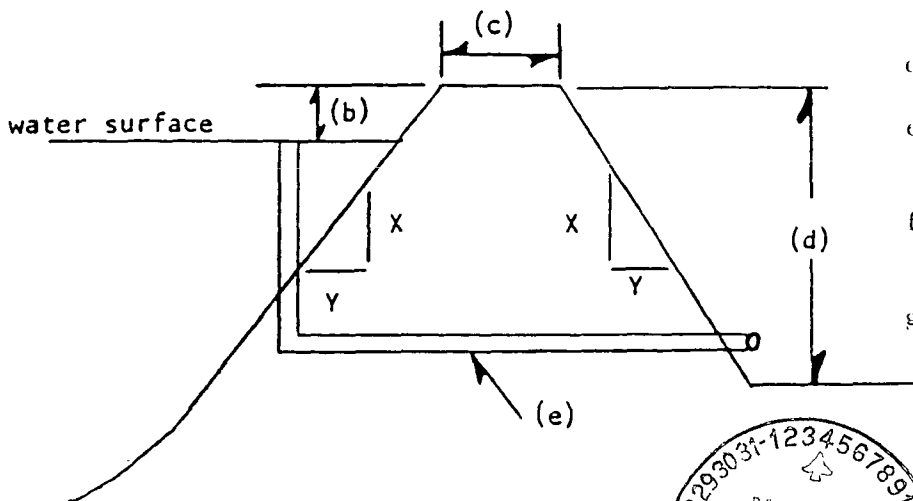
2. Dugout Information Estimates

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

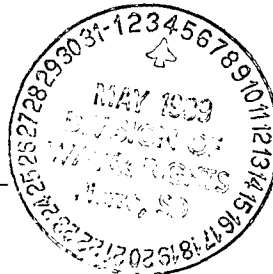
3. Water Storage Dams

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

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



- Freeboard _____
- Crest Width _____
Crest Length _____
- Height _____
- Primary Outlet Capacity _____
If Pipe, diameter _____
- Secondary Spillway Capacity _____
Spillway width _____
- X & Y Slope
Upstream _____
Downstream _____
- Surface Area of Impoundment _____
- Storage _____ acre feet
- Drainage area above dam _____



Signature of Applicant _____

Supplemental Information

(type or print in ink)

*see driller's log already on file***1. Well Information - Proposed construction**

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property 500' On property owned by others 1/2 mi

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

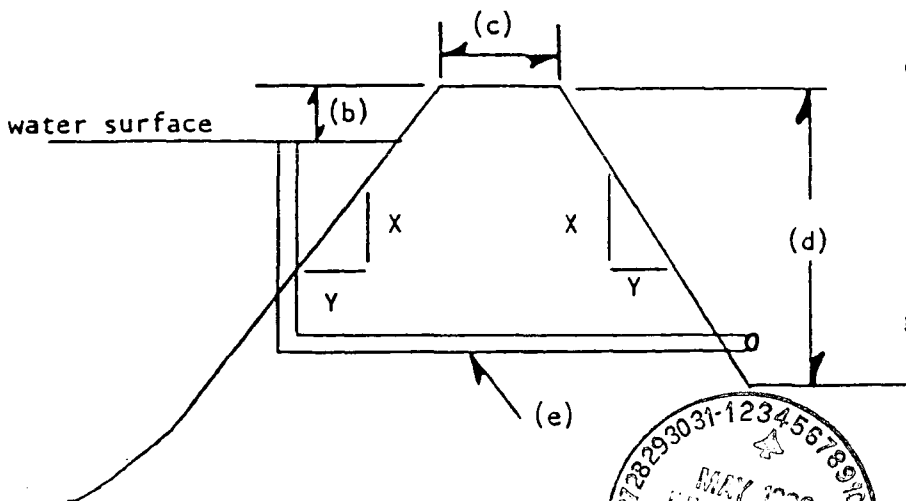
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



Department of Water & Natural Resources

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

April 19, 1989

Roger Trimble, Manager
Van Lunen Farms
RR 4, Box 88
Lemars IA 51031

Dear Mr. Trimble:

This letter is in response to three water permit applications received on March 17, 1989 for Van Lunen Farms. The following information is needed to complete the water permit applications:

- 1) The enclosed Form 2A's need to be completed for each of the 4 existing wells. The forms need to be labeled to correspond to the individual wells.
- 2) The irrigated acreage and the acreage that may be developed for irrigation all needs to be shown on the enclosed maps. The map of section 19 needs to outline the acreage that may be developed at a later date and the map of sections 5, 7 and 8 needs to more clearly outline the acreage that is irrigated and the acreage that may be developed for irrigation. A section corner and the well site also need to be labeled on the map of sections 5, 7 and 8.
- 3) A listing of the number of irrigated acres in each 40 acre area needs to be attached to each application. The listing also needs to include the additional acreage mentioned on two of the applications which may be developed at a later date.

The applications and maps are enclosed for the above revisions. A copy of the applications will be forwarded to the Division of Conservation upon receipt of the completed applications. The Division of Conservation is responsible for considering the soil/water compatibility permit applications. Upon approval of the soil/water permits, then the water permit applications can be scheduled for consideration by the Water Management Board.

Please contact me if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.





Department of Water & Natural Resources

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

May 23, 1989

Roger Trimble, Manager
Van Lunen Farms
RR 4, Box 88
Lemars IA 51031

Dear Mr. Trimble:

I am writing in regard to two of the water permit applications for Van Lunen Farms. The following information is needed in response to maps supplied by David Brown, staff engineer:

- 1) Well No. 2 as located on the enclosed map does not appear to be in the correct location according to the visual inspection by David Brown. The enclosed map (section 18-T93N-R48W) shows well No. 2 as located by Larry Wilcox and David Brown, please indicate which location is correct.
- 2) The map for the application to irrigate portions of sections 5, 7 and 8-T93N-R48W did not have the section corner located as requested in my letter dated April 19, 1989. After further investigation, the approximate location of the section corner has been located on the enclosed map. The location of the corner shows that portions of the irrigated acreage in sections 7 and 8 are not included on the map. Therefore, the irrigated acreage and acreage to be irrigated need to be outlined on the enclosed map of sections 7 and 8. Please have the map signed according to directions on the enclosed instruction sheet.

Copies of the applications will be forwarded to the Division of Conservation upon completion the above information. The water permit applications will then be processed upon approval of the soil/water compatibility by the Division of Conservation.

Please contact me if you have any further questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 17, 19 89

RECEIVED OF Van Lunen Farms, RR #4, BBox 88, Lemars, IA 51301

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

Fee for Application for Permit No. <u>5341-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	350	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	350 00

By John Hatch/mra
Chief Engineer

Department of Agriculture
WI#1
5/87



SOIL/WATER COMPATIBILITY PERMIT

Division of Conservation

Office Use Only

4391

WR#

OWNERS NAME: Van Lunen Farms

OWNERS ADDRESS: RR 4, Box 88

LeMars, IA 51031

COUNTY LAND LOCATED IN: Union

PHONE: 605-365-2121

LEGAL DESCRIPTION:



Well



Surface

1. LOCATION: #1 - SW $\frac{1}{4}$ Sec. 18-T93N-R48W; #2 - NE $\frac{1}{4}$ Sec. 18-T93N-R48W

Depth: _____

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ Sec. 18-T93N-R48W		NW $\frac{1}{4}$ Sec. 17-T93N-R48W	
NE $\frac{1}{4}$ Sec. 18-T93N-R48W		TOTAL ACRES	420
E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 18-T93N-R48W			
SW $\frac{1}{4}$ Sec. 17-T93N-R48W			

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

3. CROPS TO BE IRRIGATED: Corn, Beans

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0109

7. ADJUSTED (SAR): 0.45

5. SALINITY (EC X 10⁶): 950

8. PERCENT SODIUM: 4.17

6. SODIUM (SAR): 0.19

Requirements:

The areas of Crofton silt loam, 15 to 30 percent slope (CbF); Crofton silt loam 12 to 17 percent slope, eroded (CbE2); and Crofton-Nora silt loams 6-12 percent, eroded (CnD2) are subject to severe erosion hazard. For this reasons these areas shall not be irrigated.

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.

☒

APPROVED

☒

REQUIREMENTS

DISAPPROVED

WAIVER

Director, Division of Conservation

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

Date

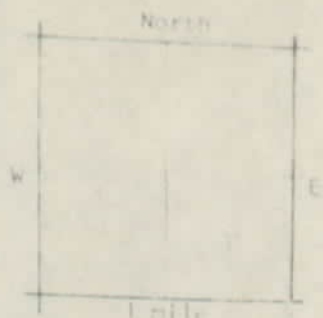
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location 24 NW Sec 17 Twp 73 R3 48

Township

Union

Please mark well location with an "X"



Well Completion Date Sept 20, 1985

PROPOSED USE:

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

Method of Drilling:

Direct Rotary

WELL CONSTRUCTION:

Diameter of hole 20 inches Depth 58 feet

Casing: ☐ Steel ☒ Plastic ☐ Other

Specify _____

Pipe Weight Diameter From To

30 lb/ft 15 inches 0 feet 33 feet

_____ lb/ft _____ inches _____ feet _____ feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Stainless Steel Slot Size "80"

Length 25 ft Diameter 14 inches

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☒ Yes ☐ No

If so what material? Stainless Steel Plate

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure _____

To what depth? 10 Feet

What was grouting material? concrete

If cement, how many sacks? 6

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material? _____

Well Owner:

Name Richard Van Lumen

Address Union, Iowa

Well Log:

Depth

Formation

From

To

Top soil	0'	4'
Clay & sand	4'	16'
Gravel	10'	58'
Blue clay	58'	60'

STATIC WATER LEVEL 6 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: Low shaft turbine

Pumping Level Below Land Surface

16 ft. After _____ Hrs. pumped 600 GPM

26 ft. After _____ Hrs. pumped 800 GPM

31 ft. After _____ Hrs. pumped 1200 GPM

Remarks:

This well was drilled under license # 366

and this report is true and accurate.

Grant Huber & Sons
Drilling Firm

Signed by

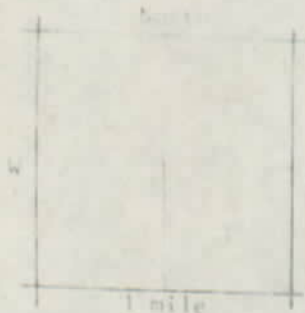
Sept 23, 1985
Date

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location E 3 NE Sec 28 Twp 29 Rg 48

County Union

Please mark well location with an "X"



Well Completion Date Sept. 12, 1985

PROPOSED USE:

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

Method of Drilling:

Direct Rotary

WELL CONSTRUCTION:

Diameter of hole 30 inches Depth 54 feet

Casing: ☐ Steel ☒ Plastic ☐ Other
Specify _____

Pipe Weight Diameter From To
200 lb/ft 15 inches 0 feet 24 feet
lb/ft inches feet feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Stainless Steel Slot Size #80

Length 30 ft Diameter 14 inches

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☒ Yes ☐ No

If so what material? Stainless steel plate

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure _____

To what depth? 10 Feet

What was grouting material? Cement

If cement, how many sacks? 6

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No
If so how and with what material?

Well Owner:

Name Richard Van Lumen

Address 1000 S. Ave

Well Log:

Formation	From	To
<u>Top soil</u>	<u>0'</u>	<u>3'</u>
<u>Clay & sand</u>	<u>3'</u>	<u>7'</u>
<u>Gravel</u>	<u>7'</u>	<u>54'</u>
<u>Clay & sand</u>	<u>54'</u>	<u>60'</u>
<u>Blue clay</u>	<u>60'</u>	<u>62'</u>

STATIC WATER LEVEL 11 Feet

If flowing: closed in pressure _____ psi

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: Line Shaft Turbine

Pumping Level Below Land Surface

19 ft. After 1 Hrs. pumped 400 GPM

21 ft. After 4 Hrs. pumped 500 GPM

30 ft. After 8 Hrs. pumped 1000 GPM

Remarks:

This well was drilled under license 366

and this report is true and accurate.

Grant Hill and Sons
Drilling Firm

Signed by

Sept. 12, 1985

Date

59

I certify that this map and acreage are correct.

Garry O. Will

UNION COUNTY ASCS. OFFICE
Post Office Box 460
ELK POINT, SOUTH DAKOTA 57025

I certify this map
And acreage are
Correct.

Harry Wilcox

UNION COUNTY ASCS. OFFICE
Post Office Box 460
ELK POINT, SOUTH DAKOTA 57025

Well No. 2
According to
David B.

↑
This is correct

Iowa

Appl. No. 5341-3



Report on Application No. 5341-3
Van Lunen Farms
August 11, 1989

Water Permit Application No. 5341-3, Van Lunen Farms, LeMars, Iowa, requests to appropriate 2.67 cubic feet of water (cfs) from two existing wells (54 and 58 feet deep), to irrigate 420 acres. The two wells are located approximately: 1366 feet east and 1472 feet south, and 2365 feet east and 413 feet south of the center of Section 18, T93N R48W. The land to be irrigated is located all in T93N R48W as follows:

SE1/4; E1/2 NE1/4; E1/2 SW1/4; of Section 18
SW1/4; NW1/4 of Section 17

The land applied for under this permit is also covered under an existing Water Permit (4848-3) for irrigation out of the Big Sioux River. A field inspection of Water Permit No. 4848-3 conducted by David Brown, Division Engineer on July 28, 1988, found that the above land was being irrigated, but groundwater was being used instead of surface water. Consequently, Water Permit No. 4848-3 is subject to cancellation due to non-use and a new Water Permit is necessary for the groundwater irrigated land.

Aquifer - Big Sioux-South (BS:S)

The wells for this application have been drilled into the Big Sioux-South Aquifer. This surficial aquifer, which consists of sand and gravel outwash, is found predominately under watertable conditions (Hedges, 1982). Average annual recharge to the aquifer was estimated at 4.1 inches/year and average annual use was calculated to be 1.8 inches/year (Hedges, 1983).

According to the logs of the irrigation wells which were completed September 12 and 20, 1985, gravel was found from 10 - 58 feet and 7 - 54 feet respectively for the two wells. Other well logs in the area indicate a lower sand and gravel unit from approximately 70 - 100 feet. There may be some connection between the surficial and basal systems in the area. The depth to water was estimated at 18 feet (WRD Permit Files, 1989). Other wells in the area show similar static water levels, but have a total depth of only 50-60 feet (WRD Drillers Logs, 1989).

Water Rights Division Observation Well UN-77G is located in the aquifer about 1 1/2 miles southwest of the applicant's wells. The water levels change according to seasonal climatic variations but no long term drawdowns were evident (WRD Observation Well Logs, 1989).

Existing Water Rights

Two other Water Permits are located in the vicinity of the applicant's two wells, with the nearest well approximately 1/2 mile away. One of these existing wells will be brought before the Water Management Board for approval under Permit Application No. 5343-3 (Melvin Hitzeman) at the same meeting as this application. Because of the aquifer characteristics and adequate well spacing, no interference is expected.

Conclusions

1. Permit Application No. 5341-3 is requesting 2.67 cfs from two existing 54 and 58 foot deep irrigation wells to irrigate 420 acres. The two irrigation wells have been used for irrigation purposes in the past with no adverse affects to adjacent irrigation wells or to domestic users.
2. The wells are drilled into the Big Sioux Aquifer - South Management Unit. This surficial aquifer may be connected to a lower lying basal aquifer. Unappropriated water is available from this aquifer.
3. Two other irrigation wells are located about 1/2 to 1 mile from the applicant's well. Because of the watertable conditions and aquifer capacity, no interference is expected.

David S. Brown /ks

David S. Brown
Natural Resources Engineer

Approved by:

Gale N. Selken /ks

Gale N. Selken, P.E.
Hydrologist

References

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Prepared for U.S. Army Corps of Engineers Planning Division by DWNr Geological Survey, Vermillion, SD.

Hedges, L.S., J. Allen, and D.E. Holly, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa. Task 7: Ground Water Recharge, Prepared for U.S. Army Corps of Engineers Planning Division by DWNr Geological Survey, Vermillion, SD.

Water Rights Division, 1989, Drillers Logs, Observation Well Logs and Permit Files, DWNr, Joe Foss Bldg., Pierre, SD.

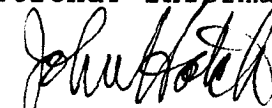
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5341-3, Van Lunen Farms

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. 5341-3, Van Lunen Farms, RR #4 Box 88, LeMars, IA.

The Chief Engineer is recommending APPROVAL of Application No. 5341-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
August 15, 1989



Department of Water & Natural Resources

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

August 16, 1989

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

Roger Trimble, Manager
Van Lunen Farms
RR #4 Box 88
LeMars, IA 51031

Dear Mr. Trimble:

Water Permit Application No. 5341-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Elk Point Leader-Courier printed at Elk Point SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

August 16, 1989

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5341-3 to be published twice. Please publish the first notice on or before August 24, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Van Lunen Farms, RR #4 Box 88, LeMars, IA 51031.

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

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

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

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

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

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before August 24, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5341-3 to Appropriate Water

Notice is given that Van Lunen Farms, RR #4, Box 88, LeMars, IA 51031 has filed an application for a water permit to appropriate 2.67 cubic feet of water per second from 2 existing wells (Big Sioux - South Aquifer) 54 and 58 feet deep to irrigate 420 acres. The wells are located in the SW1/4 SE1/4, NE1/4 SE1/4 Section 18 and the irrigated acreage is located in the SE1/4, E1/2 SW1/4, E1/2 NE1/4 Section 18; NW1/4, W1/2 SW1/4 Section 17; all in T93N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5341-3 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 Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on September 27, 1989 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 15, 1989. 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 15, 1989.

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 Union) ss.

I, Lester E. Emerson

certify that the attached printed Notice was taken
 from the The Leader-Courier

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

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

August 24

August 31

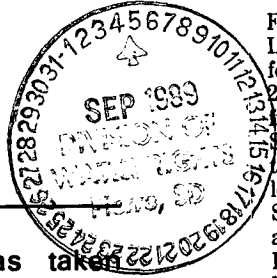
Lester E. Emerson
 (Signature)

Editor/Publisher
 (Title)

 (Date Signed)

Cost of Printing: 37.93

Lester M. Emerson
 My Commission Expires 7-21-91



NOTICE OF HEARING On Application No. 5341-3 To Appropriate Water

Notice is given that Van Lunen Farms, RR #4, Box 88, LeMars, IA 51031 has filed an application for a water permit to appropriate 2.67 cubic feet of water per second from 2 existing wells (Big Sioux-South Aquifer) 54 and 58 feet deep to irrigate 420 acres. The wells are located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18 and the irrigated acreage is located in the SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18; NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17; all in T93N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5341-3 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 Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, S. D. on September 27, 1989 at 10:00 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 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 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S. D. 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 15, 1989.

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.

RON DUVALL
Natural Resources Engineer
Pub. Aug. 24 and 31.



Department of Water & Natural Resources

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

DEC 26 1989

Van Lunen Farms
RR 4, Box 88
LeMars IA 51031

Dear Sirs:

Enclosed is Water Permit No. 5341-3 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 1991

5341-3

Van Lunen Farms
RR 4, Box 88
LeMars IA 51031

Dear Sirs:

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 No. 5341-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412987

Pierre, December 30, 1991

RECEIVED OF R. VanLunen Farm Account, Rt 2, Box 126, Akron, IA 51001

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. 5341-3	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 (Signature)
Chief Engineer

Permit No. 5341-3

Big Sioux River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Van Lunen Farms of RR 4, Box 88, Le Mars, IA 51031 holder of Permit No. 5341-3, bearing the priority of July 25, 1989 authorizing the diversion of 2.67 cu. ft. per second ~~and/or the storage of acre feet~~ of the waters of Big Sioux-South Aquifer for irrigation purposes, in Union County.

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

A. Works used to divert the water:

Two wells ; Well 1 - 54' deep, 24' of 15" PVC casing and 30' of 14" Stainless Steel screen (No.80 slot size); Well 2 - 58' deep, 33' of 15" PVC casing and 25' of 14" Stainless Steel screen (also No. 80 slot size). Both wells have 3 stage Western Land Roller pumps, Model No. 850141, 10", 1000 GPM (both wells) @ 50 PSI; both wells have GE motors Model No. 56225XM501D, 75 HP

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

40' of 10" Galvanized Steel and 6425' of 10" PVC

C. Works used to apply water to beneficial use:

3 Valley Center Pivots - One 7 tower 1300' long 950 GPM; One 6 Tower 1030' long 600 GPM; One 5 Tower 925' long 600 GPM; all three pivots have low pressure Rain Bird Sprinklers and End Guns. Each pivot is run separately; therefore, system capacity is 950 GPM.

The system is in the following condition Good. The point of diversion is located Two Wells; Well 1 - 1170' N and 1375' W of SE corner of Section 18; Well 2- 2240' N and 250' W of the SE corner of Section 18, both in T93N-R48W, Union County, SD. The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 18-T93N-R48W:

NE1/4 SW1/4 = 35 acres

SE1/4 SW1/4 = 31 acres

NW1/4 SE1/4 = 34 acres

SW1/4 SE1/4 = 28 acres

NE1/4 SE1/4 = 27 acres

SE1/4 SE1/4 = 18 acres

NE1/4 NE1/4 = 33 acres

SE1/4 NE1/4 = 32 acres

Section 17-T93N-R48W

NW1/4 NW1/4 = 36 acres

SW1/4 NW1/4 = 10 acres

NE1/4 NW1/4 = 26 acres

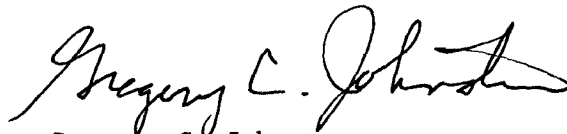
SE1/4 NW1/4 = 1 acre

SW1/4 SW1/4 = 5 acres

comprising a total of 316 acres of land and the license should be issued for 2.11 cfs.

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: None Date 8/12/91



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

LICENSE FOR PERMIT NUMBER 5341-3

1. Legal location of wells: Well No. 1 - 1170' North and 1375' West of SE corner of Section 18; Well No. 2 - 2240' North and 250' West of the SE corner of Section 18 both in T93N-R48W, Union County, SD

Dams and Structures None

2. Well Information: Well Drilling Firm Vant Hul and Sons

Completion Report? Yes X No No. of Wells 2 Depth(s) 54/58 feet

Casing a) diameter 15(both) inches Screen a) type 14" Stainless Steel #80 slot size

b) length 24/33 feet

b) length 30/25 feet

c) type PVC (both)

Static Water Level 11/6 feet

Pump a) make Both wells - Western Land Roller

Motor a) make GE (both)

b) model 850141 (both wells)

b) model no. 56225XM501D

c) size 10" (both)

c) horsepower rating 75 (both)

d) capacity 1000 (both) GPM

d) serial no. Unknown

e) turbine pump - no. of stages 3

f) operating PSI 50 (both)

3. Distribution lines or canals

a) size 10" inches

b) type PVC/Galvanized Steel

c) length 6425/40 feet

4. System Type a) sideroll:

b) towline:

- | | |
|--|--|
| <p>c)gun:</p> <p>1) make</p> <p>2) nozzle size</p> <p>3) capacity (GPM)</p> <p>4) hose size inches</p> <p>5) hose length feet</p> <p> e) gated pipe:</p> <p>1) length feet</p> <p>2) diameter inches</p> <p>3) spacing of gates inches</p> | <p>d) center pivot:</p> <p>1) make <u>3 Pivots - All Valley</u></p> <p>2) number of towers <u>7/6/5</u></p> <p>3) distance between towers</p> <p>4) overall length <u>1300/1030/925</u> feet</p> <p>5) end gun (Y/N) <u>all have end guns</u></p> <p>6) high or low pressure <u>Low</u></p> <p>7) make and size of nozzles:</p> <p style="padding-left: 100px;"><u>Rain Birds (all three)</u></p> <p>8) capacity (GPM) <u>950/600/600</u></p> |
|--|--|

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

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

- | Yes | No | Check Items |
|-------------------------------------|----|---|
| ☒ | | 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? |
| ☒ | | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
| ☒ | | 5. Is chemigation used? |

N/A 6. If yes, does equipment comply with chemigation rules?

REMARKS: Plans on using manure in systems. Will contact when chemigation equipment is installed and utilized.

Appl. # 5341-3

Van Lumen Farms

Drawn by

Gregory C. Johnston

Gregory C. Johnston

Natural Resources Engineer

Water Rights Division

DENR

9-12-91

85R

93-48

85R

NE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec 18 =
33 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 17 =
36 acres
Pivot

NE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 17 =
26 acres
Pivot

SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec 18 =
32 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 17 =
10 acres
Gravel
Pit

SE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 17 =
1 acre

NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 18 =
35 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 18 =
34 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 18 =
27 acres
Pivot

Well #2
2240'

T93N-R48W: 17
Section 17 -
NW $\frac{1}{4}$ NW $\frac{1}{4}$ = 36 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ = 26 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ = 10 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ = 1 acre
SW $\frac{1}{4}$ SW $\frac{1}{4}$ = 5 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 18 =
31 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 18 =
28 acres

Well #1
1170'

SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 18 =
18 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 17 = 5 acres

Total = 78 acres
(Section 17)

Total (Overall) = 238 + 78
= 316 acres

T93N-R48W:
Section 18 -

NE $\frac{1}{4}$ SW $\frac{1}{4}$ = 35 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 31 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ = 34 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ = 28 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ = 27 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ = 18 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$ = 33 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ = 32 acres

Total = 238 acres
(Section 18)

93-48

5341-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5341-3

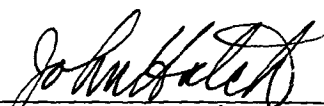
(1) Van Lunen Farms of RR 3, Box 53A, Akron, IA 51101 made Application No. 5341-3, March 17, 1989 for a water permit to appropriate 2.67 cubic feet of water per second from groundwater (two existing wells), Union County, South Dakota for irrigation purposes. Permit No. 5341-3 with a priority date of July 25, 1989 was approved September 28, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 2.11 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1170'N and 1375'W of the SE corner of Section 18 (SW 1/4 SE 1/4); Well #2 - 2240'N and 250'W of the SE corner of Section 18 (NE 1/4 SE 1/4) both in T93N, R48W.

(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:

T93N, R48W Section 18	NE 1/4 SW 1/4	35 Acres
	SE 1/4 SW 1/4	31 Acres
	NW 1/4 SE 1/4	34 Acres
	SW 1/4 SE 1/4	28 Acres
	NE 1/4 SE 1/4	27 Acres
	SE 1/4 SE 1/4	18 Acres
	NE 1/4 NE 1/4	33 Acres
	SE 1/4 NE 1/4	32 Acres
Section 17	NW 1/4 NW 1/4	36 Acres
	SW 1/4 NW 1/4	10 Acres
	NE 1/4 NW 1/4	26 Acres
	SE 1/4 NW 1/4	1 Acre
	SW 1/4 SW 1/4	5 Acres
	Total-----	316 Acres

(4) Pursuant to Section 46-5-30.1 Van Lunen Farms of RR 3, Box 53A, Akron, IA 51001 the holder(s) and/or owner(s) of Water Permit No. 5341-3 is issued a license to appropriate water, the right to use 2.11 cubic feet of water per second from groundwater (two wells) with a priority date of July 25, 1989 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 Water Permit No. 5341-3 and subject to South Dakota State Law.


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

MAR 26 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 26 1992

5341-3

Van Lunen Farms
RR 3, Box 53A
Akron, IA 51101

Dear Sirs:

Enclosed is Water License No. 5341-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412987 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5341-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

VAN LUNEN FARMS
RR 4 BOX 88
LEMARS IA 51031

NOTICE

RE: Violation of Water Permit No(s) 5341-3 & 5364-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 5341-3 & 5364-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5341-3 & 5364-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 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) 5341-3 & 5364-3 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 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

VAN LUNEN FARMS
RR 4 BOX 88
LEMARS, IA 51031

4a. Article Number

P906 557828

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-1-92

5. Signature (Addressee)

[Signature]

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1992

5341-3
5364-3

Earl Cornelison
Van Lunen Farms
RR #3 Box 53A
Akron, IA 51001

Dear Mr. Cornelison:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 5341-3 and 5364-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: VAN LUNEN FARMS
RR 3 BOX 53A
AKRON IA 51001

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 5341-3 & 5364-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 5341-3 & 5364-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5341-3 & 5364-3 qualification:

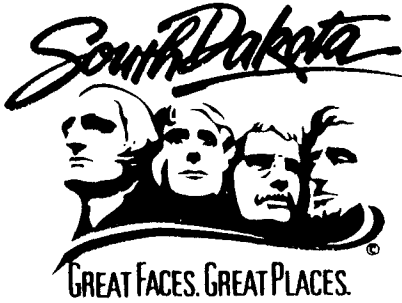
"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 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) 5341-3 & 5364-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 1993

5341-3
5364-3

Earl Cornelison
Van Lunen Farms
RR #3 Box 53A
Akron, IA 51001

Dear Mr. Cornelison:

I am writing to acknowledge receipt your 1992 irrigation questionnaires for Water Permit Nos. 5341-3 and 5364-3. You may disregard the January 29, 1993, **Notice of Violation of Water Permits.**

The questionnaires were received prior to the Water Management Board meeting, and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



5341-3

January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181**NOTICE**

TO: VAN LUNEN FARMS, DAVE VAN LUNEN, RR 3 BOX 53A, AKRON, IA 51001

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 5341-3, 5364-3 & 5820-3.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5341-3, 5364-3 & 5820-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5341-3, 5364-3 & 5820-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 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) 5341-3, 5364-3 & 5820-3 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, 1996, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1996

5341-3
5364-3
5820-3

Dave Van Lunen
Van Lunen Farms
RR 3 Box 53A
Akron, IA 51001

Dear Sir:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, **Notice of Violation of Water Permit Nos. 5341-3, 5364-3 & 5820-3.**

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

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



5341-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: VAN LUNEN FARMS, RICK PATTERSON, BOX 103, SALIX, IA 51052

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5341-3, 5364-3 & 5820-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 5341-3, 5364-3 & 5820-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 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) 5341-3, 5364-3 & 5820-3 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, 1999, 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.

DAVE VAN LUNEN, 13881 FAWN AVE, AKRON, IA 51001

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 57501-3181
www.state.sd.us/denr

March 1, 1999

5341-3
5364-3
5820-3

Rick Patterson
Van Lunen Farms
Box 108
Salix, IA 51052

Dear Mr. Patterson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit Nos. 5341-3, 5364-3, 5820-3.

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



5341-3

**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: VAN LUNEN FARMS, RICK PATTERSON, PO BOX 108, SALIX, IA 51052 0108

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) 5341-3, 5364-3 & 5820-3. 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) 5341-3, 5364-3 & 5820-3 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) 5341-3, 5364-3 & 5820-3 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.

c: DAVE VAN LUNEN, 13881 FAWN AVE, AKRON, IA 51001

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.

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:

VAN LUNEN FARMS
RICK PATTERSON
PO BOX 108
SALIX, IA 51052 0108

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X

Rick Patterson

☐ Agent

☐ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered

☐ Insured Mail

JAN 23 2002

POST OFFICE

RETURN RECEIPT FOR MERCHANDISE

CO.D.

4. Restricted Delivery (Extra Fee)

☐ Yes

2.

PS For

2595-00-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 5, 2002

5341-3
5364-3
5820-3

Rick Patterson
Van Lunen Farms
PO Box 108
Salix, IA 51052-0108

Dear Mr. Patterson:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit Nos. 5341-3, 5364-3 & 5820-3.

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

5341-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: VAN LUNEN FARMS, RICK PATTERSON, PO BOX 108, SALIX, IA 51052 0108
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) 5341-3, 5364-3 & 5820-3. 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) 5341-3, 5364-3 & 5820-3 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) 5341-3, 5364-3 & 5820-3 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.

cc: DAVE VAN LUNEN, 13881 FAWN AVE, AKRON, IA 51001

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
www.state.sd.us/denr

February 19, 2003

5341-3
5364-3
5820-3

Rick Patterson
Van Lunen Farms
PO Box 108
Salix IA 51052-0108

Dear Mr. Patterson:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit/Right Nos. 5341-3, 5364-3 and 5820-3.

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

When you get an opportunity, please give me a call concerning Water Right No. 5364-3. A notation was made on the form that the land is enrolled in "EWRP". I need to find out more information concerning this, specifically if this is a permanent situation or for a set time frame.

If you have any questions, please contact me.

Sincerely,

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



5341-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4272

Your item was delivered at 9:38 am on January 21, 2003 in SALIX, IA 51052. The item was signed for by H PATTERSON.

[Shipment History >](#)[Request Delivery Record >](#)

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4272

VAN LUNEN FARMS
RICK PATTERSON
PO BOX 108
SALIX IA 51052 0108

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(See Reverse)

PS Form 153, February 2001



5341-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 4289

Your item was delivered at 6:35 am on January 23, 2003 in PIERRE, SD 57501 to CENTRAL MAIL SERVICE. The item was signed for by B KELLY.

*evidently returned
for incorrect address.
Bw*

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[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)


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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4289

DAVE VAN LUNEN
13881 FAWN AVE
AKRON IA 51001

ore mailing.

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail
☐ Package Services

(See Reverse)

PS Form 153, February 2001



5341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: VAN LUNEN FARMS, RICK PATTERSON, PO BOX 108, SALIX, IA 51052 0108

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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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.



5341-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9777

Your item was delivered at 9:46 am on January 21, 2004 in SALIX, IA 51052. The item was signed for by H PATTERSON.

[Shipment Details >](#)

Notification Options

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9777

VAN LUNEN FARMS
RICK PATTERSON
PO BOX 108
SALIX IA 51052 0108

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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5341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 17, 2004

5341-3
5820-3

John Hartemink
Van Lunen Farms
PO Box 108
Salix, IA 51052-0108

Dear Sir:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right and Permit Nos. 5341-3 and 5820-3.

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



5341-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: VAN LUNEN FARMS, JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052 0108

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5341-3 & 5820-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 5341-3 & 5820-3 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 2, 2005 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) 5341-3 & 5820-3 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 25, 2005, 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.



5341-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 2005

5341-3
5820-3

John Hartemink
Van Lunen Farms
PO Box 108
Salix IA 51052-0108

Dear Sir:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 5341-3 and Water Permit No. 5820-3.

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

c: faxed to Rick Patterson at 712 428-6490



5341-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: VAN LUNEN FARMS, JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052 0108

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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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.



5341-3

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5524

Your item was delivered at 9:02 am on January 26, 2006 in SALIX, IA 51052. The item was signed for by H PATTERSON.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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▶ Request Proof of Delivery

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Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5524

VAN LUNEN FARMS
JOHN HARTEMINK
PO BOX 108
SALIX IA 51052 0108

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 2006

5341-3
5820-3

John Hartemink
Van Lunen Farms
PO Box 108
Salix IA 51052-0108

Dear Sir:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 5341-3 and Water Permit No. 5820-3.

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



5341-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: VAN LUNEN FARMS, JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052 0108
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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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.

5341-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 2007

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052-0108

Dear Mr. Hartemink:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 5341-3 and Water Permit No. 5820-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

It is my understanding that due to an ownership change, Water Permit No. 5820-3 and Water Right No. 5341-3 should be listed in your name rather than Van Lunen Farms. Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please complete the forms and then sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

In the event you do not have copies, I am including a copy of Nos. 5341-3 and 5820-3 for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 14, 2007

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052-0108

Dear Mr. Hartemink:

I am writing in reference to ownership of land described in Water Right No. 5341-3 and Water Permit No. 5820-3. These are currently listed in the name of Van Lunen Farms. In February, forms were sent to you for use in filing ownership changes. To date, we have not received the completed forms back from you.

In the event you no longer have the original transfer forms, I am enclosing an additional set. Please complete the forms and then sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

The water license for Water Permit No. 5820-3 is being held up pending the ownership change. If you are no longer the owner of the land, please contact us.

Sincerely,

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

enclosures

RECEIVED

AUG 13 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5341-3

Date: 08-09-07

I/We request that Water Right No. 5341-3

formerly owned by: Van Lunen Farms

be transferred to: (name & address)

John Hartemink
5569 Pernod Drive, Fort Myers, FL 33919
Telephone No. 239-218-6773

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

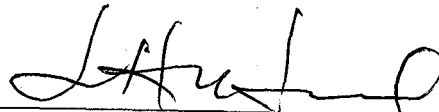
316 acres - E 1/2 SW 1/4, SE 1/4, E 1/2 NE 1/4 Section 18 and NW 1/4, SW 1/4 SW 1/4 Section 17, all in
T93N, R48W

I/We understand that the validity of Water Right No. 5341-3 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.

I/We John Hartemink the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/13, 2007

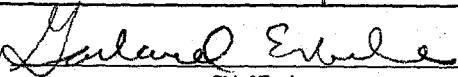
RECEIVED OF John H Hartemink 5569 ~~Perrod~~ Pernal Dr Fort Myers FL 33919

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

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	2	50
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 _____	5341-3		
Fee for _____			
Fee for Issuing New Well Driller's License No. _____	for C.Y. _____		
Fee for Renewal of Well Driller's License No _____	for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____	for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2	

No.

03116

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2007

5341-3
5820-3

John Hartemink
5569 Pernod Dr
Ft Myers FL 33919

Dear Mr. Hartemink:

I am writing to acknowledge receipt of the ownership changes you filed. The transfers have been completed. Water Right No. 5341-3 and Water Permit No. 5820-3 formerly held by Van Lunen Farms are now listed in your name.

Enclosed are your Receipt Nos. 03116 and 03117 in the amount of \$2.50 each. You may keep these for your records.

The water license for Water Permit No. 5820-3 is now ready to be issued. The license will be finalized and sent to you under separate cover.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 14, 2007

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052-0108

Dear Mr. Hartemink:

I am writing in reference to ownership of land described in Water Right No. 5341-3 and Water Permit No. 5820-3. These are currently listed in the name of Van Lunen Farms. In February, forms were sent to you for use in filing ownership changes. To date, we have not received the completed forms back from you.

In the event you no longer have the original transfer forms, I am enclosing an additional set. Please complete the forms and then sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

The water license for Water Permit No. 5820-3 is being held up pending the ownership change. If you are no longer the owner of the land, please contact us.

Sincerely,

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

enclosures

RECEIVED

AUG 13 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5341-3

Date: 08-09-07

I/We request that Water Right No. 5341-3

formerly owned by: Van Lunen Farms

be transferred to: (name & address)

John Hartemink
5569 Pernod Drive, Fort Myers, FL 33919
Telephone No. 239-218-6773

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

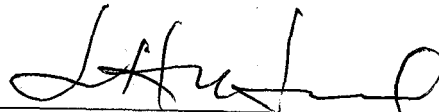
316 acres - E 1/2 SW 1/4, SE 1/4, E 1/2 NE 1/4 Section 18 and NW 1/4, SW 1/4 SW 1/4 Section 17, all in
T93N, R48W

I/We understand that the validity of Water Right No. 5341-3 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.

I/We John Hartemink the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/13, 2007

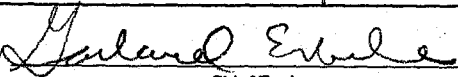
RECEIVED OF John H Hartemink 5569 ~~Perrod~~ Pernal Dr Fort Myers FL 33919

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5341-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03116

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2007

5341-3
5820-3

John Hartemink
5569 Pernod Dr
Ft Myers FL 33919

Dear Mr. Hartemink:

I am writing to acknowledge receipt of the ownership changes you filed. The transfers have been completed. Water Right No. 5341-3 and Water Permit No. 5820-3 formerly held by Van Lunen Farms are now listed in your name.

Enclosed are your Receipt Nos. 03116 and 03117 in the amount of \$2.50 each. You may keep these for your records.

The water license for Water Permit No. 5820-3 is now ready to be issued. The license will be finalized and sent to you under separate cover.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: JOHN HARTEMINK, 5569 PERNOD DR, FORT MYERS, FL 33919
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5341-3 & 5820-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 5341-3 & 5820-3 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 11, 2008** 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) 5341-3 & 5820-3 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, 2008**, 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/E0455V6-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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 2008

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHTS

TO: John Hartemink, 5569 Pernod Dr., Ft Myers FL 33919

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Right Nos. 5341-3 and 5820-3

On March 11, 2008, the Water Management Board ordered:

That effective April 11, 2008, Water Right Nos. 5341-3 and 5820-3 be suspended for the 2008 irrigation season for failure to submit the 2007 irrigation questionnaires.

If the 2007 irrigation questionnaires are received prior to April 11, 2008 the suspensions will not take effect.

Suspension of the water rights means water may not be pumped during the 2008 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2008 unless the irrigation questionnaire is submitted by April 11th.

After April 11th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2007 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 7, 2008 in Pierre, SD. The letter should include your reasons for not completing the 2007 irrigation questionnaires. 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 12, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2008 regarding Board action concerning irrigation questionnaire violations addressed as stated below:

Nos. 400-2, 401-2, 1714-2, 2063-2 Melvin Brassfield Box 24 Caputa SD 57725	No. 5600-3 Castlewood Community Golf Course In 411 E Cemetary Rd Castlewood SD 57223-2206	Nos. 407-2, 408-2 & 409-2 Miles DeJong DeJong Ranch 31842 DeJong Rd Kennebec SD 57544-5999
No. 1755-1 John Bachman, Mayor City of Eagle Butte PO Box 150 Eagle Butte SD 57645-0150	Nos. 6792-3 & 6793-3 Dennis Mitchell Eagle Venture PO Box 711 Yankton SD 57078-0711	Nos. 2826-3 & 3109-3 Joseph R Edelen Jr 311 Canby St Vermillion SD 57069
Nos. 5341-3 & 5820-3 John Hartemink 5569 Pernod Dr Ft Myers FL 33919	No. 5777-3 Gerald A Person 42479 116 th St Britton SD 57430-2239	No. 2106-2 Stuart Rice 2300 Skyline Ranch Rd Rapid City SD 57701
No. 6664-3 Mike Waldner White Rock Colony 47788 102 nd St Rosholt SD 57260 and Gregg Magera, Attorney at Law PO Box 490 Aberdeen SD 57402-0490	No. 3791-3 Paul R Bremmon 42641 113 th St Britton SD 57430	No. 402-1 Calvin & Jana Meyers 1409 Willow Creek Estates Belle Fourche SD 57717
No. 773-1 James G & Brenda A Beauchene 10095 Borderline Rd Hettinger ND 58639	No. 2300-3 James E Dailey 48184 335 th St Jefferson SD 57038	No. 452-3 Harold Fornia 33044 484 th Ave Jefferson SD 57038
No. 3395-3 Todd Grohs 509 Slocum Ave S Wessington Springs and W H (Bill) Wittrig 13111 N Creekview Rd Rapid City SD 57702	No. 1529-3 Lloyd L Meyer 21175 396 th Ave Huron SD 57350	No. 2954-3 Lane Tekrony 47840 180 th St Clear Lake SD 57226-5405

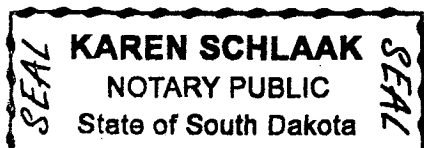
Henry McVatcher

Genny McMath
Water Rights Program

[illegible]

Sworn to, before me, this 12th day of March, 2008.

Notary Public *Karen Schlaak*



My commission expires 4/1/13



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 27, 2008

5341-3
5820-3

John Hartemink
5569 Pernod Dr
Fort Myers, FL 33919

Dear Mr. Hartemink:

On March 11th, the Water Management Board ordered Water Right Nos. 5341-3 and 5820-3 be suspended if the 2007 irrigation questionnaires were not received prior to April 11, 2008. The questionnaires have now been received.

Since the irrigation questionnaires are on file, no violations have occurred and no suspensions will take place. You are hereby authorized to irrigate during the 2008 irrigation season.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



5341-3

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, 2009

NOTICE

TO: JOHN HARTEMINK, 5569 PERNOD DR, FORT MYERS, FL 33919

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5341-3 & 5820-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 5341-3 & 5820-3 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 11, 2009** 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) 5341-3 & 5820-3 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 6, 2009**, 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/E0455V7-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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052

Dear Mr. Hartemink:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 5341-3 and 5820-3.

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



5341-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052
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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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.

5341-3

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JOHN HARTEMINK
PO BOX 108
SALIX IA 51052

Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

February 22, 2010

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052 0108

Dear Mr. Hartemink:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 5341-3 and 5820-3.

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
email: genny.mcmath@state.sd.us



5341-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052

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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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.

5341-3

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- Delivered, January 25, 2011, 8:28 am, SALIX, IA 51052
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SIGNATURE CONFIRMATION NUMBER:
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JOHN HARTEMINK
PO BOX 108
SALIX IA 51052

Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

March 4, 2011

5341-3
5820-3

John Hartemink
PO Box 108
Salix IA 51052

Dear Hartemink:

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

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right Nos. 5341-3 and 5820-3. 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
email: genny.mcmath@state.sd.us

December 20, 2011

RECEIVED

DEC 27 2011

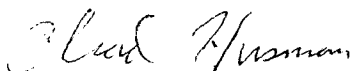
**WATER RIGHTS
PROGRAM**

Water Rights Program
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501

Re Irrigation Questionnaire

The farms under permit No. 5820-3 and 5341-3 are now under new management. Please send anything relating to the farm or irrigation to Stalcup Ag Service c/o Chad Husman. I apologize for the late response to the questionnaire.

Sincerely,



Stalcup AgService
Chad Husman
712-213-4865
1705 North Lake Ave
Storm Lake, IA 50588



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

5341-3

5820-3

Chad Husman
C/O Stalcup AG Service
1705 North Lake Ave
Storm Lake, IA 50588

Dear Mr. Husman,

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

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

5341-3
5820-3



**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: STALCUP AG SERVICE, CHAD HUSMAN, MANAGER, 1705 NORTH LAKE AVE,
STORM LAKE, IA 50588

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) 5341-3 & 5820-3. 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) 5341-3 & 5820-3 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) 5341-3 & 5820-3 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: BZGBFI**

cc: JOHN HARTEMINK, PO BOX 108, SALIX, IA 51052

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.