

Considered: _____

WATER PERMIT NO. 5666-3

Phone: 966-5538

Name of Applicant: Joe/John Trudeau

Post Office Address: Rt 1, Box 58, Jefferson SD 57038

Amount of Water Claimed: no add'l Total Acres: 45 add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Union

About 4 miles W of N. Sioux City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 4-2-92 Fee: \$150 Remarks Additional

acreage see WP No. 5293-3

Corrected Application Received 4-21-92 Period of Annual Use April 1 - Oct 31

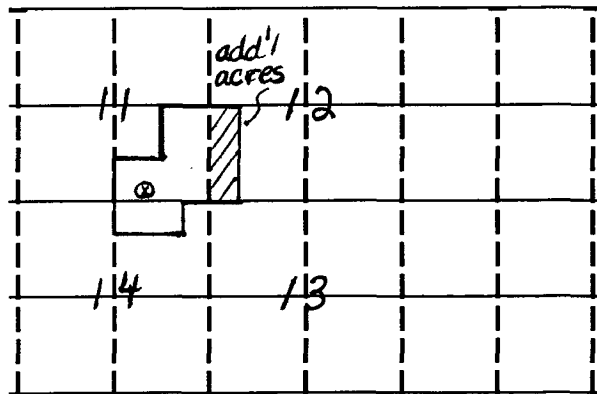
WATER QUALITY APPROVAL RECEIVED 5-6-92 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SW 1/4 SE 1/4 Sec 11-T89N-R49W

Land to be Irrigated: NW 1/4 SW 1/4 and SW 1/4

SW 1/4 Section 12-T98N-R49W



Well Log: Driller: Wetmore Drilling Licensed YES X NO _____

Depth of Well: 120' REMARKS _____

Type of Map: aerial PREPARED BY: Greg Johnston Reviewed and the Number

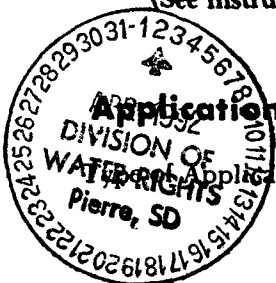
Assigned on 5-14-92 By Karen Schlaak

(See instructions)

No. 5666-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Elk Point Leader-Courier, Box 310

Elk Point SD 57025

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



- Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 5293-3
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☒ Add Acreage ☐ Increase diversion rate ☐ Other _____

- Name of Applicant Joe/John Trudeau Phone No. 966-5538
Post Office Address Route 1, Box 58 Jefferson State SD 57038
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s) No addl. Total acres irrigated 45 addl.
- Source of Water supply 1 well
- Location of point of diversion 2045' East and 1320' North of the SW corner of Section 11-T89N-
R49W, Union County, SD 1000' East and 75' North of the SW corner of Section
11-T89N-R49W (SE 1/4 SE 1/4 Section 11-89-49) County Union
- Counties where water will be used SW 1/4 Union
- Annual period during which water is to be used April 1 to October 31
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated

Land Description	No. Acres Irr.
NW1/4 SW1/4 Sec. 12-89-49	22
SW1/4 SW1/4 "	23

Land Description	No. Acres Irr.

Attach sheet if more space is needed

- Type of Irrigation: Gravity: ☒ Towline: _____ Center Pivot: ☒ Gun: ☒ Other: _____ (Specify) _____
- Crops to be Irrigated: _____

10. Give a description of proposed project. (Attach sheet if more space is needed)

Permit No. 5293-3 appropriates 2.35 cfs for 165 acres in Sections 11 and 14-T89N-R49W, Union County, SD. This application proposes to add 45 acres being irrigated by the system used under Permit No. 5293-3. These 45 acres are in Section 12-T89N-R49W, Union County. No addl. water is appropriated under this application. ~~Also, this application proposes to amend No. 5293-3 by a change of point of diversion for the single well covered under No. 5293-3. The diversion rate under No. 5293-3 and the lands covered by this application may not exceed 1 cfs for 70 acres.~~ Center Pivot system w/corner gun irrigated SE 1/4 sec 11-89-49 all land in sec 14-89-49

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. gun irrigated.

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

I, Joe/John Trudeau, 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 Joseph W. Trudeau

Subscribed and sworn to before me this 9th day of April 1992

PATRICIA L. KJOSE



My Commission Expires 10-8-95

Notary Public Patricia L. Kiose

SOUTH DAKOTA
WATER PERMIT No. 5666-3 FOR IRRIGATION

Date of first receipt of application April 2, 1992.

Date Soil/Water Compatibility Permit received May 4, 1992.

Date of return to applicant for corrections, amendments or changes April 3, 1992.

Date of receipt of corrected application April 21, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5666-3 to Joe/John Trudeau, Rt 1, Box 58, Jefferson SD 57038 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. 5666-3 authorizes irrigation of 45 additional acres. Water Permit No. 5293-3 appropriates 2.35 cubic feet of water per second (cfs) from 2 wells (Missouri-Elk Point Aquifer) 120 feet deep located in the SW 1/4 SE 1/4 and near the center of the SE 1/4 both in Section 11-T89N-R49W to irrigate 165 acres. The acreage irrigated is located in the E 1/2 SE 1/4 and the SW 1/4 SE 1/4 Section 11 and the N 1/2 NE 1/4 Section 14; all in T89N-R49W. An inspection of Permit No. 5293-3 found 1 well constructed and supplying 1.56 cfs to irrigate 203 acres. This permit is to irrigate 45 additional acres located in the W 1/2 SW 1/4 Section 12-T89N-R49W from the existing well. This permit does not authorize any increase in the developed diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually 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: April 1 - October 31.
3. The date from which applicant may claim right is April 2, 1992.
4. The date of approval of Permit No. 5666-3 is August 5, 1992.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

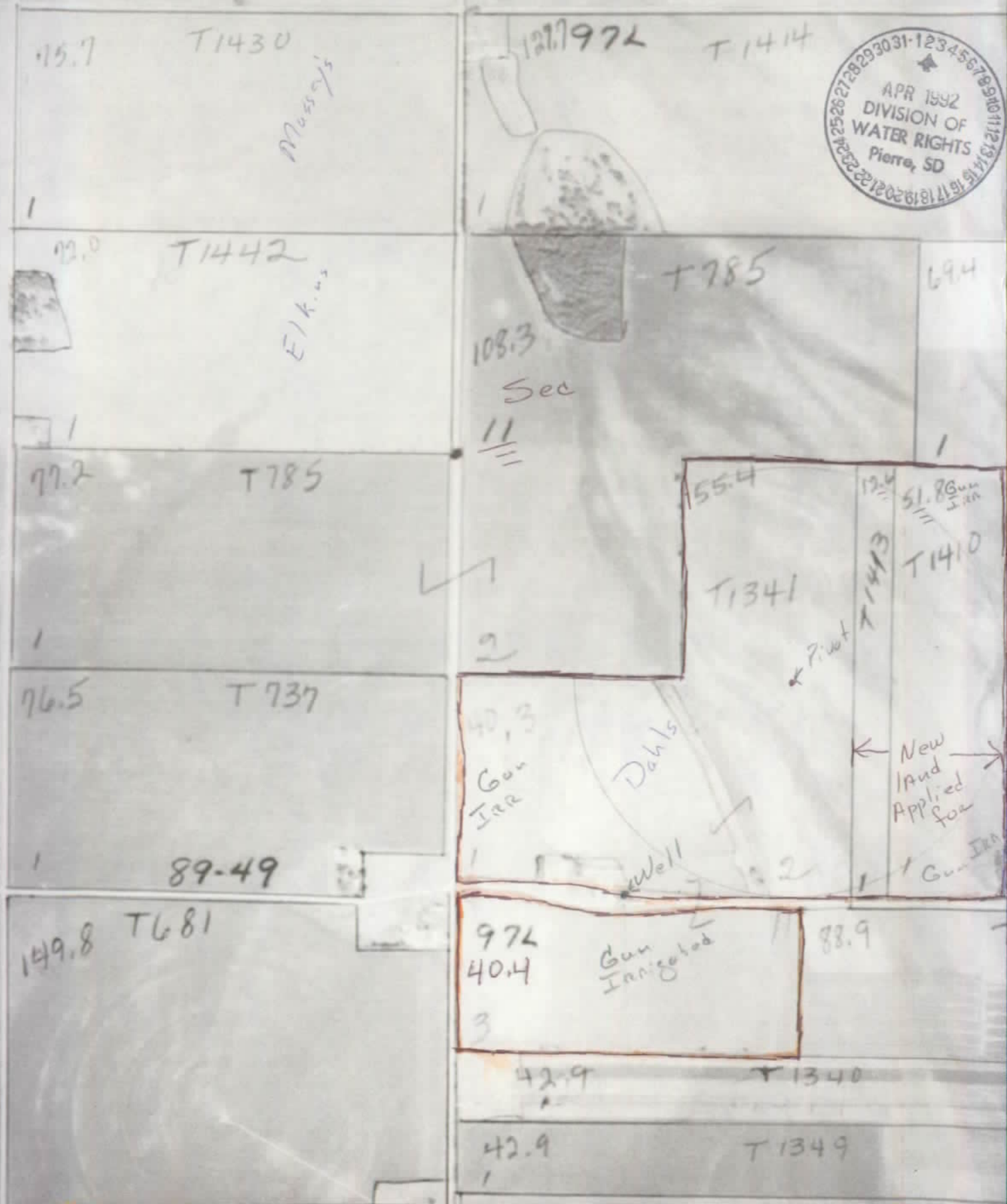
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells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

WATER MANAGEMENT BOARD

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

NOV 17 1992
date

NOT TO SCALE



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413163

Pierre, April 2, 19 92

RECEIVED OF Trudeau Farms, Inc., Rt 1, Box 58, Jefferson SD 57038

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

Fee for Application for Permit No. <u>5666-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150 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	150 00

By

John Hatch

Chief Engineer

JOHN HATCH

KS

SOIL/WATER COMPATIBILITY PERMIT

Office Use Only

Division of Conservation

4704

WR#



JOE & JOHN TRUDEAU

OWNERS ADDRESS: ROUTE 1 BOX 58

JEFFERSON SD 57038

COUNTY LAND LOCATED IN: UNION PHONE: 966-5538

LEGAL DESCRIPTION:

☒ Well☐ Surface1. LOCATION: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 11-T89N-R49W

Depth:

Legal Description	Acres	Legal Description	Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 12-T89N-R49W	22		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 12-T89N-R49W	23		

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

3. CROPS TO BE IRRIGATED:

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0055

7. ADJUSTED (SAR): 3.06

5. SALINITY (EC X 10⁶): 1600

8. PERCENT SODIUM: 15.14

6. SODIUM (SAR): 1.00

Requirements:

The soils of the project area are subject to a seasonal high water table. Under irrigation, this water table may become perched and inhibit the leaching of salts. As a result of this, adequate internal drainage shall be provided. To achieve this necessary drainage may require a form of artificial drainage; i.e., tile drainage, on the long term.

Before undertaking any drainage project, contact your local SCS or ASCS.

Director, Division of Conservation

XX APPROVED

DISAPPROVED

WAIVER

XX REQUIREMENTS

APRIL 30, 1992

Date

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



March 19, 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Joe and John Trudeau
Route 1, Box 58
Jefferson, SD 57038

Dear Mr. Trudeau:

This letter concerns the additional lands you are irrigating with your system in Section 12-T89N-R49W in Union County, SD. Water Permit No. 5293-3 covered irrigation within Sections 11 and 14-T89N-R49W. The center pivot was moved to the east, and 45 additional acres not covered under No. 5293-3 are being irrigated in Section 12. I have included an application to appropriate water for irrigation for those lands not covered in Section 12 as well as a change of point of diversion for the well originally permitted for the center of the SE1/4 of Section 11. It was moved to the east more than 660', and pursuant to SD Codified Law No. 46-5-13.1, it is necessary to apply for a change of point of diversion.

An updated map of all the acres irrigated is included for your review...please check the map for accuracy and call me if you have changes or comments to make. The application fee for 45 additional acres is \$150, and the fee for a change in point of diversion is \$50; therefore, send \$200 to process the applications. Please complete and submit the application and send the fee as soon as possible.

Thanks for your time and effort. Please call me if you have any questions or comments.

Sincerely,

Gregory C. Johnston
Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
(605)/773-3352

encl

Greg
The well point is
the same all asking
for is additional acres.
Any Questions call

Joe
966-5538

EARNING OUR WAY

*No need
for
change
of pnt
of
diversion*

GJ

3/23/92

No

\$50

fee

GJ

3/23/92

File No. 5293-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Joe/John Trudeau

ADDRESS: Route 1, Box 58 Jefferson, SD 57038 COUNTY: Union

DATE: 3/23/92

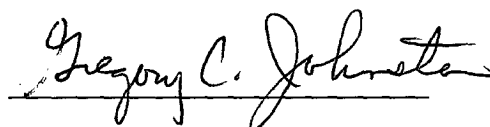
TELEPHONE:

RE: Status of wells, and system under No. 5293-3 and addl.

applied for in Section 12-T89N-R49W

COMMENTS:

Joe Trudeau called and gave me the correct information concerning the system and well used to irrigate under No. 5293-3 and the addl. lands in Section 12-T89N-R49W. The application for a change of point of diversion is not needed because the well located 725' east of the center of the SE1/4 Section 11 was never drilled. The only well drilled is already permitted under No. 5293-3 and located 1000' east of the SW corner of Section 11-T89N-R49W. This well is used to irrigate all the acres under No. 5293-3 and the addl. lands in Section 12. The additional 45 acres in Section 12-89-49 are the only item on the application. Both the corners around the center pivot and the acreages in Section 14-T89N-R49W are all irrigated with a Big Gun. These corrections to the application will be made when Mr. Trudeau sends the application in with the fee.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 3, 1992

Joe/John Trudeau
Rt 1, Box 58
Jefferson SD 57038

Dear Sirs:

Enclosed is the water permit application submitted on April 2, 1992.
The application is being returned because it must be signed by a
notary public.

The water permit application can not be considered until the
application is notarized and a soil/water permit is obtained from the
Department of Agriculture for the additional acreage. Upon receipt of
the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Conversation or File Documentation

NAME OF PERSON OR FILE: Joe/John PrudeauADDRESS: Rt 1, Box 58, Jefferson COUNTY UnionDATE: 5-14-92 TELEPHONE _____RE: S/W Compatibility

COMMENTS:

Legal description on S/W is incorrect, should
be the SW¹/₄ SE¹/₄ Sec 11-T89N-R49W.
but is within 2000' of the SE¹/₄ SE¹/₄, so it
is adequate.

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

NAME: Karen Schlaak

Report on Application No. 5666-3
Joe and John Trudeau
June 19, 1992

Water Permit No. 5293-3 appropriates 2.35 cubic feet of water per second (cfs) from two wells (Missouri-Elk Point Aquifer) 120 feet deep located in the SW1/4 SE1/4 and near the center of the SE1/4 both in Section 11-T89N-R49W to irrigate 165 acres. The acreage irrigated is located in the E1/2 SE1/4 and the SW1/4 SE1/4 Section 11 and the N1/2NE1/4 Section 14; all in T89N-R49W. An inspection of Permit No. 5293-3 found one well constructed and supplying 1.56 cfs to irrigate 203 acres. This application is to irrigate 45 additional acres located in the W1/2 SW1/4 Section 12-T89N-R49W from the existing well. This application No. 5666-3, if approved, does not authorize any increase in the developed diversion rate.

Aquifer - Missouri-Elk Point (M-EP)

The Missouri-Elk Point is an alluvium mantled glacial outwash consisting of sand and gravel which is under water table conditions in the application area. The M-EP Aquifer underlies 99,600 acres and contains approximately 1.5 million acre-feet of recoverable water in Union County (Hedges, 1982). The M-EP is hydraulically connected to the Lower Vermillion-Missouri Aquifer in Clay and Union Counties, the Missouri-Elk Point in Clay and Yankton Counties, the Big Sioux - South Aquifer, the Brule Creek Aquifer and the Dakota Formation Aquifer all in Union County as well as the Missouri and Big Sioux Rivers.

The Division of Water Rights monitors observation well No. UN-77Q located approximately 1/2 mile from the diversion point of this application. The water levels vary from 13.1 to 21.6 feet below ground surface during extreme wet (1984) and dry (1991) years. Overall, the water level fluctuations reflect seasonal climatic conditions and the effects of drawdown due to irrigation are not significant.

The application well dropped from 17 to 42 feet after two hours of pumping at 1120 gallons per minute (gpm) which translates to 45 gpm per foot of drawdown. The application well penetrates in excess of 100 feet of aquifer material and the wells in this area have extremely high capacities. The cone of depression will not extend very far laterally and, therefore, interference should not be a problem in the M-EP in the area of the application.

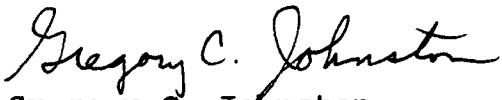
Existing Water Permits

There were 230 Water Permits in Clay, Union and Yankton Counties in the M-EP Aquifer (including No. 5293-3) with 19,425 acre-feet actually pumped in 1990 (Water Rights Files, 1991). There are five existing water permits within one mile of this application.

Despite the high number of irrigators in the vicinity of this application, there have been no complaints regarding water availability in this area.

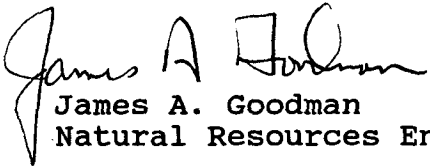
Conclusions

- 1) Water is available from the M-EP Aquifer.
- 2) Existing Water Rights will not be unlawfully impaired. Interference should not be a problem in the M-EP. The water levels of observation well UN-77Q indicate there is sufficient recharge to the aquifer to meet demands.
- 3) The well was constructed in 1988 and is in accordance with SD Well Construction Standards.



Gregory C. Johnston
Natural resources Engineer

Approved by:



James A. Goodman
Natural Resources Engineer IV

BIBLIOGRAPHY

Hedges, L.S., 1982, Evaluation of Ground Water Resources of Eastern SD and the Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWNR, SDGS, Vermillion, SD 57069

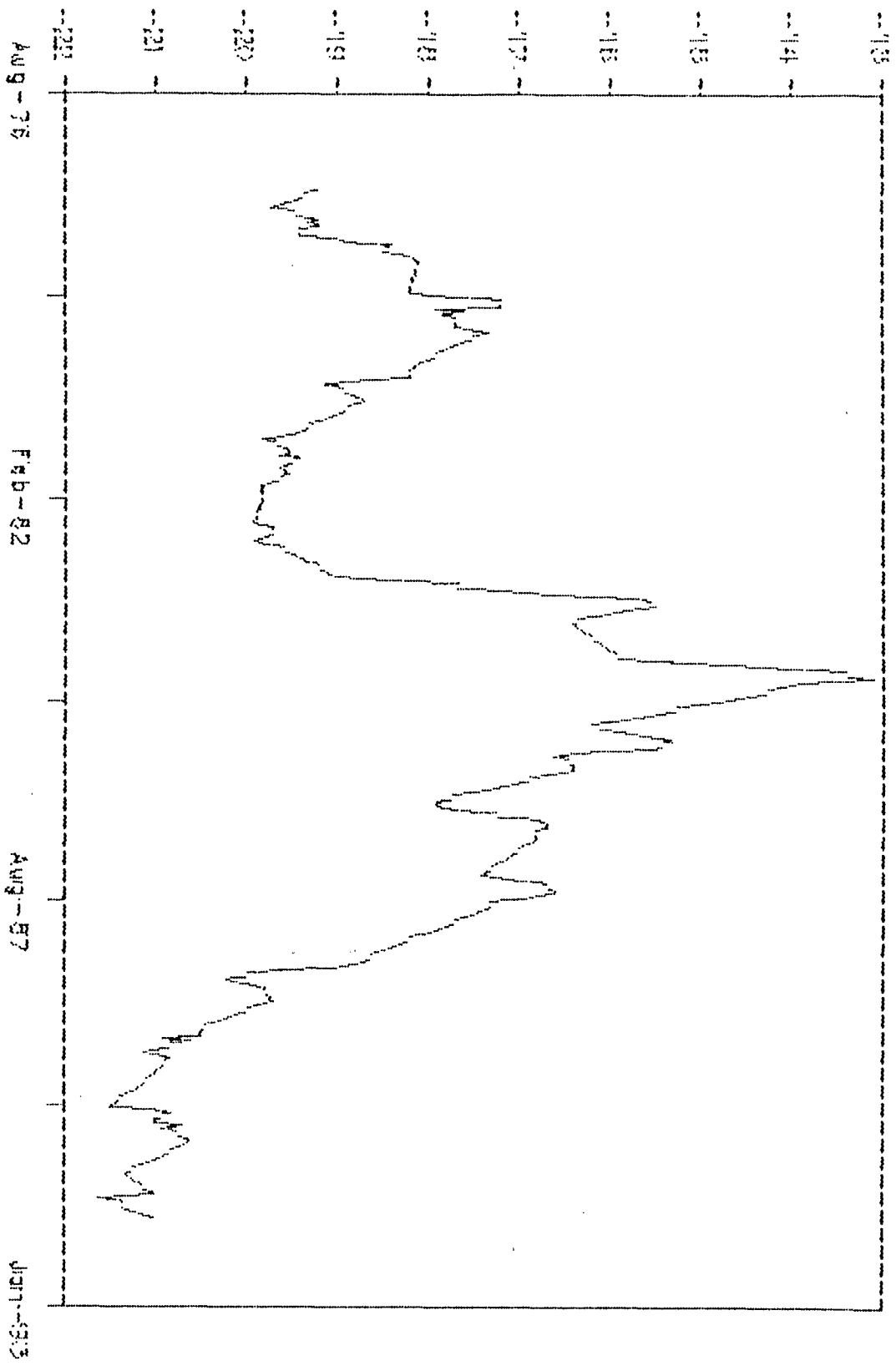
Water Rights Files, 1992, Observation Well No. UN-77Q, DENR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

Water Rights Files, 1991, Irrigation Summary by County, DENR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

WATER LEVEL (FEET)

WATER RIGHTS OBSERVATION WELL

UN-772



UN-77P	030N-43W-26ABAA	08/13/84	-6.3
UN-77P	030N-43W-26ABAA	08/23/84	-7.6
UN-77P	030N-43W-26ABAA	10/02/84	-8.6
UN-77P	030N-43W-26ABAA	11/07/84	-9.0
UN-77P	030N-43W-26ABAA	03/19/85	-10.9
UN-77P	030N-43W-26ABAA	04/30/85	-9.3
UN-77P	030N-43W-26ABAA	05/20/85	-9.3
UN-77P	030N-43W-26ABAA	06/04/85	-9.2
UN-77P	030N-43W-26ABAA	06/11/85	-9.3
UN-77P	030N-43W-26ABAA	06/13/85	-9.3
UN-77P	030N-43W-26ABAA	07/03/85	-9.2
UN-77P	030N-43W-26ABAA	07/16/85	-10.3
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UN-77P	030N-43W-26ABAA	10/24/85	-11.4
UN-77P	030N-43W-26ABAA	03/20/86	-12.6
UN-77P	030N-43W-26ABAA	03/31/86	-12.2
UN-77P	030N-43W-26ABAA	04/28/86	-11.6
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UN-77P	030N-43W-26ABAA	06/24/86	-10.7
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UN-77P	030N-43W-26ABAA	07/15/87	-11.2
UN-77P	030N-43W-26ABAA	07/29/87	-11.5
UN-77P	030N-43W-26ABAA	08/12/87	-11.3
UN-77P	030N-43W-26ABAA	08/25/87	-11.9
UN-77P	030N-43W-26ABAA	09/16/87	-12.2
UN-77P	030N-43W-26ABAA	10/28/87	-12.5
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UN-77P	030N-43W-26ABAA	08/17/89	-17.7
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UN-77P	083N-43W-110000	03/15/78	-19.7
UN-77P	083N-43W-110000	05/08/78	-19.2
UN-77P	083N-43W-110000	05/23/78	-19.3
UN-77P	083N-43W-110000	06/06/78	-19.2
UN-77P	083N-43W-110000	06/20/78	-19.2
UN-77P	083N-43W-110000	07/06/78	-19.4
UN-77P	083N-43W-110000	07/21/78	-19.4
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UN-
77Q

UN 772	083N-43W-110000	05/03/79	-18.2
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UN 772	083N-43W-110000	09/19/79	-17.7
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UN 772	083N-43W-110000	05/29/80	-18.2
UN 772	083N-43W-110000	06/11/80	-18.2
UN 772	083N-43W-110000	06/25/80	-18.2
UN 772	083N-43W-110000	07/09/80	-18.6
UN 772	083N-43W-110000	07/23/80	-19.1
UN 772	083N-43W-110000	08/06/80	-19.1
UN 772	083N-43W-110000	08/21/80	-19.0
UN 772	083N-43W-110000	09/03/80	-18.9
UN 772	083N-43W-110000	09/16/80	-18.8
UN 772	083N-43W-110000	10/22/80	-18.7
UN 772	083N-43W-110000	03/06/81	-19.3
UN 772	083N-43W-110000	03/25/81	-19.4
UN 772	083N-43W-110000	05/05/81	-19.8
UN 772	083N-43W-110000	06/02/81	-19.6
UN 772	083N-43W-110000	06/23/81	-19.5
UN 772	083N-43W-110000	07/07/81	-19.5
UN 772	083N-43W-110000	07/23/81	-19.6
UN 772	083N-43W-110000	07/29/81	-19.5
UN 772	083N-43W-110000	08/11/81	-19.4
UN 772	083N-43W-110000	08/26/81	-19.5
UN 772	083N-43W-110000	09/16/81	-19.6
UN 772	083N-43W-110000	10/28/81	-19.5
UN 772	083N-43W-110000	12/09/81	-19.8
UN 772	083N-43W-110000	03/01/82	-19.8
UN 772	083N-43W-110000	06/15/82	-19.9
UN 772	083N-43W-110000	07/13/82	-19.7
UN 772	083N-43W-110000	08/10/82	-19.7
UN 772	083N-43W-110000	09/09/82	-19.9
UN 772	083N-43W-110000	11/08/82	-19.5
UN 772	083N-43W-110000	03/02/83	-19.0
UN 772	083N-43W-110000	05/31/83	-16.6
UN 772	083N-43W-110000	06/27/83	-15.7
UN 772	083N-43W-110000	07/25/83	-15.5
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UN 772	083N-43W-110000	04/11/84	-15.9
UN 772	083N-43W-110000	05/22/84	-14.3
UN 772	083N-43W-110000	06/18/84	-13.7
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UN 772	083N-43W-110000	10/02/84	-14.3
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UN 772	083N-43W-110000	04/30/85	-15.6
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UN 772	083N-43W-110000	06/04/85	-15.4
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UN-77G 083N-43W-110000 08/17/88 -20.2
UN-77G 083N-43W-110000 08/23/88 -20.1
UN-77G 083N-43W-110000 10/03/88 -19.8
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UN-77G 083N-43W-110000 04/04/89 -20.4
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UN-77G 083N-43W-110000 05/16/89 -20.5
UN-77G 083N-43W-110000 05/30/89 -20.5
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UN-77G 083N-43W-110000 06/26/89 -20.6
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UN-77G 083N-43W-110000 05/29/90 -21.0
UN-77G 083N-43W-110000 06/14/90 -20.9
UN-77G 083N-43W-110000 06/25/90 -20.8
UN-77G 083N-43W-110000 07/12/90 -21.0
UN-77G 083N-43W-110000 07/26/90 -21.0
UN-77G 083N-43W-110000 08/07/90 -20.7
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UN-77G 083N-43W-110000 06/27/91 -21.1
UN-77G 083N-43W-110000 07/16/91 -21.0
UN-77G 083N-43W-110000 08/07/91 -21.6
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UN-77R 083N-43W-10A888 08/21/80 -22.4
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UN-77R 083N-43W-10A888 08/10/82 -23.3
UN-77R 083N-43W-10A888 09/09/82 -23.5
UN-77R 083N-43W-10A888 11/08/82 -22.6
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UN-77R 083N-43W-10A888 07/25/83 -19.1
UN-77R 083N-43W-10A888 08/21/83 -19.8
UN-77R 083N-43W-10A888 10/18/83 -19.9
UN-77R 083N-43W-10A888 04/11/84 -18.7
UN-77R 083N-43W-10A888 05/22/84 -17.5

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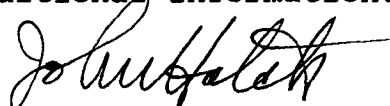
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5666-3, Joe and John Trudeau

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5666-3, Joe and John Trudeau, Route 1 Box 58, Jefferson, SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 5666-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 26, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

July 2, 1992

Joe and John Trudeau
Rt 1 Box 58
Jefferson, SD 57038

Dear Sirs:

Water Permit Application No. 5666-3 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 (Ph # 356-2632). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund

Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 2, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5666-3 to be published twice. Please publish the first notice on July 9, 1992, 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 Joe/John Trudeau, Rt 1 Box 58, Jefferson, SD 57038 (Ph # 966-5538).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing 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 July 9, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5666-3 to Appropriate Water
and to Amend Water Permit No. 5293-3

Notice is given that Joe/John Trudeau, Rt 1 Box 58, Jefferson, SD 57038 have filed an application for a water permit to irrigate 45 additional acres. Water Permit No. 5293-3 appropriates 2.35 cubic feet of water per second (cfs) from 2 wells (Missouri-Elk Point Aquifer) 120 feet deep located in the SW 1/4 SE 1/4 and near the center of the SE 1/4 both in Section 11-T89N-R49W to irrigate 165 acres. The acreage irrigated is located in the E 1/2 SE 1/4 and the SW 1/4 SE 1/4 Section 11 and the N 1/2 NE 1/4 Section 14; all in T89N-R49W. An inspection of Permit No. 5293-3 found 1 well constructed and supplying 1.56 cfs to irrigate 203 acres. This application is to irrigate 45 additional acres located in the W 1/2 SW 1/4 Section 12-T89N-R49W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5666-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 27, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5666-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 5, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 5, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 5, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 27, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

OK

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, S. D.

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

July 9- 1992

July 16, 1992

Lester E. Emerson
 (Signature)

(Title)

July 16 1992

(Date Signed)

Cost of Printing: 66.28

NOTICE OF HEARING on Application No. 5666-3 to Appropriate Water and to Amend Water Permit No. 5293-3

Notice is given that Joe/John Trudeau, Rt. 1, Box 58, Jefferson, SD 57038 have filed an application for a water permit to irrigate 45 additional acres. Water permit No. 5293-3 appropriates 2.35 cubic feet of water per second (cfs) from 2 wells (Missouri-Elk Point Aquifer) 120 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and near the center of the SE $\frac{1}{4}$ both in Section 11-T89N-R49W to irrigate 165 acres. The acreage irrigated is located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 14; all in T89N-R49W. An inspection of Permit No. 5293-3 found 1 well constructed and supplying 1.56 cfs to irrigate 203 acres. This application is to irrigate 45 additional acres located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12-T89N-R49W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5666-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 27, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5666-3 and 2) the chief engineer's recommendation, a

(over)

meeting at the Division of Water Rights office to hear this application is scheduled for August 5, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the August 5, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 5, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 27, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26, and Board Rules 74:02:01:01 thru 74:02:01:15.
Pub. July 9, 1992 66-28



NOV 17 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Joe/John Trudeau
Rt 1 Box 58
Jefferson, SD 57038

Dear Joe and John:

Enclosed is Water Permit No. 5666-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures

Permit No. 5293-3 -5666-3

Missouri 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 Joe and John Trudeau of Route 1, Box 58 Jefferson, SD 57038 holder of Permit No. 5293-3, bearing the priority of February 17, 1989 authorizing the diversion of 2.35 cu. ft. per second of the waters of Missouri-Elk Point 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:

One well - 120' deep with 80' of 16" PVC casing and 40' of 16" 100 slot PVC screen;
Western Land Roller Pump, Model No. 6M 5100C, 6", 800 GPM @ 50 PSI; Chrysler
motor, 75-80 HP

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

1500' of 6" High Pressure Aluminum pipe

C. Works used to apply water to beneficial use:

Vermeer Big Gun, 1.5" nozzle, 660' of 4.5" hose, 700 GPM; Valley 7 Tower Center Pivot
System, 1280' long with high pressure End Gun (100 PSI) and Nelson Sprinklers, 700 GPM
@ 50 PSI

The system is in the following condition excellent. The point of diversion is located 1000' East and 75' North of the SW corner of Section 11-T89N-R49W, Union County, SD. The works are capable of diverting and conveying to the place of use 1.56 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:

In Section 11-T89N-R49W:

SW1/4 SE1/4 = 37 acres

SE1/4 SE1/4 = 39 acres

NE1/4 SE1/4 = 40 acres

In Section 14-T89N-R49W:

NW1/4 NE1/4 = 27 acres

NE1/4 NE1/4 = 15 acres

* In Section 12-T89N-R49W:

NW1/4 SW1/4 = 22 acres

SW1/4 SW1/4 = 23 acres

comprising a total of 203 acres of land and the license should be issued for 1.56 cfs.

Applicable permit qualifications have been complied with ☒ Yes No

Exceptions to compliance are: None Date 7/11/91



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

* Land in w 1/2 Section 12 approved under 5666-3

LICENSE FOR PERMIT NUMBER 5293-3

1. Legal location of wells: 1000' East and 75' North of the SW corner of Section 11-T89N-R49W, Union County, SD

Dams and Structures N/A

2. Well Information: Well Drilling Firm Wetmore

Completion Report? Yes X No No. of Wells 1 Depth(s) 120 feet

Casing a) diameter 16 inches Screen a) type 100 slot PVC

b) length 80 feet b) length 40 feet

c) type PVC Static Water Level 17 feet

Pump a) make Western Land Roller Motor a) make Chrysler

b) model 6M 5100C b) model no. N/A

c) size 6" c) horsepower rating 75-80

d) capacity 800 GPM d) serial no. Unknown

e) turbine pump - no. of stages N/A

f) operating PSI 50

3. Distribution lines or canals

a) size 6 inches

b) type High Pressure Aluminum

c) length 1500 feet

5. System Type

a)gun:

b) center pivot:

1) make Vermeer

1) make Valley

2) nozzle size 1.5"

2) number of towers 7

3) capacity (GPM) 700

3) distance between towers

4) hose size 4.5 inches

4) overall length 1280 feet

5) hose length 660 feet

5) end gun (Y/N) Y

- e) gated pipe: 6) high or low pressure: High (100 PSI)
- 1) length feet 7) make and size of nozzles:
- 2) diameter inches Nelson Sprinklers
- 3) spacing of gates inches 8) capacity (GPM) 700

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 Application Application pending for additional 45 acres in Section 12-T89N-R49W; irrigated by the same system under No. 5293-3

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

REMARKS:

NOT TO SCALE

JOE + JOHN TRUDEAN

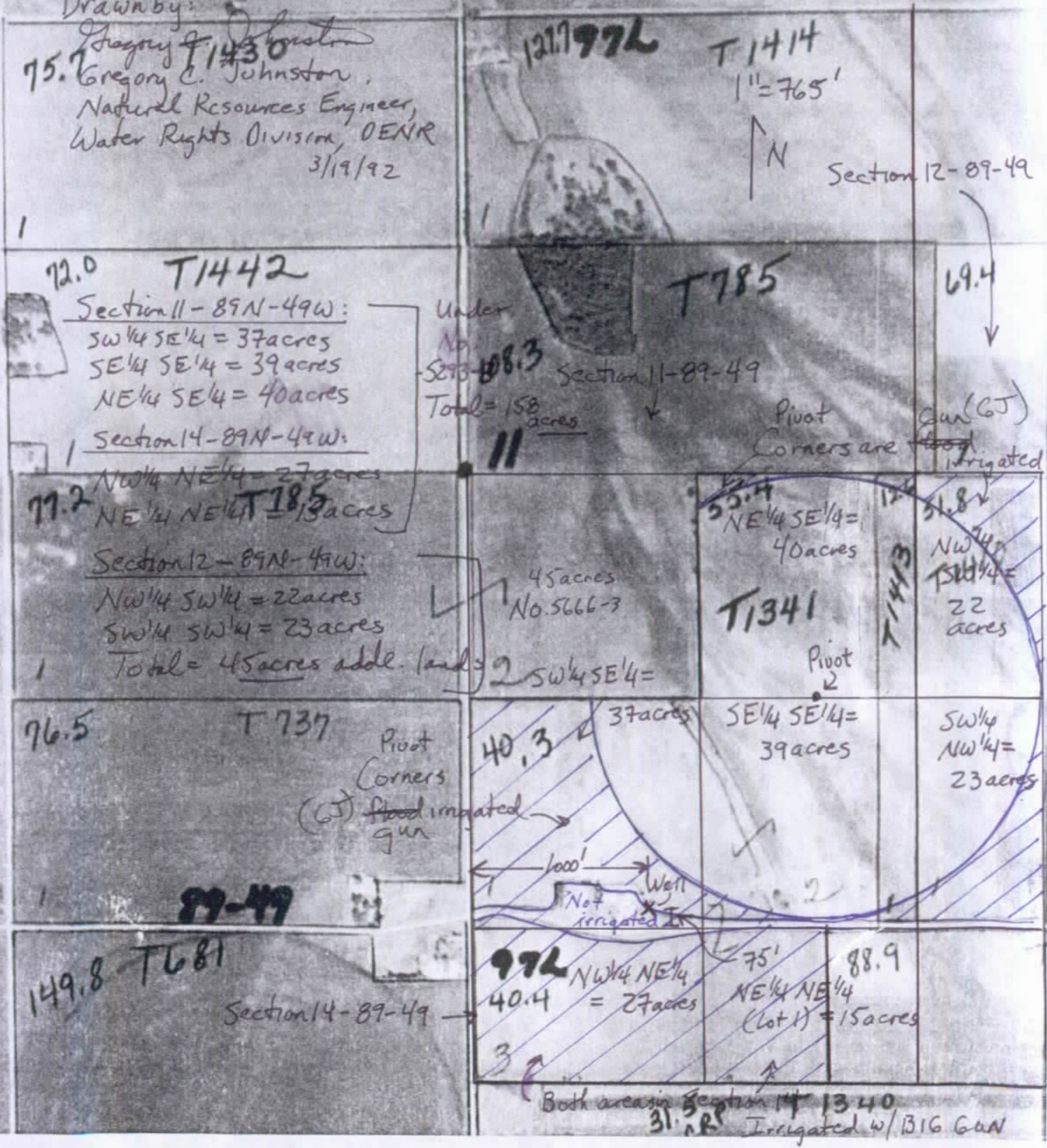
No. 5293-3 + 5666-3

Drawn by:

75.7 Gregory C. Johnston
 Gregory C. Johnston
 Natural Resources Engineer,
 Water Rights Division, DENR
 3/19/92

Joe + John Trudeau

5293



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5666-3

(1) Joe and John Trudeau of Rt 1 Box 58, Jefferson, SD 57038 made Application No. 5666-3, April 2, 1992 for a water permit to irrigate an additional 45 acres of land from groundwater, Union County, South Dakota for irrigation purposes. Permit No. 5666-3, with a priority date of April 2, 1992 was approved August 5, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5666-3 authorizes irrigation of additional acreage that was developed but not permitted under Water Permit No. 5293-3. No. 5666-3 did not allow for an increase in the developed diversion rate.

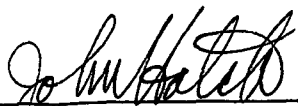
The applicable portions of Water Permit No. 5293-3 have been incorporated into this Water License No. 5666-3. A priority date of April 2, 1992 (established under No. 5666-3) is retained for irrigation of 45 acres in the W1/2 SW1/4 Section 12. The remaining acreage in Sections 11 and 14, retain a priority date of February 17, 1989 as established under Permit No. 5293-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is 1000 feet E and 75 feet N of the SW corner of Section 11 T89N-R49W.

(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:

T89N-R49W	Section 11	SW1/4 SE1/4	37 acres
		SE1/4 SE1/4	39 acres
		NE1/4 SE1/4	40 acres
	Section 14	NW1/4 NE1/4	27 acres
		NE1/4 NE1/4	15 acres
	Section 12	NW1/4 SW1/4	22 acres
		SW1/4 SW1/4	23 acres
Total			203 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joe and John Trudeau of Rt 1 Box 58, Jefferson, SD 57038 the holder and/or owner of Incorporated Water Permit No. 5666-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from groundwater (one well) with priority dates of February 17, 1989 and April 2, 1992 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5666-3 and subject to South Dakota State Law.



OCT 15 1993

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

RECEIPT

413558

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 24, 19 92

RECEIVED OF Trudeau Farms, Inc., Rt 1 Box 58, Jefferson, SD 57038

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. <u>5666-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 15 1993

5666-3

Joe and John Trudeau
Rt 1, Box 58
Jefferson, SD 57038

Dear Sirs:

Enclosed is Water License No. 5666-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413558 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. 5666-3, 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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 5293-3 have been incorporated into this Water License No. 5666-3.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2024

NOTICE

TO: KEMPS C/O TRUDEAU FARMS INC. OP, JOE TRUDEAU, 33060 480TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaires

Our records indicate your 2023 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3 & 4370-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TEFGBZB**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 13, 2024

1100-3, 2347-3, 2401-3, 2402-3
2624-3, 2625-3, 3286-3, 3869-3
4370-3, 2340-3, 2623-3, 5666-3
6001-3, 6079-3 & 6956-3

Trudeau Farms Inc.
c/o Joseph Trudeau
33060 480th Ave
Jefferson SD 57038

Dear Mr. Trudeau:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1100-3, 2347-3, 2401-3, 2402-3, 2624-3, 2625-3, 3286-3, 3869-3, 4370-3, 2340-3, 2623-3, 5666-3, 6001-3, 6079-3 & 6956-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

cc: STEVE HEITMAN, RR 1 BOX 150, JEFFERSON SD 57038
MERYLN KARPEN, BOX 187, JEFFERSON, SD 57038
CLARENCE KNEEBONE, PO BOX 366, ELK POINT SD 57025
PAUL VONDRAK, RT 1, JEFFERSON SD 57038