

WATER PERMIT NO. 5991-3

Name of Applicant: Donald G & David M Jorgensen

Address: Rr 1 Box 657, Jefferson SD 57038

Phone: 605 966-5645

Amount of Water Claimed: 1.56 cfs Total Acres: 110

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Union

Type of Waste Disposal System: NA

Location: 5 miles south of Jefferson

PRIORITY Date Received: 3-17-97

Fee: \$225

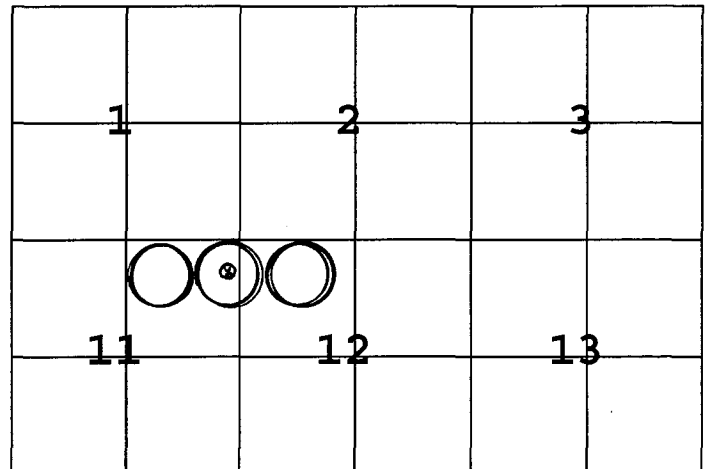
Corrected Application Received: 3-24-97

Period of Annual Use: April 1 - September 30

Remarks:

Diversion Point: NE 1/4 NE 1/4 Sec 11-
T89N-R49W

Land to be Irrigated: N 1/2 NE 1/4 Sec 11 and
N 1/2 NW 1/4 Sec 12; all in T89N-R49W



Depth of Well: 100 feet

Well Driller:

Remarks: well has not been completed

Type of Map: plat

Prepared by: Donald Jorgensen, P.E.

Reviewed and the Number Assigned on: 3-27-97

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 5991-3

Date of first receipt of application March 17, 1997.

Date of return to applicant for corrections, amendments or changes March 17, 1997.

Date of receipt of corrected application March 24, 1997.

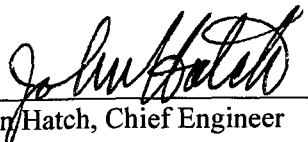
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5991-3 to Donald G and David M Jorgensen, RR 1 Box 657, Jefferson SD 57038 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5991-3 appropriates 1.57 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 100 feet deep located in the NE 1/4 NE 1/4 Section 11 to irrigate 110 acres located in the N 1/2 NE 1/4 Section 11 and N 1/2 NW 1/4 Section 12; all in T89N-R49W.
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 - September 30.
3. The date from which applicant may claim right is March 17, 1997.
4. The date of approval of Permit No. 5991-3 is May 12, 1997.
5. One-fifth of the construction is to be completed on or before November 12, 1999.
6. All construction is to be completed on or before May 12, 2002.
7. Water is to be put to beneficial use on or before May 12, 2006.
8. 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. The well authorized by Permit No. 5991-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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 Program
Department of Environment and Natural Resources

JUN 11 1997

date



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5991-3</u> Hydrologic Unit <u>10170101</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Elk Point Leader-Courier, Elk Point, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: ✓ New Vested Right Amendment/Correction to Permit No.
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) Donald's #

- Name of Applicant Donald G. Jorgensen & David M. Jorgensen ☒ Owners 605-966-5645 OR 605-966-5254
(check one) Phone
Mailing Address RR 1, Box 657 Pefferson State SO. DAKOTA 57038
(Street, RR, or Box) (Zip Code)
- Amount of water claimed 1.57 *CFS or 707 **GPM 950 ***AF Total Acreage 110
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable
- Source of water supply ALLUVIAL & GLACIAL AQUIFER IN MISSOURI RIVER VALLEY
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) ONE WELL IN
NE 1/4 NE 1/4 SECTION 11, T.89N. R.49W. County UNION
- County or counties where water will be used UNION
- Annual period during which water is to be used APRIL - SEPTEMBER 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 NE 1/4 SEC. 11, T.89N., R.49W.	15		
NE 1/4, NE 1/4 SEC. 11, T.89N., R.49W.	35		
NW 1/4, NW 1/4 SEC. 12, T.89N., R.49W.	35		
NE 1/4, NW 1/4 SEC. 12, T.89N., R.49W.	25		

8. Give a description of the project. (Attach sheet if more space is needed) *Approximate

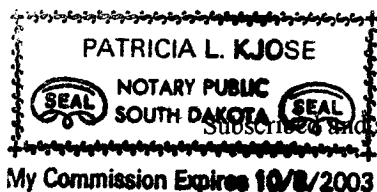
TO IRRIGATE LAND FOR AGRICULTURAL PRODUCTION

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of UNION

I, Donald & David Jorgensen applicants have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.



Signed

David M. Jorgensen
Donald G. Jorgensen

12 day of March 19 97

Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 100'
- b) Casing Type PLASTIC Diameter 16" Thickness SCHEDULE 40
- c) Screen Type PLASTIC Diameter 16" Thickness SCHEDULE 40
- d) Gravel Pack Thickness 3" Length of Gravel Pack 40'
- e) Depth to Top of Water Bearing Material 5'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well: one half mile to 3/4 mile
- On applicants property _____ On property owned by others ✓

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ c) Year Constructed _____
- d) Connected to the City of _____ Sanitary System.

3. Dugout Information

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



4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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

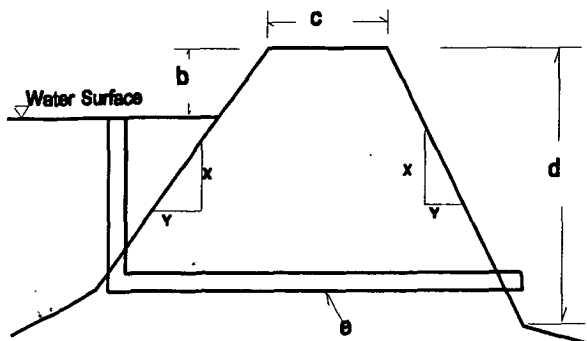
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres

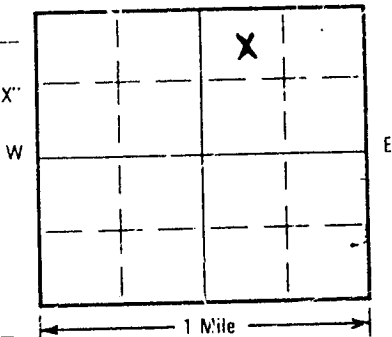


SOUTH DAKOTA WATER WELL COMPLETION REPORT

✓
4491-3
07-92

Location: 1W 1/4 NE 1/4 Sec 11 Twp 89 Rg 49
County Union

Please mark well location with an "X"



Well Completion Date

4-24-97

Well Owner: Don Jorgensen
Business Name: Jefferson, SD
Address: _____

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>3</u>
<u>Sand</u>	<u>3</u>	<u>42</u>
<u>Clay</u>	<u>42</u>	<u>51</u>
<u>Sand & Gravel</u>	<u>51</u>	<u>107</u>
<u>Shale</u>	<u>107</u>	

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1300 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5.440</u> LB/FT	<u>16</u> IN	<u>65</u> FT	<u>0</u> FT	<u>22</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bent</u>	<u>60</u>	_____ lb./gal	<u>65</u> ft	<u>20</u> ft
<u>Cm's</u>	<u>30</u>	<u>15.5</u> lb./gal	<u>20</u> ft	<u>0</u> ft

Describe grouting procedure Thence

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 40 FEET

Material PVC

Slot Size 50 Set From 105 Feet to 65 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: Cl

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 18 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: _____

☐ Bailed

☐ Other

Pumping Level Below Land Surface

28 ft. After 24 Hrs. pumped 656 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 341

And this report is true and accurate

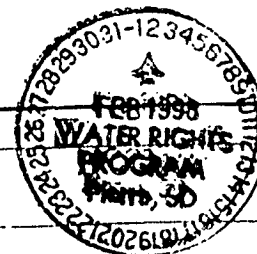
Drilling firm Wetmore Drilling

Signature of License Representative: _____

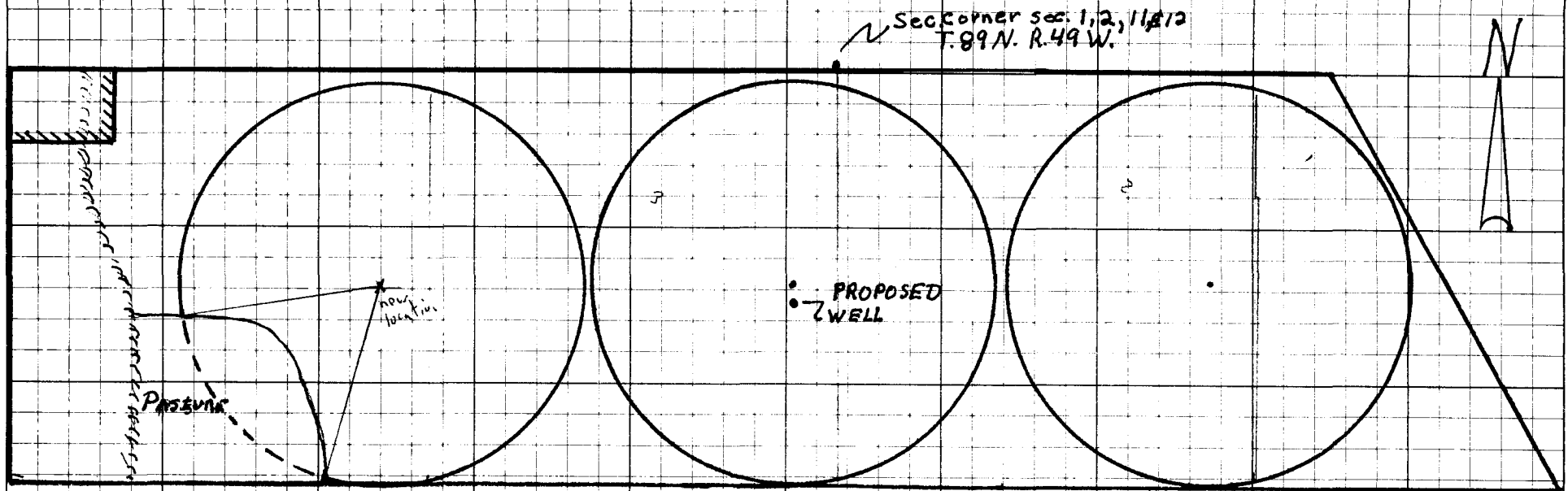
Signature of Well Owner or Equitable Property Holder:

Donald Jorgensen

Date: 31 January 1998



FARM OF DAVID & DONALD JORGENSEN IN NE SEC 11, NW SEC 12, T.89N, R.49W.



DRAWING PREPARED BY

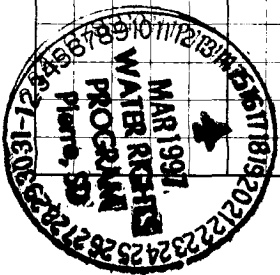
DONALD JORGENSEN

SO. DAK. P.E. #1701

Donald Jorgensen

12 March 1997

REVISED 20 MARCH 1997, D.J.



RECEIPT

415272

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 17, 19 97

RECEIVED OF Donald or Shirley Jorgensen, RR 1, Box 657, Jefferson, SD 57038

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

Fee for Application for Permit No. <u>5991-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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 _____		

(Any Other Work Provided by Law)	Total	225 00

By

Chief Engineer

John Hotchkiss



March 17, 1997

Donald G Jorgensen
& David M Jorgensen
RR 1 Box 657
Jefferson SD 57038

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Sirs:

Thank you for submitting your two *Application for a Permit to Appropriate Water for Irrigation*.

Enclosed are the maps submitted with the applications. The maps are being returned because they need to reference a government section corner or quarter corner.

Regarding the application for water from the Missouri River, on Item No. 2 of the application, you indicate the amount of water claimed to be 700 gallons per minute (gpm) which equals 1.55 cubic feet of water per second (cfs). Under State Statute 46-5-6 you are allowed 1 cfs (450 gpm) for each 70 acres irrigated. This would mean that you are allowed 0.71 cfs (321 gpm) for the 50 acres to be irrigated.

On the application for groundwater, you indicate the amount of water claimed to be 950 gpm which equals 2.11 cfs. Under State Statute you are allowed 1.57 cfs (707 gpm) for the 110 acres to be irrigated. Please let us know if you concur with these changes on your applications.

A well log or driller's test log signed by a South Dakota Licensed well driller must accompany the groundwater application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

March 20, 1997

Ms Karen Schlaak
Water Rights Program
Dept. of Environment and Natural Resources
Joe Foss Building, 523 E. Capitol
Pierre, So. Dak. 57501-3181



Dear Ms Schlaak:

Thank you for your help concerning my brother's and my application to irrigate from a proposed well in section in NE sec. 11, T. 890 N., R. 49 W. Union County. Your letter of March 17 is helpful. I am enclosing the map of the farm and proposed well. Please note I have added the north section corner between sections 11 and 12. In reference the amount of water to be diverted, the amount of 1.57 cfs or 707 gpm as per State Statue is certainly agreeable with us.

We appreciate that your office had nearby log that can be a surrogate for the Driller's test log.

In reference to my second application to divert surface water from the Missouri River, I will be sending along page 2 of the application in the near future as I wish to use ground water from a well at the pivot point instead of the surface water diversion.

Sincerely,


Donald Jorgensen

REPORT ON WATER PERMIT APPLICATION NO. 5991-3

for Donald G Jorgensen and David M Jorgensen

April 7, 1997

Application No. 5991-3 proposes to appropriate 1.57 cfs (705 gpm) from one well approximately 100 feet deep located in the NE 1/4 NE 1/4 of Section 11 to irrigate 110 acres located in the N 1/2 NE 1/4 of Section 11 and the N 1/2 NW 1/4 of Section 12; all in T89N-R49W in Union County.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) which is under unconfined or water table conditions at this site. The aquifer underlies 180 square miles and contains an estimated 1.5 million acre feet of recoverable water in storage in Union County (Niehus, 1994). The aquifer is hydraulically connected to the Big Sioux South aquifer to the north, the Lower Vermillion Missouri aquifer to the northwest, extends into Clay and Yankton Counties to the west and also to the Big Sioux and Missouri Rivers. Ground water movement is from northwest to southeast and toward the rivers.

The Water Rights Program monitors twenty observation wells completed into the Missouri Elk Point aquifer in southern Union County. Two of these observation wells, UN-77Q and UN-77R are located within a two mile radius of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). Hydrographs for these two wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are ten existing water permits/rights within a one mile radius of this application. Of these permitted uses Water Right No. 2361-3 is the nearest. The well for Water Right No. 2361-3 is located about 2100 feet north of this application. Interference is not a concern. Drawdown created by pumping is not significant at this distance and will not cause adverse effects. This is shown by the observation well record.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is unconfined and under water table conditions in this area. Interference is not a concern. There are numerous wells in the area which have been in operation for many years with no apparent problems.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. No test hole information was submitted with the application but the existing data from surrounding area irrigation wells and the observation well which is located about one mile south of this application are sufficient to evaluate this application.


James A Goodman
Natural Resources Engineer

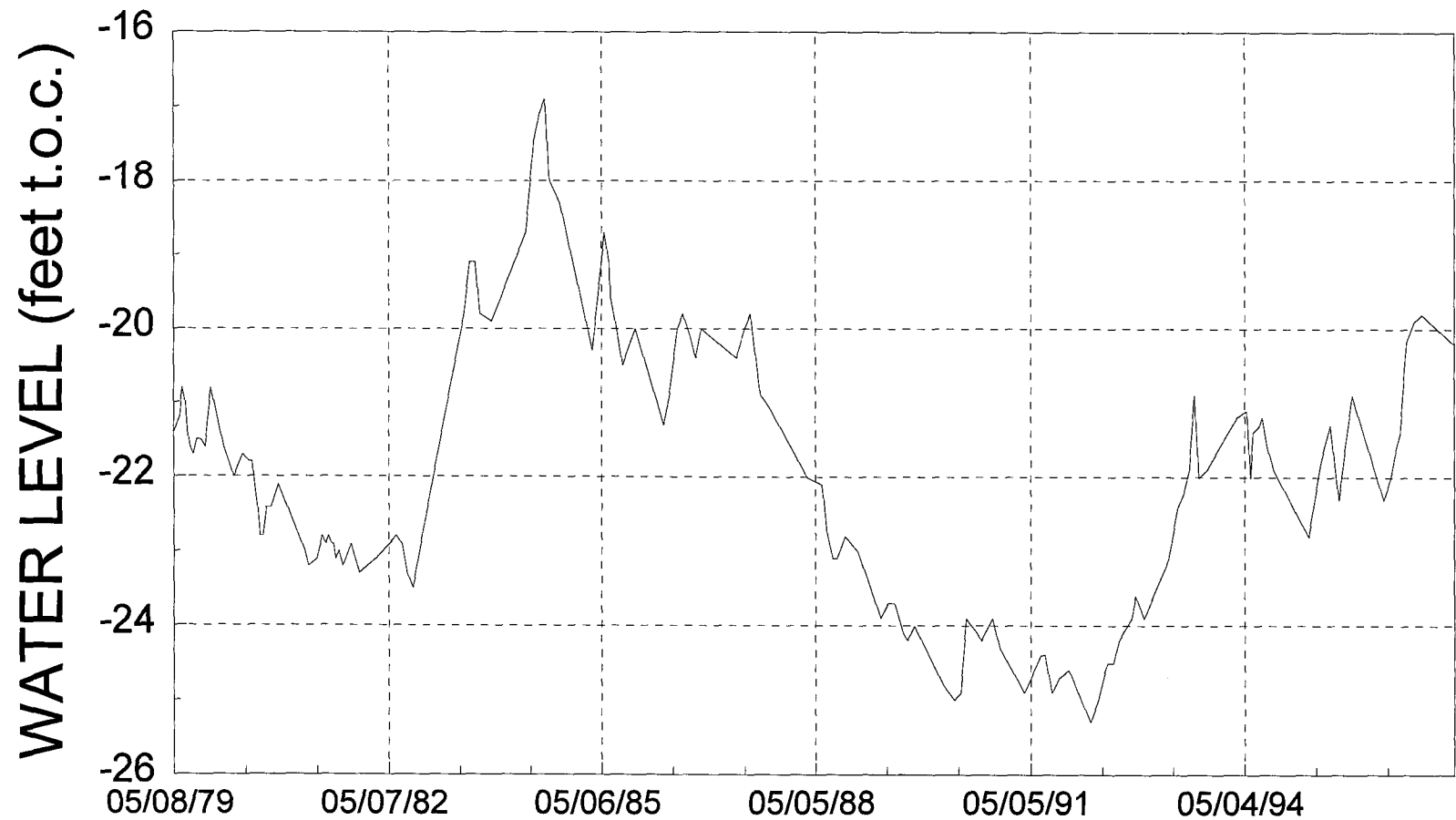
BIBLIOGRAPHY

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 1997, Unpublished Observation Well Data for Union County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

UN-77R



WATER RIGHTS OBSERVATION WELL

UN-77Q



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION
NO. 5991-3, Donald G. Jorgensen and David M. Jorgensen**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5991-3, Donald G. Jorgensen and David M. Jorgensen, RR 1, Box 657, Jefferson, SD 57038.

The Chief Engineer is recommending APPROVAL of Application No. 5991-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 5991-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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
April 14, 1997



**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.

April 15, 1997

Donald G. & David M. Jorgensen
RR 1, Box 657
Jefferson, SD 57038

Dear Sirs:

Water Permit Application No. 5991-3 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 # (605) 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
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

April 15, 1997

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025-0310

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5991-3 to be published twice. Please publish the first notice on April 24, 1997, 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 Donald G. and David M. Jorgensen, RR 1, Box 657, Jefferson, SD 57038 (Ph # (605) 966-5645).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 April 24, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5991-3 to Appropriate Water

Notice is given that Donald G and David M Jorgensen, RR 1 Box 657, Jefferson SD 57038 have filed an application for a water permit to appropriate 1.57 cubic feet of water per second from one well (Missouri:Elk Point Aquifer) 100 feet deep located in the NE 1/4 NE 1/4 Section 11 to irrigate 110 acres located in N 1/2 NE 1/4 Section 11 and N 1/2 NW 1/4 Section 12; all in T89N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5991-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 May 12, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

State of South Dakota)

:ss

County of Union)

Kelly Kruithoff

an employee of the publisher of the Leader-Courier, deposes and says that

The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and that has been such legal newspaper during the time herein-after mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Application No. 5991-3

to Appropriate Water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 1 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper as

The first publication being made on Thursday, the 24 day of April 19 97, and that the succeeding publications were

on Thursday, the 1 day of May, 19 97

on Thursday, the _____ day of _____, 19 _____

on Thursday, the _____ day of _____, 19 _____

on Thursday, the _____ day of _____, 19 _____

on Thursday, the _____ day of _____, 19 _____

that the fees for the printing and publishing of said notice and advertisement in said newspaper

as aforesaid were \$32.05, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Kelly Kruithoff

Subscribed and sworn to before me this 1 day of May 19 97

My commission expires 3-22-04

[Signature]

Notary Public

NOTICE OF APPLICATION NO. 5991-3

to Appropriate Water

Notice is given that Donald G and David M Jorgensen, RR 1 Box 657, Jefferson, SD 57038 have filed an application for a water permit to appropriate 1.57 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 100 feet deep located in the NE1/4NE1/4 Section 11 to irrigate 110 acres located in N1/2NE1/4 Section 11 and N1/2NW1/4 Section 12; all in T89N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5991-3 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 public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is Water Rights Program, 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 May 12, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

NETTIE H. MYERS, Secretary
Department of Environment
and Natural Resources

Publish April 24 and May 1, 1997
41-5-58 32.c5





JUN 11 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Donald G. and David M. Jorgensen
RR 1, Box 657
Jefferson, SD 57038

Dear Sirs:

Enclosed is Water Permit No. 5991-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

10 August 1997

To: John Hatch, Chief Engineer
Water Rights Program
Dept. Environment & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, So. Dak 57501-3181



From: Donald Jorgensen
Rt 1, Box 657
Jefferson, So. Dak. 57038

Subject: Completion of Works & Application to Beneficial Use
Water Right Permit No 5991-3

Please find the the completed form "Notice of Works & Application of Water to Beneficial Use".

Please note that the well site was moved about 1360 feet west of the original proposed location. A well was constructed at the proposed site. The well pumped excess sand & was abandoned (& plugged). A second well was drilled in SW NW NE sec 11, T89 N & R. 49 W. This well is apparently satisfactory & we are using the well to irrigate as per Permit No. 5991-3.

Also please find drawing & location map of the irrigation well.

Sincerely,
Donald Jorgensen

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 10 August 1997

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Donald Jorgensen Rt. 1, Box 657
(name) (address)
Jefferson So. Dak 57038 609 966 5645
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5991-3.

Water Permit No. 5991-3 states that the diversion system is to be constructed by 12 November, 1999, and that the water is put to beneficial use by
(date)

12 May, 2006
(date)

The diversion system was completed on 21 July 1997.
(date)

Applying the water to beneficial use was completed on 22 July 1997.
(date)

You may schedule an inspection so that the Water License may be issued.

Donald Jorgensen
(signature)

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5991-3

DATE OF INVESTIGATION:	August 12, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	
NAME & ADDRESS OF PERMIT HOLDER	Donald and David Jorgensen 33599 479th Avenue Jefferson SD 57038
DIVERSION POINT LEGAL LOCATION	approximately 640 feet south and 1,320 feet west (NW¼ NE¼) of the NE corner of Section 11, T89N, R49W

Other permit(s) associated with the project: _____

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore
- 2) No. of Wells one
- 3) Depth(s) 107 feet
- 4) Well log is available Yes
- 5) Comment: _____

Casing:

- 1) Diameter 16 inches
- 2) Length 65 feet
- 3) Type PVC Schedule 40

Screen:

- 1) Type PVC Schedule 40
- 2) Length 40 feet
- 3) Static water level 18 feet

Motor:

- 1) Make Cummings Diesel (portable)
- 2) Model No. ?
- 3) Horsepower rating 100 hp

Pump:

- 1) Make _____
- 2) Model _____
- 3) Size _____
- 4) Capacity 650 GPM

* Has an Amarillo gear drive (40HP) – Serial No. S40B 16811

SYSTEM TYPE:

Center pivot:

- 1) Make T-L Irrigation
- 2) Overall length 640 feet
- 3) Number of towers 4
- 4) Distance between towers ? feet
- 5) End gun Yes
- 6) High or low pressure High (55 psi)

7) Capacity 650 GPM

CHEMIGATION EQUIPMENT:

- | | |
|--|---|
| 1) Does chemigate <u>Yes</u> * | 8) Injection check valve <u>Yes</u> |
| 2) Main line check valve <u>Yes</u> | 9) Injection line check valve or positive displacement pump <u>Yes</u> |
| 3) Inspection port/air relief <u>Yes</u> | 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules <u>Yes for the most part, however see comment below</u> |
| 4) Low pressure drain <u>Yes</u> | |
| 5) Discharge is 20' from source <u>not at inspection</u> | |
| 6) Interlock type <u>electrical</u> | |
| 7) Injection pump type <u>piston</u> | |
| | 11) Comments: _____ |

* Chemigation equipment is present but has not yet been used so is not fully set-up.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map well located 1,360 feet west of authorized location
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

COMMENT

- ◆ System had been operated in the eastern most position earlier in the day of the licensing investigation
- ◆ Field was planted primarily in corn at the time of licensing investigation
- ◆ One towable pivot is moved between three pivot pads as shown on map.

Permit No. 5991-3
Sioux River - Water District

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

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

I have this day, August 12, 1999, made a thorough examination of the water use system constructed by Donald and David Jorgensen of 33599 479th Avenue, Jefferson SD 57038 holder of Permit No. 5991-3, bearing the priority of March 17, 1997 authorizing the diversion of 1.57 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:

A 100 HP Cumming Diesel (portable) powers an Amarillo gear drive to a pump

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

Well and diesel motor are at the center pivot

C. Works used to apply water to beneficial use:

A T-L irrigation 4-towercenter pivot that is towed between three pivot pads

The system is in the following condition good. The point of diversion is located approximately 640 feet south and 1,320 feet west (NW¼ NE¼) of the NE corner of Section 11, T89N, R49W. The works are capable of diverting and conveying to the place of use 1.45 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:

All in T89N, R49W

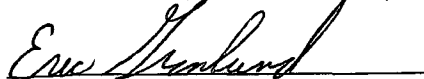
NW ¼ NE ¼ Section 11	12 acres
NE ¼ NE ¼ Section 11	34 acres
NW ¼ NW ¼ Section 12	34 acres
NE ¼ NW ¼ Section 12	15 acres

comprising a total of 95 acres of land and the license should be issued for 1.36 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: see comment below Date Report Completed: September 8, 1999

- Well was to be located in the NE ¼ NE ¼ Section 11 and was constructed in the NW ¼ NE ¼ Section 11, T89N, R49W (see attached report)



Eric Gronlund
Natural Resources Engineer
DENR, Water Rights Program

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Donald and David Jorgensen

ADDRESS: 33599 479th Avenue, Jefferson SD 57038

DATE: September 8, 1999

COUNTY: Union **TELEPHONE:**

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Yes, the well was developed into the Missouri:Elk Point Aquifer approximately 1,360 feet west of the proposed location at the time the permit application was filed.

- **If irrigation, no new land is irrigated**

The original irrigated acreage is the same.

- **Review of Existing Diversions**

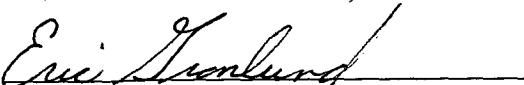
The well was developed in a location approximately 1,360 feet west of the original intended location. The well is actually located in the NW ¼ NE ¼ Section 11, T89N, R49W instead of the NE ¼ NE ¼.

While this action moved the location of the well closer to two existing water rights located to the west, it also increased the distance from a water right north east of the well. The nearest well are approximately ¾ of a mile to the west.

This is an area of extensive irrigation. The Missouri:Elk Point Aquifer is a prolific aquifer and the change should not cause an increased interference. There have been no complaint of interference in this area prior to or since this well was constructed.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



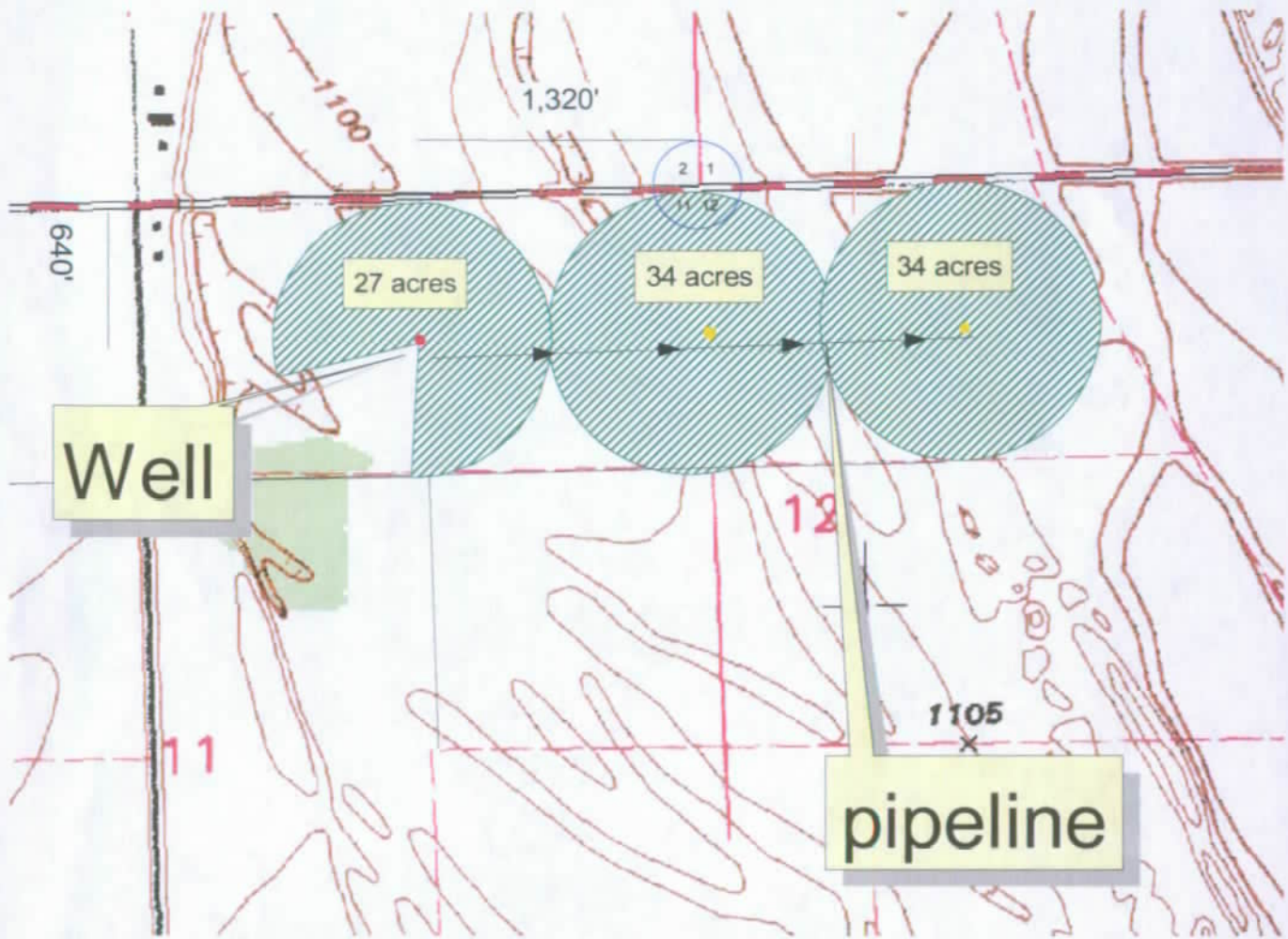
Eric Gronlund, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.

 9-14-99

John Hatch, Chief Engineer
Water Rights Program



Legal Description

well - approx. 1,320' West & 640' south
of NE Corner Sec. 11, &89N, R49W

NW NE Sec. 11	12 acres
NE NE Sec. 11	34 acres
NW NW Sec. 12	34 acres
NE NW Sec. 12	15 acres

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

Eric Gronlund

Eric Gronlund
Water Rights Program
Licensing Investigation
Conducted - August 12, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 9, 1999

5991-3
6032-3

Donald G. and David M. Jorgensen
33599 479th Ave.
Jefferson, SD 57038

Dear Sirs:

The investigation of your water use systems was conducted on August 12, 1999, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5991-3 and 6032-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

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

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

N2 416195

Pierre, September 20, 19 99

RECEIVED OF Donald G. Jorgensen, RR 1, Box 657, 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>5991-3</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
www.state.sd.us/denr

DEC 6 1999

5991-3
6032-3

Donald G. and David M. Jorgensen
33599 479th Ave.
Jefferson, SD 57038

Dear Sirs:

Enclosed are Water License Nos. 5991-3 and 6032-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416195 and 416196 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5991-3 and 6032-3, 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 Licenses, 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 Program
(605) 773-3352

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5991-3

(1) Donald G and David M Jorgensen, 33599 479th Ave, Jefferson SD 57038 made Application No. 5991-3, March 17, 1997 for a water permit to divert 1.57 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 5991-3, with a priority date of March 17, 1997 was approved May 12, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 12, 2002 and for the application to beneficial use of said water on or before May 12, 2006.

The permit holders submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 13, 1997. The *Notice* stated the diversion system was completed on July 22, 1997 and the water placed to beneficial use on July 22, 1997.

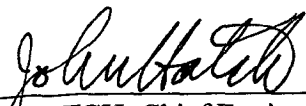
An investigation conducted for licensing purposes found the well under Water Permit No. 5991-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 1.36 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 640 feet south and 1,320 feet west of the northeast corner of Section 11-T89N-R49W (NW ¼ NE ¼).

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

All in T89N-R49W		
Section 11	NW ¼ NE ¼	12 acres
Section 11	NE ¼ NE ¼	34 acres
Section 12	NW ¼ NW ¼	34 acres
Section 12	NE ¼ NW ¼	15 acres
Total 95 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Donald G and David M Jorgensen, 33599 479th Ave, Jefferson SD 57038 the holders and/or owners of Water Right No. 5991-3 are issued a license to appropriate water, the right to use 1.36 cubic feet of water per second from groundwater (one well) with a priority date of March 17, 1997 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 Water Right No. 5991-3 and subject to South Dakota State Law.



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

DEC 6 1999

date





5991-3

**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: DONALD G & DAVID M JORGENSEN, 33599 479TH AVE, JEFFERSON, SD 57038

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) 5991-3 & 6032-3. 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) 5991-3 & 6032-3 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) 5991-3 & 6032-3 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.

5991-3

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Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5937

DONALD G & DAVID M JORGENSEN
33599 479TH AVE
JEFFERSON SD 57038

Waiver of Signature ☐ YES ☐ NOPostmark
Here

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

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DEPARTMENT of ENVIRONMENT
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 5, 2007

5991-3
6032-3

Donald G & David M Jorgensen
33599 479th Ave
Jefferson SD 57038

Dear Sirs:

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 Nos. 5991-3 and 6032-3.

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

If you have any questions, please contact me.

Sincerely,

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



5991-3
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 21, 2011

NOTICE

TO: DONALD G & DAVID M JORGENSEN, 33599 479TH AVE, JEFFERSON, SD 57038

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) 5991-3 & 6032-3. 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) 5991-3 & 6032-3 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) 5991-3 & 6032-3 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.

5991-3

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

Your item was delivered at 1:03 pm on January 24, 2011 in JEFFERSON, SD 57038. The item was signed for by D JORGENSEN.

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Detailed Results:

- Delivered, January 24, 2011, 1:03 pm, JEFFERSON, SD 57038
- Notice Left, January 22, 2011, 11:42 am, JEFFERSON, SD 57038
- Out for Delivery, January 22, 2011, 9:33 am, JEFFERSON, SD 57038
- Sorting Complete, January 22, 2011, 9:23 am, JEFFERSON, SD 57038
- Arrival at Post Office, January 22, 2011, 8:24 am, JEFFERSON, SD 57038
- Processed through Sort Facility, January 22, 2011, 3:52 am, SIOUX FALLS, SD 57104

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 0256	DONALD G & DAVID M JORGENSEN 33599 479TH AVE JEFFERSON SD 57038	
	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	
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2011

5991-3
6032-3

Donald Jorgensen
33599 479th Ave
Jefferson SD 57038

Dear Mr. Jorgensen:

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. 5991-3 and 6032-3. 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

March 21, 2012

5991-3

Donald G Jorgensen
33599 479th Ave
Jefferson SD 57038

Dear Mr. Jorgensen:

I am writing in regard to Water Right No. 5991-3 currently listed in the names of Donald and David Jorgensen (copy enclosed). On your 2011 irrigation questionnaire you indicated the water right should be listed in your name only.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

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

enclosure

RECEIVED

APR 18 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5991-3

Date: _____

I/We request that Water Right No. 5991-3

formerly owned by: Donald G and David M Jorgensen

be transferred to: (name & address) Donald G Jorgensen, 33599 479th Ave, Jefferson SD 57038

Telephone No.

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

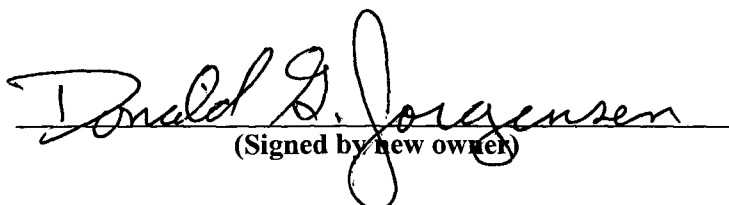
95 acres – N ½ NE ¼ Section 11 and N ½ NW ¼ Section 12, T89N, R49W

I/We understand that the validity of Water Right No. 5991-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Donald G. Jorgensen 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 4/18b, 20 12

RECEIVED OF Donald G. Jorgensen 33599 479th Ave 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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5991-3</u>		
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	50 00

No. **05415**

By *Gold Erlund*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

April 20, 2012

5991-3

Donald G Jorgensen
33599 479th Ave
Jefferson SD 57038

Dear Mr. Jorgensen:

I am writing acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 5991-3.

The ownership change has been completed. The water right formerly listed in the names of "Donald G and David M Jorgensen" is now listed in your name only.

Enclosed, for your records, is Receipt No. 05415 in the amount of \$50.00 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

5991-3

Donald Jorgensen
PO Box 147
Sioux City IA 51102

Dear Mr. Jorgensen:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to you at 33599 479th Ave, Jefferson SD 57038. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **BXWBXE**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

SEE ME 1 52510010/10/25
RETURN TO SENDER
JORGENSEN DONALD G
PO BOX 147
SIOUX CITY IA 51102-0147

RETURN TO SENDER

