

WATER PERMIT NO. 6453-3

Name of Applicant: **Roger Hummel**

Address: **73 Northshore Drive, North Sioux City SD 57049**

Phone: **712 253-7273**

Amount of Water Claimed: **0.89 cfs**

Total Acres: **37 acres**

Source of Water Supply: **groundwater**

Water to be used for: **irrigation**

County: **Union**

Type of Waste Disposal System:

Location: **10 miles southeast of Elk Point**

PRIORITY

Date Received: **04-21-03**

Application/License Fee: **\$200**

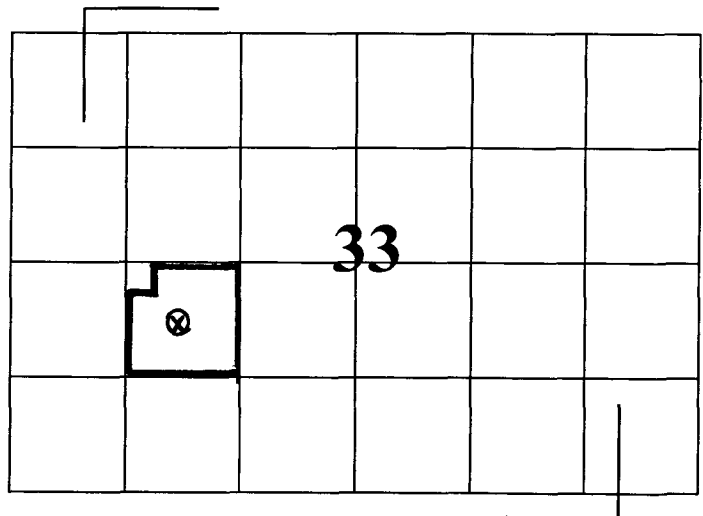
Corrected Application Received: **12-1-03**

Period of Annual Use: **May 1 – Sept 30**

Remarks:

Diversion Point: **NW ¼ SW ¼ Sec 33-T90N-R49W**

Land to be Irrigated: **NW ¼ SW ¼ Sec 33-T90N-R49W**



Depth of Well: **100 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Larry D Wilcox, FSA**

Reviewed and the Number Assigned on: **12-2-03**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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	No. <u>6453-3</u> (office use only)
	Basin <u>Missouri River</u> Hydrologic Unit <u>10170101</u>
	Newspaper <u>Leadere-Examiner</u>
	<u>Eik Point S.D. 57025</u>

RECEIVED
APR 21 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant Roger Hummel Phone 712-263-7237
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 23 Northshore Drive, North Sioux City State S.D. 57049
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.89 *CFS or 400 **GPM ***AF Total Acreage 37
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Union
Center of North Half of the S.W. 1/4 of Lot 4
Sec 33 Twp 90, Range 19, West of the 5th P.M. (NW 1/4 SW 1/4)
- County or counties where water will be used Union
- Annual period during which water is to be used May 1 thru Sept. 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
N 1/2 SW 1/4 Lot 4 Sec 33-90-49	37		
NW 1/4			

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

Well & 5 tower Pivot.

STATE OF SOUTH DAKOTA) SS
County of Union

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)

I, Roger Hummel, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction

Applicant's signature Roger Hummel

Subscribed and sworn to before me this 17 day of April 2003

Bonnie J. Davis
Notary Public signature
9/25/09

**SOUTH DAKOTA
WATER PERMIT NO. 6453-3**

Date of first receipt of application April 21, 2003.

Date of return to applicant for corrections, amendments or changes April 28, 2003.

Date of receipt of corrected application December 1, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6453-3 to Roger Hummel, 73 Northshore Drive, N Sioux City SD 57049 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. 6453-3 appropriates 0.89 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 100 feet deep located in the NW ¼ SW ¼ Section 33 to irrigate 37 acres located in the NW ¼ SW ¼ Section 33; all in T90N-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: May 1 – September 30.
3. The date from which applicant may claim right is December 1, 2003.
4. The date of approval of Permit No. 6453-3 is February 9, 2004.
5. One-fifth of the construction is to be completed on or before August 9, 2006.
6. All construction is to be completed on or before February 9, 2009.
7. Water is to be put to beneficial use on or before February 9, 2013.
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. 6453-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. Water Permit No. 6453-3 authorizes a maximum diversion rate of 0.89 cubic feet of water per second (cfs) to irrigate 37 acres pursuant to the statutory limit of 1 cfs per 70 acres set forth in SDCL 46-5-6.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 20 2004
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16" Depth 100 ft.
- b) Casing Type Plastic Diameter 10" Thickness 1/2"
- c) Screen Type Plastic Diameter 10" Thickness 1/2"
- d) Gravel Pack _____ Length of Gravel Pack 60 ft
- e) Depth to Top of Water Bearing Material 20 ft
- f) Depth to Water (ground surface to water level) 20 ft
- g) Distance to nearest existing domestic well:
On applicants property 700 ft On property owned by others 800 ft

2. Wastewater Disposal System Information

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

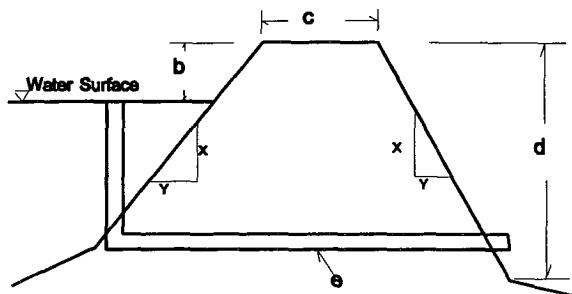
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 21, 2003, 20__

RECEIVED OF Roger Hummel, 73 N Shore Drive, McCook Lake SD 57049

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	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 _____	50	00
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	200.00

No.

000768

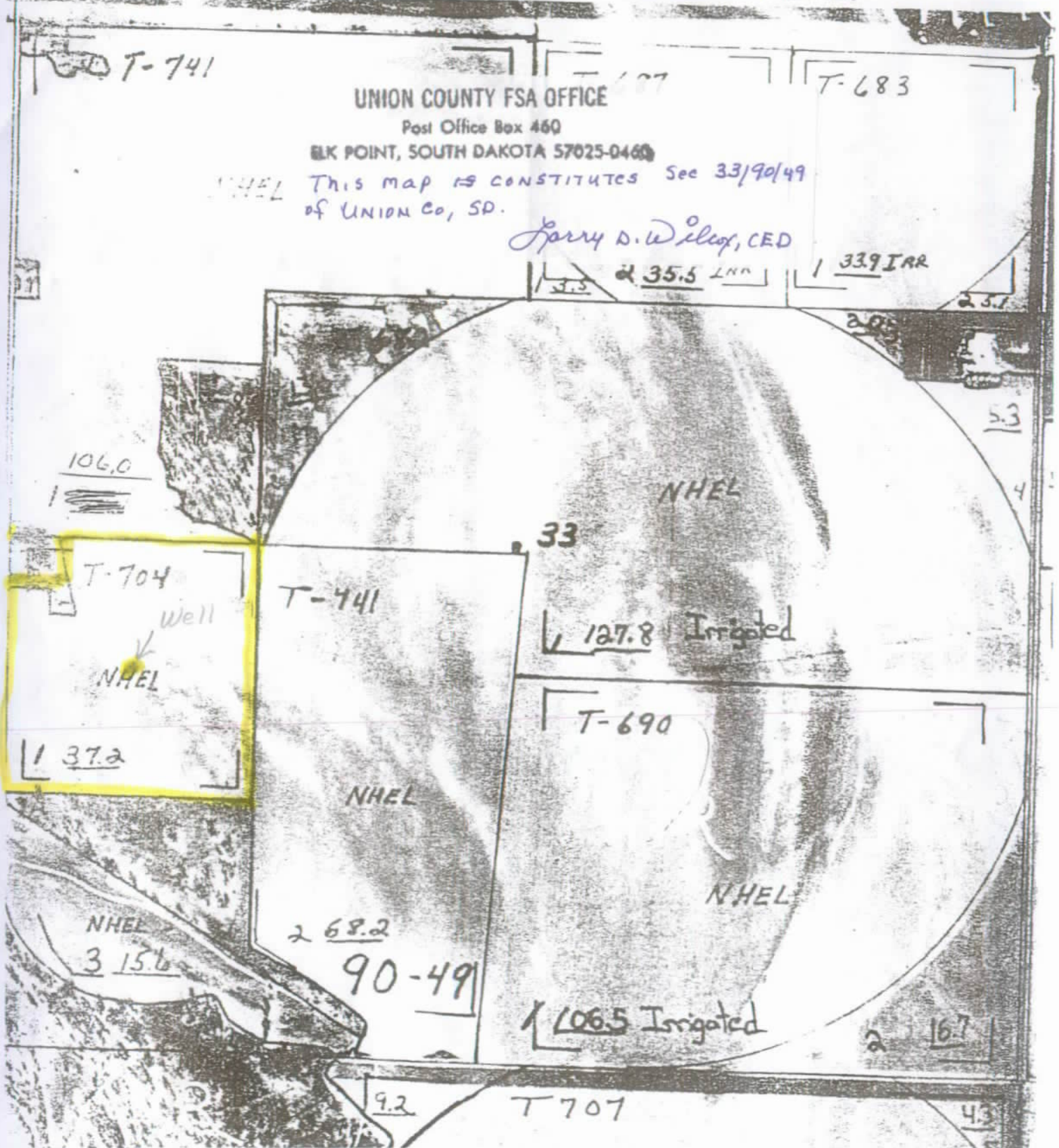
By

Darland Erbe
Chief Engineer *gm*

Hammels

2001

NOT TO SCALE



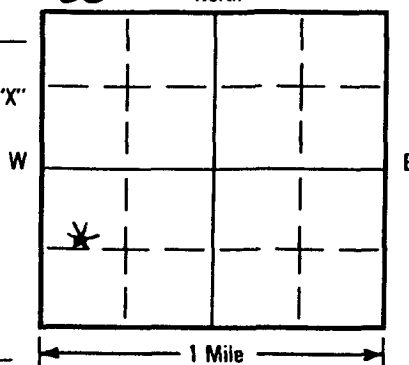
6453-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6453-3 07-92

Location NW 1/4 SW 1/4 Sec 29 Twp 90N Rg 49W
 County Union 33 North

Please mark well location with an "X"



Well Completion Date

6-18-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? +100 ft. from acreage home (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>10</u> IN	<u>0</u> FT	<u>100</u> FT	<u>17</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>Cement</u>	_____	_____ lb./gal	<u>30</u> ft	<u>0</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pumped in from bottom

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 12 IN Length 40 FEET

Material PVC

Slot Size 60 Set From 100 Feet to 60 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?

☒ YES, How: Pumped in from tanker
☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Trudeau Farms

Business Name: _____

Address: 33060 480 Ave
Jefferson, SD 57038

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Clay</u>	<u>0</u>	<u>2</u>
<u>Sand</u>	<u>2</u>	<u>45</u>
<u>Gravel</u>	<u>45</u>	<u>47</u>
<u>Med. sand</u>	<u>47</u>	<u>65</u>
<u>Med gravel</u>	<u>65</u>	<u>68</u>
<u>Med. sand</u>	<u>68</u>	<u>100</u>

STATIC WATER LEVEL 19 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

53 ft. After 4 Hrs. pumped 425 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate Approx 400 GPM

REMARKS

RECEIVED
JAN 29 2004
WATER RIGHTS PROGRAM

This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Joe Trudeau

Date: 1-25-04

1-25-04



April 28, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Roger Hummel
73 Northshore Drive
N Sioux City SD 57049

Dear Mr. Hummel:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

Item No. 2 of the application indicates the amount of water claimed to be 400 gallons per minute (gpm). State Statutes limit diversions to 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 265 gpm minute for the 37 acres to be irrigated. We understand that in order to operate systems such as you are proposing, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit.

If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352



June 20, 2002³

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Roger Hummel
73 Northshore Drive
N Sioux City SD 57049

Dear Mr. Hummel:

On April 21, 2003, you submitted an Application for Permit to Appropriate Water Within the State of South Dakota for irrigation of 37 acres. You were notified what additional information was required to complete the application. A copy of that letter is enclosed. To date, we have not received the required information.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 2003

Roger Hummel
73 Northshore Drive
N Sioux City SD 57049

Dear Mr. Hummel:

On April 21, 2003, you submitted an Application for Permit to Appropriate Water Within the State of South Dakota for irrigation of 37 acres located in the NW ¼ SW ¼ Section 33-T90N-R49W. In order to complete the application, justification for your request for a diversion rate greater than the statutory limit is required. Enclosed is a copy of the April 28th letter.

Are your intentions to pursue this application? If so, please submit the required information. If you wish to withdraw the application, please submit a letter requesting the same. The \$200 application fee will then be refunded.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosure

11-25-03

Karen Schuak

The need for more water on the Roger Hummel property is to get enough water on this sandy ground and to be able to keep up to the water needs on this property.

If you have any more questions please give me a call.

Joe Trubee 712-259-3149
I rent the property from Mr. Hummel.

If you need any more information to process the permit let me know.

Thanks
Joe Trubee

RECEIVED

DEC - 1 2003

WATER RIGHTS
PROGRAM

Water Rights Program - File Documentation

NAME: Joe Trudeau

ADDRESS: Jefferson

DATE: 12-2-03 **COUNTY:** UN **TELEPHONE:** 712 259-3149

RE: pending application for Roger Hummel

COMMENTS:

Joe Trudeau stated he was the renter of this property. He stated that Dakota Drilling from the area had already drilled the well. A review of the well log file indicates that the log hasn't been received yet.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6453-3
For Roger Hummel
January 13, 2004

Application No. 6453-3 proposes to appropriate 0.89 cfs (400 gpm) from one well approximately 100 feet deep located in the NW ¼ SW ¼ of section 33 to irrigate 37 acres located in the NW ¼ SW ¼ of section 33, all in T90N R49W in Union County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – MISSOURI ELK POINT (M-EP)

In this area, the Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 180 square miles and contains an estimated 1.5 million acre-feet of water in storage in Union County (Niehus, 1994). The aquifer extends into Clay County to the west, blends into the Big Sioux South to the north, blends into the Lower Vermillion Missouri aquifer to the northwest and is hydraulically connected to both the Missouri and Big Sioux Rivers. Ground water movement is from northwest to southeast across Union County (Niehus, 1994). Locally it appears that the ground water level is controlled by stage of the rivers with ground water movement toward the river indicating discharge to the river.

No test hole or well log information was filed with the application however there is sufficient information available from the county study, observation well drilling, and area irrigation and domestic wells to evaluate this application. An irrigation well located about one-half mile to the east shows a log as follows, 0-2 feet topsoil, 2-49 feet fine sand, 49-120 feet sand and gravel all in feet below land surface. The completed well was capable of producing 1400 gpm with 35 feet of drawdown (specific capacity of 40 gpm/ft of drawdown).

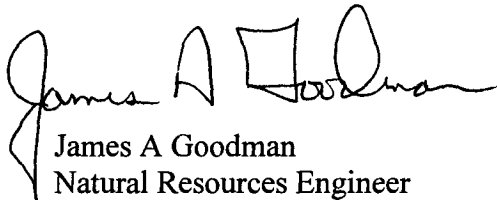
The Water Rights Program monitors six observation wells within a four mile radius of this application, all completed into the Missouri Elk Point aquifer. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004). Included with this report are hydrographs for observation wells UN-77P and UN-77R.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are five irrigation wells within a one mile radius of this application. The nearest irrigation well is located about one-half mile to the east of this application. Interference is not a concern. The aquifer is under water table conditions in this area and pumping does not create much drawdown. The entire area is fairly intensely irrigated so the observation well hydrographs show the relatively small effects of pumping.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Pumping will create drawdown but this is not expected to be significant nor cause any interference problems.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. This application also allows a diversion rate greater than the one cfs per 70 acre rule. The reason given for this request is because the ground is sandy and more water is required to keep up with irrigation needs of the crops. This is a reasonable request. The land is still limited in volume to two acre-feet per acre.



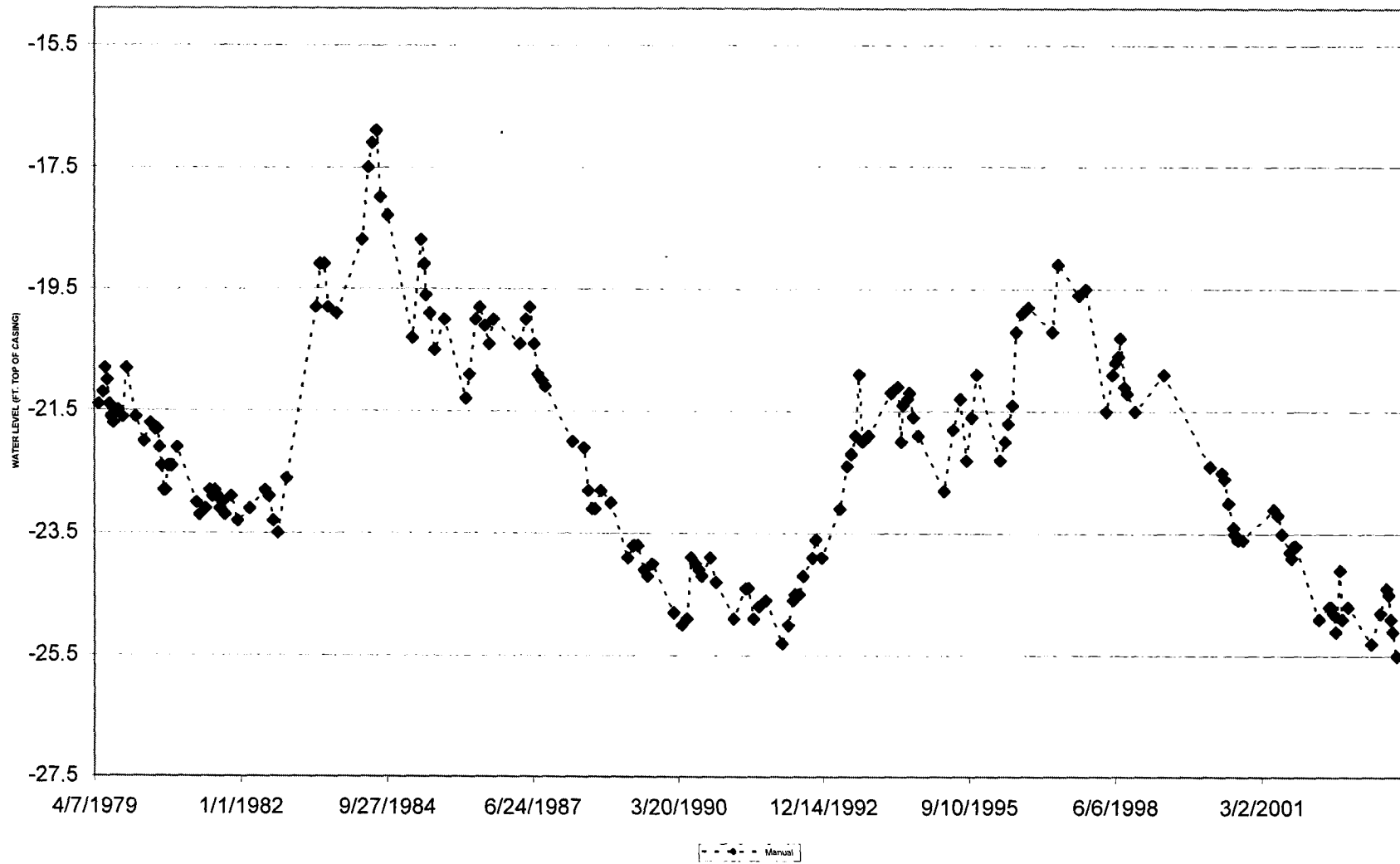
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

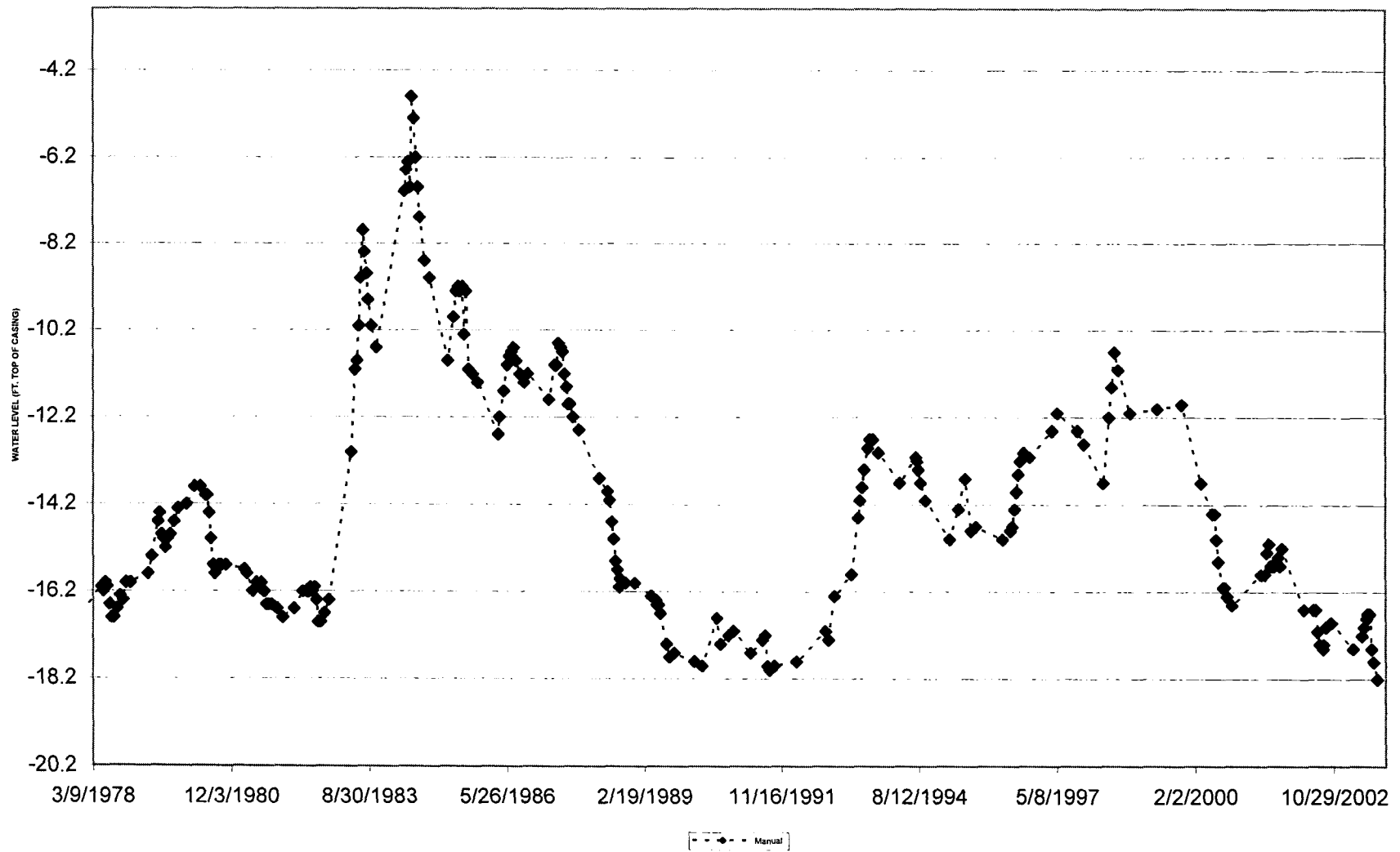
Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, WRI 93-4195, USGS, Rapid City, SD, 57702.

Water Rights, 2004, Unpublished Observation Well Data for Union County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
UN-77R**



**WATER RIGHTS' OBSERVATION WELL
UN-77P**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6453-3, Roger Hummel**

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. 6453-3, Roger Hummel, 73 Northshore Drive, North Sioux City SD 57049.

The Chief Engineer is recommending APPROVAL of Application No. 6453-3 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) 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. The well authorized by Permit No. 6453-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. Water Permit No. 6453-3 authorizes a maximum diversion rate of 0.89 cubic feet of water per second (cfs) to irrigate 37 acres pursuant to the statutory limit of 1 cfs per 70 acres set forth in SDCL 46-5-6.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year

See report on application for additional information.

Garland Erbele, Chief Engineer
January 16, 2004



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 15, 2004

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6453-3 to Appropriate Water to be published twice. Please publish the first notice on January 22, 2004 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 Roger Hummel, 73 Northshore Dr., North Sioux City SD (Ph # 712-253-7237).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 6453-3

Date _____

We are in receipt of your letter of January 15, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6453-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

January 15, 2004

Roger Hummel
73 Northshore Dr
North Sioux City SD 57049

Dear Mr. Hummel:

Water Permit Application No. 6453-3 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 Leader-Courier printed at Elk Point, SD (Ph # 605-356-2632). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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

C: Joe Trudeau, Renter

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.

Instruction to Newspaper - Publish first Notice on January 22, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6453-3 to Appropriate Water

Notice is given that Roger Hummel, 73 Northshore Dr, N Sioux City SD 57049 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 100 feet deep located in the NW ¼ SW ¼ Section 33 to irrigate 37 acres located in the NW ¼ SW ¼ Section 33; all in T90N-R49W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6453-3 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 February 9, 2004.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Union) SSI, Susan Odson

certify that the attached printed Notice was taken

from the Leader-Courierprinted and published in Elk PointCounty of Union and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 22, 2004January 29, 2004Cost of Printing 38.75Susan Odson

(Signature)

Affidavits Coordinator

(Title)

1-29-04

(Date Signed)

NOTICE OF APPLICATION
NO. 6453-3 TO
APPROPRIATE WATER

Notice is given that Roger Hummel, 73 Northshore Dr., N. Sioux City, SD 57049 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from one well (Missouri: Elk Point Aquifer) 100 feet deep located in the NW1/4 SW1/4 Section 33 to irrigate 37 acres located in the NW1/4 SW1/4 Section 33; all in T90N-R49W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6453-3 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 February 9, 2004.

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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Publish January 22 and 29, 2004
4-4-69

RECEIVED
FEB - 2 2004
WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 20 2004

Roger Hummel
73 Northshore Drive
N Sioux City SD 57049

Dear Mr. Hummel:

Enclosed is Water Permit No. 6453-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date

3/3/04

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

FROM:

Roger L. Hummel
(name)73 N. Shore Drive
(address)McCook Lake, S.D. 57049
(city, state, zip)605.232.4775
(phone)

RECEIVED

MAR 08 2004

WATER RIGHTS
PROGRAM

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6453-3 states that the water use system is to be constructed by

2/9/2009
(date), and water is to be put to beneficial use by 2/9/2013
(date)

The water use system was completed on

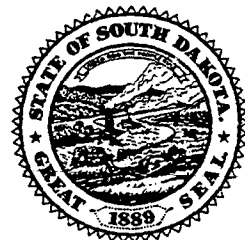
7/2003
(date)

Applying the water to beneficial use was completed on

7/2003
(date)

You may schedule an investigation so that the water license may be issued.

Roger L. Hummel
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 4, 2011

6453-3

Joe Trudeau
Trudeau Farms
33060 480th Ave
Jefferson SD 57038

Dear Mr. Trudeau:

Thank you for visiting with me about the ownership change needed for Water Permit No. 6453-3 listed in the name of Roger Hummel (copy enclosed). It is my understanding that your sons now own the land.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form will need to be completed and returned to us 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 give me a call.

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

enclosures

RECEIVED

NOV 09 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6453-3

Date: _____

I/We request that Water Permit No. 6453-3

formerly owned by: Roger Hummel

be transferred to: (name & address) Dan Trudeau & David Trudeau
33297 478th Ave
Jefferson S.D. 57038 Telephone No. 605-366-0216

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

37 acres - NW ¼ SW ¼ Section 33, T90N, R49W

I/We understand that the validity of Water Permit No. 6453-3 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 Dan Trudeau & David Trudeau, 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 11/9, 20 11

RECEIVED OF Dan Trudeau 33297 478th Ave Jefferson SD 57038

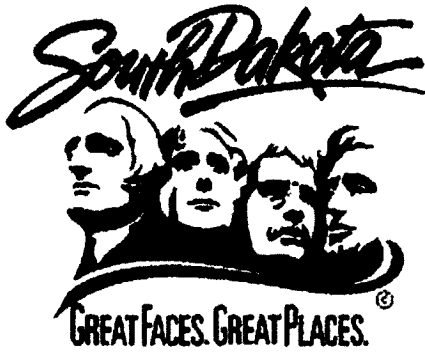
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
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>6453-3</u>	50	00
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. 05060

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 2011

6453-3

Dan & David Trudeau
33297 478th Ave
Jefferson SD 57038

Dear Sirs:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee you submitted for Water Right No. 6453-3.

The ownership change has been completed. Water Right No. 6453-3 formerly held by Roger Hummel is now listed in your names.

Enclosed for your records is Receipt No. 05060 in the amount of \$50.00. 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6453-3

07-92

Location NW 1/4 SW 1/4 Sec 33 Twp 59N Rg 49W
 County Union
 90N North

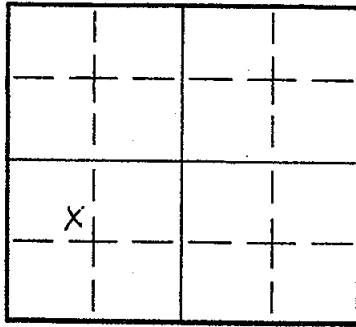
Please mark well location with an "X"

W

E

Well-Completion Date

6-22-12



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 800 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5CH40 LB/FT</u>	<u>12 IN</u>	<u>0 FT</u>	<u>90 FT</u>	<u>17 1/2 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	_____	_____ lb./gal	<u>30 ft</u>	<u>16 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure Pumped from bottom

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 12 IN Length 20 FEET

Material PVC

Slot Size 60 Set From 70 Feet to 90 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?

_____ YES, How: _____

Laboratory sent to for water quality analysis

X NO, Why Not? _____

Irrigation

Well Owner: Travis Geary / Dan Trudeau

Business Name: _____

Address: 330 96 480th Ave.
Jefferson, SD 57038

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top soil</u>	<u>0</u>	<u>2</u>
<u>Sand</u>	<u>2</u>	<u>14</u>
<u>Clay</u>	<u>14</u>	<u>19</u>
<u>Silt</u>	<u>19</u>	<u>67</u>
<u>Med. gravel</u>	<u>67</u>	<u>90</u>
<u>Shale</u>	<u>90</u>	<u>95</u>

STATIC WATER LEVEL 19 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

52 ft. After 1 Hrs. pumped 500 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 475 GPM

RECEIVED

REMARKS

FEB 11 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



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: DAN & DAVID TRUDEAU, 33297 478TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3871A-3 & 6453-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 3871A-3 & 6453-3 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) 3871A-3 & 6453-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 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 questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: UPQNGQ**

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

3871A-3
6453-3

Dan & David Trudeau
33297 478th Ave
Jefferson SD 57038

Dear Sirs:

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). 3871A-3 & 6453-3. 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



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

January 14, 2025

NOTICE

TO: DAN & DAVID TRUDEAU, 33297 478TH AVE, JEFFERSON, SD 57038

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3871A-3 & 6453-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3871A-3 & 6453-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 3871A-3 & 6453-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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.

3871A-3

6453-3

Dewell, Amanda

From: Dewell, Amanda
Sent: Friday, January 10, 2025 12:54 PM
To: TRUDEAU44D@GMAIL.COM
Subject: Irrigation Questionnaires - Incomplete

Mr. Trudeau,

The Water Rights Program is in receipt of the 2024 Irrigation Questionnaire you submitted for Water Right Nos. 3871A-3 & 6453-3.

A review of the submissions has found them to be incomplete, missing the diversion rate and hours of monthly operation, or PSI, depth to water, and kilowatt hours.

Please try the online reporting option available at <https://danr.sd.gov/iq/> Your password is PLYTXD.

Thank you,

Amanda Dewell

DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

3871A-3 & 6453-3

Dan or David Trudeau
33297 478th Ave
Jefferson SD 57038

Dear Mr. Trudeau:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 3871A-3 & 6453-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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

3871A-3
6453-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: DAN & DAVID TRUDEAU, 33297 478TH AVE, JEFFERSON, SD 57038
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3871A-3 & 6453-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3871A-3 & 6453-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3871A-3 & 6453-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: OEBMWG**

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.



3871A-3
6453-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2026

**NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION
OF WATER RIGHT & WATER PERMIT**

TO: Dan & David Trudeau, 33927 478th Ave, Jefferson SD 57038

FROM: Adam Mathiowetz, PE, Acting Chief Engineer
DANR - Water Rights Program

SUBJECT: One Year Suspension of Water Right/Permit Nos. 3871A-3 & 6453-3

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Right/Permit Nos. 3871A-3 & 6453-3 be suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaires. If the 2025 irrigation questionnaires are received prior to April 3, 2026, the suspensions will not take effect.

A one-year suspension of Water Right/Permit Nos. 3871A-3 & 6453-3 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaires are submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaires and a letter including your reason for not completing the 2025 irrigation questionnaires within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Amanda Dewell, Water Rights Permitting Administrator (605) 773-3352 with any questions.

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

7021 1970 0000 9489 8322

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

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

OFFICIAL USE

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

Postmark
Here

Pos
\$
Totl
\$
Ser
\$
Stre
City

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF ONE- AND THREE-YEAR SUSPENSION OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

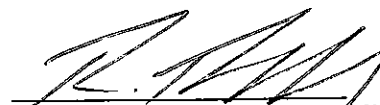
Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579



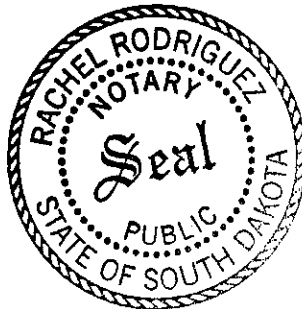
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2026.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



SENDER: COMPLETE THIS SECTION

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

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038



9590 9402 6392 0303 3260 41

2. Article Number (Transfer from service label)

7021 1970 0000 9489 8322

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

3-12-26

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

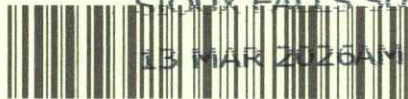
3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

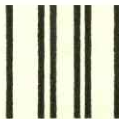
Domestic Return Receipt

USPS TRACKING #



STONIX FALLS SD 570

13 MAR 2026 AM 1 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6392 0303 3260 41

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501

RECEIVED

MAR 16 2026

OFFICE OF
WATER

