

WATER PERMIT NO. 6682-3

Name of Applicant: Rich VandeWeerd

Address: 46659 205th St, Bruce SD 57220

Phone: 605 627-9260

Amount of Water Claimed: 0.10 add'l

Total Acres: 44 add'l acres

Source of Water Supply: groundwater (one existing well)

Water to be used for: irrigation

County: Brookings

Type of Waste Disposal System:

Location: 2 miles south of Bruce

PRIORITY Date Received: 1-3-06

Application/License Fee: \$200

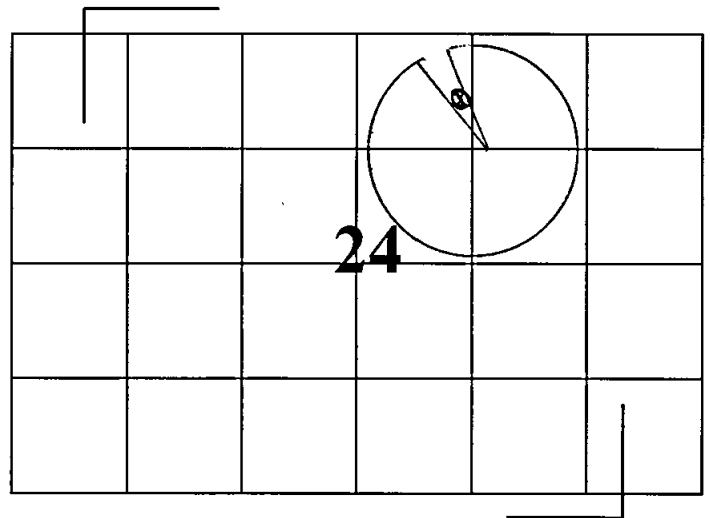
Corrected Application Received:

Period of Annual Use: April 1 – Sept 30

Remarks: Increases the diversion rate and acres as authorized by Water Right No. 4894-3

Diversion Point: NW ¼ NE ¼ Sec 24-T111N-R51W

Land to be Irrigated: NE ¼ Sec 24-T111N-R51W



Depth of Well: 52 feet

Well Driller: : Ed Lacey & Sons

Remarks:

Type of Map: aerial

Prepared by: Gary Kittleson, NRCS

Reviewed and the Number Assigned on: 1-3-06

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>6682-3</u>	(office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Brookings Register, Brookings</u>	

RECEIVED
JAN - 3 2006
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.) Water Right No. 4894-3
authorizes 1.23 cfs to irrigate 86 AC in NE 1/4 Sec 24 - T11N-R51W

1. Name of Applicant Rich Vandeweerd Phone 605-627-9260
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 46659 205th St Bruce State SD 57220
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.10 ^{add'l} *CFS or 600 **GPM ***AF Total Acreage 130
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Well (44 add'l ac)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brookings
NE 1/4 NE 1/4 section 24 T11N R 51W
5. County or counties where water will be used Brookings
6. Annual period during which water is to be used April - Sept. 30
7. 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
<u>Sec 24 T11N R 51W</u>	<u>40</u>	<u>NE 1/4</u>	<u>34</u>
<u>11 11</u>	<u>40</u>	<u>SE 1/4</u>	<u>34</u>
<u>12 11 NW 1/4 NE 1/4</u>	<u>23</u>	<u>SW 1/4</u>	<u>34</u>
<u>11 11 SW 1/4 NE 1/4</u>	<u>28</u>	<u>NW 1/4</u>	<u>28</u>

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

STATE OF SOUTH DAKOTA) SS
County of Brookings

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, Rich Vandeweerd, 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 Rich Vandeweerd

Subscribed and sworn to before me this 30 day of Dec. 20 05

Karen Schellie 6-27-2011
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6682-3**

Date of first receipt of application January 3, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6682-3 to Rich VandeWeerd, 46659 205th St, Bruce SD 57220 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. 6682-3 authorizes an additional 0.10 cubic feet of water per second (cfs) and irrigation of 44 additional acres to what is currently authorized by Water Right No. 4894-3. Water Right No. 4894-3 appropriates 1.23 cfs from one well completed into the Big Sioux:Brooking Aquifer (52 feet deep) located in the NW ¼ NE ¼ Section 24 to irrigate 86 acres located in the NE ¼ Section 24; all in T111N-R51W. This permit authorizes diversion of an additional 0.10 cfs from the existing well to irrigate an additional 44 acres located in the W ½ NE ¼ Section 24-T111N-R51W. This permit will accommodate the installation of one center pivot system on the property.
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 January 3, 2006.
4. The date of approval of Permit No. 6682-3 is February 20, 2006.
5. One-fifth of the construction is to be completed on or before August 20, 2008.
6. All construction is to be completed on or before February 20, 2011.
7. Water is to be put to beneficial use on or before February 20, 2015.
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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

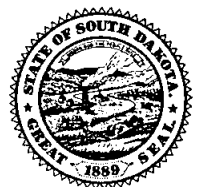
WATER MANAGEMENT BOARD

By: Garland Erbele

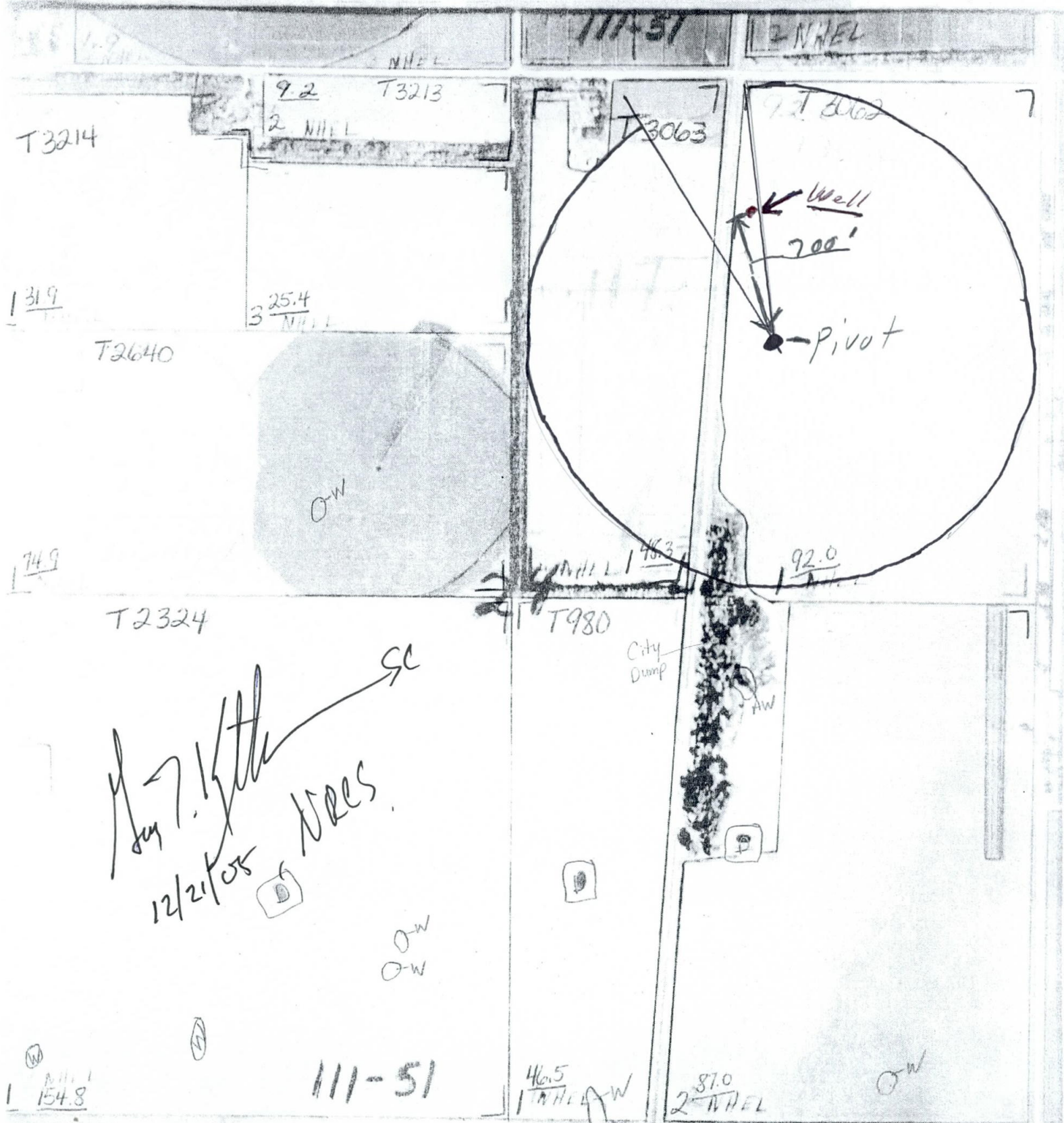
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 05 2006

date



NOT TO SCALE



6682-3

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 3, 2006

RECEIVED OF Vandeweerd Farms, 46739 204th St, Bruce SD 57220-5809

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

Fee for Application for Permit No. <u>66682-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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. <u>66682-3</u>	50	00
Fee for Filing Transfer Form _____		
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	300.00

No.

002137

By

Darland Ebele
Chief Engineer *gm*

PAYMENT REQUEST FORM

PAYEE: Rich VandeWeerd
46659 205th St
Bruce SD 57220

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund of Overpayment for application/license fee. Submitted \$300.00
but the fee should have been \$200.00

AMOUNT: \$100.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barbara E. Eide 4/5/96

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

REPORT ON APPLICATION NO. 6682-3

For Rich VandeWeerd

January 17, 2006

This application proposes to appropriate an additional 0.1 cubic feet of water per second (cfs) to irrigate 44 additional acres located in the W ½ NE ¼ Section 24, T111N R51W to what is currently authorized by Water Right No. 4894-3. Water Right No. 4894-3 appropriates 1.23 cfs from one well completed into the Big Sioux: Brookings Aquifer (approximately 52 feet deep) located in the NW ¼ NE ¼ Section 24 to irrigate 86 acres located in the NE ¼ Section 24; all in T111N R51W in Brookings County.

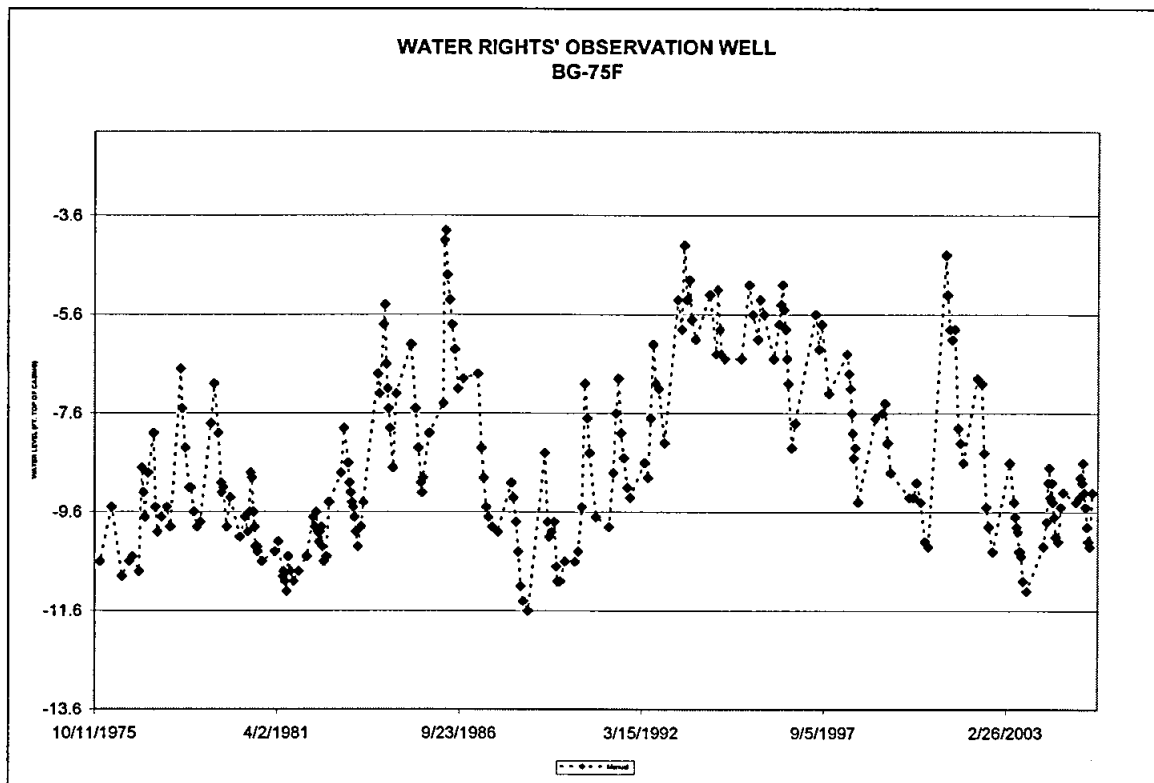
If approved, the application will accommodate the installation of one center pivot system on the property. Also, as part of approving this application Water Right No. 4373-3 will be scheduled for cancellation as a result of nonuse.

AQUIFER – BIG SIOUX: BROOKINGS (BS: B)

The Big Sioux: Brookings Aquifer is composed of alluvium and glacial deposits ranging from fine sand to very coarse gravel. The aquifer represents an unconfined condition with water table characteristics in the area of this application. The aquifer underlies 74,500 acres and contains an estimated 245,800 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The aquifer extends into Hamlin County to the north and into Moody County to the south. The aquifer appears to be hydraulically connected to the Big Sioux River and other ground water management units within the aquifer. According to a well driller's report submitted with the application the well has a static water level of 10 feet.

Recharge to the Big Sioux: Brookings Aquifer has been estimated to range from 2.7 to 6.9 inches per year (16,762 and 42,837 acre-feet per year) (Hedges, 1983). The estimated water use from the Big Sioux: Brookings was found to be less than the estimated annual recharge to the aquifer.

The Water Rights Program monitors an observation well (BG-75F) completed into the Big Sioux: Brookings aquifer located approximately 1.2 miles north of this site. Water levels for this well 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 observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005). A hydrograph for this observation well is included in this report and labeled as Figure 1.



REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are several existing Water Rights appropriating ground water within a one mile radius of this application. A list of the permits is included with this report labeled as Table 1. The nearest water right/permit from the Big Sioux: Brookings Aquifer is approximately 0.25 miles to the north. This well is for Water Rights No. 1940-3 (1 cfs for irrigation). Interference is not expected to be a problem.

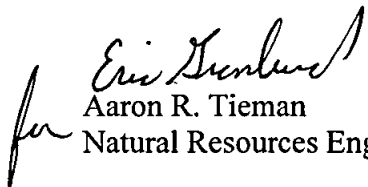
Table 1. Table identifying permits within a two mile radius of the application.

PERMIT NO	LAST NAME	AQUIFER	USE	CFS
602-3	EIGHMY	BS	IRR	1.1
983-3	CUNNINGHAM	BS	IRR	1.1
1017-3	EIGHMY	BS	IRR	1.79
1940-3	EIGHMY	BS	IRR	1
2724-3	CUNNINGHAM	BS	IRR	0.86
2906-3	CUNNINGHAM	BS	IRR	1.42
2906-3	CUNNINGHAM	BS	IRR	1.42
3361-3	VANDERWAL YARDS INC	BS	IRR	1
4373-3	HALETA	BS	IRR	0.27
4894-3	SUMMA LIVING TRUST	BS	IRR	1.23
5747-3	CUNNINGHAM	BS	IRR	0.83

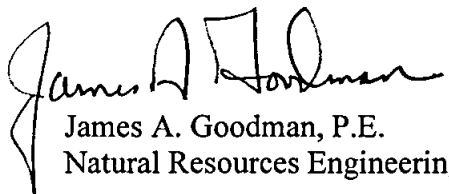
CONCLUSIONS

1. The Big Sioux: Brookings Aquifer is a viable groundwater source and water is available for this appropriation.

2. The aquifer is under unconfined conditions at this site. The well completion report filed with this application indicates a static water level of 10 feet. Interference should not be a concern.
3. As part of the approval of this application, Water Right No. 4373-3 should be scheduled for cancellation as a result of nonuse.
4. The well authorized for this application is an existing well and appears to be completed in accordance with SD Well Construction Standards.


for Aaron R. Tieman
Natural Resources Engineer

Approved by


James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

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

Hedges, L.S., 1983, Same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.

Water Right, 2005, Dakota Formation Observation Well Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**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. 6682-3, Rich VandeWeerd**

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. 6682-3, Rich VandeWeerd, 46659 205th Street, Bruce SD 57220.

The Chief Engineer is recommending APPROVAL of Application No. 6682-3 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. 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 24, 2006

NOTE: Water Right No. 4373-3 which is held in the name of Alexander Haleta for the irrigation of a portion of the W ½ NE ¼ of Section 24, T111N, R51W will be scheduled for cancellation since the land has not been irrigated since 1988. You will receive a copy of the notice of cancellation. Application No. 6682-3, if approved, will authorize this acreage for irrigation.

Affidavit of Publication

State of South Dakota

SS

County of Brookings

Teri Buys of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed

that the

Legal #898 "Application 6682-3"

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit

said newspaper for _____ 2 times, to-wit:

February 1, 2006

February 9, 2006

said Exhibit "A" inures to the sole benefit for the publishers of 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 person whomsoever; that the fees charged for the publication thereof are:

Forty-six dollars and eighty-nine cents \$46.89

Subscribed and sworn to before me this 10th day of February 2006

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006

Legal 898, 2x, 2/1, 9
NOTICE OF

APPLICATION NO. 6682-3 to Appropriate Water

Notice is given that Rich VandeWeerd, 46659 205th St, Bruce SD 57220 has filed an application for a water permit to appropriate an additional 0.10 cubic feet of water per second (cfs) and irrigate 44 additional acres to what is currently authorized by Water Right No. 4894-3. Water Right No. 4894-3 appropriates 1.23 cfs from one well completed into the Big Sioux:Brookings Aquifer (52 feet deep) located in the NW 1/4 NE 1/4 Section 24 to irrigate 86 acres located in the NE 1/4 Section 24; all in T111N-R51W. This application proposes to divert an additional 0.10 cfs from the existing well to irrigate an additional 44 acres located in the W 1/2 NE 1/4 Section 24-T111N-R51W. If approved, the application will accommodate the installation of one center pivot system on the property.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6682-3 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 20, 2006.

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.

RECEIVED

FEB 21 2006

WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on February 1, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6682-3 to Appropriate Water

Notice is given that Rich VandeWeerd, 46659 205th St, Bruce SD 57220 has filed an application for a water permit to appropriate an additional 0.10 cubic feet of water per second (cfs) and irrigate 44 additional acres to what is currently authorized by Water Right No. 4894-3. Water Right No. 4894-3 appropriates 1.23 cfs from one well completed into the Big Sioux:Brooking Aquifer (52 feet deep) located in the NW ¼ NE ¼ Section 24 to irrigate 86 acres located in the NE ¼ Section 24; all in T111N-R51W. This application proposes to divert an additional 0.10 cfs from the existing well to irrigate an additional 44 acres located in the W ½ NE ¼ Section 24-T111N-R51W. If approved, the application will accommodate the installation of one center pivot system on the property.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6682-3 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.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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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 24, 2006

Rich VandeWeerd
46659 205th St
Bruce SD 57220

Dear Mr. VandeWeerd:

Water Permit Application No. 6682-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Brookings Register printed at Brookings, SD (Ph # 605-692-6271). 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 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. 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

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

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2006

Brookings Register
PO Box 177
Brookings SD 57006-0177

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6682-3 to Appropriate Water to be published twice. Please publish the first notice on February 1, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Rich VandeWeerd, 46659 205th St, Bruce SD (Ph # 605-627-9260).

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-----

No. 6682-3

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

Date _____

We are in receipt of your letter of January 24, 2006 enclosing Notice to Appropriate Water by Application No. 6682-3 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
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

APR 05 2006

Rich VandeWeerd
46659 205th St
Bruce SD 57220

Dear Mr. VandeWeerd:

Enclosed is Water Permit No. 6682-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

At the time of application, a \$300 application/license filing fee was submitted (receipt enclosed). The correct filing fee for this permit is \$200. Therefore, \$100 will be refunded to you. You should be receiving this refund within the next couple of weeks.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 24, 2007

4252-3
4894-3
6682-3

Rich Vande Weerd
46720 203rd St
Bruce SD 57220-5808

Dear Mr. Vande Weerd:

Enclosed is a "Notice" dated October 19, 2007 concerning the 2007 irrigation questionnaire. The notice was originally mailed to 46659 205th St, Bruce, SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



66182-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: RICH VANDE WEERD, 46720 203RD ST, BRUCE, SD 57220 5808
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4252-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4894-3 & 6682-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4894-3 & 6682-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4252-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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

6682-3



**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 28, 2009

4252-3
4894-3
6682-3

Rich Vande Weerd
46720 203rd St
Bruce SD 57220-5808

Dear Sir:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 4252-3, 4894-3, and 6682-3.

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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



6682-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: RICH VANDE WEERD, 46720 203RD ST, BRUCE, SD 57220 5808

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4252-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4894-3 & 6682-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4894-3 & 6682-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4252-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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

6682-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0803 0064

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 1:25 PM on January 23, 2010 in BRUCE, SD 57220. The item was signed for by R VANDEWEERD.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 1:25 pm, BRUCE, SD 57220
- Out for Delivery or Available at PO Box, January 23, 2010, 8:34 am, BRUCE, SD 57220
- Sorting Complete, January 23, 2010, 8:04 am, BRUCE, SD 57220
- Arrival at Post Office, January 23, 2010, 7:32 am, BRUCE, SD 57220

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0803 0064	
RICH VANDE WEERD 46720 203RD ST BRUCE SD 57220 5808	
Waiver of Signature ☐ YES ☐ NO	
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☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2010

4894-3
6682-3

Rich Vande Weerd
46720 203rd St
Bruce SD 57220-5808

Dear Mr. Vande Weerd:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 4894-3 and Water Permit No. 6682-3. The irrigation questionnaire for Water Right No. 4452-3 (listed in the name of Vande Weerd Farms) was received back in November.

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6682-3

I have this day, 28 October 2014, made a thorough examination of the water use system constructed by Rich VandeWeerd, 46720 203th St., Bruce, SD 57220 holder of Permit No. 6682-3, bearing the priority of 3 January 2006 authorizing the diversion of 0.10 cu. ft. per second of the waters of the Big Sioux: Brookings aquifer for irrigation purposes, in Brookings County.

Inspection contact & relationship to permit holder, if applicable: **Justin VandeWeerd, (nephew) and Rich VandeWeerd (owner)**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells one
- 3) Depth(s) 52 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 14 inches
- 2) Length 42 feet
- 3) Type Steel

Screen:

- 1) Type Stainless steel
- 2) Length 10 feet
- 3) Static water level 10 feet (17 March 1981)

Pump:

- 1) Make Western Land Roller
- 2) Model 410 CMC
- 3) Capacity 600 GPM

Motor:

- 1) Make General Electric
- 2) Model 5KE324DTT6003
- 3) Horsepower rating 40 hp

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

- 1) Type PIP 2) Size 8 inches 3) Length 2060 feet
 1) Type PIP 2) Size 6 inches 3) Length 2600 feet

Comments: **8-inch PIP from well to Center Pivot 1 to east edge of the quarter. 6-inch PIP from tee at the east edge of the quarter to Center Pivot 2 and Center Pivot 3**

C. Works used to apply water to beneficial use:

- **Large center pivot (Center Pivot₁) located near the center of the quarter, (Lat/Lon: 44.40957/-96.89187)**
- **Small center pivot (Center Pivot₂) located near the NE corner of the quarter, (Lat/Lon: 44.41317/-96.88708)**
- **Small center pivot (Center Pivot₃) located near the SE corner of the quarter, (Lat/Lon: 44.40594/-96.88690)**

Center Pivot₁:

- 1) Make Valley
 2) Overall length
 1298 feet
 3) Number of towers 8
 plus corner system
 4) End gun Nelson 100
 5) Capacity 600 GPM

Center Pivot₂:

- 1) Make Valley
 2) Overall length
 750 feet
 3) Number of towers
 4
 4) End gun Nelson 100
 5) Capacity 200 GPM

Center pivot₃:

- 1) Make Valley
 2) Overall length
 750 feet
 3) Number of towers
 4
 4) End gun Nelson 100
 5) Capacity 200 GPM

Chemigation Equipment:

- 1) Does chemigate Yes
 2) Main line check valve Yes
 3) Inspection port/air relief Yes
 4) Low pressure drain Yes
 5) Discharge is 20' from source Yes
 6) Interlock type electrical
 7) Injection pump type piston
 8) Injection check valve Yes
 9) Injection line check valve or positive displacement pump Positive Displacement pump

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe: NA

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: NA

- 3) Exceptions to compliance are: NA

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T111N-R51W (535' South and 1510 feet west of the northeast corner of Section 24, T111N-R51W, (Lat/Lon: 44.41166/-96.89253)).
2. The works are capable of diverting and conveying to the place of use 1.33 cu. ft. per second of water which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows:
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T111N-R51W: 37.8 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T111N-R51W: 21.2 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T111N-R51W: 31.5 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T111N-R51W: 39.5 acres

comprising a total of 130 acres of land and the license should be issued for 1.33 cfs.

3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project:

Water Right No. 4894-3 authorizes the irrigation of 86 acres located in the NE $\frac{1}{4}$ of Section 24, T111N-R51W at a maximum diversion rate of 1.23 cfs, with a priority date of March 26, 1982. The acreage was originally irrigated with two center pivot systems. Water Permit No. 6682-3 authorized irrigation of an additional 44 acres (located west of original acreage). In 2006, the two center pivots were replaced with a 10 tower center pivot and two 4 tower systems located at each of the east quarter corners of Section 24, T111N-R51W. In 2013, the 10 tower system was replaced with the current system consisting of the 8 tower with corner system.



Ken Buhler
DENR, Water Rights Program

Date report completed: November 22, 2014

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

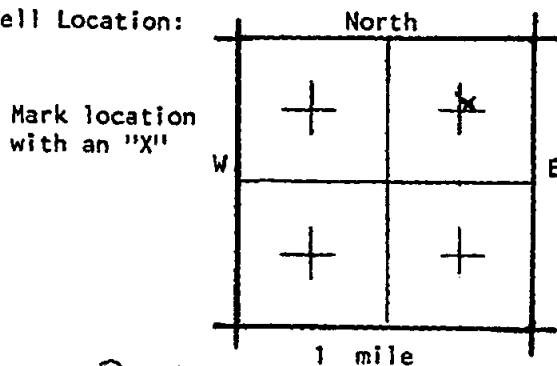
6/60

Well Owner:

Name Alex Haieta

Address Bruce, S.D.

Well Location:



County Brookings

SW 1/4 NE 1/4 Sec. 24 Twp. 111-N Rg. 51-W

Proposed Use:

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

Method of Drilling:

☐ Forward Rotary ☒ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 14"
Depth 52'
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify _____

Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 14" Material Stainless
Slot size 100 Steel
Was well gravel packed Yes
Was well grouted No
Was water sample taken Yes

Remarks:

Water Level Information:

Static water level 10' below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by:

☐ Valve ☐ Reducers ☒ Other

If other; specify _____

Well Test Data:

☒ Pumped Well with pump
☐ Bailed Describe: 900 GPM
☐ Other Very Good Well

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM
" " " " " "
" " " " " "

Well Log:

Formation	Depth	
	From	To
Topsoil	0	2
Brown Gravel	2	10
Good Uniform Gravel	10	52

(Use Back if Necessary)

Date Completed:

3-17-81

Driller:

Ed H. Hagen & Sons 111
Driller's or Firm's Name License NO.

Box 796 Trent, S.D. 57065
Address

Joan Redden 1-18-82
Signed By Date

NE corner of Sec. 24, T111N-R51W

1510'

PVT 2

NE 1/4 NE 1/4

NW 1/4 NE 1/4

535'

3 acres

37.8 acres

18.2 acres

PVT 1

31.5

39.5 acres

SE 1/4 NE 1/4

SE 1/4 NE 1/4

PVT 3

Legend

- Section Boundaries - PLSS
- Center Pivot
- Well
- 6-inch PIP
- 8-inch PIP
- Irrigated acres

6682-3

650

325

650 Feet

kb
21 November 2014



K. B. B.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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<http://denr.sd.gov>

FEB 17 2015

4894-3
6682-3

Rich VandeWeerd
46720 203rd St
Bruce SD 57220

Dear Mr. VandeWeerd:

Enclosed is Water License No. 6682-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6682-3, 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.

Upon licensing, the applicable portions of Water Right No. 4894-3 were incorporated into Water License No. 6682-3. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6682-3

(1) Rich VandeWeerd, 46659 205th St, Bruce SD 57220 made Application No. 6682-3, January 3, 2006 for a water permit to divert 0.10 cubic feet of water per second (cfs) from ground water (one existing well, Big Sioux Brookings Aquifer), Brookings County, South Dakota for irrigation purposes. Permit No. 6682-3, with a priority date of January 3, 2006 was approved February 20, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 20, 2011 and for the application to beneficial use of water on or before February 20, 2015.

Water Right No. 4894-3, with a priority date of March 26, 1982, authorizes diversion of 1.23 cfs from one well for irrigation of 86 acres within the NE ¼ Section 24, T111N, R51W. Water Permit No. 6682-3 was obtained for an additional 0.10 cfs from the existing well to irrigate an additional 44 acres within the same area. The additional diversion rate and acreage accommodated the installation of one center pivot system on the property.

The applicable portions of Water Right No. 4894-3 are incorporated into Water License No. 6682-3. A priority date of March 26, 1982 is retained for the original 1.23 cfs diversion rate and a priority date of January 3, 2006 is retained for the additional 0.10 cfs diversion rate for a combined total of 1.33 cfs.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.33 cubic feet of water per second for beneficial use.

The location of the diversion point is 535 feet south and 1,510 feet west of the NE corner of Section 24, T111N, R51W (NW ¼ NE ¼).

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

T111N, R51W Section 24	NE ¼ NE ¼	37.8 acres
	NW ¼ NE ¼	21.2 acres
	SW ¼ NE ¼	31.5 acres
	SE ¼ NE ¼	39.5 acres
Total		130.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Rich VandeWeerd, 46659 205th St, Bruce SD 57220 the holder and/or owner of Water Right No. 6682-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from ground water (one existing well, Big Sioux Brookings Aquifer) with priority dates of March 26, 1982 (1.23 cfs) and January 3, 2006 (0.10 cfs) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6682-3 and subject to the following qualifications:

continued

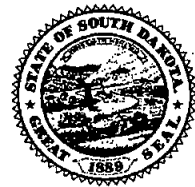
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 17 2015

date





6682-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: RICH VANDE WEERD, 46720 203RD ST, BRUCE, SD 57220 5808

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4252-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4894-3 & 6682-3 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 4, 2015** 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) 4894-3 & 6682-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4252-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

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January 21, 2015 , 1:43 pm	Delivered	BRUCE, SD 57220
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January 17, 2015 , 1:06 pm	Notice Left (No Authorized Recipient Available)	BRUCE, SD 57220
January 17, 2015 , 8:35 am	Arrived at Unit	BRUCE, SD 57220
January 17, 2015 , 4:06 am	Departed USPS Facility	HURON, SD 57399
January 16, 2015 , 9:45 pm	Arrived at USPS Origin Facility	HURON, SD 57399
January 16, 2015 , 6:16 pm	Departed Post Office	PIERRE, SD 57501
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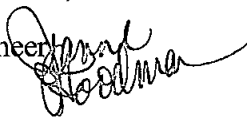
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March 5, 2015

**NOTICE OF ENTRY OF ORDER OF
AMENDMENT OF WATER RIGHT AND ONE YEAR SUSPENSION OF WATER RIGHT**

TO: Rich Vande Weerd, 46720 203rd St, Bruce SD 57220 5808

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment of Water Right No. 4252-3 and One Year Suspension of Water Right No. 6682-3

On March 4, 2015, the Water Management Board took the following actions:

- Water Right No. 4252-3 was amended to add the following qualification:
"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

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

- **Effective April 4, 2015, Water Permit No. 7685-3 be suspended for the 2015 irrigation season for failure to submit the 2014 irrigation questionnaire.**

If the 2014 irrigation questionnaire is received prior to April 4, 2015 the suspension will not take effect.

Suspension of Water Right No. 7685-3 means water may not be pumped during the 2015 irrigation season. Consistent with the Board's order, you are not permitted to irrigate the land authorized under Water Right No. 7685-3 in 2015 unless the irrigation questionnaire is submitted by April 4th.

After April 4th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2014 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 6-7, 2015 in Pierre, SD. The letter should include your reasons for not completing the 2014 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

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

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

English

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Have questions? We're here to help.

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Product & Tracking Information

Postal Product:

Extra Svc:
Certified Mail™

Date & Time	Event	Location
March 6, 2015, 1:26 pm	Delivered	BRUCE, SD 57220
Your item was delivered at 1:26 pm on March 6, 2015 in BRUCE, SD 57220.		
March 6, 2015, 1:23 pm	Tendered to Military Agent	BRUCE, SD 57220
March 6, 2015, 4:32 am	Departed USPS Facility	HURON, SD 57399
March 5, 2015, 9:30 pm	Arrived at USPS Origin Facility	HURON, SD 57399
March 5, 2015, 6:06 pm	Departed Post Office	PIERRE, SD 57501
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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 2015

6682-3
4252-3

Rich Vande Weerd
46720 203rd St
Bruce SD 57220 6808

Dear Mr. Vande Weerd:

The irrigation questionnaires for all of your water rights have been received.

On March 4th, the Water Management Board ordered Water Right No. 6682-3 be suspended if the 2014 irrigation questionnaire was not received prior to April 4, 2015. Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. **You may irrigate during the 2015 irrigation season.**

Other action taken by the Board was to amend Water Right No. 4252-3 to include the irrigation questionnaire qualification. This action was effective the day of the hearing. No action was taken on Water Permit No. 4894-3 because it had recently been licensed and incorporated into Water Right No. 6682-3.

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

Sincerely,

for Jeanne Goodman, Chief Engineer
Water Rights Program