

WATER PERMIT NO. 6702-3

Name of Applicant: **Richard Ford**

Address: **46272 200th St, Bruce SD 57220** Phone: **605 627-5614**

Amount of Water Claimed: **0.67 cfs** Total Acres: **35 acres**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation** County: **Brookings**

Type of Waste Disposal System:

Location: **1 mile northwest of Bruce**

PRIORITY Date Received: **3-6-06** Application/License Fee: **\$200**

Corrected Application Received: Period of Annual Use: **May 1 – October 31**

Remarks: **Will utilize existing well authorized by Water Right No. 2122-3 and will allow a $\frac{3}{4}$ rotation instead of $\frac{1}{2}$ rotation of the pivot.**

Diversion Point: **NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36-T112N-R51W**

Land to be Irrigated: **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36-T112N-R51W**

Depth of Well: **45 feet deep**

Well Driller: : **Lacey Well Drilling**

Remarks:

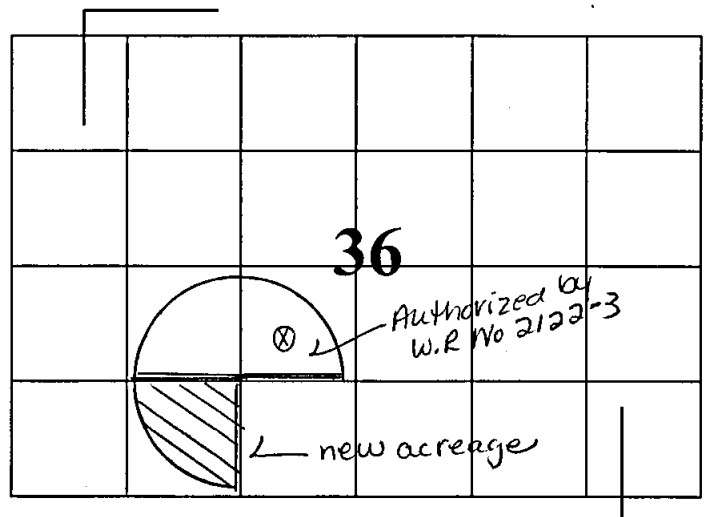
Type of Map: **aerial**

Prepared by: **David D ?, NRCS**

Reviewed and the Number Assigned on: **3-7-06**

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>6702-3</u> (office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Brookings Register, Brookings</u>

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.)

1. Name of Applicant Richard Ford Phone 605-627-5614
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 46272 200th St Bruce SD State SD 57220
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.67 *CFS or 300 **GPM ***AF Total Acreage 95
(*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
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brookings
NE of SW 1/4 under permit # 2122-3
Sec 36-T112N-R51W
5. County or counties where water will be used _____
6. Annual period during which water is to be used may 1 - oct 31
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>SW of SW 1/4</u>	<u>35</u>		
<u>T-112-N R-51-W</u>			
<u>Preston 36</u>			

RECEIVED

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

MAR - 6 2006

WATER RIGHTS
PROGRAM

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, Rick Ford, 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 Richard Ford

Subscribed and sworn to before me this 10th day of February 20 06

Harold Schiller 6-27-2011
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6702-3**

Date of first receipt of application March 6, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6702-3 to Richard Ford, 46272 200th 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. 6702-3 authorizes an additional 0.67 cubic feet of water per second (cfs) and irrigation of 35 additional acres to what is currently authorized by Water Right No. 2122-3. Water Right No. 2122-3 appropriates 1.0 cfs from one well completed into the Big Sioux:Brookings Aquifer (45 feet deep) located in the NE ¼ SW ¼ Section 36 to irrigate 70 acres located in the N ½ SW ¼ Section 36; all in T112N-R51W. This permit appropriates an additional 0.67 cfs from the existing well to irrigate 35 acres located in the SW ¼ SW ¼ Section 36-T112N-R51W. This permit allows the pivot authorized by Water Right No. 2122-3 to make a ¾ rotation.
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 – October 31.
3. The date from which applicant may claim right is March 6, 2006.
4. The date of approval of Permit No. 6702-3 is May 8, 2006.
5. One-fifth of the construction is to be completed on or before November 8, 2008.
6. All construction is to be completed on or before May 8, 2011.
7. Water is to be put to beneficial use on or before May 8, 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 2122-3 and Permit No. 6702-3, combined authorize a maximum diversion rate of 1.67 cfs for the irrigation of 105 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. 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

JUN 12 2006
date



(type or print in ink)

*See Info on
water Right # 2122-3*

1. Well Information - Proposed Construction

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

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

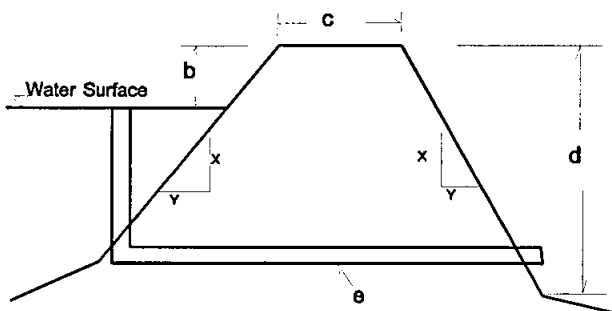
3. Dugout Information

- 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 March 6, 20 06

RECEIVED OF Richard Ford, 46272 200th St, Bruce SD 57220

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

Fee for Application for Permit No. <u>6702-3</u> 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. _____	50	00
Fee for Filing Transfer Form <u>6702-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No.

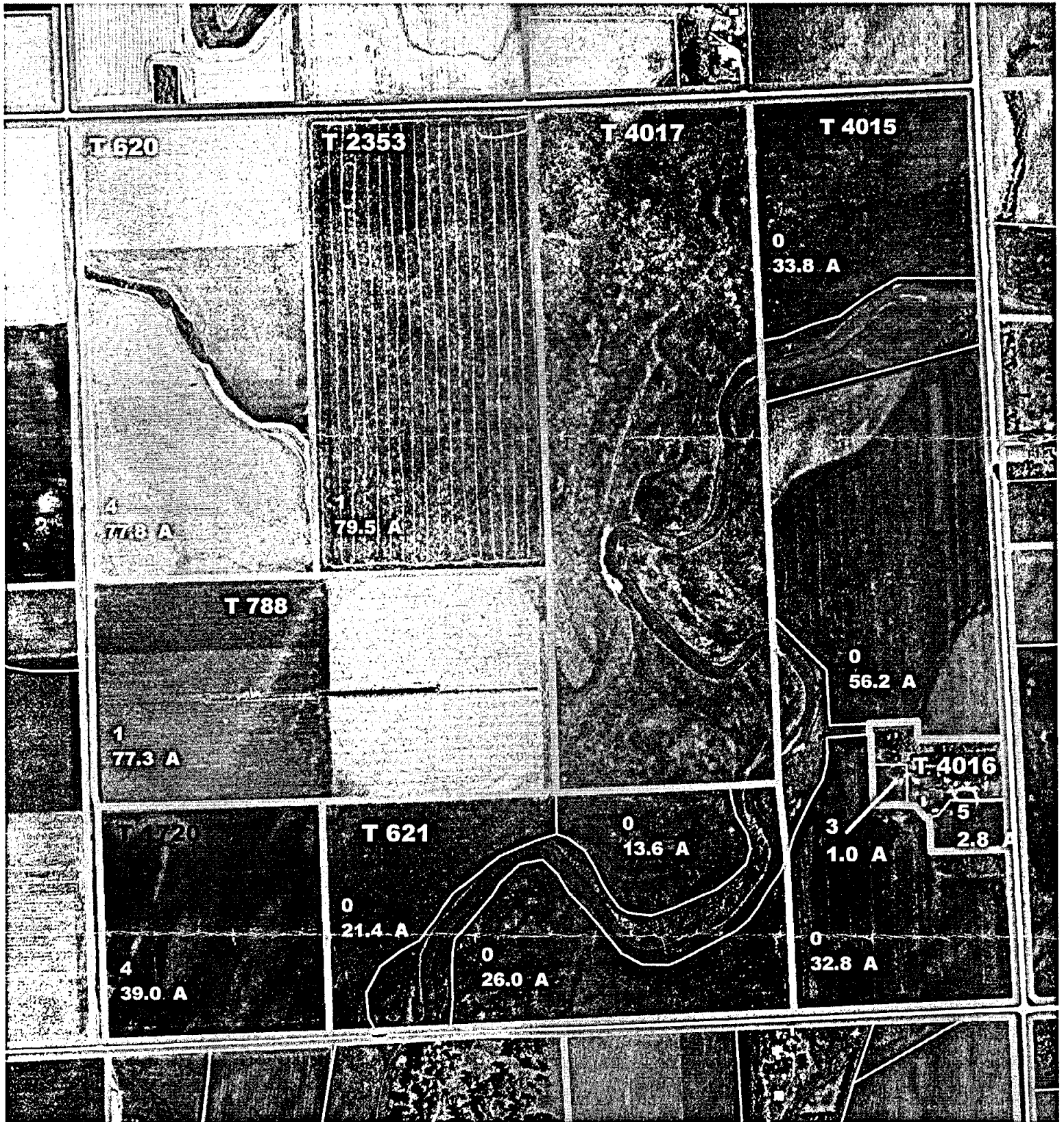
02339

By

Garland Ebele

Chief Engineer

1/15



Handwritten signature
36-112-51 USDA-NRCS
2/10/2006

United States Department of Agriculture
Farm Service Agency

Brookings County



May 10, 2004

2003 Digital Orthophotography - Not To Scale

Water Rights Program - File Documentation

NAME: Richard Ford

ADDRESS: 46272 200th St, Bruce SD 57220

DATE: 3-6-06 **COUNTY:** BK **TELEPHONE:** 605 627-5614

RE: pending application

COMMENTS:

I talked with Richard Ford. He stated it wasn't his intent to leave the amount of water claimed portion, on the application, blank. Mr. Ford indicated that the system was capable of 700 or 750 gpm.

Water Right No. 2122-3 was licensed for 1.0 cfs to irrigate 70 acres. With these additional 35 acres the pivot will make a $\frac{3}{4}$ rotation instead of $\frac{1}{2}$ rotation.

Mr. Ford stated that he would like to request an additional 300 gpm or 0.67 cfs for a total of 750 gpm to operate the windshield pivot system.



Karen Schlaak
Environmental Scientist

REPORT ON APPLICATION NO. 6702-3

For Richard Ford

April 5, 2006

This application proposes to appropriate an additional 0.67 cubic feet of water per second (cfs) to irrigate 35 additional acres to what is currently authorized by Water Right No. 2122-3. Water Right No. 2122-3 appropriates 1.0 cfs from one well completed into the Big Sioux: Brookings Aquifer (approximately 45 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36 to irrigate 70 acres located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 36; all in T112N R51W in Brookings County. This application proposes to appropriate an additional 0.67 cfs from the existing well to irrigate 35 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T112N R51W. If approved, this application will allow the pivot authorized by Water Right No. 2122-3 to make a $\frac{3}{4}$ rotation. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

AQUIFER – BIG SIOUX: BROOKINGS (BS: B)

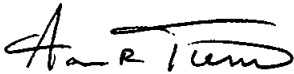
The Big Sioux: Brookings Aquifer is composed of alluvium and glacial deposits ranging from fine sand to very coarse gravel. The aquifer represents an unconfined condition with water table characteristics in the area of this application. The aquifer underlies 74,500 acres and contains an estimated 245,800 acre feet of recoverable water in storage in Brookings County (Hedges, 1982). The aquifer extends into Hamlin and Deuel Counties 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 17 feet.

Recharge to the Big Sioux: Brookings Aquifer has been estimated to range from 2.7 to 6.9 inches per year (46,180 to 109,880 acre-feet per year) (Hedges, 1983). The estimated water use from the aquifer was found to be less than the estimated annual recharge to the aquifer.

The Water Rights Program monitors an observation well (BG-75E) completed into the Big Sioux: Brookings aquifer located approximately $\frac{1}{2}$ mile southwest 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, 2006). A hydrograph for this observation well is included in this report and labeled as Figure 1.

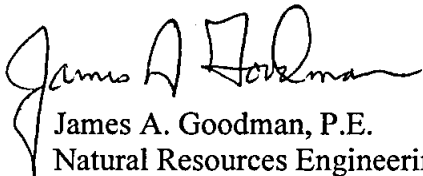
CONCLUSIONS

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 17 feet. Interference should not be a concern.
3. The well authorized for this application is an existing well and appears to be completed in accordance with SD Well Construction Standards.
4. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acre restriction established by South Dakota Codified Law (SDCL) 46-5-6. However, SDCL 46-5-6 provides that the Water Management Board may allow for a greater diversion rate if the method of irrigation, time constraints, or soil types so require.



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 DWNR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., 1983, Same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DWNR, 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. 6702-3, Richard Ford**

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. 6702-3, Richard Ford, 46272 200th Street, Bruce SD 57220.

The Chief Engineer is recommending APPROVAL of Application No. 6702-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 2122-3 and Permit No. 6702-3, combined authorize a maximum diversion rate of 1.67 cfs for the irrigation of 105 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. 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
April 12, 2006

Affidavit of Publication

State of South Dakota

SS

County of Brookings

Amy B. Larsen 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 #605 "Richard Ford"

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:

April 20, 2006

April 27, 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:

Fifty dollars and seventeen. \$50.17

Legal 605, 2x, 4/20, 4/27
NOTICE OF APPLICATION NO. 6702-3 to
Appropriate Water

Notice is given that Richard Ford, 46272 200th St, Bruce SD 57220 has filed an application for a water permit to appropriate an additional 0.67 cubic feet of water per second (cfs) and to irrigate 35 additional acres to what is currently authorized by Water Right No. 2122-3. Water Right No. 2122-3 appropriates 1.0 cfs from one well completed into the Big Sioux:Brookings Aquifer (45 feet deep) located in the NE 1/4 SW 1/4 Section 36 to irrigate 70 acres located in the N 1/2 SW 1/4 Section 36; all in T112N-R51W. This application proposes to appropriate an additional 0.67 cfs from the existing well to irrigate 35 acres located in the SW 1/4 SW 1/4 Section 36-T112N-R51W. If approved, this application will allow the pivot authorized by Water Right No. 2122-3 to make a 3/4 rotation. 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. 6702-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the

Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the

applicant must be filed by May 8, 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.

Subscribed and sworn to before me this

28th

day of

April

2006

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2012

RECEIVED
MAY - 4 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on April 20, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6702-3 to Appropriate Water

Notice is given that Richard Ford, 46272 200th St, Bruce SD 57220 has filed an application for a water permit to appropriate an additional 0.67 cubic feet of water per second (cfs) and to irrigate 35 additional acres to what is currently authorized by Water Right No. 2122-3. Water Right No. 2122-3 appropriates 1.0 cfs from one well completed into the Big Sioux:Brookings Aquifer (45 feet deep) located in the NE ¼ SW ¼ Section 36 to irrigate 70 acres located in the N ½ SW ¼ Section 36; all in T112N-R51W. This application proposes to appropriate an additional 0.67 cfs from the existing well to irrigate 35 acres located in the SW ¼ SW ¼ Section 36-T112N-R51W. If approved, this application will allow the pivot authorized by Water Right No. 2122-3 to make a ¾ rotation. 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. 6702-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 8, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 12, 2006

Brookings Register
PO Box 177
Brookings SD 57006-0177

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6702-3 to Appropriate Water to be published twice. Please publish the first notice on April 20, 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 Richard Ford, 46272 200th St, Bruce SD (Ph # 605-627-5614).

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. 6702-3

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

Date _____

We are in receipt of your letter of April 12, 2006 enclosing Notice to Appropriate Water by Application No. 6702-3 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.

April 12, 2006

Richard Ford
46272 200th St
Bruce SD 57220

Dear Mr. Ford:

Water Permit Application No. 6702-3 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

JUN 12 2008

Richard Ford
46272 200th Street
Bruce SD 57220

Dear Mr. Ford :

Enclosed is Water Permit No. 6702-3 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 6-26-06

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

FROM: Richard Ford
(name)46272 200th St
(address)Bruce, S.D. 57220
(city, state, zip)605-627-5414
(phone)

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. 6702-3 states that the water use system is to be constructed by 5-1-06, and water is to be put to beneficial use by 6-1-06.
(date) (date)

The water use system was completed on 5-25-06.
(date)

Applying the water to beneficial use was completed on 5-25-06.
(date)

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

Richard Ford
(signature)

RECEIVED
JUN 27 2006
WATER RIGHTS
PROGRAM





6702-3
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: RICK FORD, RENTER, 46272 200TH ST, BRUCE, SD 57220

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2167-3, 2663-3 & 6702-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2167-3, 2663-3 & 6702-3 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) 2167-3, 2663-3 & 6702-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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

c: DAVID J & KRISTA R WOESTEHOFF, 15466 W 270TH ST, BELLE PLAINE, MN 56011

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.

6702-3

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 6654
Status: **Delivered**

Your item was delivered at 1:17 PM on January 24, 2009 in BRUCE, SD 57220. The item was signed for by R FOKD.

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6654

RICK FORD, RENTER
46272 200TH ST
BRUCE SD 57220

Waiver of Signature ☐ YES ☐ NO

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PMB 2020
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 27, 2009

2167-3
2663-3
6702-3

Rick Ford
46272 200th St
Bruce SD 58220

Dear Mr. Ford:

I am writing to acknowledge receipt of your "2008" irrigation questionnaires. I completed questionnaires for you based on our January 26th telephone conversation.

You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 2167-3 and 2663-3 and Water Permit No. 6702-3. 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

c: David & Krista Woestehoff

Permit No. 6702-3
Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, **April 22, 2008**, made a thorough examination of the water use system constructed by **Richard Ford** of **46272 200th St., Bruce, SD 57220** holder of Permit No. **6702-3**, bearing the priority of **April 6, 2006** authorizing the diversion of **0.67** 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:

A. Works used to divert the water:

Well Information:

Well and pump information can be obtained in the inspection report for Water Right No. 2122-3, Kent Vanderwal.

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **Valley**
- 2) Overall length **1297.5** feet
- 3) Number of towers **6**
- 4) End gun **Y**
- 5) High or low pressure **Low**
- 6) Capacity **600** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Y**
- 3) Exceptions to compliance are: **None**

The system is in **Good** condition with the point(s) of diversion located as follows:

Approximately 1975 feet north and 890 feet east of the SW corner of Section 36-T112N-R51W
(N 44.46165, W -96.90379) (NW ¼ SW ¼)

The works are capable of diverting and conveying to the place of use **1.33** cu. ft. per second of water which is to be used for **Irrigation**. Water has been put to beneficial use to the maximum extent as follows:

Section 36-T112N-R51W
SW ¼ SW ¼ - 35 acres

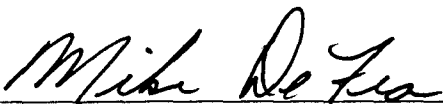
comprising a total of **35** acres of land and the license should be issued for **0.33**.

All structures, wells and lands on map **Y**

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

Water Permit No. 6702-3 authorizes irrigation of 35 acres to what is currently authorized by Water Right No. 2122-3 with the same pivot. Water Right No. 2122-3 authorizes diversion of 1.0 cfs to irrigate the N ½ SW ¼ of Section 36. Information from the Specifications Sheet for the pivot system indicated the pivot is capable of delivering 1.34 cfs (600 gpm). This permit allows the pivot authorized by Water Right No. 2122-3 to make a ¾ rotation. Maximum combined diversion for both permits is 1.33 cfs.

Upon review of Water Right No. 2122-3 and this permit, a typographical error was made in the inspection report of Water Right No. 2122-3. The report indicated the location of the well was measured from the SE corner of the section instead of the SW corner of the section and the license for Permit No. 2122-3 was issued to reflect this location. Water Right No. 2122-3 needs to be re-issued to reflect the correct location of the diversion point. Water Permit No. 6702-3 also needs to be corrected. There also is a corrected map on file which does show the well to be in the NW ¼ SW ¼ of Section 36.

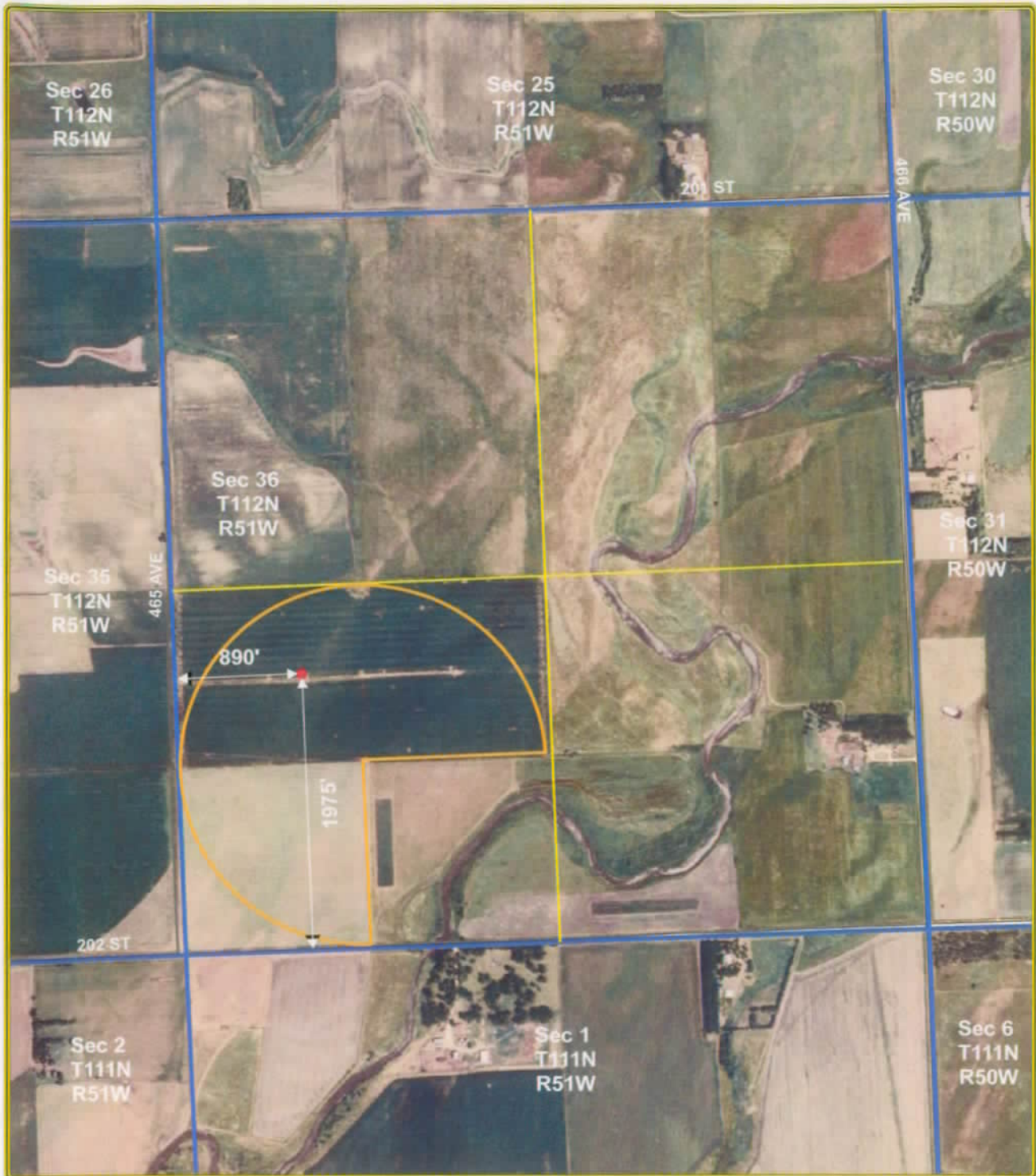


Mike DeFea
Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **August 21, 2009**

Water Permit No. 6702-3

Richard Ford
46272 200th St.
Bruce, SD 57220



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
August 21, 2009

0 465 930 1,860 2,790 3,720 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today



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SEP 24 2009

6702-3

Richard Ford
46272 200th St
Bruce SD 57220

Dear Mr. Ford:

Enclosed is Water License No. 6702-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 6702-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6702-3

(1) Richard Ford, 46272 200th St, Bruce SD 57220 made Application No. 6702-3, March 6, 2006 for a water permit to divert 0.67 cubic feet of water per second (cfs) from groundwater (one well), Brookings County, South Dakota for irrigation purposes. Permit No. 6702-3, with a priority date of March 6, 2006 was approved May 8, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 8, 2011 and for the application to beneficial use of water on or before May 8, 2015.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on June 27, 2006. The *Notice* stated the diversion system was completed on May 25, 2006 and the water placed to beneficial use on May 25, 2006.

An investigation conducted for licensing purposes found the well under Water Permit No. 6702-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6702-3 is issued a license, bearing a priority date of March 6, 2006 to appropriate 0.33 cubic feet of water per second from groundwater (one well) to irrigate 35 acres.

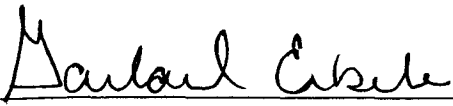
The diversion point is located: 1,975 feet north and 890 feet east of the southwest corner of Section 36-T112N-R51W (NW ¼ SW ¼). Utilizes the same well as authorized by Water Right No. 2122-3 and allows the pivot to make a $\frac{3}{4}$ rotation.

The acres authorized for irrigation are as follows:

Section 36-T112N-R51W SW ¼ SW ¼ 35 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6702-3 including the following now applicable qualifications:

- 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.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right Nos. 2122-3 and 6702-3, combined authorize a maximum diversion rate of 1.33 cfs for the irrigation of 105 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


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

SEP 24 2009

date





6702-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 22, 2010

NOTICE

TO: RICK FORD, RENTER, 46272 200TH ST, BRUCE, SD 57220

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2167-3, 2663-3 & 6702-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2167-3, 2663-3 & 6702-3 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) 2167-3, 2663-3 & 6702-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

c: DAVID J & KRISTA R WOESTEHOF, 15466 W 270TH ST, BELLE PLAINE, MN 56011

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.

6702-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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February 1, 2010

Rick Ford
46272 200th St
Bruce SD 57220

RE: 2009 Irrigation Questionnaires for Water Right Nos. 2167-3, 2663-3 and 6702-3

Dear Mr. Ford:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 2167-3, 2663-3 and 6702-3.

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

If you have any questions, please contact me.

Sincerely,

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

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

c: David & Krista Woestehoff



6702-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 15, 2016

NOTICE

TO: RICK FORD, RENTER, 46272 200TH ST, BRUCE, SD 57220

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2167-3, 2663-3 & 6702-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 2167-3, 2663-3 & 6702-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 2167-3, 2663-3 & 6702-3 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 3, 2016** 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>

c: DAVID J & KRISTA R WOESTEHOF, 15466 W 270TH ST, BELLE PLAINE, MN 56011

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.



6702-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 25, 2016

2167-3
2663-3
6702-3

Rick Ford
46272 200th St.
Bruce SD 57220

Dear Mr. Ford:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos: 2167-3, 2663-3 & 6702-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: David J & Krista R Woestehoff



6702-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: RICK FORD, RENTER, 46272 200TH ST, BRUCE, SD 57220
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2167-3, 2663-3 & 6702-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 2167-3, 2663-3 & 6702-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 2167-3, 2663-3 & 6702-3 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 7, 2018** 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>

c: DAVID J & KRISTA R WOESTEHOF, 15466 W 270TH ST, BELLE PLAINE, MN 56011

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.



6702-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 29, 2018

2167-3
2663-3
6702-3

Rick Ford
46272 200th St
Bruce SD 57220

Dear Mr. Ford:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires for Water Right Nos. 2167-3, 2663-3 & 6702-3.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2167-3, 2663-3 & 6702-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: David J & Krista R Woestehoff



6702-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 23, 2020

NOTICE

TO: RICK FORD, RENTER, 46272 200TH ST, BRUCE, SD 57220

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2167-3, 2663-3 & 6702-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 2167-3, 2663-3 & 6702-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 2167-3, 2663-3 & 6702-3 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 **February 26, 2020** 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: <https://denr.sd.gov/iq> using this password: ENNTVL**

c: DAVID J & KRISTA R WOESTEHOF, 15466 W 270TH ST, BELLE PLAINE, MN 56011

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.

6702-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 27, 2020

2167-3
2663-3
6702-3

Rick Ford
46272 200th St
Bruce SD 57220

Dear Mr. Ford:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires submitted online.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 2167-3, 2663-3 and 6702-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: David & Krista Woestehoff



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 23rd, 2025

6702-3

Rick Ford
46272 200th St
Bruce, SD 57220

Dear Mr. Ford:

I write to you today in response to the 2025 Irrigation Questionnaire information submitted online for Richard Ford Water Right No. 6702-3.

Water Right No. 6702-3 (copy enclosed) authorized diversion of 0.33 cubic feet of water per second (150 gpm) from ground water, one well, Brookings County. For the use of irrigation purposes of 35 acres located in SW1/4 SW1/4 Section 36, T112N, R51W.

On this year's questionnaire you reported the irrigation of 85 acres. If an additional 50 acres has been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2025 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

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

enclosure