

WATER PERMIT NO. 6770-3

Name of Applicant: Wade A Larson

Address: PO Box 376, Vermillion SD 57069

Phone: 605 670-1457

Amount of Water Claimed: 1.56

Total Acres: 126

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 10 miles northwest of Vermillion

PRIORITY

Date Received: 11-17-06

Application/License Fee: \$300

Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: center NE ¼ Sec 20-T93N-R53W

Land to be Irrigated: NE ¼ Sec 20-T93N-R53W

Depth of Well: 100 feet deep

Well Driller:

Remarks:

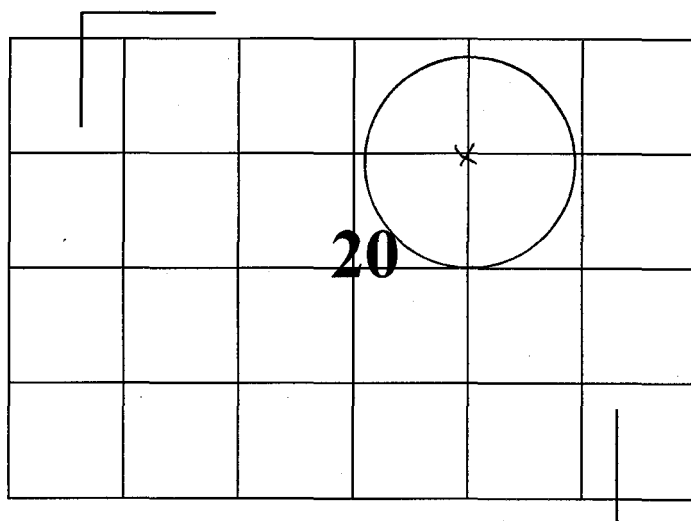
Type of Map: aerial

Prepared by: Debra Eilers, Clay Co FSA

Reviewed and the Number Assigned on: 11-20-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6770-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Plain Talk - Vermillion</u>

RECEIVED
NOV 17 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.)

- Name of Applicant Wade A. Larson Phone 605-670-1457
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address P.O. Box 376 Vermillion State SD 57089
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.56 *CFS or 700 **GPM ***AF Total Acreage 126
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground (new well)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
Approximate 1 well in NE 1/4 section 20-93N-53W
center
- County or counties where water will be used Clay
- Annual period during which water is to be used April 1 through October 31
- 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
NE 1/4 of Section 20 -	126	NW NE Section 20 T93N R53W	
T 93N R53W		NE NE " " "	
		SW NE " " "	
		SE NE " " "	

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

New Center Pivot

Well Driller - Dick Hammond - 670-2321

STATE OF SOUTH DAKOTA) SS
County of Clay

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, Wade A. Larson, 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 Wade A. Larson

Subscribed and sworn to before me this 15 day of November 20 06

Shyris M. Erickson
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6770-3

Date of first receipt of application November 17, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6770-3 to Wade A Larson, PO Box 376, Vermillion SD 57069 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. 6770-3 appropriates 1.56 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the center of the NE ¼ Section 20 to irrigate 126 acres located in the NE ¼ Section 20; all in T93N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is November 17, 2006.
4. The date of approval of Permit No. 6770-3 is January 22, 2007.
5. One-fifth of the construction is to be completed on or before July 22, 2009.
6. All construction is to be completed on or before January 22, 2012.
7. Water is to be put to beneficial use on or before January 22, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6770-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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

MAR 14 2007
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 100
- b) Casing Type Plastic Diameter 16" Thickness _____
- c) Screen Type Plastic Diameter 16" Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 80'
- f) Depth to Water (ground surface to water level) 22'
- g) Distance to nearest existing domestic well:
On applicants property 2600' 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

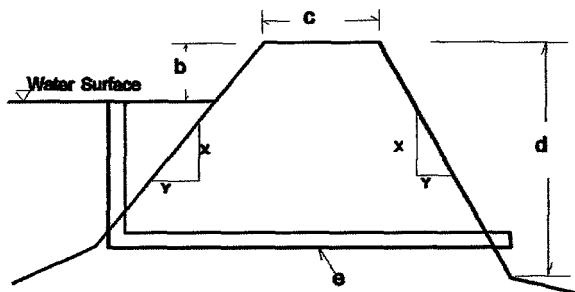
3. Dugout Information

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

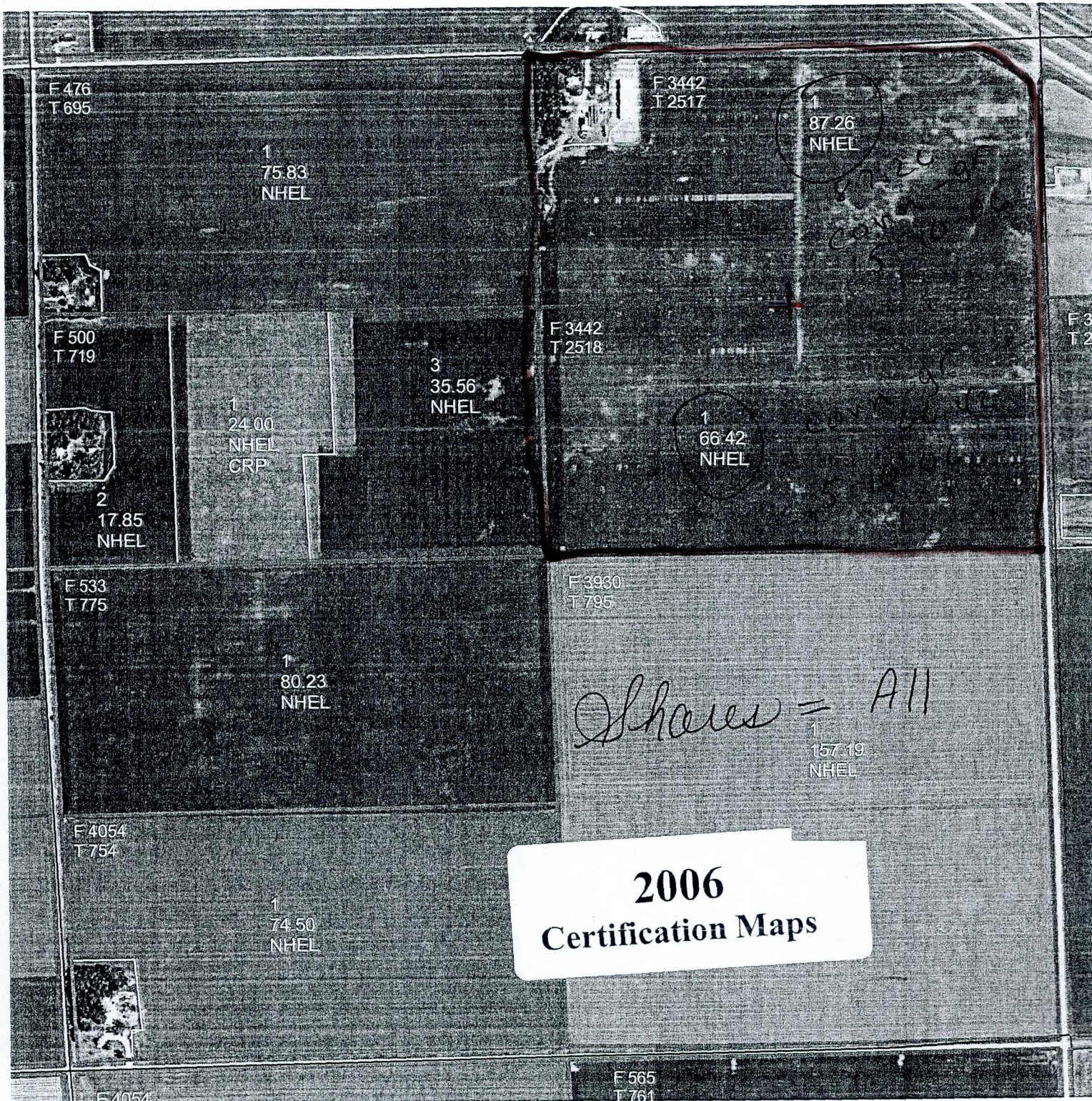
4. Water Storage Dams

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



Map Not to Scale
No Official Wetland Determination

Clay County, South Dakota

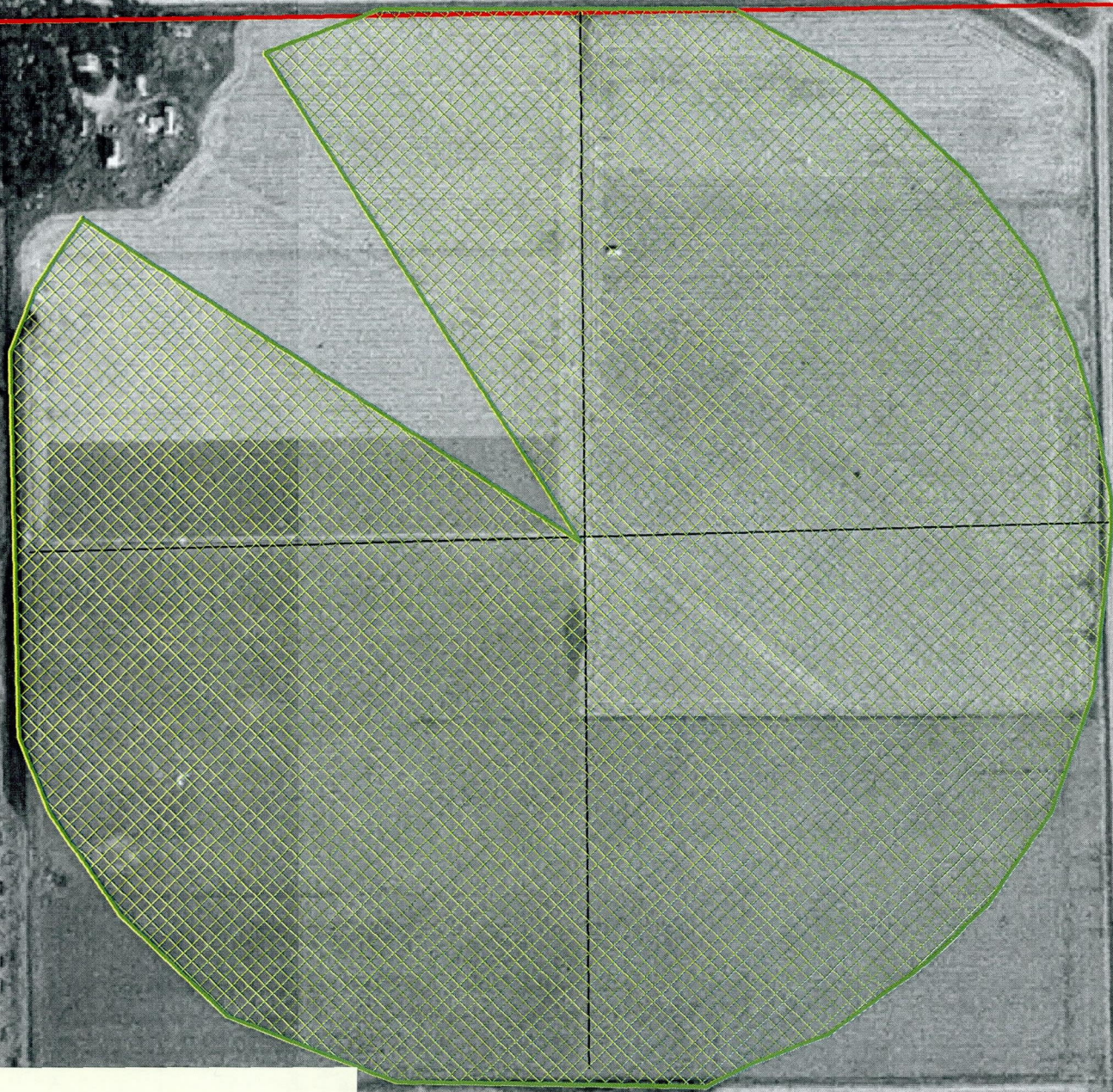
Sec-Twp-Rng: 20-93N-53W

Map Printed: Jan 5, 2006



Debra Eilus PT

11/15/06



~~Map~~

Map by Eric G

for the purpose of
determining breakdown of
acreage

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date NOVEMBER 20, 20 06

RECEIVED OF 3WJ Farms, 31377 454 Ave., Meckling SD 57069

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

Fee for Application for Permit No. <u>6770-3</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>6770-3</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.

02632

By

Darland Ebele
Chief Engineer
gm



**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. 6770-3, Wade Larson**

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. 6770-3, Wade Larson, PO Box 376, Vermillion SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 6770-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6770-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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
December 21, 2006

REPORT ON WATER PERMIT APPLICATION NO. 6770-3

For Wade A. Larson

December 14, 2006

Application No. 6770-3 proposes to appropriate 1.56 cfs (700 gpm) from one well approximately 100 feet deep located in the center of the NE ¼ of section 20 to irrigate 126 acres located in the NE ¼ of section 20; all in T93N R53W in Clay County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under predominantly water table conditions in this area. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Union County to the east, into Yankton County to the west and blends into the Upper Vermillion Missouri aquifer to the north. The aquifer is also hydraulically connected to the Missouri River and the Vermillion River. Ground water movement is from northwest to southeast across the area of this application (Stephens, 1967).

No test well information was provided with this application. However, there is sufficient information available from the county study, area observation well and test well drilling, domestic wells and other permitted wells to evaluate this application. There is a nearby irrigation well with sand beginning at 17 to 24 feet, sandy silt from 24 to 80 feet and gravel from 80 to 115 feet all below land surface. This completed irrigation well was capable of producing 950 gpm with 13 feet of drawdown or a specific capacity of about 73 gpm/ft of drawdown.

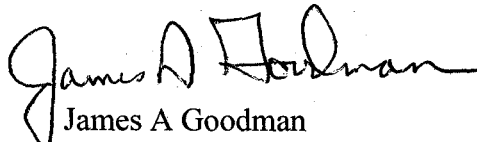
The Water Rights Program monitors three observation wells located in a five mile radius of this application. One of these observation wells YA-80KA is located about four miles southwest of this application. Water levels for this well show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2006). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water permits/rights within a one mile radius of this application. Three of these permits are irrigation wells and one is for commercial purposes. Three of these high capacity wells either are or will be located about one-half mile from the well proposed for this application. Interference is not a concern. The aquifer is highly prolific in this area and drawdown created by pumping is not significant. This is shown by the observation well records and the pumping records from irrigation wells in the area.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions at this site. Drawdown is not expected to be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

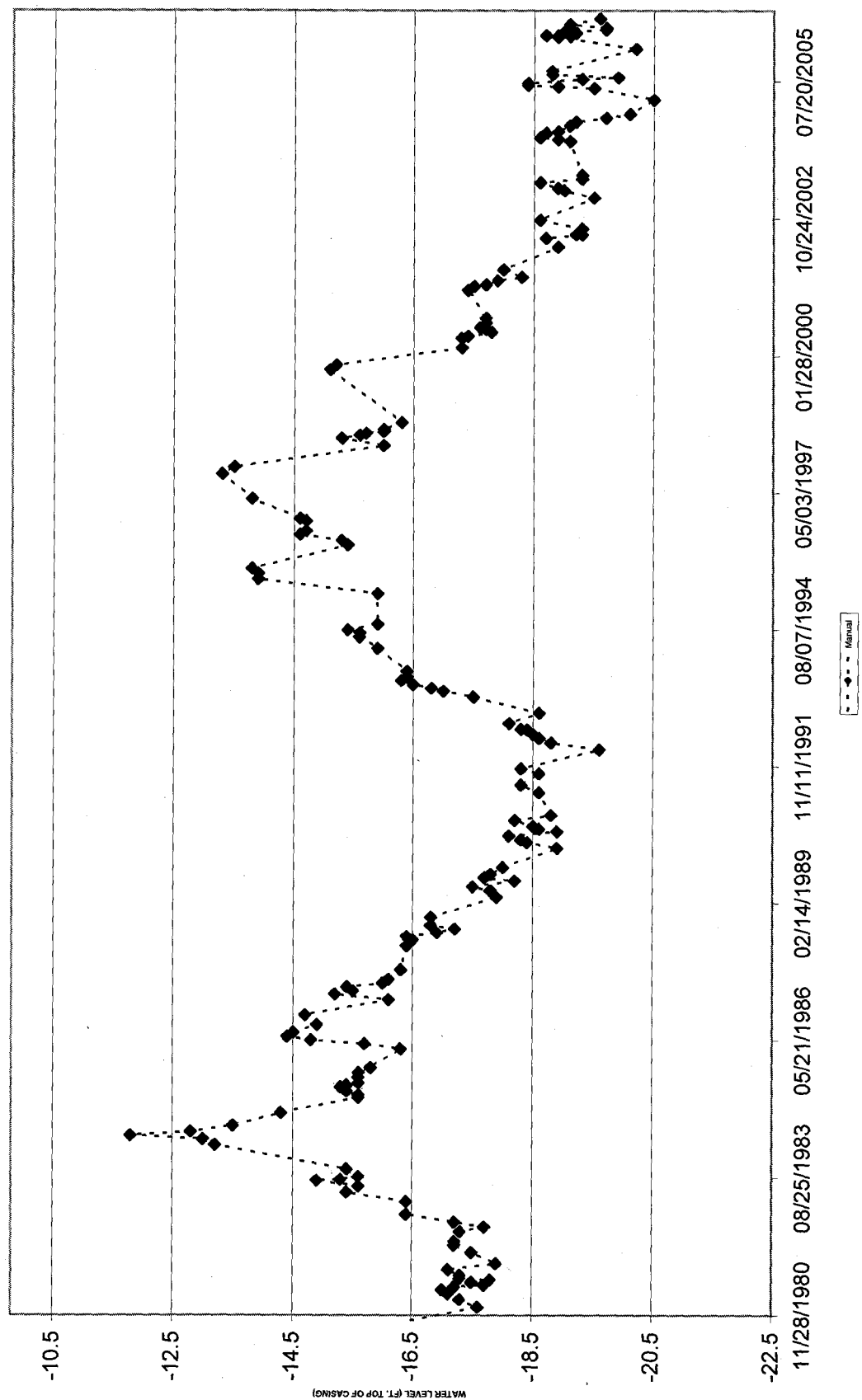
BIBLIOGRAPHY

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

Stephens, J.C., 1970, Geology and Hydrology of Clay County, South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2006, Unpublished Observation Well Data for the Missouri Elk Point Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL YA-80KA



AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF APPLICATION NO. 6770-3

TO APPROPRIATE WATER

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

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 29th day of December 20 06, and that the succeeding publications were severally

on Friday, the 5th day of January, 20 07,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Thirty-eight dollars and 72 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Penny Tucker

Subscribed and sworn to before me

this 30th day of January, 20 07

Joan E. Will
NOTARY PUBLIC
SOUTH DAKOTA

My Commission Expires 04/17/2011

NOTICE OF APPLICATION NO. 6770-3 to Appropriate Water

Notice is given that Wade A. Larson, PO Box 376, Vermillion, SD 57069 has filed an application for a

water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Missouri Elk Point Aquifer (approximately 100 feet deep) located in the center of the NE 1/4 Section 20 to irrigate 126 acres located in the NE 1/4 Section 20; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6770-3 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, is 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 January 22, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's

reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources
Publish: December 29, 2006 & January 5, 2007

RECEIVED
Notary Public

JAN 19 2007

WATER RIGHTS
PROGRAM



December 22, 2007

Plain Talk
PO Box 256
Vermillion SD 57069-0259

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6770-3 to Appropriate Water to be published twice. Please publish the first notice on January 5, 2007 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.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is Wade A Larson, PO Box 376, Vermillion SD (Ph # 605-670-1457).

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. 6770-3

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

Date _____

We are in receipt of your letter of December 22, 2006 enclosing Notice to Appropriate Water by Application No. 6770-3 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.**

December 22, 2006

Wade A Larson
PO Box 376
Vermillion SD 57069

Dear Mr. Larson:

Water Permit Application No. 6770-3 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 Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). 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.

Instruction to Newspaper - Publish first Notice on January 5, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6770-3 to Appropriate Water

Notice is given that Wade A Larson, PO Box 376, Vermillion SD 57069 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the center of the NE ¼ Section 20 to irrigate 126 acres located in the NE ¼ Section 20; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6770-3 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 January 22, 2007.

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**

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

MAR 14 2007

Wade A Larson
PO Box 376
Vermillion SD 57069

Dear Mr. Larson:

Enclosed is Water Permit No. 6770-3 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



6770-3
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: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
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) 6770-3, 6900-3 & 6901-3. 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) 6770-3, 6900-3 & 6901-3 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:

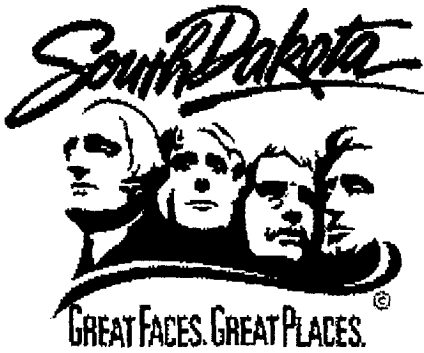
1. Suspend or cancel Permit No(s) 6770-3, 6900-3 & 6901-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 2009

6770-3
6900-3
6901-3

Wade A Larson
PO Box 376
Vermillion SD 57069-0376

Dear Mr. Larson:

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 Nos. 6770-3, 6900-3 and 6901-3.

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



6770-3
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 24, 2012

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6770-3, 6900-3 & 6901-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 6770-3, 6900-3 & 6901-3 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 7, 2012** 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) 6770-3, 6900-3 & 6901-3 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 2, 2012**, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2012

6770-3
6900-3
6901-3

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

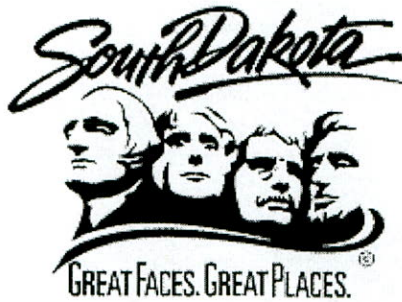
You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Permit Nos. 6770-3, 6900-3 and 6901-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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



6770-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2014

Wade Larson
PO Box 376
Vermillion SD 57069-0376

Dear Mr. Larson:

I am writing to follow up on our phone conversation on July 31, 2014, concerning alleged overspray from your pivot located in the NE1/4 section 20-T93N-R53W.

According to the email received from Rodney Polley, County Highway Superintendent, the pivot is sitting on the west side of the north-south road (454th Ave) that the overspray is hitting. You indicated that your irrigation equipment should prevent that from happening and you will check the equipment. Thank you for doing that and getting the matter resolved as quickly as possible.

I am also enclosing a copy of a press release the Department of Environment and Natural Resources recently sent to the media concerning overspray.

If you don't believe your irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at ron.duvall@state.sd.us.

Thanks again for your cooperation.

Sincerely,

Ron Duvall
Water Rights Permitting Administrator
SD DENR

enclosure



6770-3
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 16, 2015

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 6642-3, 6770-3, 6900-3 & 7389-3 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) 6642-3, 6770-3, 6900-3 & 7389-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2015

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

RE: Water Permit or Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit or Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3. 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, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
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. 6770-3

I have this day, April 13, 2016, made a thorough examination of the water use system constructed by Wade A Larson, PO Box 376, Vermillion SD 57069 of Permit No. 6770-3, bearing the priority of November 17, 2006 authorizing the diversion of 1.56 cu. ft. per second of the waters of Missouri:Elk Point Aquifer for irrigation purposes, in Clay County.

Inspection contact & relationship to permit holder, if applicable: **Wade A Larson, permit holder**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 110 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 70 feet
- 3) Type PVC

Screen:

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

Pump:

- 1) Make Unknown
- 2) Model Submersible
- 3) Capacity 700 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes, began irrigating in 2007.

List any extended period of nonuse: None

- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: West 1340', South 1330' from NE Corner of Sec 20-T93N-R53W; Lat 42.86272/Long -97.12710; approximate center of NE 1/4 Sec 20-T93N-R53W.
2. The works are capable of diverting and conveying to the place of use 1.56 cfs or 700 gpm of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land is located in Sec 20-T93N-R53W.

NW 1/4 NE 1/4 - 25 ac

NE 1/4 NE 1/4 - 33 ac

SW 1/4 NE 1/4 - 34 ac

SE 1/4 NE 1/4 - 33 ac

comprising a total of 125 acres of land and the license should be issued for 1.56 cfs or 700 gpm.

3. All structures, wells and lands on map Yes

Harold Holoch

Harold Holoch, PE
Engineer Water Rights Inspector
DENR, Water Rights Program

Date report completed: August 16, 2016

SOUTH DAKOTA WATER WELL COMPLETION REPORT

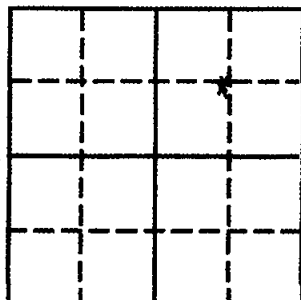
11-02

Location sw 1/4 ne 1/4 Sec 20 Twp 93n Rg 53w

County

clay

North



Please mark well location with an "X"

Well Completion Date

5/15/2007

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 1,700.0 ft. from septic system (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotary

CASING DATA:

☐ Steel
 ☒ Plastic
 ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	70.0	22.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From FT	To FT
Bent grt	24	9.5	0.0	64.0

Describe grouting procedure
Tremie method

SCREEN:

☐ Perforated pipe
 ☒ Manufactured
Diameter 16.00 Inches Length 40.0 FeetMaterial PVC slottedSlot Size .080 Set From 70.0 Feet to 110.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes
 ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Wade Larson

Business Name:

Address: 801 Oakmont DriveCity, State, Zip: Vermillion SD 57069

WELL LOG:

DEPTH

FORMATION	FROM	TO
topsoil, Dk Bm, Silty	0	1
Clay, gray brown, silty	1	65
gravel, coarse, sandy	65	110
Shale, dk gray	110	122

STATIC WATER LEVEL 18.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
 ☒ Bailed
 ☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 1 2008

WATER RIGHTS PROGRAM

This well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

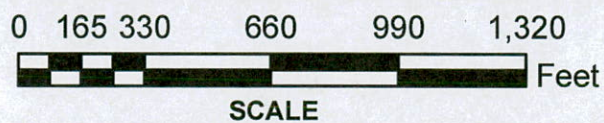
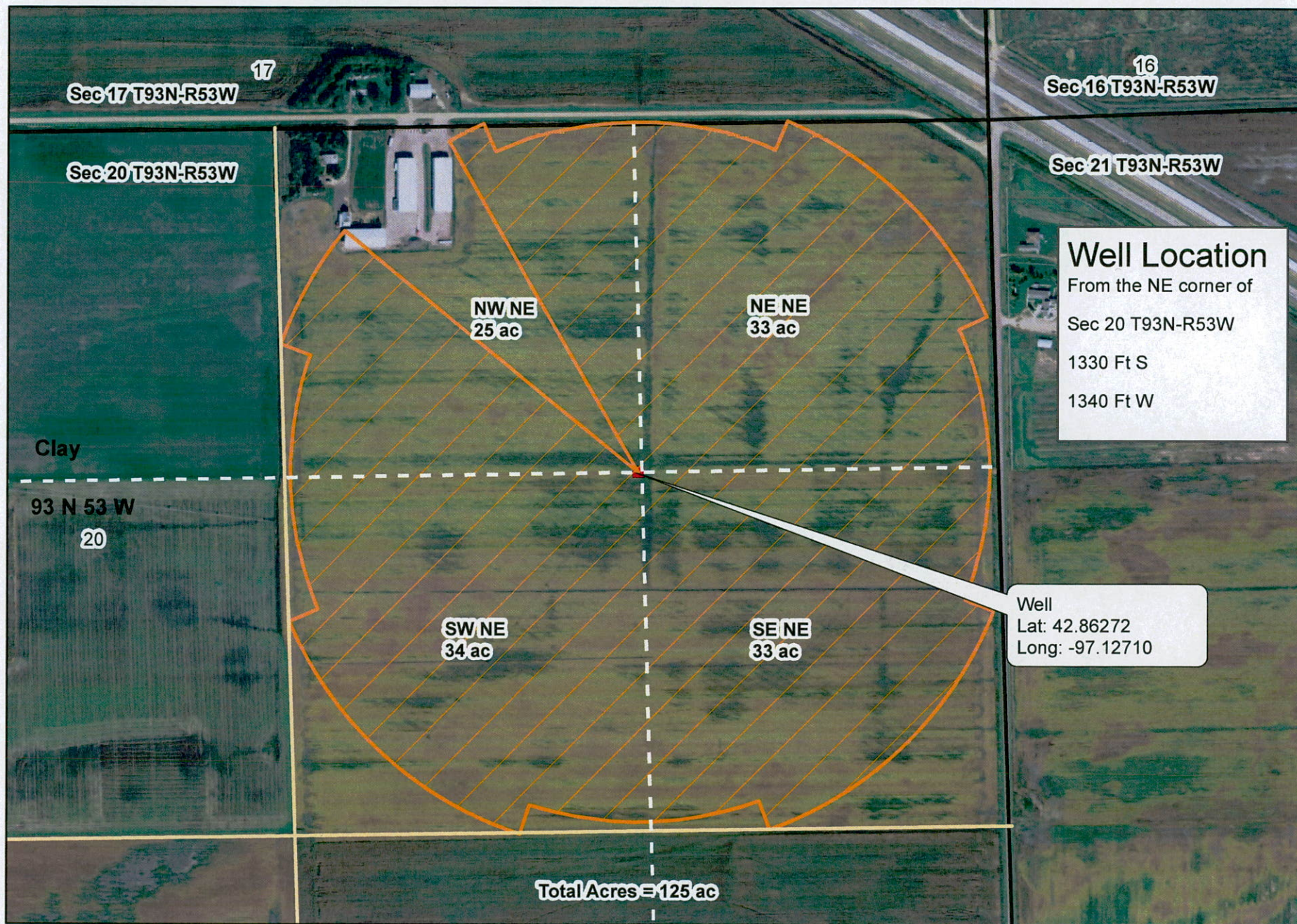
Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12/26/07

80711-1

6770-3



Harold Holoch

Harold Holoch, PE
Water Rights Inspector
August 12, 2016

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6770-3**

(1) Wade A Larson, PO Box 376, Vermillion SD 57069 made Application No. 6770-3, November 17, 2006 for a water permit to divert 1.56 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 6770-3, with a priority date of November 17, 2006 was approved January 22, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 22, 2012 and for the application to beneficial use of said water on or before January 22, 2016.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is 1,340'W and 1,330'S of the NE corner of Section 20, T93N, R53W (approximate center of the NE 1/4).

(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:

Section 20, T93N, R53W	NW 1/4 NE 1/4	25 acres
	SW 1/4 NE 1/4	34 acres
	NE 1/4 NE 1/4	33 acres
	SE 1/4 NE 1/4	33 acres
	Total	125 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wade A Larson, PO Box 376, Vermillion SD 57069 the holder and/or owner of Water Right No. 6770-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of November 17, 2006 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 Water Right No. 6770-3 and subject to the following qualifications:

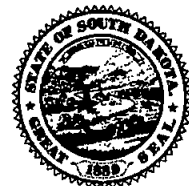
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6770-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in May, 2007 by Hammond Wetmore Drilling. A copy of the well completion report is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

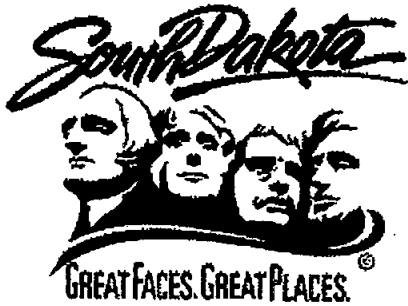


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 06 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 06 2016

6770-3

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

Dear Mr. Larson:

Enclosed is Water License No. 6770-3. 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. 6770-3, 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,

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

enclosures



6770-3

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 20, 2017

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6642-3, 6770-3, 6900-3 & 7389-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 6642-3, 6770-3, 6900-3 & 7389-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 6642-3, 6770-3, 6900-3 & 7389-3 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 1, 2017** 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.



6770-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 15, 2017

Wade A Larson
PO Box 376
Vermillion SD 57069 0376

RE: Water Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 6642-3, 6770-3, 6900-3 & 7389-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



6770-3
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 25, 2019

NOTICE

TO: WADE A LARSON, PO BOX 376, VERMILLION, SD 57069 0376
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6770-3, 6900-3 & 7389A-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 6770-3, 6900-3 & 7389A-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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) 6770-3, 6900-3 & 7389A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** 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.

6770-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 21, 2019

6770-3
6900-3
7389A-3

Wade A Larson
PO Box 376
Vermillion SD 57069-0376

Dear Mr. Larson:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 6770-3, 6900-3 & 7389A-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 fluid and cursive, with the first name 'Genny' being more prominent.

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