

WATER PERMIT NO. 7331-3

Name of Applicant: Scott Schuurmans

Address: 30407 416th Ave, Tyndall SD 57066 Phone: 605 464-9627

Amount of Water Claimed: 2.85 cfs Total Acres: 200 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Bon Homme

Type of Waste Disposal System:

Location: 1 mile west of Tyndall

PRIORITY Date Received: 3-7-12 Application/License Fee: \$ 1,150.00

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

Remarks:

Diversion Point: NE ¼ NW ¼ Sec 35-T95N-R60W

Land to be Irrigated: W ½ NW ¼, E ½ NE ¼, SW ¼ Sec 35-T95N-R60W

Depth of Well: 220 feet deep

Well Driller:

Remarks:

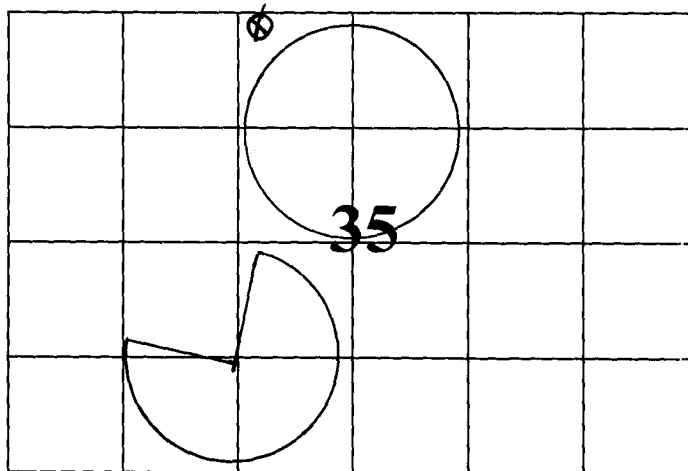
Type of Map: aerial

Prepared by: Mark Rohling, NRCS

Reviewed and the Number Assigned on: 3-7-12

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota

(type or print)

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MAR - 7 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. <u>7331-3</u> Hydrologic Unit <u>10170101</u> Basin <u>Missouri River</u> Newspaper <u>Tyndall Tribune & Register P.O. Box 520</u> <u>605-589-3242</u> <u>57066</u>
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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 Scott Schuurmans Phone 6054649627
(check one) Owner ☐ Tenant/lessee ☐
Mailing Address 30407 416th Ave Tyndall SD 57066
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 2.85*CFS or 1280**GPM ***AF Total Acreage 200
(*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 Bon Homme
(NE1/4, NW1/4)
1 well in NW1/4 section 35-T95N-60W Farm 5335
5. County or counties where water will be used Bon Homme
6. Annual period during which water is to be used April 1 to 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>NE1/4 sec 35 95N-60W</u>	<u>50</u>		
<u>NW1/4 sec 35 95N-60W</u>	<u>60</u>		
<u>SW1/4 sec 35 95N-60W</u>	<u>90</u>		

8. Give a description of the project. (Attach sheet if more space is needed) The one well will supply both pivots, my dad Wayne Schuurmans owns the NW1/4 of sec 35 95N 60W and the west half of the NE1/4 of sec 35 95N 60W which is leased to Scott Schuurmans and Scott owns the SW1/4 of sec 35-95N 60W Wayne's Address 41546 303rd St Tyndall SD 57066 will only run 1 pivot at a time.

STATE OF SOUTH DAKOTA)

County of Bon Homme) SS

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

I, Scott Schuurmans, 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 Scott SchuurmansSubscribed and sworn to before me this 5th day of March 20 12

Notary Public signature

5-31-2013

**SOUTH DAKOTA
WATER PERMIT NO. 7331-3**

Date of first receipt of application March 7, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7331-3 to Scott Schuurmans, 30407 416th Ave, Tyndall SD 57006 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. 7331-3 appropriates 2.85 cubic feet of water per second from one well to be completed into the Choteau-Tyndall Aquifer (200 feet deep) located in NE ¼ NW ¼ Section 35 for irrigation of 200 acres located in the E ½ NW ¼, W ½ NE ¼, SW ¼ Section 35; all in T95N-R60W.
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 March 7, 2012.
4. The date of approval of Permit No. 7331-3 is May 7, 2012.
5. One-fifth of the construction is to be completed on or before November 7, 2014.
6. All construction is to be completed on or before May 7, 2017.
7. Water is to be put to beneficial use on or before May 7, 2021.
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. 7331-3 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

JUL 16 2012
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22 in Depth 220 ft
- b) Casing Type PVC Diameter 16 in Thickness 5/8 in
- c) Screen Type Slat Diameter 12 in Thickness 5/8 in
- d) Gravel Pack 1/2 to 3/4 pea rock Length of Gravel Pack 65 ft
- e) Depth to Top of Water Bearing Material 150 ft
- f) Depth to Water (ground surface to water level) 100 ft
- g) Distance to nearest existing domestic well:
- On applicant's property 1 mile On property owned by others 3,000 ft

2. Wastewater Disposal System Information

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

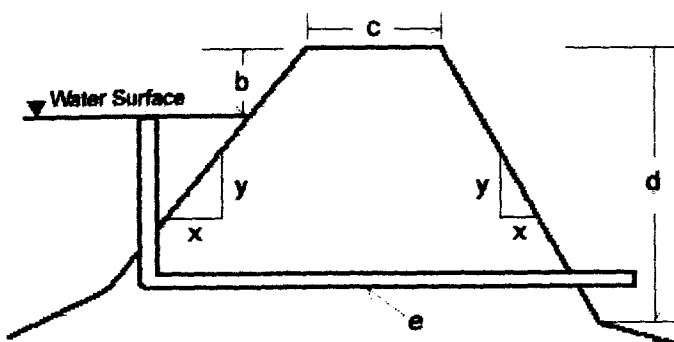
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

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Petersen Ag Systems, Inc.

MAR - 7 2012



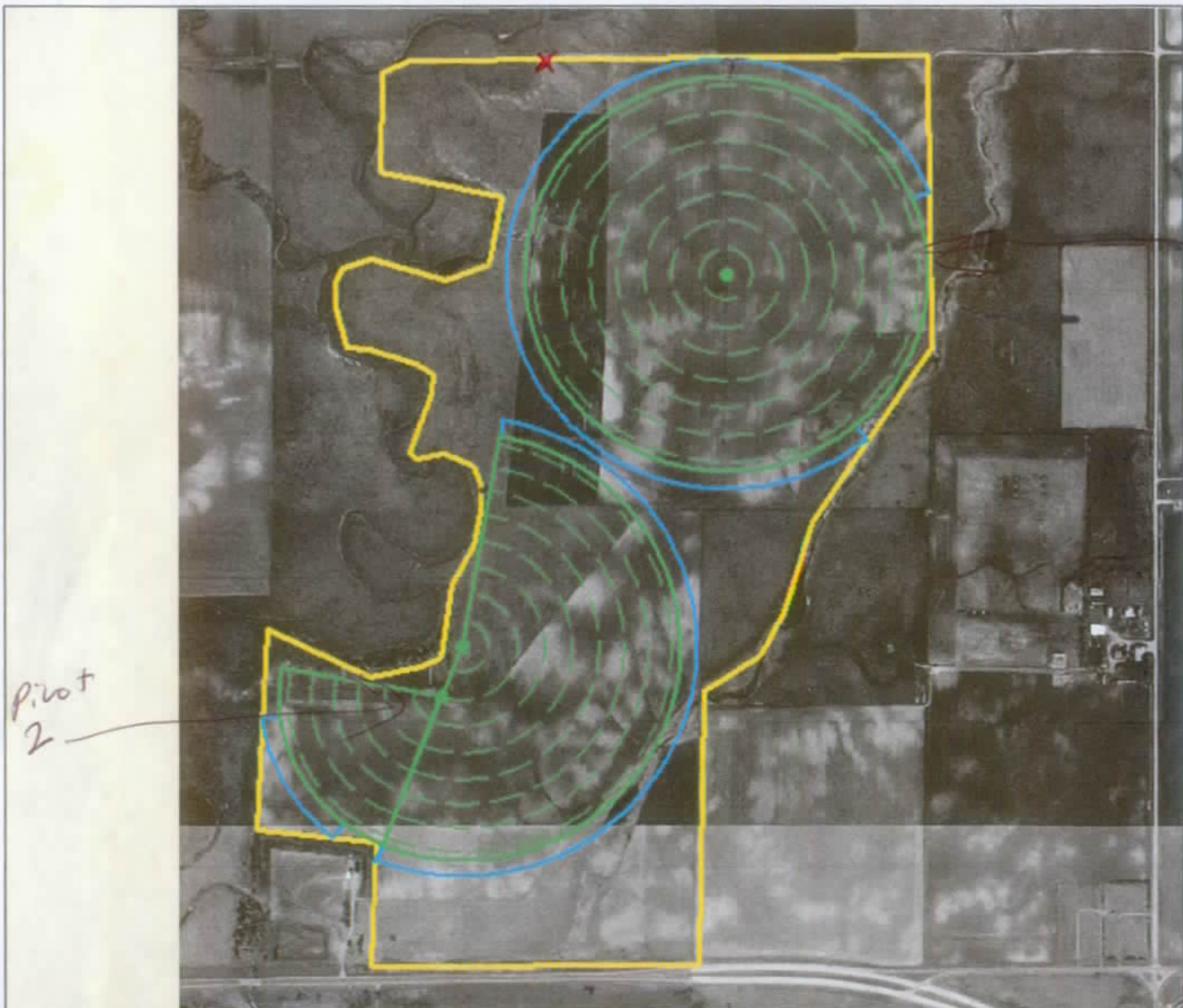
301 W. South St.
Hartington, NE 68739
402-254-9557 office

**Farm: Field1**

Grower: Scott Schuurmans

2/20/2012

Systems:	Length	Spans	Total area including endgun
● Pivot 1 NW+NE 1/4	1150.58 ft	7 spans + 44 ft o.h.	109.28 acres - 110
● Pivot 2 SW 1/4 of 359560	1241.42 ft	8 spans + 44 ft o.h.	69.03 acres
● Pivot 3 1' 1' 1'	927.25 ft	6 spans + 44 ft o.h.	15.39 acres → 85 or 90





United States Department of Agriculture
Farm Service Agency

February 28, 2012

PLSS: 35_95N_60W

Farm: 5337

Bon Homme County

1:7,959

3-5-12

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

NRCS

District Conservationist



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WATER RIGHTS PROGRAM

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

Non Cropland

2010 Ortho-Photography - Not to Scale



United States Department of Agriculture
Farm Service Agency

September 21, 2011

PLSS: 35 95N_60W
Farm: 5335

Bon Homme County

1:8,151

3-5-12

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.

Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



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MAR - 7 2012

WATER RIGHTS
PROGRAM

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

Non Cropland

2010 Ortho-Photography - Not to Scale

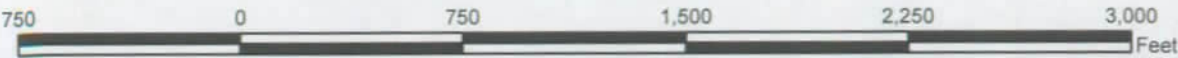
NRCS
District Conservationist



Legend

-  Townships
-  Sections

1 inch equals 660 feet



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/7, 20 12

RECEIVED OF Scott Schuurmans

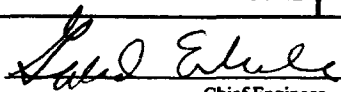
30407 416th Ave

Tyndall SD 57066

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

Fee for Application for Permit No. <u>7331-3</u> to Appropriate Water, to construct and to put water to beneficial use	950	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>7331-3</u>	200	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	1150 00

No. 05371

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7331-3, Scott Schuurmans**

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. 7331-3, Scott Schuurmans, 30407 416th Avenue, Tyndall SD 57066.

The Chief Engineer is recommending APPROVAL of Application No. 7331-3 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. 7331-3 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
April 11, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7331-3
SCOTT SCHUURMANS
MARCH 30, 2012

Water Permit Application No. 7331-3 proposes to appropriate 2.85 cubic feet of water per second (cfs) from one well to be completed into the Choteau: Tyndall aquifer. The well is expected to be approximately 200 feet deep and is to be located in the center of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T95N-R60W. Water will be used to irrigate 200 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35, T95N-R60W.

AQUIFER: Tyndall Management Unit of the Choteau aquifer (CH:T)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Tyndall Management Unit of the Choteau aquifer is a buried outwash deposit that fills a preglacial valley in central Bon Homme County. Originally this outwash was named the Tyndall-Scotland aquifer (Jorgensen, 1971) and was thought to extend to the northeast, ultimately into Yankton and Hutchinson Counties. Hedges and others, (1982) separated the "Tyndall-Scotland" aquifer into the Choteau: Tyndall aquifer and the Scotland management unit of the Lower James Missouri aquifer to the northeast. Observation well data suggests groundwater movement from north to south in the Choteau: Tyndall and to the north in the Lower James Missouri-Scotland aquifer. The Choteau: Tyndall aquifer underlies 31,300 acres of Bon Homme County and contains an estimated 140,850 acre-feet of recoverable in the county (Hedges, 1982). The aquifer is generally under confined conditions, however unconfined conditions exist locally. The static water level of a well completed into the Choteau: Tyndall at the site proposed by this application is expected to be approximately 100 feet below grade.

The saturated thickness of the Choteau: Tyndall aquifer was estimated to be greater than 50 feet in this area (Christensen, 1970). A completion report for a domestic well located approximately one mile southwest of this proposed well site reported 38 feet of aquifer present (Water Rights, 2012c). Test holes drilled by the SD Geological Survey approximately one south-southwest and one and one-half miles east of this proposed well site identified 87 and 91 feet of aquifer respectively ("Lithologic Logs Database"). The Choteau: Tyndall aquifer was not present in SD Geological Survey test holes located one mile west and one mile north-northeast of this proposed well site.

Capacities of seven nearby irrigation wells that are completed into the Choteau: Tyndall aquifer range from 500-1,000 gpm and specific capacities of the wells range from under 7 (gpm)/ft. to over 43 (gpm)/ft. (Water Rights, 2012c). The aquifer transmissivity calculated from the reported specific capacities ranges of 9,855 – 65,205 gal/day/ft. ("Transmissivity From Specific Capacity"). An aquifer test conducted at a Tyndall municipal well that is completed into the Choteau: Tyndall aquifer indicated a transmissivity of 210,000 gal/day/ft. and a storage coefficient of 0.2 (Jorgensen, 1971).

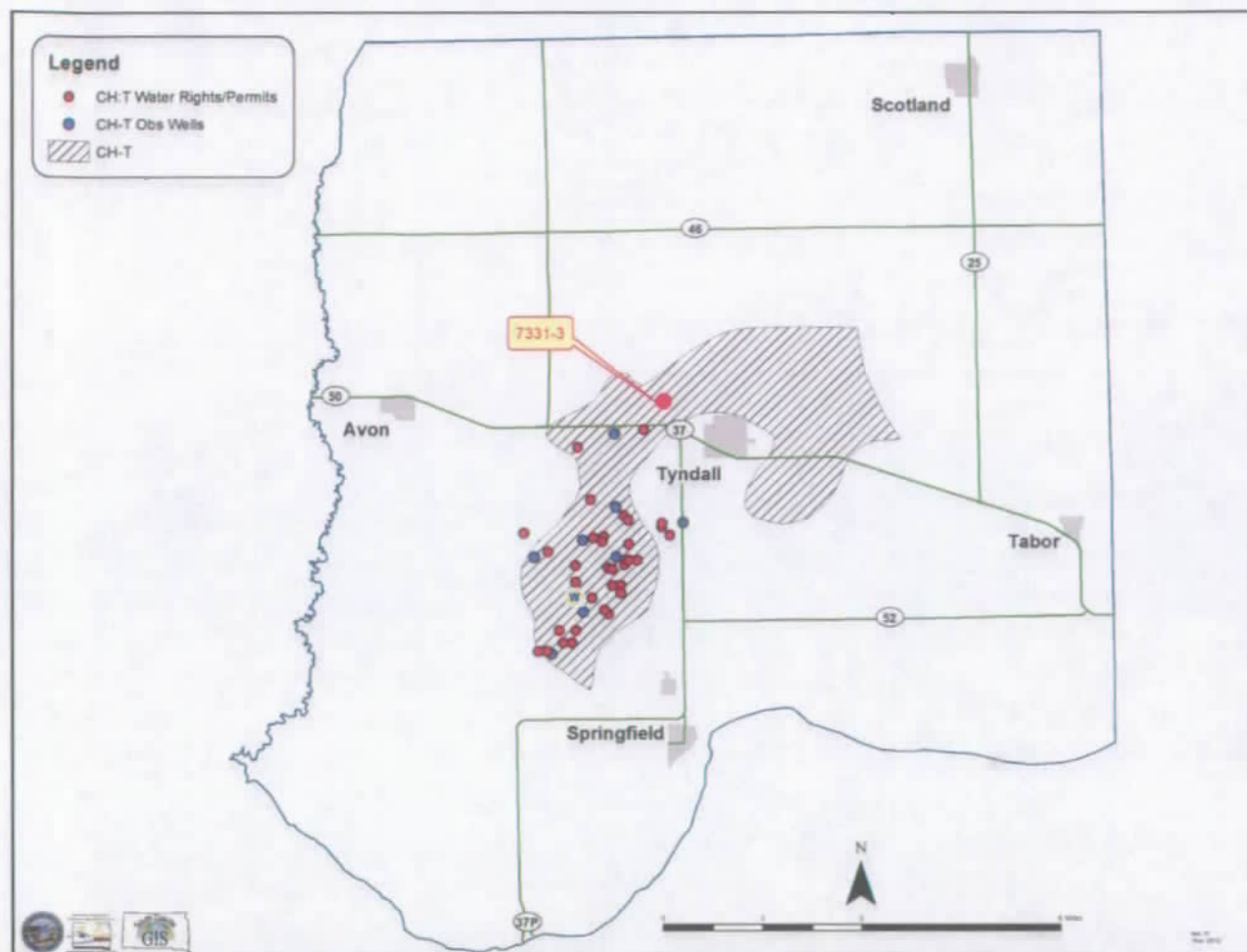


Figure 1. Bon Homme County, the Choteau: Tyndall aquifer (modified from Hedges and others, 1982), appropriations from the aquifer, DENR-Water Rights' Choteau: Tyndall observation wells and the location of the well site proposed by Application No. 7331-3

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water in the Choteau: Tyndall aquifer and existing rights within the aquifer.

WATER AVAILABILITY:

This application proposes to appropriate 400 acre-feet annually from the Choteau: Tyndall aquifer. Although the actual water use if this application is approved will be less than 400 acre-feet/year. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Recharge versus Withdrawals:**Recharge:**

Most of the recharge to the Choteau: Tyndall is from percolation of precipitation through the overlying till or alluvium (Jorgensen, 1971). The aquifer directly overlies the Niobrara aquifer in places and may be recharged from the bedrock aquifer. Recharge may also occur from Emanuel Creek where the outwash outcrops along the creek (T93N-R60W). The average annual recharge rate to the unconfined portion of the Choteau: Tyndall aquifer is estimated to be 3.2 inches/yr. (Hedges and others, 1985).

Withdrawals:

Natural discharge from the Choteau: Tyndall occurs through evapotranspiration and seepage to bedrock aquifers. The Choteau: Tyndall aquifer discharges to Emanuel Creek along the lower reaches of the creek and the spring discharge constitutes most of the base flow to the creek (Jorgensen, 1971).

There are 23 Water Rights appropriating water from the Choteau: Tyndall aquifer and one pending application (Water Permit Application No. 7327-3). In addition, the City of Tyndall holds Future Use No. 4839A-3 that reserves 410 acre-feet annually from the Choteau: Tyndall for future use. Except for two municipal use water rights for the City of Tyndall, all of the water rights/permits from the Choteau: Tyndall are for irrigation use. Tyndall is currently served by B-Y Rural Water System and the municipal wells are maintained for emergency use only. Historic Choteau: Tyndall irrigation data is shown in table 1.

Choteau: Tyndall Aquifer Irrigation Use			
Year	No. of Permits	Appropriation (Ac-Ft)	Pumpage reported (Ac-Ft)
1979	17	8079	983
1980	17	7966	1943
1981	22	10210	1418
1982	19	8576	1564.67
1983	19	9043	996.66
1984	23	10710	1012.13
1985	21	9551	1056.16
1986	21	9551	1184.2
1987	21	9393	1645.7
1988	21	9393	2545.85
1989	22	9470	2173.9
1990	19	7604	1570.5
1991	19	7154	1961.5
1992	19	7154	489.25
1993	19	7154	61.2
1994	19	7523	633.66
1995	19	7523	1104.18
1996	19	7672	1034.76
1997	17	7179	964
1998	18	7179	708.2
1999	18	7179	939.23
2000	18	7179	1235.83
2001	18	7179	919.74
2002	17	6759	1613.71
2003	16	6138	1495.99
2004	20	7288	1680.06
2005	20	7288	2006.84
2006	20	7240	1693.26
2007	21	7410	1931.36
2008	23	7824	2138.41
2009	23	7824	1023.99
2010	23	7824	559.56
Maximum	23	10710	2545.85
Minimum	16	6138	61.2
Average	19.625	7975.5	1321.516

Table 1. Historic irrigation from the Choteau: Tyndall aquifer (Water Rights, 1980-2011)

There is a reasonable probability that the average annual withdrawal from the Choteau: Tyndall aquifer does not exceed the average annual recharge to the aquifer and unappropriated water is available for this appropriation.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer”.

The DENR-Water Rights Program monitors eight observation wells completed into the Choteau: Tyndall aquifer. Observation well BH-76A is located approximately 1.8 miles southwest of the well site proposed by this application (Water Rights, 2012a). The hydrograph for BH-76A is shown in figure 2.

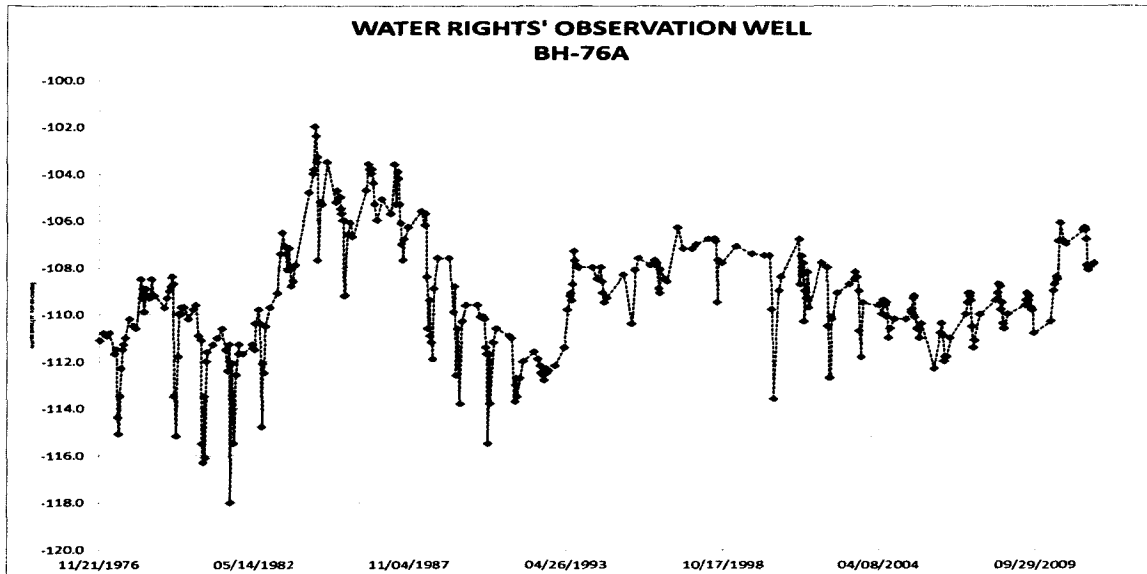


Figure 2. Hydrograph of DENR-Water Rights' Observation Well BH-76A which is located approximately 1.8 miles southwest of the well site proposed by Application No. 7331-3.

The data from BH-76A is similar to that of other observation wells completed into the Choteau: Tyndall aquifer and shows the aquifer readily recharges and it clearly documents the cyclic climate conditions with wet and dry periods. The hydrograph shows that although the amount of water in storage in the Choteau: Tyndall aquifer varies with the climate, the amount of water in aquifer is greater now than it was at the beginning of the record. The observation well hydrographs document that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

As stated earlier, there are 23 existing water rights/permits appropriating water from the Choteau: Tyndall aquifer and one pending application. One application (Water Permit Application No. 4674-3) has been denied from the aquifer. The application was denied in 1981 after the applicant requested the application be withdrawn from consideration due to unfavorable test hole results.

Some controversy accompanied irrigation development from the Choteau: Tyndall aquifer in this area in 1975. Three water permit applications, including Application No. 2444-3 and Application No. 2445-3 which are located approximately 1.5 miles and three miles respectively, from the well site proposed by Application No. 7331-3, were contested by a group of farmers and the City of Avon. The applications were eventually approved. Water Permit No. 2444-3 was cancelled due to non-construction after test hole drilling failed to locate favorable aquifer conditions. An irrigation system was developed for Water Right No. 2445-3, Wayne

Schuermans. The DENR-Water Rights Program received a complaint in 1976 regarding the system irrigating more acres than were authorized but there is no record of interference and/or water availability issues concerning the appropriation. The Water Right was eventually cancelled in 2011 due to abandonment and/or forfeiture.

The only existing water right within approximately three and one-quarter miles of the well site proposed by this application is Water Right No. 2743-3, Bon Homme Country Club. The well that supplies Water Right No. 2743-3 is located approximately one and one-quarter miles south-southwest of this proposed well site.

The Choteau: Tyndall aquifer observation well data documents that drawdown is not substantial very far from production wells. Hydrographs for DENR- Water Rights' observation well BH-76C located within one-half mile of two irrigation wells, and observation wells BH-76B and BH-78E, each located within one-third of a mile of high capacity irrigation wells all show little if any impacts of the nearby pumping. Drawdown is not expected to be significant within one-half mile of a production well pumping the proposed 2.85 cfs. There is a reasonable probability that drawdown would not adversely impair existing users.

CONCLUSIONS:

1. This application proposes to appropriate up to 400 acre-feet annually for irrigation but the amount of water that actually will be used is expected to be considerably less.
2. There is a reasonable probability that unappropriated water is available from the Choteau: Tyndall aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely effecting existing water rights.



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Christensen, C.M., 1970, Major Ground-Water Aquifers in Bon Homme County, South Dakota: SD Geological Survey Water information Circular 4, 7 p.

Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185

Hedges, L.S., Allen, J., and Holly, D.E, 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge, South Dakota DENR-Geological Survey, Vermillion, SD

Jorgensen, D.G., 1971, Geology and Water Resources of Bon Homme County, South Dakota, Part II: Water Resources: S.D. Geological Survey Bulletin 21, 61 p.

"Lithologic Logs Database." South Dakota Department of Environment & Natural Resources Geological Survey. 31 Mar. 2012

"Transmissivity from Specific Capacity." Aquifer Test Forum sponsored by HydroSOLVE, Inc. 14 Mar. 2011 < <http://www.aqtesolv.com/forum/transcap.asp>

Water Rights, 1980-2011, "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights, 2012a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2012b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2012c, Well Completion Report Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Affidavit of Publication

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APR 30 2012

WATER RIGHTS PROGRAM

State of South Dakota }
County of Bon Homme } SS

Rebecca Tycz Being first duly sworn says that the **Tyndall Tribune & Register** is a legal weekly newspaper for publication of legal and other official notices as required by Chapter 298 of the Session Laws of South Dakota, 1939; that it has bona fide paid circulation of more than two hundred copies weekly; that it is published in English language in the City of Tyndall, Bon Homme County, South Dakota, and has been admitted to the United States mail under second class mailing privilege for more than one year prior to the first publication of the notice herein mentioned, and that it is printed in an office maintained at the place of publication at Tyndall, South Dakota, and that deponent is the publisher in charge of the advertising department of said newspaper; that the advertisement headed

Notice of Application #7331-3
68° 37.2' + 801.1' x 1

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks, upon the following dates:

<u>April 18</u>20 <u>12</u>	20.....
<u>April 25</u>20 <u>12</u>	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publication of said notice, \$45.54....., inures to the benefit of the publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this

25 day of April, 2012

Peggy Schelske
Notary Public, South Dakota

My commission expires: Oct 24, 2015

NOTICE OF APPLICATION

NO. 7331-3 to Appropriate Water

Notice is given that Scott Schuurmans, 30407 416th Avenue, Tyndall, SD 57066 has filed an application for a water permit to appropriate 2.85 cubic feet of water per second (cfs) from one well to be completed into the Choteau: Tyndall Aquifer (200 feet deep) located in the NE1/4 NW1/4 Section 35 for irrigation of 200 acres located in the E1/2 NW1/4, W1/2 NE1/4, SW1/4 Section 35; all in T95N-R60W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7331-3 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 this 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 this 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 7, 2012.

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

Published twice at an approximate cost of \$45.54

(April 18 & 25)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 11, 2012

Tyndall Tribune & Register
PO Box 520
Tyndall SD 57066

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7331-3 to Appropriate Water to be published twice. Please publish the first notice on April 18, 2012 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 Scott Schuurmans, 30407 416th Ave., Tyndall SD 57066 (Ph # 605-464-9627).

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. 7331-3

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

Date _____

We are in receipt of your letter of April 11, 2012 enclosing Notice to Appropriate Water by Application No. 7336-3 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
denr.sd.gov

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

April 11, 2012

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

Water Permit Application No. 7331-3 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 Tyndall Tribune & Register printed at Tyndall SD (Ph # 605-589-3242). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

cc: Wayne Schuurmans, 41546 303rd St., Tyndall SD 57066
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 April 18, 2012 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7331-3 to Appropriate Water

Notice is given that Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066 has filed an application for a water permit to appropriate 2.85 cubic feet of water per second from one well to be completed into the Choteau:Tyndall Aquifer (200 feet deep) located in NE ¼ NW ¼ Section 35 for irrigation of 200 acres located in the E ½ NW ¼, W ½ NE ¼, SW ¼ Section 35; all in T95N-R60W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7331-3 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 this 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 this 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 7, 2012

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.

Published twice at the total approximate cost of_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 16 2012

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

Enclosed is Water Permit No. 7331-3 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



7331-3
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, 2013

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, 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

February 13, 2013

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. 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".

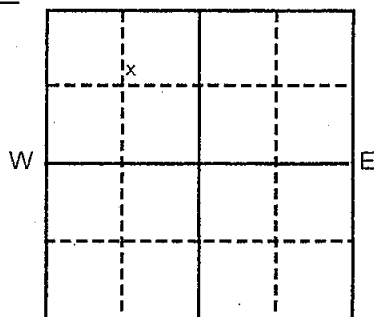
Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ne 1/4 nw 1/4 Sec 35 Twp 95n Rg 60wCounty Bon Homme

North

Please mark well
location with an "X"

Well-Completion Date

7/22/12

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
4,200.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>12.00</u> IN	<u>0.0</u> FT	<u>254.0</u> FT	<u>18.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>40</u>	<u>Lb/gal</u>	<u>0.0</u> Ft	<u>240.0</u> Ft
		<u>Lb/gal</u>	<u>Ft</u>	<u>Ft</u>

Describe grouting procedure
tremie method

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12.00 Inches Length 40.0 FeetMaterial pvcSlot Size .060 Set From 254.0 Feet to 294.0 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?

☒ No, Why Not? NA
Lab to which water
quality sample sent for analysisWell Owner: Scott Schuurmans

Business Name:

Address: 30407 416th AveCity, State, Zip: Tyndall SD 57066

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, clayey, brown, Loess?	0	11
Clay, brown, silty, pebbly, Till	11	34
Clay, gray, silty, pebbly, till	34	210
sand, medium	210	245
gravel, fine, cemented,	245	298
shale, dark gray	298	305

STATIC WATER LEVEL 118.0 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: air lift development, 2 hours
☐ Bailed
☒ Other

Pumping Level Below Land Surface

131.0 Ft. After 2.0 Hrs. pumped 825.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 800.0 GPM

REMARKS

RECEIVED

FEB - 1 2013

WATER RIGHTS
PROGRAMThis 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: 12-12-12



7331-3
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, 2014

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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:

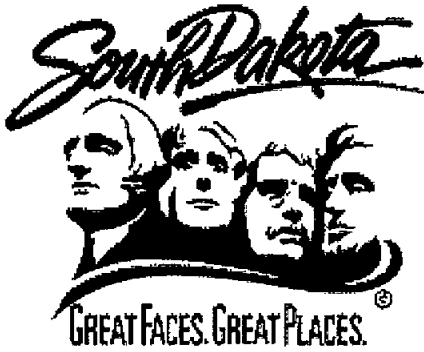
1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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 3, 2014**, 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.

7331-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2014

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. 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



7331-3
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: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 2, 2015

5060-3

7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 5060-3 and Water Permit No. 7331-3. 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



7331-3
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 15, 2016

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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>

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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 19, 2016

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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 No. 5060-3 and Permit No. 7331-3. 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



7331-3
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: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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.



7331-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 27, 2017

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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 No. 5060-3 and Water Permit No. 7331-3. 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



7331-3
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: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 qualification:

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

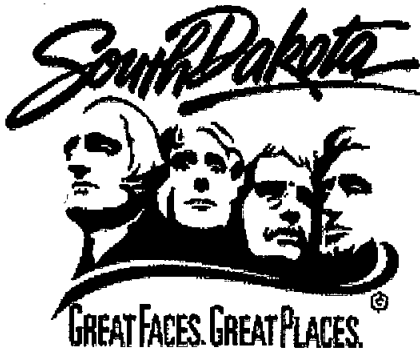
The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 5060-3 & 7331-3 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2019

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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 No. 5060-3 and Water Permit No. 7331-3. 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" and last name "McMath" clearly distinguishable.

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



7331-3
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, 2020

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
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) 5060-3 & 7331-3. 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) 5060-3 & 7331-3 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) 5060-3 & 7331-3 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: YBOHTA**

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.



7331-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 11, 2020

NOTICE

TO: Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066

FROM: Ron Duvall, Water Rights Permitting Administrator
for Jeanne Goodman, Chief Engineer
Water Rights Division

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 5060-3 and
Water Permit No. 7331-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed".

Please note from the attached notice that the Water Management Board meeting is **February 26, 2020.**

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

CERTIFICATION

I hereby certify that on February 11, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage prepaid envelopes containing a "Notice" dated February 11, 2020 regarding unclaimed certified mail to the following:

No. 6168-3: Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

Nos. 5060-3 & 7331-3: Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066

No. 3189-3: Jeff Hansen, Mgr, 39849 167th St, Frankfort SD 57440



Eric Gronlund
Water Rights Program
Environment & Natural Resources

STATE OF SOUTH DAKOTA)

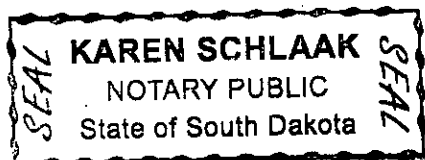
) SS

COUNTY OF HUGHES)

Sworn to, before me, this 11th day of February, 2020.



Karen Schlaak
Notary Public
My Commission expires April 1, 2025





7331-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2020

Nos. 5060-3 & 7331-3

SCOTT SCHUURMANS
30407 416TH AVE
TYNDALL, SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Permit Nos. 5060-3 & 7331-3. 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".

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. 7331-3**

I have this day, January 23, 2019, made a thorough examination of the water use system constructed by Scott Schuurmans, 30407 416th Avenue, Tyndall, SD 57066, holder of Permit No. 7331-3, bearing the priority of March 7, 2012 authorizing the diversion of 2.85 cu. ft. per second of the waters of groundwater (Choteau: Tyndall Aquifer) for irrigation purposes, of 200 acres, in Bon Homme County.

Inspection contact: Scott Schuurmans, Owner and Jim Humple, farmhand

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 305 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 12 inches
- 2) Length 254 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 118 feet

Pump:

- 1) Make Grundfos
- 2) Model 800S600-3AA
- 3) Capacity 800 GPM

Motor:

- 1) Make Hitachi
- 2) Model No. Unknown
- 3) Horsepower rating 60 hp

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

Well to East Pivot	1) Type <u>PVC</u>	2) Size <u>8</u> inches	3) Length <u>500</u> feet
Well to West Pivot	1) Type <u>PVC</u>	2) Size <u>8</u> inches	3) Length <u>2,380</u> feet

C. Works used to apply water to beneficial use:

North Pivot

- 1) Make Zimmatic
- 2) Overall length 1,192 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 750 GPM

South Pivot

- 1) Make Zimmatic
- 2) Overall length 1,282 feet
- 3) Number of towers 8
- 4) End gun Yes
- 5) Capacity 750 GPM

Chemigation Equipment: Feeds both pivots.

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

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
- 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:
The well is 2,070 feet east and 1,220 feet south of the northwest corner of Section 35-T95N-R60W (Latitude 43.00713, Longitude -97.90310 – NE1/4 of the NW1/4).
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: **all in Section 35-T95N-R60W**

<u>NE1/4NW1/4</u>	<u>30 acres</u>
<u>NW1/4NE1/4</u>	<u>33 acres</u>
<u>NW1/4SW1/4</u>	<u>8 acres</u>
<u>NE1/4SW1/4</u>	<u>36 acres</u>

<u>SE1/4NW1/4</u>	<u>33 acres</u>
<u>SW1/4NE1/4</u>	<u>31 acres</u>
<u>SW1/4SW1/4</u>	<u>14 acres</u>
<u>SE1/4SW1/4</u>	<u>15 acres</u>

comprising a total of 200 acres of land and the license should be issued for 1.78 cfs.

3. All structures, wells and lands on map Yes

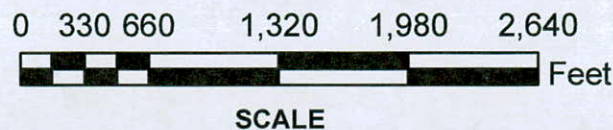
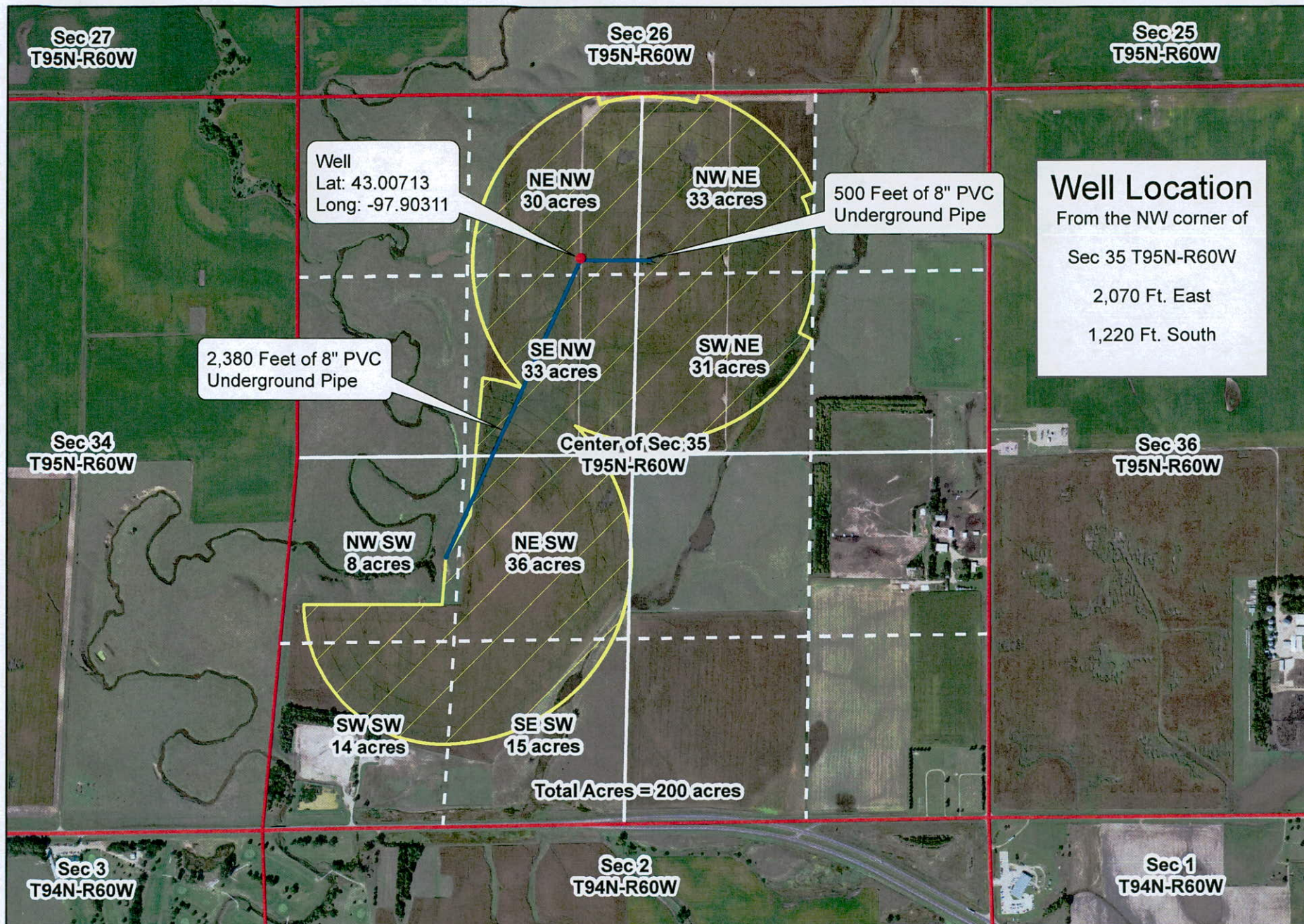
F. Comments or other permit(s) associated with the project: The well pump is rated for 800 gpm (1.78 cfs) even though the pivots are rated for 750 gpm (1.67 cfs).

Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: March 10, 2020

Water Right No. 7331-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
March 10, 2020

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Scott Schuurmans, 30407 416th Ave. Tyndall SD 57066

DATE: March 12, 2020

TELEPHONE: 605 464-9627

RE: pump rate

COMMENTS:

Water Permit No. 7331-3 authorizes 2.85 cfs from one well to irrigate 200 acres. The time to construct works as described in the permit expired on May 7, 2017. The permit holder has until May 7, 2021 to put water to beneficial use.

With the construction period already up, Keith DeJong conducted an investigation of the system for licensing purposes. The investigation of the water use system found irrigation of 200 acres with the well capable of 800 gpm and the pivots rated at 750 gpm.

Since there is still time for Mr. Schuurmans to increase his diversion rate to the amount permitted, I contacted him to see if he was planning on putting in another pump or if he felt his system was good the way it was.

Mr. Schuurmans indicated he had no intent on increasing the pump size. He was agreeable to continuing with the licensing and understood he would be limited to 800 gpm for irrigation of 200 acres.



Genny McMath
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 25 2020

7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

Enclosed is Water License No. 7331-3. 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 in the future, the owner of an existing well, 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The staff engineer indicated in his report that you apply chemicals or fertilizer through your irrigation system but noted a hose was not present on the drain. Please ensure that a low pressure drain outlets at least 20 feet from the water source when you are applying chemicals or fertilizer through the system.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7331-3**

(1) Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066 made Application No. 7331-3, March 7, 2012 for a water permit to divert 2.85 cubic feet of water per second from ground water, one well (Choteau Tyndall Aquifer), Bon Homme County, South Dakota for irrigation purposes. Permit No. 7331-3, with a priority date of March 7, 2012 was approved May 7, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 7, 2017 and for the application to beneficial use of water on or before May 7, 2021.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,070'E and 1,220'S of the NW corner of Section 35, T95N, R60W (NE ¼ NW ¼)
Latitude 43.00713, Longitude -97.90310

(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:

T95N, R60W Section 35	NE ¼ NW ¼	30 acres	NW ¼ SW ¼	8 acres
	SE ¼ NW ¼	33 acres	SW ¼ SW ¼	14 acres
	NW ¼ NE ¼	33 acres	NE ¼ SW ¼	36 acres
	SW ¼ NE ¼	31 acres	SE ¼ SW ¼	15 acres

Total 200 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Scott Schuurmans, 30407 416th Ave, Tyndall SD 57066 the holder and/or owner of Water Right No. 7331-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water, one well (Choteau Tyndall Aquifer) with a priority date of March 7, 2012 from the location specified in (2) of this license for irrigation purposes.

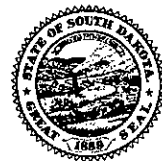
This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7331-3 and subject to the following qualifications:

- The well approved under this Water Right 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. 7331-3 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 July, 2012 by Hammond-Wetmore Drilling. A copy of the well completion report is on file with the Water Rights Program.*
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 25 2020

date





DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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) 5060-3 & 7331-3 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, 2021** 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: FHGYU**

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.

7331-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 5060-3 and 7331-3. 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 blue ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

7331-3



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

January 20, 2023

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 5060-3 & 7331-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 5060-3 & 7331-3 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 8, 2023** 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://danr.sd.gov/iq> using this password: MVJGYW**

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.

7331-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2023

5060-3
7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 5060-3 & 7331-3. 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
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

5060-3 & 7331-3

Scott Schuurmans
30407 416th Ave
Tyndall SD 57066

Dear Mr. Schuurmans:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 5060-3 & 7331-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

7331-3

5060-3

Scott Schuurmans
30407 416th Ave
Tyndall, SD 57066

Dear Mr. Schuurmans,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us

5060-3, 7331-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: SCOTT SCHUURMANS, 30407 416TH AVE, TYNDALL, SD 57066
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5060-3 & 7331-3. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5060-3 & 7331-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5060-3 & 7331-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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.