

DO NOT LICENSE
THIS IS A
TEMPORARY
WATER PERMIT

WATER PERMIT NO. 8388-3

Name of Applicant: Percy Tjeerdsma

Address: 41175 309th Ave, Springfield SD 57062

Phone: 605 369-2515

Amount of Water Claimed: no add'l

Total Acres: 46

Source of Water Supply: one existing well

Water to be used for: irrigation

County: Bon Homme

Type of Waste Disposal System:

Location: 4 miles northwest of Springfield

PRIORITY

Date Received: 1-2-19

Application/License Fee: \$ 700

Corrected Application Received:

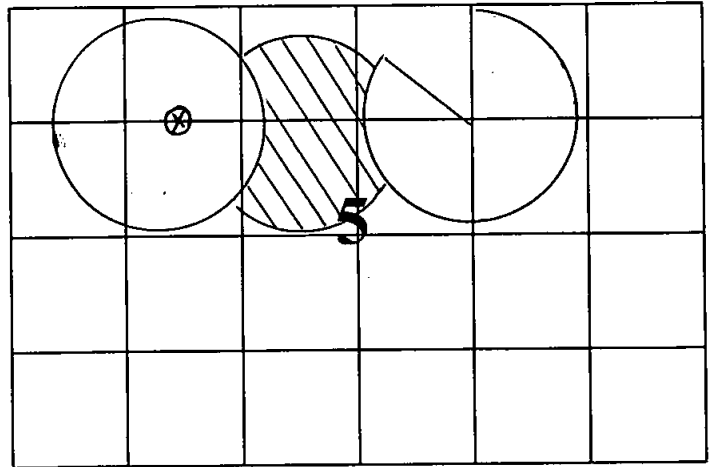
Period of Annual Use: April 1 – November 30

Remarks: additional acres to Water Right No. 3576-3

Diversion Point: W 1/2 NW 1/4 Sec 5-T93N-R60W

Land to be Irrigated: NE 1/4 NW 1/4, S 1/2 NW

1/4, W 1/2 NE 1/4 Sec 5-T93N-R60W



Depth of Well: 215 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Keith DeJong

Reviewed and the Number Assigned on: 1-2-19

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8388-3</u> (office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Tyndall Register & Tribune</u> <u>Press & Dakotan</u>

RECEIVED
JAN 02 2018/9
WATER RIGHTS
PROGRAM
PAID
JAN 02 2019

Application For Permit To Appropriate Water For Irrigation Ck# 4921

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.)

additional acres to Water Right No. 3576-3

1. Name to Appear on Irrigation Permit Percy Tjeerdsma

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 41175 309th Avenue Springfield SD 57062
(Address) (City) (State) (Zip Code)

Phone 605 369-2515 Mobile _____ Email _____

2. Amount of water claimed no add'l *CFS or _____ **GPM _____ ***AF Total Acreage 46
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply existing well authorized by Water Right No. 3576-3

4. Location of point of diversion W1/2 NW 1/4 Section 5-T93N-R60W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Bon Homme

5. County or counties where water will be used Bon Homme

6. Annual period during which water is to be used April 1 - November 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE1/4 NW 1/4 Section 5-T93N-R60W	15	SW1/4 NE 1/4 Section 5-T93N-R60W	3
SW1/4 NW 1/4 Section 5-T93N-R60W	2		
SE1/4 NW 1/4 Section 5-T93N-R60W	25		
NW1/4 NE1/4 Section 5-T93N-R60W	1		

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

A second center pivot was installed that is supplied by the well authorized by Water Right No. 3576-3. The well supplies the two pivots on an alternating basis.

I, Percy Tjeerdsma, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

SOUTH DAKOTA
TEMPORARY USE WATER PERMIT NO. 8388-3

Date of first receipt of application January 2, 2019.

The Chief Engineer, on behalf of the Water Management Board, issues Temporary Use Water Permit No. 8388-3 to Percy Tjeerdsma, 41175 309th Ave, Springfield SD 57062 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. Temporary Use Water Permit No. 8388-3 authorizes irrigation of 46 additional acres. Water Right No. 3576-3 appropriates 2.0 cubic feet of water per second from one well completed into the Choteau:Tyndall Aquifer (215 feet deep) located in the W 1/2 NW 1/4 Section 5 for irrigation of 155 acres located in the NW 1/4 Section 5 and E 1/2 NE 1/4 Section 6; all in T93N-R60W. An investigation found 46 additional acres located in the NE 1/4 NW 1/4, S 1/2 NW 1/4, W 1/2 NE 1/4 Section 5-T93N-R60W being irrigated from the existing well. This temporary permit does not authorize any increase in the developed diversion rate. This site is located approximately 4 miles northwest of Springfield SD.
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 – November 30.
3. The date from which applicant may claim right is January 2, 2019 (additional 40 acres).
4. The date of approval of Temporary Use Water Permit No. 8388-3 is April 29, 2019.
5. 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 city of Tyndall has priority right to this water under future use withdrawal permits. Permit No. 8388-3 is issued as a temporary use permit pursuant to SDCL 46-5-39 and is subject to this prior right if or when the city of Tyndall develops their reserve water supply. Permit No. 8388-3 may be subject to cancellation when the water reserved under the future use permit is put to beneficial use. The Chief Engineer must provide the permit holder six months' notice prior to cancellation of this temporary use permit.
2. The well approved under Water Right No. 3576-3 and Permit No. 8388-3 is 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

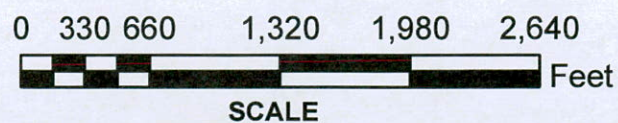
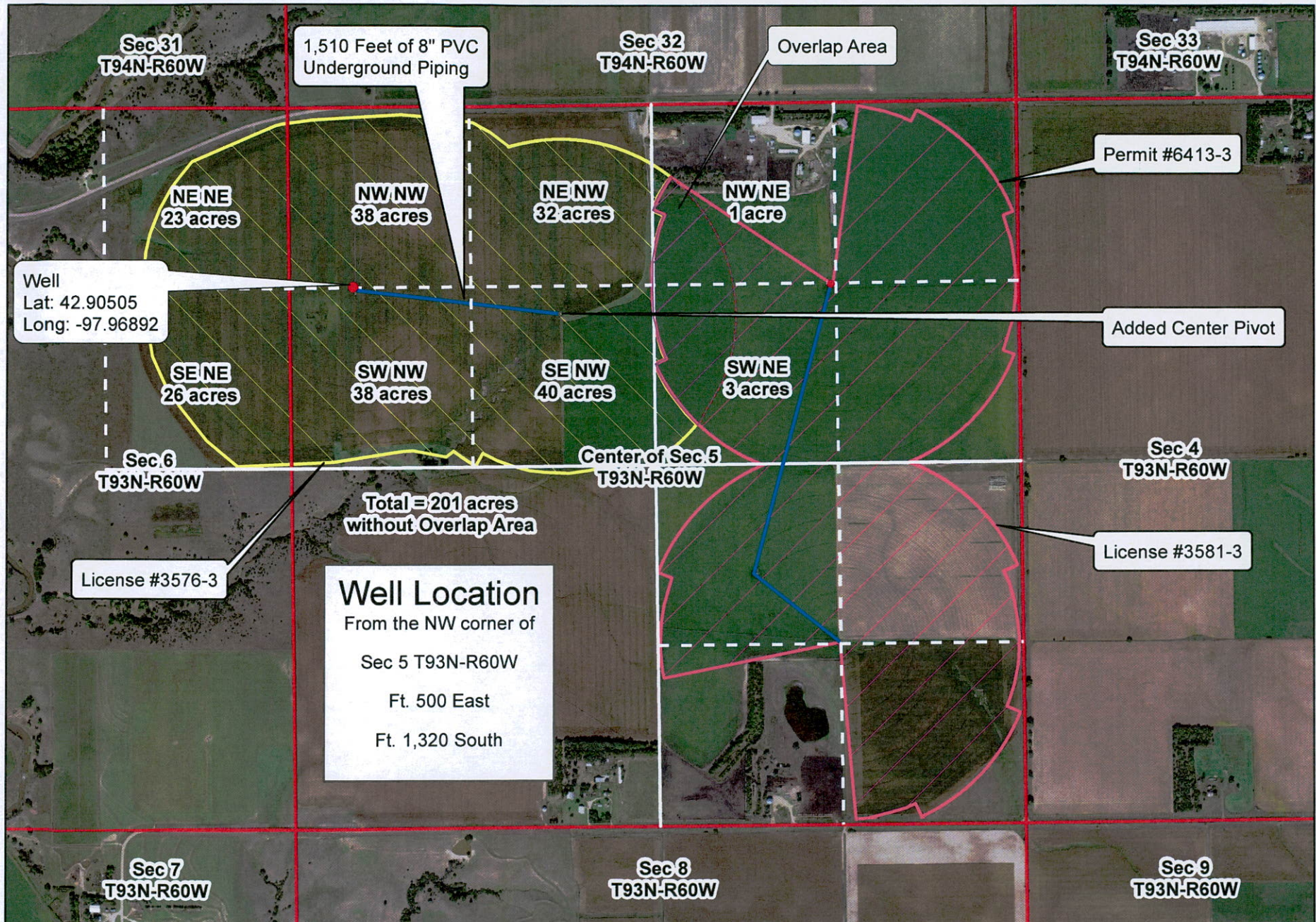
By: *Jeanne Goodman*
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 03 2019

date



Licensed Water Right No. 3576-3 Additional Pivot



Keith DeJong
Keith DeJong, PE
Staff Engineer
July 18, 2018

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 2, 2019

RECEIVED OF Percy Tjeerdsma & Connie Tjeerdsma 41175 309th Avenue Springfield SD 57062

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

Fee for Application for Permit No. <u>8388-3</u> 3576-3 to Appropriate Water, to construct and to put water to beneficial use	500	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>8388-3</u> 3576-3	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	700	00

No. **08894**

By Jeanne Goodman
Chief Engineer Jm

Water Right No. 3576-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Percy Tjeerdsma, Licensed Water Right No. 3576-3

ADDRESS: 41175 309th Avenue, Springfield, SD 57062

COUNTY: Bon Homme

TELEPHONE: 605 369-2515

DATE: July 18, 2018

RE: Status of Water Right No. 3576-3

COMMENTS:

In my investigation for Water Right No. 6413-3, I noticed that an undocumented center pivot was in use on some of the same property as the center pivot for Water Right No. 6413-3. During my site visit, I asked the owner, Mr. Tjeerdsma, about the pivot. He stated that he had the center pivot installed and it is connected to the well for his licensed Water Right No. 3576-3. In review of the license for Water Right No. 3576-3, I did not see any documentation for this center pivot.

During my site visit I went to the location of the undocumented center pivot and gathered the information shown on the attached map. I did not go to the site of the well for licensed Water Right No. 3576-3, but obtained the longitude/latitude and location information for the well from Google Maps. The attached map indicates the area irrigated by the original center pivot and the added center pivot. The current license is for 155 acres and the added 46 acres brings the total irrigated acres of the two pivots to 201 acres. This does not include the acres already included in the area for Water Right No. 6413-3 that this pivot also irrigates. The two pivots irrigate property in the NE1/4 of Section 6, the NW1/4 of Section 5 and the NE1/4 of Section 5, all in T93N-R60W, as indicated on the attached map.

I indicated to Mr. Tjeerdsma that I would document the information, submit it to the Water Rights Division of SD/DENR, and that someone from that office would contact him about the added acres.

NAME: Keith DeJong



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

December 3, 2018

Percy Tjeerdsma
41175 309th Ave
Springfield SD 57062

Dear Mr. Tjeerdsma:

On July 25, 2018, you were sent applications forms for a permit to appropriate water based on an investigation of Water Permit No. 6413-3. As stated in the letter, at the time of the investigation it was found that you installed a center pivot between the pivots authorized by Water Permit No. 6413-3 and Water Right No. 3576-3. Enclosed is another partially completed application form and map.

This is a reminder that we have not received the application for irrigation of the additional acres. Obtaining a water permit that accurately reflects your water use ultimately benefits you by protection your right to use water. Now is the time to submit the application in order to have the proper permitting in place by the 2019 irrigation season.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

October 3, 2018

Percy Tjeerdsma
41175 309th Ave
Springfield SD 57062

Dear Mr. Tjeerdsma:

On July 25, 2018, you were sent applications forms for a permit to appropriate water based on an investigation of Water Permit No. 6413-3, by Keith DeJong, an engineer with this office. Enclosed are copies of that letter and a partially completed application form. The investigation found you installed a center pivot between pivots authorized by Water Permit No. 6413-3 and Water Right No. 3576-3. This application is necessary to obtain a permit which will reflect your water use.

To date, we have not received a response regarding this application.

Obtaining a water permit that accurately reflects your water use ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 25, 2018

denr.sd.gov

Percy Tjeerdsma
41175 309th Avenue
Springfield SD 57062

Dear Mr. Tjeerdsma:

A licensing investigation was recently conducted of Water Permit No. 6413-3 for the irrigation system in the NE ¼ Section 5-T93N-R60W. During that investigation it was discovered that you installed a center pivot between the pivots authorized by Water Permit No. 6413-3 and Water Right No. 3576-3. This newer pivot is supplied by the well authorized by Water Right No. 3576-3. See attached map.

The Water Rights Program is unable to find that a water permit was ever obtained for the additional acres being irrigated. From reviewing aerial imagery it appears that 46 additional acres are being irrigated. This does not include the overlap that appears to occur between the pivots on each side of the newer pivot.

Enclosed is a partially completed application to file for the additional acres that are now being irrigated. Note that in drafting the application it says under Item No. 2 no additional diversion rate is requested. Water Right No. 3576-3 authorizes a diversion rate of 900 gallons per minute. I presumed you did not increase the pump rate when the additional pivot was added but instead operate the pivots on an alternating basis. If you did increase the pump rate you should amend the application accordingly prior to mailing.

Please review the application, make corrections if necessary and sign. The application/licensing fee for 46 additional acres is \$700. Make the check payable to the Water Rights Program.

Please contact me if you have questions regarding the need to obtain a water permit for the additional acres.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

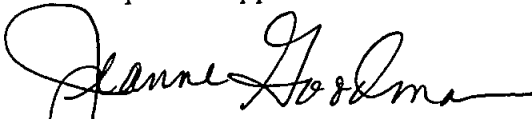
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8388-3, Percy Tjeerdsma**

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. 8388-3, Percy Tjeerdsma, 41175 309th Avenue, Springfield SD 57062.

The Chief Engineer is recommending APPROVAL of Application No. 8388-3 as a **TEMPORARY USE PERMIT** because 1) water is available to be appropriated as a temporary use permit until the city of Tyndall, holder of a future use permit from the Choteau:Tyndall aquifer fully develops water reserved from their future use permit, 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 city of Tyndall has priority right to this water under future use withdrawal permits. Permit No. 8388-3 is issued as a temporary use permit pursuant to SDCL 46-5-39 and is subject to this prior right if or when the city of Tyndall develops their reserve water supply. Permit No. 8388-3 may be subject to cancellation when the water reserved under the future use permit is put to beneficial use. The Chief Engineer must provide the permit holder six months' notice prior to cancellation of this temporary use permit.
2. The well approved under Water Right No. 3576-3 and Permit No. 8388-3 is 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
April 8, 2019

REPORT ON PERMIT APPLICATION NO. 8388-3

For Percy Tjeerdsma

March 3, 2019

Percy Tjeerdsma has filed an application for a water permit to irrigate 46 additional acres. This water permit application is a result of a licensing inspection conducted pursuant to South Dakota Codified Law (SDCL) 46-5-30. The inspection found 46 additional acres located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 5, T93N-R60W being irrigated from the existing well. Water Right No. 3576-3 appropriates water for the irrigation of 155 acres, located in the NW $\frac{1}{4}$ Section 5 and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 6, at a maximum diversion rate of 2.0 cubic feet of water per second (cfs) from one well completed into the Choteau: Tyndall aquifer (approximately 215 feet deep) located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5; all in T93N-R60W. This application does not authorize any increase in the developed diversion rate authorized by Water Right No. 3576-3. This water permit application, if approved, combined with Water Right No. 3576-3 will authorize a total of 2.0 cfs for irrigation of 201 total acres to reflect the current system as developed. This site is located approximately four miles northwest of Springfield in Bon Homme County, South Dakota.

AQUIFER – CHOTEAU TYNDALL (CH:T)

The Choteau: Tyndall aquifer is a buried outwash deposit consisting of sands and gravels that fill a preglacial valley in central Bon Homme County. The aquifer is buried by till except at the southern extent, where it outcrops at Emmanuel Creek. The aquifer is often under artesian conditions, but water table conditions do exist locally (Jorgensen, 1971). The aquifer underlies 31,300 acres and contains an estimated 140,850 acre-feet of recoverable water in storage in Bon Homme County (Hedges and others, 1982). 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. The direction of groundwater movement is from north to south across the area of this application (Jorgensen, 1971). The Choteau: Tyndall aquifer directly overlies the Niobrara aquifer in much of Bon Homme County and is hydraulically connected to the bedrock aquifer. Also there is an apparent hydraulic connection of the Choteau: Tyndall aquifer with Emmanuel Creek at least in localized areas (Jorgensen, 1971). When there are flows in the creek, there are corresponding responses in the water levels of the aquifer near the creek.

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 and impacts to existing rights from the aquifer.



WATER AVAILABILITY

The availability of unappropriated water from an aquifer can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater cannot 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 average estimated annual recharge. If the source of the water is older or lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not consider the recharge/withdrawal issue. In this case, a water distribution system is not involved and the Choteau: Tyndall aquifer is not older or lower than the Greenhorn Formation. Therefore, the withdrawal/recharge issue must be considered.

Recharge versus Discharge:

Recharge

Recharge to the Choteau: Tyndall aquifer is through percolation of precipitation through the overlying till or alluvium, inflow from Emmanuel Creek, and inflow from contiguous bedrock aquifers such as the Niobrara, Codell, and Dakota aquifers (Jorgensen, 1971).

Hedges and others (1985) estimated an average recharge rate of 3.2 inches per year for the unconfined portions of the Choteau: Tyndall aquifer. Stonesifer (2013) applied Hedges and others' methodology in 2013 to estimate an average recharge rate of 7.2 inches per year to the Choteau: Tyndall aquifer. Stonesifer estimated that the unconfined portions of the aquifer encompassed approximately 2,800 acres. Therefore, the minimum average recharge to the Choteau: Tyndall aquifer was estimated to be 1,700 acre-feet per year. Capen (2014) extended the observation well period of record used by Stonesifer, and applying Stonesifer's assumptions, estimated a minimum average annual recharge of 1,408 acre-feet per year.

Discharge

Discharge from the Choteau: Tyndall aquifer is through springs at the outcrop areas near Emmanuel Creek, evapotranspiration, outflow to contiguous Niobrara and Codell bedrock aquifers, and well withdrawals (Jorgensen, 1971). Currently there are a total of 30 water rights/permits appropriating water and one future use permit reserving water from the Choteau: Tyndall aquifer (Water Rights, 2019a). The City of Tyndall holds two water rights, authorizing a total maximum diversion rate of 2.16 cfs and one future use permit authorizing a total reservation of 410 acre-feet per year from this aquifer. These are all for municipal use. Expected use of non-irrigation use water rights/permits limited by diversion rate can be estimated by assuming pumpage 60 percent of the time at the maximum diversion rate. Future use permits are assumed to be fully developable. However, the City of Tyndall has been using a rural water system as a primary source, and these water rights are maintained as a back-up source for uses such as fire protection. Effectively, the City of Tyndall is not expected to use these water rights or develop these future use permits.

There are 28 water rights/permits appropriating water from the Choteau: Tyndall aquifer for irrigation purposes. Historic water use for these irrigation rights/permits is listed in Table 1.

Temporary Use Water Permit Nos. 8060-3, 8244-3 and 8267-3 authorize temporary water appropriations reserved under Future Use Permit No. 4839A-3 pursuant to SDCL 46-5-39.

Table 1: Historic irrigation water use from the Choteau: Tyndall aquifer (Water Rights, 2019d).

Year	Permits Reporting	Appropriation (acre-feet/year)	Pumpage Reported (acre-feet/year)
1979	17	8079	983.0
1980	17	7966	1943.0
1981	22	10210	1418.0
1982	19	8576	1564.7
1983	19	9043	996.7
1984	23	10710	1012.1
1985	21	9551	1056.2
1986	21	9551	1184.2
1987	21	9393	1645.7
1988	21	9393	2545.9
1989	22	9470	2173.9
1990	19	7604	1570.5
1991	19	7154	1961.5
1992	19	7154	489.3
1993	19	7154	61.2
1994	19	7523	633.7
1995	19	7523	1104.2
1996	19	7672	1034.8
1997	17	7179	964.0
1998	18	7179	708.2
1999	18	7179	939.2
2000	18	7179	1235.8
2001	18	7179	919.7
2002	17	6759	1613.7
2003	16	6138	1496.0
2004	20	7288	1680.1
2005	20	7288	2006.8
2006	20	7240	1693.3
2007	21	7410	1931.4
2008	23	7824	2138.4
2009	23	7824	1024.0
2010	23	7824	559.6
2011	21	7035	1609.7
2012	23	7629	3931.5
2013	24	8127	2078.8
2014	25	8427	2212.2
2015	26	8647	1670.9
2016	26	8647	1541.5
2017	28	9083	1971.1
Max	28	10710	3931.5
Min	16	6138	61.2
Average	21	8021	1469.3

While there are numerous domestic wells on file, many are no longer used as primary sources since rural water systems have been introduced in the area (Water Rights, 2019c). Considering this, and the relatively small withdrawal ability and authorization of a domestic well, the annual quantity of water withdrawn due to domestic wells is not significant to the hydrologic budget of the Choteau: Tyndall aquifer.

Hydrologic Budget

The estimated average annual withdrawal from the Choteau: Tyndall aquifer is 1,469.3 acre-feet per year from irrigation use spanning 1979-2017. This amount includes 230 acre-feet from the temporary water permits that have been issued by utilizing Future Permit Use No. 4839A-3 (410 acre-feet per year reserved by the City of Tyndall). Average annual recharge has been estimated to be 1,000 acre-feet per year (Hedges and others, 1985; Jorgensen, 1971), 1,700 acre-feet per year (Stonesifer, 2013) and approximately 1,400 acre-feet per year (Capen, 2014). Expected average annual withdrawal over the period of record may exceed the average annual recharge estimates if the future use permit was fully implemented.

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 in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.

The DENR-Water Rights Program monitors 10 observation wells completed into the Choteau: Tyndall aquifer (Water Rights, 2019b). Five of these observation wells (BH-71C, BH-76C, BH-76D, BH-78B and BH-78E) are located within approximately three miles of this proposed application. The hydrographs of these observation wells are shown in Figures 1 through 5.

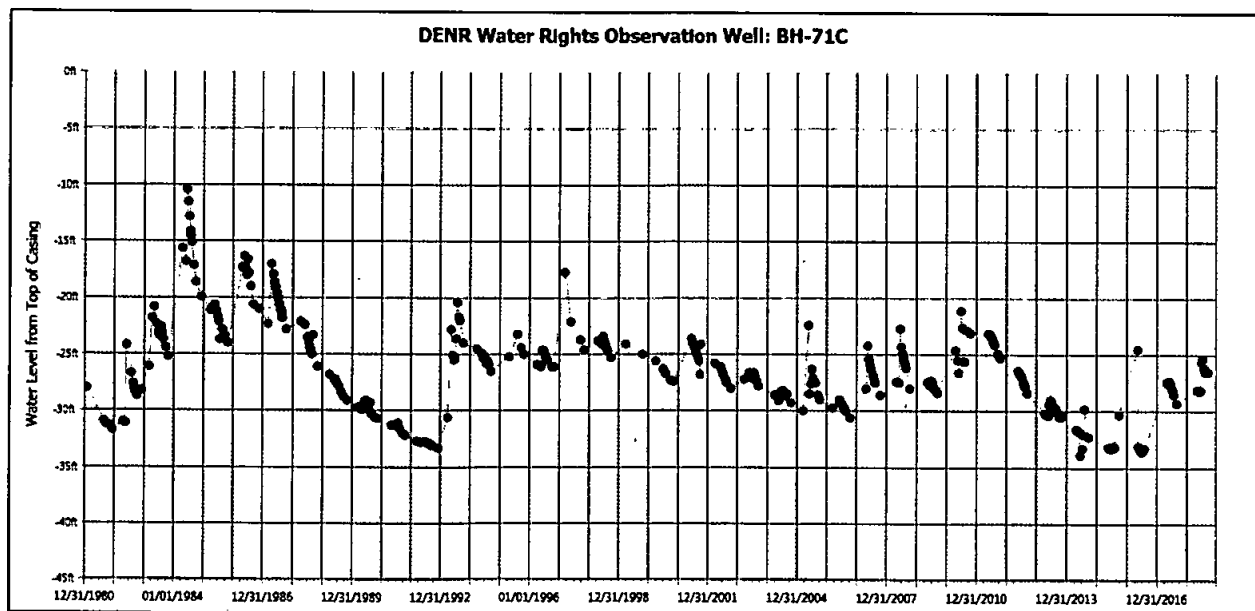


Figure 1: Hydrograph of observation well BH-71C located approximately 3 miles northeast of Water Permit Application No. 8388-3 (Water Rights, 2019b).

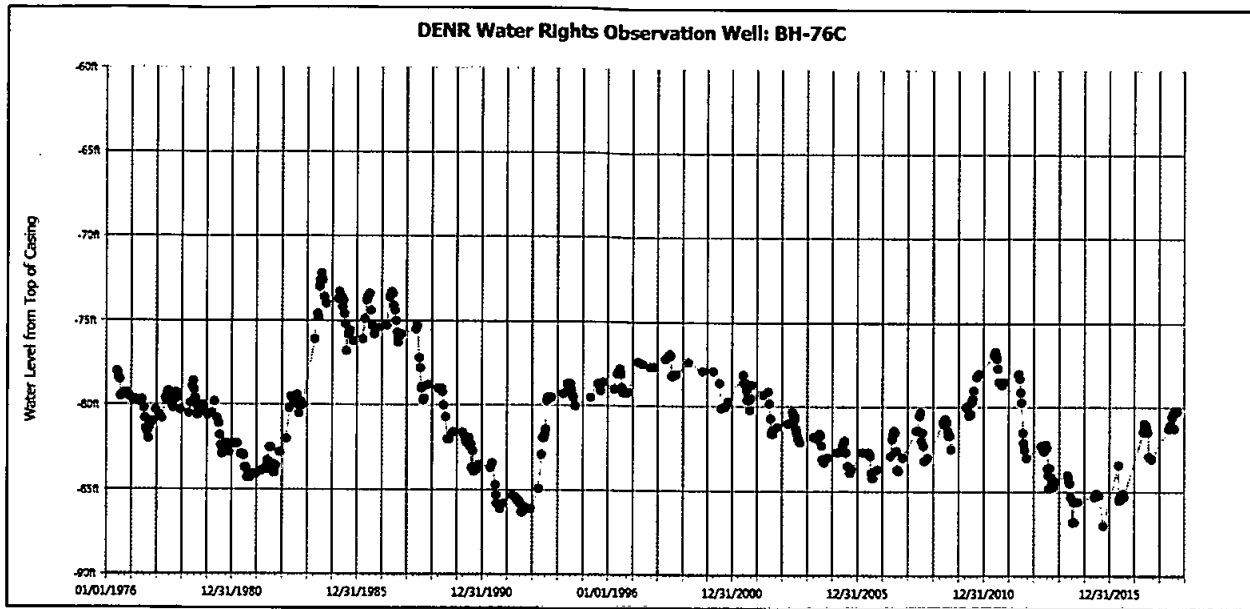


Figure 2: Hydrograph of observation well BH-76C located approximately 3 miles northeast of Water Permit Application No. 8388-3 (Water Rights, 2019b).

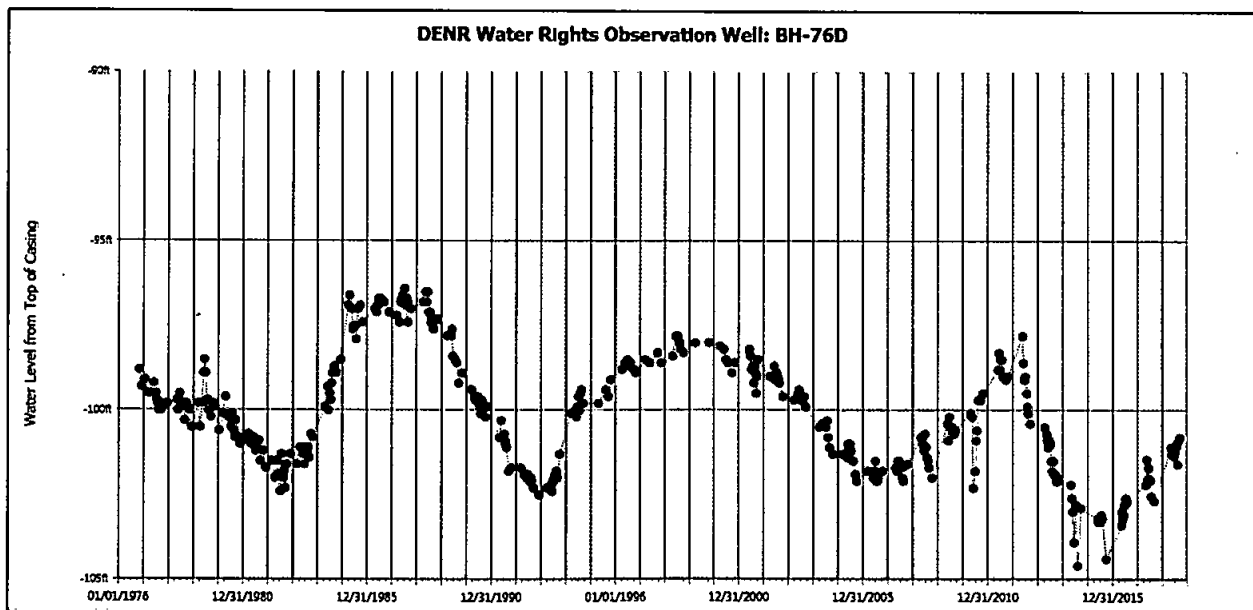


Figure 3: Hydrograph of observation well BH-76D located approximately 1 mile northeast of Water Permit Application No. 8388-3 (Water Rights, 2019b).

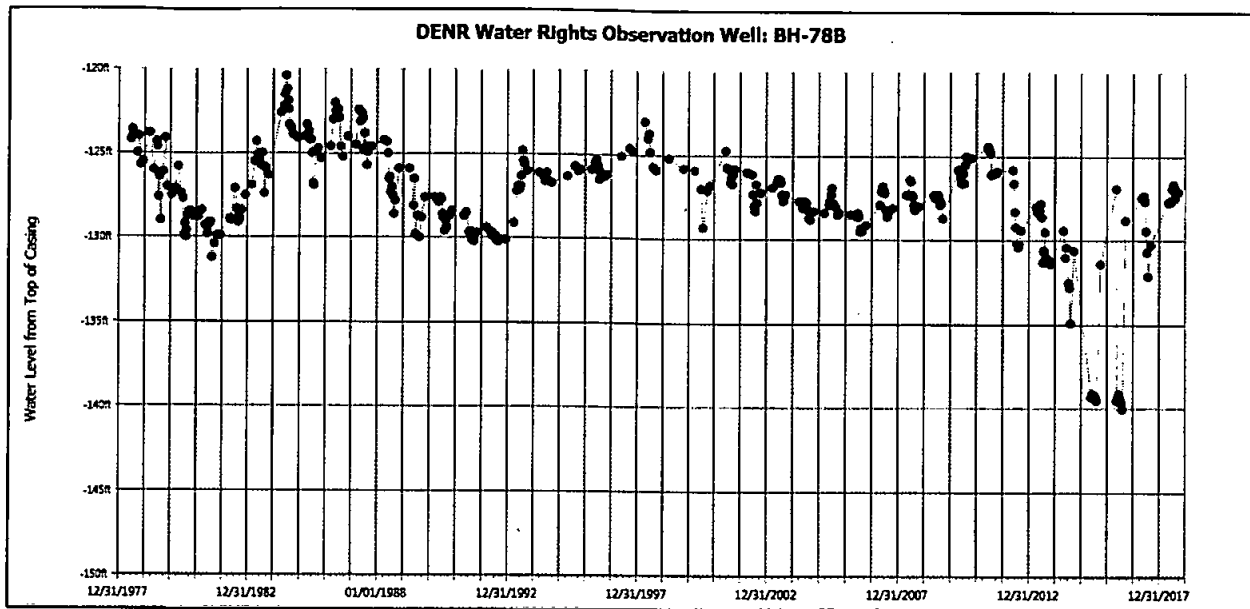


Figure 4: Hydrograph of observation well HB-78B located approximately 2½ miles northwest of Water Permit Application No. 8388-3 (Water Rights, 2019b).

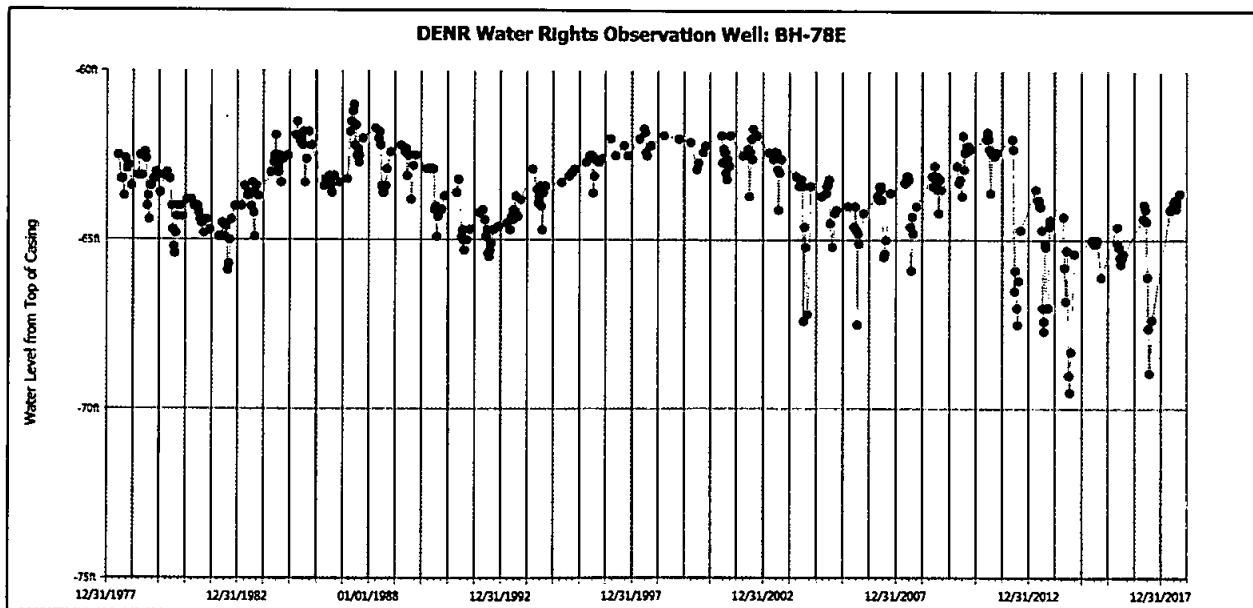


Figure 5: Hydrograph of observation well BH-78E located approximately ¾ mile south of Water Permit Application No. 8388-3 (Water Rights, 2019b).

The observation well hydrographs are representative of the Choteau: Tyndall aquifer and aid in understanding how the aquifer reacts to local pumping and regional climatic conditions. The hydrographs show a cyclic pattern of the water level fluctuation based on the effect of climatic conditions, recharging during wet years and declining during dry years.

These wells record generally steady water levels in the aquifer over the period of record, indicating that recharge to and natural discharge from the aquifer greatly exceeds well withdrawal. Therefore, there is a reasonable probability that unappropriated water is available from the Choteau: Tyndall aquifer to support the proposed appropriation.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

Currently, there are 30 water permits/rights appropriating water from the Choteau: Tyndall aquifer (Water Rights, 2019a). The water rights/permits in the vicinity of this proposed application are shown in Figure 6. The closest water right/permit appropriating water from the Choteau: Tyndall aquifer not held by the applicant, is located approximately one mile southwest of this proposed application. In addition to wells supplying appropriative rights, there are a number of domestic use wells on file with the DENR-Water Rights Program in the vicinity of this proposed well site (Water Rights, 2019c).

If the water levels in the Choteau: Tyndall aquifer were to decline, owners of existing wells bear the responsibility of lowering the pump inlet in the well to the top of the aquifer, if necessary. Increased lift would decrease the pump discharge or require a larger pump or a different type of a pump to maintain the same output.

Drawdown from pumping wells completed into the Choteau: Tyndall aquifer is typically not significant very far from the pumping well. Examination of the hydrographs of observation wells completed into the Choteau: Tyndall aquifer shows no signs of being significantly impacted by drawdown despite being located in the proximity of a number of irrigation wells. Although precise drawdown cannot be quantified without aquifer testing this application, if approved, is not expected to adversely impact nearby adequate wells.

An adequate well is defined by South Dakota Administrative Rules as:

“a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near as possible to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet.”

There has not been a history of well interference issues with the Choteau: Tyndall aquifer. At the distances involved between this well site and wells of existing water rights/permits and domestic users with adequate wells, interference is not expected to be a concern. \



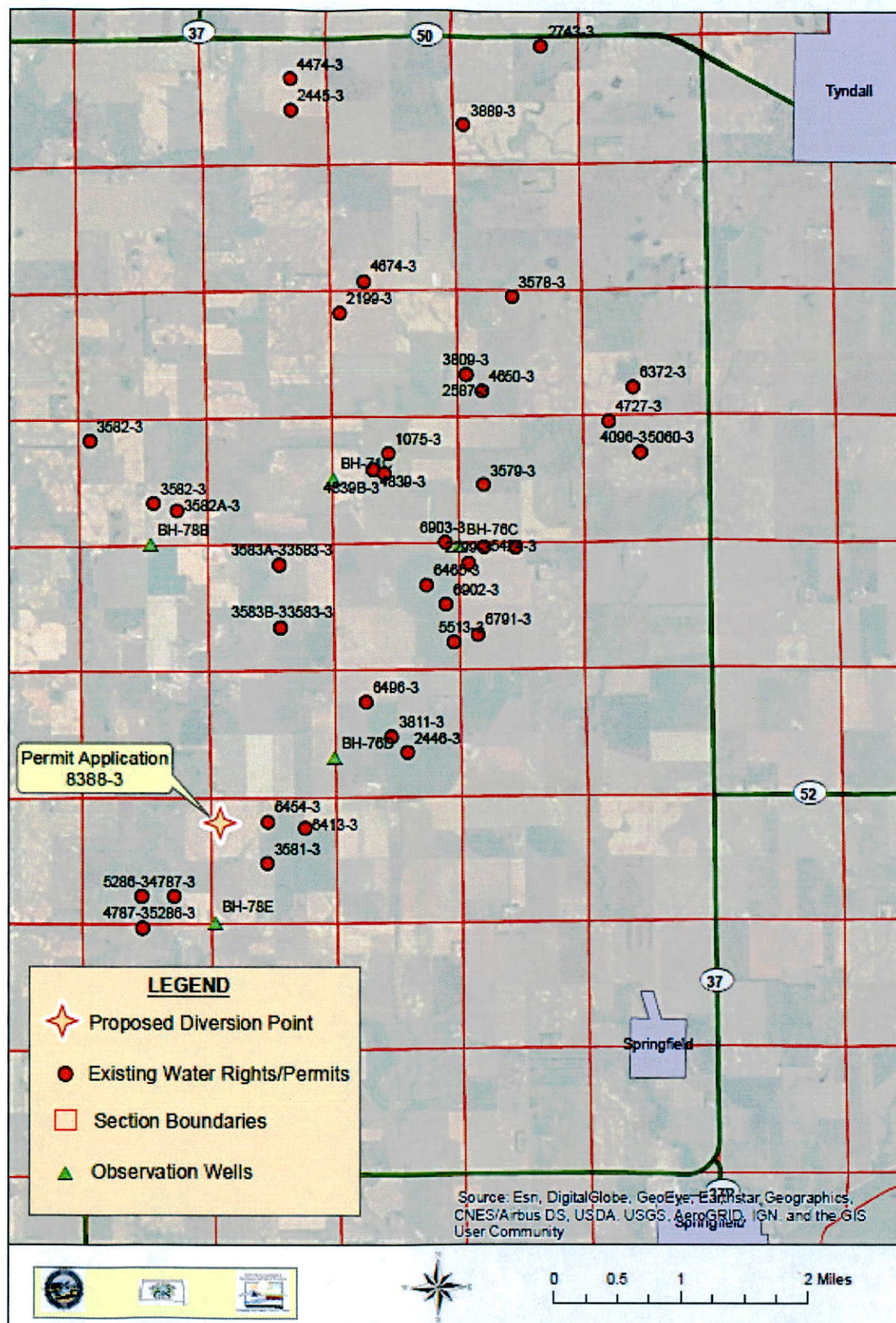


Figure 6: Approximate location of diversion points for water rights/permits appropriating water from the Chateau: Tyndall aquifer in the vicinity of Water Permit Application No. 8388-3 (Water Rights, 2019a).

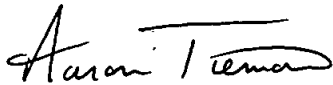
SDCL 46-5-39 and SDCL 46-5-40:

SDCL 46-5-39 allows the Water Management Board to authorize a temporary appropriation of water reserved under a future use permit. SDCL 46-5-40 states that a temporary use permit would be effective only until such time as the future use holder wants to develop the water covered by the temporary permit. The temporary permit holder is to be given a six month notice after which time the temporary permit is subject to cancellation.

Future Use Permit No. 4839A-3 held by the City of Tyndall reserves 410 acre-feet per year from the Choteau: Tyndall aquifer. Temporary Water Permit Nos. 8060-3, 8244-3 and 8267-3 authorize a temporary appropriation, pursuant to SDCL 46-5-39, of water reserved under Future Use Permit No. 4839A-3 for the irrigation of 325 acres. Given the average of the annual irrigation application rates reported by irrigators from the Choteau: Tyndall aquifer of 8.00 inches per acre per year (Buhler, 2017), the average annual withdrawal associated with the three temporary water permits is expected to be approximately 230 acre-feet annually. Therefore, there is approximately 180 acre-feet per year of additional water reserved by the future use permit that is available for temporary appropriation through SDCL 46-5-39. Average annual water use associated with the irrigation of 46 additional acres proposed by this application is not expected to exceed 31 acre-feet per year. Therefore, until the future use permit is developed, water is available for this proposed appropriation as a temporary use permit.

CONCLUSIONS

1. This application proposes to appropriate 46 additional acres to what is already authorized by Water Right No. 3576-3.
2. Water Permit Application No. 8388-3, if approved, combined with Water Right No. 3576-3 will authorize irrigation of 201 acres at a maximum diversion rate of 2.0 cfs from the Choteau: Tyndall to reflect the system as developed.
3. Future Use Permit No. 4839A-3 held by the City of Tyndall reserves 410 acre-feet per year from the Choteau: Tyndall aquifer. Temporary Water Permit Nos. 8060-3, 8244-3 and 8267-3 authorize a temporary appropriation, pursuant to SDCL 46-5-39, of water reserved under Future Use Permit No. 4839A-3 for the irrigation of 325 acres.
4. Average annual water use associated with the irrigation of 46 additional acres proposed by this application is not expected to exceed 31 acre-feet per year.
5. Based on observation well data and hydrologic budget analysis, there is a reasonable probability that water is available for this application from the future use permit held by Tyndall.
6. There is a reasonable probability that the diversion proposed by this application will not adversely impact existing users with adequate wells (appropriative or domestic).



Aaron Tieman

SD DENR-Water Rights Program

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Affidavit of Publication

RECEIVED

APR 29 2019

WATER RIGHTS PROGRAM

State of South Dakota }
County of Bon Homme } SS

Rebecca Ty 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

Not. of Appl. - Tjeerdsmas
89 @ 38

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

<i>April 17 2019</i>	20.....
.....20.....	20.....
.....20.....	20.....
.....20.....	20.....

That the full amount of the fee charged for the publication of said notice, \$ *33.82*, 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.

Rebecca Ty Publisher
Subscribed and sworn to before me this
17 day of *April* 20*19*.
Peggy Schelske
Notary Public, South Dakota

My Commission expires 10-24-2021

NOTICE OF APPLICATION

NO. 8388-3 to Appropriate Water

Notice is given that Percy Tjeerdsmas, 41175 309th Ave, Springfield SD 57062 has filed an application for a water permit to irrigate 46 additional acres. Water Right No. 3576-3 appropriates 2.0 cubic feet of water per second from one well completed into the Choteau: Tyndall Aquifer (215 feet deep) located in the W 1/2 NW 1/4 Section 5 for irrigation of 155 acres located in the NW 1/4 Section 5 and E 1/2 NE 1/4 Section 6; all in T93N-R60W. An investigation found 46 additional acres located in the NE 1/4 NW 1/4, S 1/2 NW 1/4, W 1/2 NE 1/4 Section 5-T93N-R60W being irrigated from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate. This site is located approximately 4 miles northwest of Springfield SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8388-3 as a TEMPORARY USE Permit pursuant to SDCL 46-5-39 with qualifications because 1) water is available to be appropriated as a temporary use permit, until the city of Tyndall, holder of a future use permit from the Choteau:Tyndall aquifer fully develops water reserved from their future use permit, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 April 29, 2019.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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

Published once at an approximate cost of \$33.82

(April 17)

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

APR 23 2019

WATER RIGHTS
PROGRAM

PERCY TJEERSDMA
41175 309TH AVE
SPRINGFIELD SD 57062

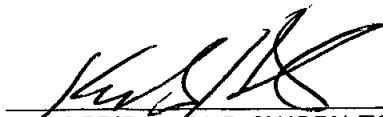
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
4+17 NOTICE OF APPLICATIO

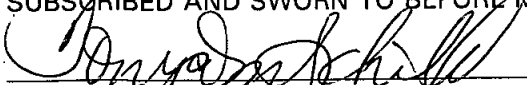
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 17th DAY OF April, 2019
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$32.16 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 04/17/2019

FILED ON: 04/17/2019



SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF April, 2019


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 08/19/2021

Ad text : 4 + 17

NOTICE OF APPLICATION NO. 8388-3 to Appropriate Water

Notice is given that Percy Tjeerdsma, 41175 309th Ave, Springfield SD 57062 has filed an application for a water permit to irrigate 46 additional acres. Water Right No. 3576-3 appropriates 2.0 cubic feet of water per second from one well completed into the Choteau:Tyndall Aquifer (215 feet deep) located in the W 1/2 NW 1/4 Section 5 for irrigation of 155 acres located in the NW 1/4 Section 5 and E 1/2 NE 1/4 Section 6; all in T93N-R60W. An investigation found 46 additional acres located in the NE 1/4 NW 1/4, S 1/2 NW 1/4, W 1/2 NE 1/4 Section 5-T93N-R60W being irrigated from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate. This site is located approximately 4 miles northwest of Springfield SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8388-3 as a TEMPORARY USE Permit pursuant to SDCL 46-5-39 with qualifications because 1) water is available to be appropriated as a temporary use permit until the city of Tyndall, holder of a future use permit from the Choteau:Tyndall aquifer fully develops water reserved from their future use permit, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineers recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 April 29, 2019.

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.

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Steven M. Pirner, Secretary,
Department of Environment and Natural Resources.
Published once at the total approximate cost of \$32.16

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, April 08, 2019 11:48 AM
To: Jackie Lammers (jackie.lammers@yankton.net)
Subject: 8388-3, Percy Tjeerdsma
Attachments: 8388-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on April 17, 2019.

Percy Tjeerdsma, 41175 309th Ave, Springfield SD 57062 (605 369-2515) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, April 08, 2019 11:47 AM
To: tyndalltribune@gmail.com
Subject: 8388-3, Percy Tjeerdsma
Attachments: 8388-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on April 17, 2019.

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Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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 NEWSPAPERS RIGHT AWAY.**

April 8, 2019

Percy Tjeerdsma
41175 309th Ave
Springfield SD 57062

Dear Mr. Tjeersdma:

Water Permit Application No. 8388-3 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 Tyndall Tribune & Register printed at Tyndall SD (Ph # 605 589-3242) and the Press & Dakotan printed at Yankton SD (Ph # 605 665-7811). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publisher have been instructed to publish your notice. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

This additional center pivot was set up and operated prior to getting the water right permit in place. Please understand this was a violation of water rights law. The Choteau:Tyndall aquifer is very near full appropriation. It is unlikely that additional applications from this aquifer will receive a favorable recommendation until further study is conducted to determine if unappropriated water is available. Prior to developing additional irrigation you must obtain a water right permit. Failure to have a water right permit in place can result action in DENR taking action to prohibit irrigate taking place on any unpermitted land.

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.

NOTICE OF APPLICATION NO. 8388-3 to Appropriate Water

Notice is given that Percy Tjeerdsma, 41175 309th Ave, Springfield SD 57062 has filed an application for a water permit to irrigate 46 additional acres. Water Right No. 3576-3 appropriates 2.0 cubic feet of water per second from one well completed into the Choteau:Tyndall Aquifer (215 feet deep) located in the W 1/2 NW 1/4 Section 5 for irrigation of 155 acres located in the NW 1/4 Section 5 and E 1/2 NE 1/4 Section 6; all in T93N-R60W. An investigation found 46 additional acres located in the NE 1/4 NW 1/4, S 1/2 NW 1/4, W 1/2 NE 1/4 Section 5-T93N-R60W being irrigated from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate. This site is located approximately 4 miles northwest of Springfield SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8388-3 as a TEMPORARY USE Permit pursuant to SDCL 46-5-39 with qualifications because 1) water is available to be appropriated as a temporary use permit until the city of Tyndall, holder of a future use permit from the Choteau:Tyndall aquifer fully develops water reserved from their future use permit, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 03 2019

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

Enclosed is Temporary Use Water Permit No. 8388-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit. This is a temporary water permit and subject to the City of Tyndall's prior right when they develop water reserved by their future use 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,

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

enclosures

8388-3
RECEIVED

MAY 15 2019

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEWATER RIGHTS
PROGRAMDate 5-10-19TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Percy Tjeerdsma
(name)41175 309th St
(address)Springfield SD 57062
(city, state, zip)369-2515
(phone)

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

Water Permit No. 8388-3 states that the water use system is to be constructed by11-1-18
(date), and water is to be put to beneficial use by 6-1-19
(date)The water use system was completed on 11-1-18
(date)Applying the water to beneficial use was completed on 5-10-19
(date)

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

Percy Tjeerdsma
(signature)



8388-3
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: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2492-3 & 3576-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6413-3 & 8388-3 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) 6413-3 & 8388-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2492-3 & 3576-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires 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 questionnaires 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: HOSEPK**

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.

8388-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

RE: Water Right or Permit Nos. 2492-3, 3576-3, 6413-3 & 8388-3

Dear Mr. Tjeerdsma:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2492-3, 3576-3, 6413-3 & 8388-3. 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



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: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

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Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2492-3 & 3576-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6413-3 & 8388-3 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) 6413-3 & 8388-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2492-3 & 3576-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires 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 questionnaires 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: ZZMWAB**

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2021

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

RE: Water Permit/Right Nos. 2492-3, 3576-3, 6413-3 and 8388-3

Dear Mr. Tjeerdsma:

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

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. 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
Genny.mcmath@state.sd.us

8388-3



DEPARTMENT of AGRICULTURE and NATURAL RESOURCES

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

January 20, 2022

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2492-3 & 3576-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6413-3 & 8388-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 6413-3 & 8388-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2492-3 & 3576-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: DTPEKG**

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.

8388-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2022

2492-3
3576-3
6413-3
8388-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2492-3, 3576-3, 6413-3 and 8388-3. 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 14, 2025

NOTICE

TO: PERCY TJEERDSMA, 41175 309TH ST, SPRINGFIELD, SD 57062

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4509-3, 4132-3, 2492-3 & 3576-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6413-3 & 8388-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 6413-3 & 8388-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4509-3, 4132-3, 2492-3 & 3576-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

**cc: ROBERT TJEERDSMA ESTATTE, C/O NATALIE VOLLMER, 31735 SD HWY 37,
SPRINGFIELD SD 57062**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

2492-3, 3576-3, 4132-3
4509-3, 6413-3, 8388-3

Percy Tjeerdsma
41175 309th St
Springfield SD 57062

Dear Mr. Tjeerdsma:

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). 2492-3, 3576-3, 4132-3, 4509-3, 6413-3 & 8388-3. 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

cc: ROBERT TJEERDSMA ESTATE, C/O NATALIE VOLLMER, 31735 SD HWY 37,
SPRINGFIELD SD 57062