

1397-2

1. Considered 7-21, 1976
2. Name of Applicant JOE BUEKILL
3. Post Office Address RELIANCE
4. Amount of water claimed 3.7
5. Source of water supply 16' DEEP DUGOUT
6. Water to be used for IRRIGATION
Acres to be irrigated 250
7. Water to be diverted and used in LYMAN county
about 14 W. 5 S mile: of CACOMA
8. Proof of Publication
Received 7-8-76
Not received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1347-2Map No. 1183-2 Water Division No. 2 WHITE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Jac Burull & Son
Postoffice address Reliance, State So. Dak.
~~Where operation show date and place of construction~~
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work BURULL #1
4. Amount of water claimed (cubic feet per second) 3.7
5. Source of water supply GROUND WATER (DUG-OUT)
6. Location of point of diversion A POINT IN THE NE¹NE¹, SECTION 10, T103N, R14W

- County 2477227
7. Annual period or periods during which water is to be used April 1st to Oct 31
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, ☒ Total number of acres to be irrigated 270 259.3

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each:

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE¹NE¹ 10-103-74</u>	<u>70.2</u>		
<u>SE¹ 10-103-74</u>	<u>74.8</u>		
<u>S¹W¹ 10-103-74</u>	<u>49.9</u>		
<u>N²W¹ 10-103-74</u>	<u>65.4</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication ADVOCATE LEADER KENNEDY
12. Principal Features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source:

DUGOUT, PUMP & MOTOR

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

MAINLINE

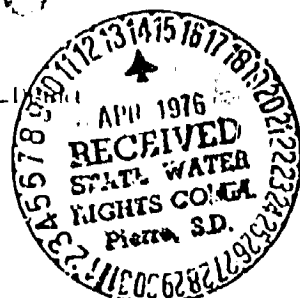
C. Works proposed to apply water to beneficial use:

SPRINKLER

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of HeavensI, Jac Burull, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Jac BurullSubscribed and sworn to before me this 14th day of April, 1976.Betty Westwood
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1397-2

JOE BURULL
(Applicant)

RELIANCE,
(Post Office Address)

SOUTH DAKOTA 57569, With the following modifications:
(State)

Date of first receipt of application APRIL 14 19 76

Date of return to applicant for correction, amendments or changes required _____ 19 _____

Date of receipt of corrected application MAY 31 19 76

Approved JULY 22 19 76, Recorded in Book 15 Page 220

WATER RIGHT PERMIT NO. 1397-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1397-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 14 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22 19 79
3. The whole of said work is to be completed on or before JULY 22 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22 19 85
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 3.7 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 22 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 27TH day of JULY 19 76

WATER RIGHTS COMMISSION

By:

John Halich
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: 5/30/74

(74-164) Andy Leppert

Disapproved: 5/30/74

(74-165) Andy Leppert

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION

FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

(This Form Required for Proposed Well Irrigation Only)

NAME: Joe Burall

ADDRESS: Reliance, S.Dak.

COUNTY: DeWitt

LEGAL DESCRIPTION

1. WELL LOCATION: Well - 960' NE 1/4 - NE 1/4 - 10 - 103 - 74 # 74-164
Well - 960' NE 1/4 - NE 1/4 - 10 - 103 - 74 # 74-165
2. AREA TO BE IRRIGATED: NE 1/4 - NE 1/4 - 10 - 103 - 74 - 35400
SE 1/4 - NE 1/4 - 10 - 103 - 74 - 34400
NE 1/4 - SE 1/4 - 10 - 103 - 74 - 40000

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot - 7 towers
reaches out 400 ft.
4. CROPS TO BE IRRIGATED: Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 - 3%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Complex of Harpers
Silt loam & Glenberg (Major) fine sandy loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-165 (960' well) 74-164 (51' well)
8. SALINITY: EC = 2.548 (very high) EC = 1180 micromhos/cm (high)
9. SODIUM: SAR = 2.51 (low) SAR = 6.65 (Medium)

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

WATER RESOURCES RESEARCH INSTITUTE PERRINES SD

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Joe Bunnell

Subscribed and sworn before me this

29 day of May 1974.

John R. Bunnell

Notary Public

my commission Expires 7-12-87
(Title)

SOUTH DAKOTA STATE COLLEGE
OF AGRICULTURE AND MECHANIC ARTS
COLLEGE STATION, SOUTH DAKOTA

AGRICULTURAL EXPERIMENT STATION
AGRONOMY DEPARTMENT

*Don't know whether these soil tests
will do you any good or not.
Just thought I would send them
along anyway*

June 22, 1957

Mr. Joe Burull
Reliance, S. Dak.

Dear Mr. Burull:

The results of the chemical tests performed on the soil samples which you submitted for analysis are as follows:

submitted for analysis are as follows:									
Sample Ident.	pH paste	sat.ext.	Cond. Sat.Ext. EC X 10 ³	% Sat.	Extractable Sodium me/100 g.	Soluble Sodium me/100 g.	Exch. Sodium me/100 g.	Cation Exch. Capacity me/100 g.	% Exch. Sodium
1	7.7	9.2	0.60	44.0	0.40	0.02	0.38	23.0	1.65
2	7.7	8.2	0.60	53.0	0.40	0.04	0.36	26.5	1.36
3	7.7	8.1	0.80	46.0	0.60	0.09	0.51	24.0	2.13

The mechanical analysis was performed by the hydrometer method. Organic matter was not destroyed prior to the determination. The clay fraction is reported as that fraction having a particle size of two microns or less in diameter.

Sample Ident.	% Sand	% Silt	% Clay	Texture
1	27.56	51.66	20.78	Silt Loam
2	21.39	54.74	23.87	Silt Loam
3	25.50	48.57	25.93	Loam

The analysis of these soils did not reveal any condition which would prohibit their irrigation; however, a true picture of the soil to be irrigated and an accurate evaluation of how it will react to the application of water can only be obtained by an evaluation of the entire soil profile. The sub-surface soil exerts a major influence upon how a soil will react to the application of water and as to the degree and rapidity of salt accumulation due to that application.

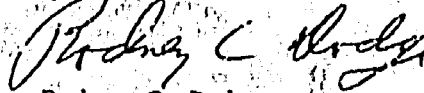
Joe Burull

Page 2

On the basis of the results obtained on the soil and water tested, it would appear that either of the two sources of water would be suitable for application to this soil. However, the well water would be considerably less hazardous, due to the lower total salt concentration and the smaller amount of residual sodium carbonate possible.

Thorough investigations of the sub-surface permeability and area drainage should be made before final decisions as to water application are made.

Very truly yours,



Rodney C. Dodge
Assistant Agronomist

RCD/es

cc: Thomas W. Strachan
W. F. Kimm, Work Unit Conservationist, S.C.S.
Martin Fogel

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Joe Burull
 Address: Reliance, South Dakota
57569

Date Rec'd: April 5, 1974
 Sample No. 74-164
 Identification Rel-51

WATER ANALYSIS

Calcium (Ca)	72	ppm*	3.60	me/l**
Magnesium (Mg)	9	ppm	0.74	me/l
Sodium (Na)	225	ppm	9.79	me/l
Potassium (K)	14	ppm	0.35	me/l
Sulfate (SO ₄)	325	ppm	6.76	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	90	ppm	2.32	me/l
Bicarbonate (HCO ₃)	425	ppm	6.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g-p g.***
Alkalinity (Methyl Orange)	348	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1180	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	6.65			
Sodium	67.61	% of cations		
Residual sodium carbonate	2.62	me/l		
pH	7.25			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 14.48 me/l
 Total anions 16.24 me/l

Please fill out the enclosed questionnaire and return with your payment.

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-164

Amount Enclosed \$

Signed

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Joe Lurull
 Address: Reliance, South Dakota
57569

Date Rec'd April 5, 1974

Sample No. 74-165

Identification 911-960

WATER ANALYSIS

Calcium (Ca)	320	ppm*	16.00	me/l**
Magnesium (Mg)	91	ppm	7.46	me/l
Sodium (Na)	198	ppm	8.61	me/l
Potassium (K)	24	ppm	0.62	me/l
Sulfate (SO ₄)	948	ppm	19.72	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	425	ppm	11.90	me/l
Bicarbonate (HCO ₃)	180	ppm	2.96	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	148	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2548	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.51			
Sodium	26.33	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.65			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grain per gallon

COMMENTS: Total cations 32.69 me/l
 Total anions 34.58 me/l

By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-165

Amount Enclosed \$

Signed

Conservation
Commission
Form WL #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SECL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE OF

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

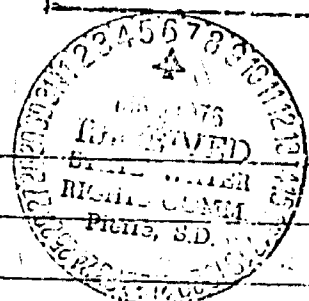
Approved: [Signature]

Disapproved: _____

NAME: JOE BURULL

ADDRESS: PELIANCE

COUNTY: LYMAN



LEGAL DESCRIPTION

1. WELL LOCATION: NE² NE² SECTION 10, T103N, R74W
2. AREA TO BE IRRIGATED: E2, SW², SECTION 10, T103N, R74W

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): PIVOT
4. CROPS TO BE IRRIGATED: CORN, ALFALFA, GRAIN

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: SEE ATTACHMENTS
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Glenberg-Hawmon Class.
Class II + III for irrig

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 76-373
8. SALINITY: EC = 1550 (high)
9. SODIUM: SAR = 5.28 (medium)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

SOIL CONSERVATION SERVICE

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Joe Benall

Subscribed and sworn before me this

14th day of April, 1976.

Justin A. Zickert

Notary Public

My Commission Expires 3/27/83

(Title)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57004

Submitted by: Joe Burull Date Rec'd April 1, 1977
 Address: Reliance, SD 57569 Sample No. 76-373
 Identification Well-
NE 1/4, Sec. 10, T 103N, R 74W

WATER ANALYSIS

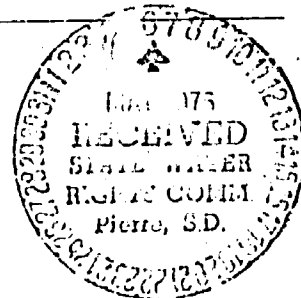
Calcium (Ca)	100	ppm*	5.00	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	228	ppm	9.9	me/l
Potassium (K)	16	ppm	0.42	me/l
Sulfate (SO ₄)	450	ppm	9.57	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	82	ppm	2.30	me/l
Bicarbonate (HCO ₃)	244	ppm	4.00	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	200	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1550	micromhos per cm at 25°C		
Sodium Adsorption Ratio	5.28			
Sodium	57.04	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.74			

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 17.39 me/l
 Total anions 15.87 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-373

Amount Enclosed \$

Signed

No.

Publish first publication, ¹³⁹⁷⁻² on or before

July 3, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 21, 1976

Notice is hereby given that

whose post office address is Joe Barull, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for

a permit to appropriate for beneficial use _____ cubic feet of water per
second of time from the 3.7 through the _____

xxx ground water (dugout), the point of diversion of which is to
Burull #1
be located in the

of Section _____, Twp. _____, Range _____, Said water to be used
for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 10; N $\frac{1}{2}$ E $\frac{1}{2}$, Section 15, all in T103N, R74W

This application No. 1307-2 will be considered by the Water Rights Commission at

upon the _____ day of _____, at _____, S.D. All
interested persons may appear and be heard.
21st July, 1976- 10:00 A.

WATER RIGHTS COMMISSION

By:

PURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Joe Burull, Reliance, S.D. 57509

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1397-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lyman) ss.

I, E. J. Buckingham, Jr. hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Reliance Leader

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Lyman of Kennett
County of Lyman and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

July 1, 1976
July 8, 1976

E. J. Buckingham, Jr.
(Signature)

President
(Title)

July 7, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 21, 1976

Notice is hereby given that
Joe Burull whose post office
address is Reliance, South
Dakota, has made an application
in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
3.7 cubic feet of water per
second of time from ground
water (dugout) through the
Burull #1, the point of diversion
of which is to be located in the
NE1/4NE1/4 of Sec. 10, Twp.
103N, Range 74W. Said water to
be used for the purpose of
providing irrigation on the
following described lands:

NE1/4, SE1/4, SW1/4,
Section 10, N1/2, N1/2, Section
15, all in T103N, R74W

This application No. 1397-2
will be considered by the Water
Rights Commission at the
Courthouse at Winner, SD, upon

at
no
of
possible
enough Europe
or, hitchhike
hotel



Permit No. 1397-2White River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Joe Burall
 _____ of Rt. 7 Box 17 Reliance, SD holder of
 Permit No. 1397-2, bearing the priority of April 14 1976 authorizing
 the diversion of 3.7 cu. ft. per second of the waters of Groundwater (Dugout)
 for Irrigation purposes, in Lyman County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Berkley Centrifugal Pump, Model-7485214 &
Case Gcyl. Diesel, Model-336 BDT

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

Approx. 1200 ft. 6 inch Aluminum

C. Works used to apply water to beneficial use:

Water ranch on Big Boss Traveling Gun

The system is in the following condition Good

The point of diversion is located Dugout- 165 ft. South & 400 ft. West of the
NE Corner of Sec. 10-T103N-R 74W (NE1/4 NE1/4)

The works are capable of diverting and conveying to the place of use 1.0 (450 gpm)
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: Sec. 10-T103N-R 74W

Lot 1 - 31 Ac.
Lot 2 - 35 Ac.
Lot 3 - 13 Ac.

comprising a total of 79 acres of land and the license should be issued for 1.0 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date July 28, 1991

(signature)

Timothy R. Schaal

LICENSE FOR PERMIT NUMBER 1397-2

1. Legal location of wells: ^{Dugout} 165 ft. South & 400 ft. West of the NE
Corner of Sec. 10-T103N-R74W. (NE1/4 NE1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm _____

Completion Report Yes ___ No ___ No. of Wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make Berkeley Centrifugal Motor a) make Case 6cyl Diesel

b) model 7485214 b) model No. 336 BDT

c) size 13 1/2 c) horsepower rating 80 Hp

d) capacity 500-450 gpm

e) turbine pump - no. of stages _____

f) operating PSI _____

3. Distribution lines or canals

a) size 6 inch

b) type Aluminum

c) length ≈ 1200 ft.

Dugout - Approx. 150' x 300' x 16'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun 2

- 1) make Waterwitch & Big Boss
- 2) nozzle size 1 1/2 inch
- 3) capacity (GPM) 450 gpm - 110 psi
- 4) hose size 4 inch
- 5) hose length 600 ft.

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	<u>NA</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 2, 1992

1397-2

Joe Burull
Rt 7, Box 15
Reliance, SD 57569

Dear Mr. Burull:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1397-2, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number.
This will insure proper handling of the fee.

RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 10-04-01, DAKOTA CODIFIED LAWS. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 10-04-01 AND 10-04-02 FOR MICROGRAPHIC REPRODUCTIONS.

REDUCTION RATIO 25:1
ROLL NUMBER 41-24
DATE MICROFILMED 10-15-92
MICROFILM OPERATOR SIGNATURE David R. Hump

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 5, 1992

RECEIVED OF Burnell & Son, BTR 7 Box 15, Reliance SD 57550
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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>1307-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John H. Hump
Chief Engineer JOHN H. HUMP

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1397-2

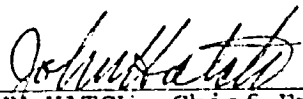
(1) Joe Burull of Rt 1 Box 15, Reliance, SD 57569 made Application No. 1397-2, April 14, 1976 for a water permit to appropriate 3.70 cubic feet of water per second from a dugout, Lyman County, South Dakota for irrigation purposes. Permit No. 1397-2 with a priority date of April 14, 1976 was approved July 22, 1976 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 22, 1981 and for the application to beneficial use of said water on or before July 22, 1985.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.0 cubic feet of water per second for beneficial use. The location of the diversion point is: (dugout) 165'S and 400'W of the NE corner of Section 10, T103N, R74W (NE 1/4 NE 1/4).

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

T103N, R74W Sectio. 10	Lot 1	31
	Lot 2	25
	Lot 3	13
	Total-----	79

(4) Pursuant to Section 46-5-30.1 Joe Burull of RR 7, Box 15, Reliance, SD 57569 the holder(s) and/or owner(s) of Water Permit No. 1397-2 is issued a license to appropriate water, the right to use 1.0 cubic feet of water per second from a dugout with a priority date of April 14, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1397-2 and subject to South Dakota State Law.

 AUG 7 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

AUG 7 1992

1397-2

Joe Burull
Rt 7, Box 15
Reliance, SD 57569

Dear Mr. Burull:

Enclosed is Water License No. 1397-2. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 413287 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

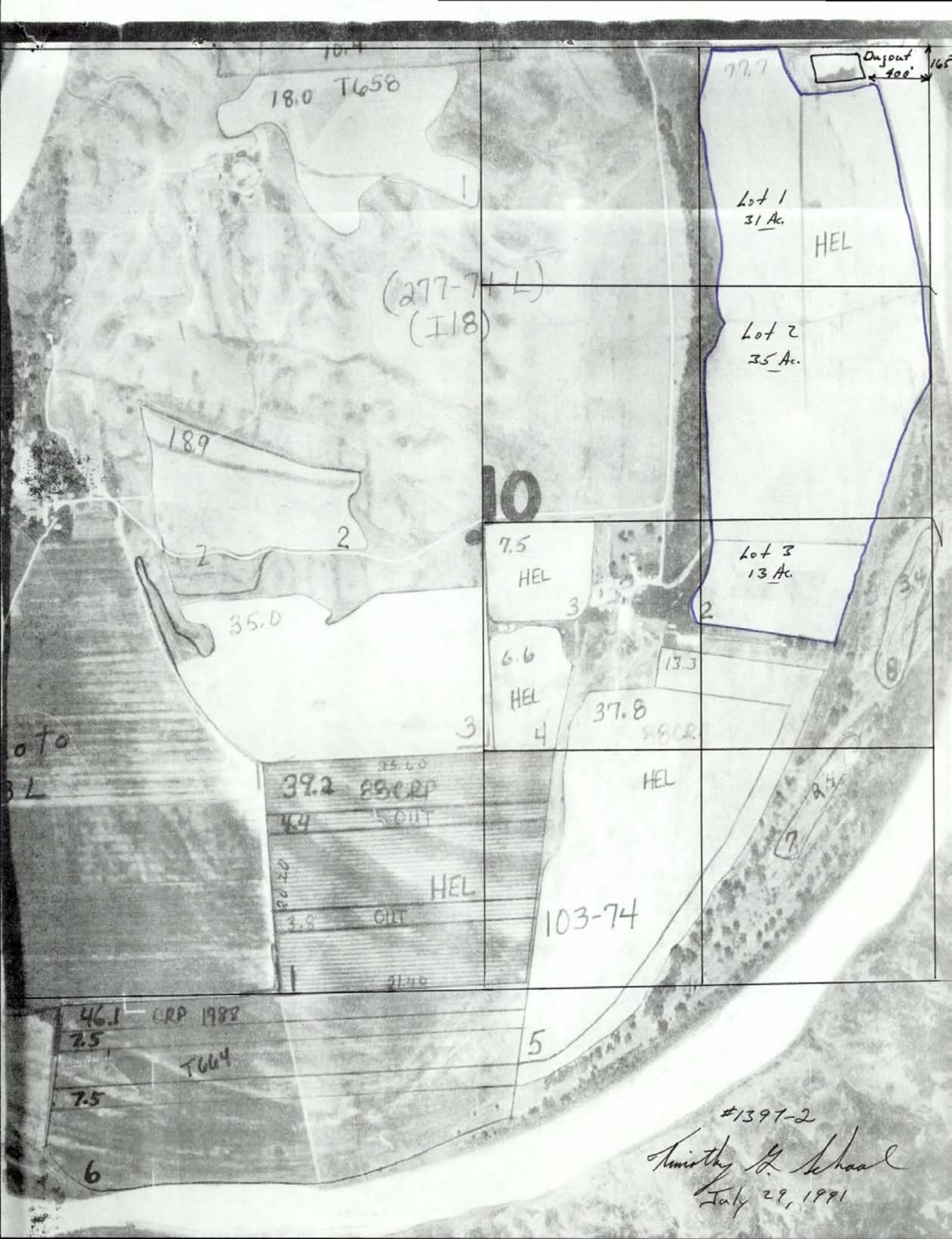
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have continuing right to use the water.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



18.0 T658

(277-71 L)
(I18)

18.9

35.0

39.2 CRP

4.4 CRP

19.2

3.8

1

46.1 CRP 1982

7.5

T664

7.5

6

77.7

Outpost 400' 165'

Lot 1
31 Ac.

HEL

Lot 2
35 Ac.

Lot 3
13 Ac.

7.5
HEL

6.6
HEL

37.8

HEL

103-74

#1397-2

Timothy H. Schaal
July 29, 1991

IV



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

1397-2
1415A-2

Joe Burull
414 Scotts Ln
Chamberlain SD 57325-1287

Dear Mr. Burull:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 25249 Brule Rd., Reliance SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



1397-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 26, 2007

1397-2
1415A-2

Quinten Burull
720 Van Antwerp
Chamberlain SD 57325

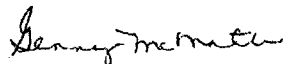
Dear Mr. Burull:

I am writing acknowledge receipt of the 2007 irrigation questionnaires for Water Right Nos. 1397-2 and 1415A-2. On the forms, a notation was made that ownership of the water rights should be changed to your name.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (**total of \$5.00**). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,


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

enclosures

RECEIVED

JAN - 8 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1397-2

Date: 1-6-08

I/We request that Water Right No. 1397-2

formerly owned by: Joe Burull & Son, 414 Scotts Lane, Chamberlain SD 57325

be transferred to: (name & address) Quinten Burull, 720 Van Aptwerp, Chamberlain SD 57325

Telephone No. 605 234-6083

Title to the following described land(s)/property has been transferred as described above:

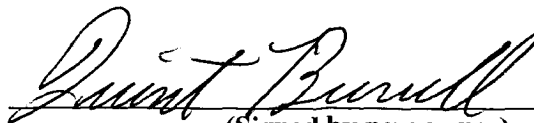
79 acres - Lots 1, 2 & 3, Section 10, T103N, R74W

I/We understand that the validity of Water Right No. 1397-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Quinten Burull, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/8, 20 08

RECEIVED OF Burull Ranch 720 Van Antwerp Chamberlain SD 57325

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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. _____		
Fee for Filing Transfer Form <u>1397-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03005

By

Richard Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2008

1397-2
1415A-2

Quinten Burull
720 Van Antwerp
Chamberlain SD 57325

Dear Mr. Burull:

I am writing to acknowledge receipt of the ownership changes you filed for Water Right Nos. 1397-2 and 1415A-2. The transfers have been completed. The water rights formerly held by Joe Burull and Son are now listed in your name.

Enclosed are your Receipt Nos. 03333 and 03335 in the amounts of \$2.50 each. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JAN - 5 2016

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1397-2Date: January 5, 2016

I/We request that Water Right/Permit No. 1397-2 formerly owned by:
Quinten Burull, 720 Van Antwerp, Chamberlain, SD 57325 be transferred to:

New Owner Name: Cody BurullAddress: 25299 Deer Valley RdCity, State, Zip Reliance SD 57569 Telephone No. 680-6083

Title to the following described land(s)/property has been transferred as described above:

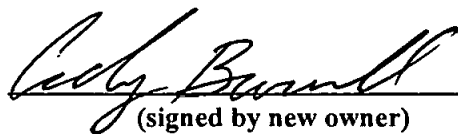
Section 10-T103N-R74W
Lots 1, 2 & 3 - 79 acres

☒ I understand that the validity of Water Right/Permit No. 1397-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Cody Burull, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/5, 2016

RECEIVED OF Cody Burull 25299 Dear Valley Rd Reliance SD 57569

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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. _____		
Fee for Filing Transfer Form <u>1397-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07625

By Jean Goodman
Chief Engineer



1397-2
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 26, 2018

NOTICE

TO: CODY BURULL, 25299 DEER VALLEY RD, RELIANCE, SD 57569

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 1397-2 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) 2647-2 & 2701-2 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2647-2 & 2701-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1397-2 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 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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: <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.



1397-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 7, 2018

1397-2
2647-2
2701-2

Cody Burull
25299 Deer Valley Rd
Reliance SD 57569

Dear Mr. Burull:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 1397-1, 2647-2 and 2701-2. 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



1397-2
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: CODY BURULL, 25299 DEER VALLEY RD, RELIANCE, SD 57569

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) 1397-2 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) 2647-2 & 2701-2 qualification:

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

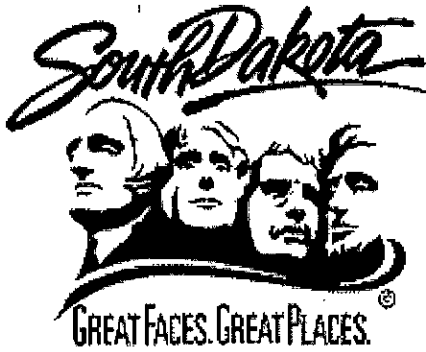
The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 2647-2 & 2701-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1397-2 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: ASAVPD**

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

January 27, 2020

1397-2
2647-2
2701-2

Cody Burull
25299 Deer Valley Rd
Reliance SD 57569

Dear Mr. Burull:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 1397-2, 2647-2 and 2701-2. 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, appearing to read "Genny McMath". The signature is written in a cursive, flowing style.

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

1397-2



**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: CODY BURULL, 25299 DEER VALLEY RD, RELIANCE, SD 57569

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) 1397-2 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) 2647-2 & 2701-2 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) 2647-2 & 2701-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1397-2 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: RSBYHR**

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.



1397-2
**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2022

**NOTICE OF ENTRY OF ORDER
FOR AMENDMENT AND ONE YEAR SUSPENSION**

TO: Cody Burull, 25299 Deer Valley Rd, Reliance SD 57569

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: Amendment of Water Right No. 1397-2 and One Year Suspension of Water Right Nos.
2647-2 & 2701-2

On March 2, 2022, the Water Management Board took the following actions on Water Right Nos. 1397-2, 2647-2 & 2701-2

The Board amended Water Right No. 1397-2 to add the following qualification effective immediately:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

The Board also ordered:

Effective April 4, 2022, Water Right Nos. 2647-2 and 2701-2 be suspended for the 2022 irrigation season for failure to submit the 2021 irrigation questionnaires.

If the 2021 irrigation questionnaires are received prior to April 4, 2022, the suspensions will not take effect.

Suspension of a water right means water may not be pumped during the 2022 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2022 unless the 2021 irrigation questionnaires are submitted by April 4, 2022.

After April 4, 2022, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2021 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 4-5, 2022, in Pierre, SD. The letter should include your reasons for not completing the 2021 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place. Please contact Genny McMath (605) 773-3352, if you have any questions.

1397-2

CERTIFICATION

I hereby certify that on March 3, 2022, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelopes containing a "Notice" dated March 3, 2022, concerning Board action to amend and/or suspend water rights to the following:

Amendments:

No. 3487-3: Dave Hanson, 31489 455th Ave., Meckling SD 57069
No. 2460-3: Ryan Patterson, 10946 425th Ave., Britton SD 57430
Patterson Farm Inc, 42474 SD Hwy 10, Britton SD 57430

Amend & Suspend:

Nos. 1397-2, 2647-2 & 2701-2: Cody Burull, 25299 Deer Valley Rd, Reliance SD 57569

Nos. 2072-3, 2126-3, 3204-3, 7236-3 & 7237-3:

- David Ulvestad, 46720 201st St., Bruce SD 57220
- Darwin Ulvestad, 46679 201st St, Bruce SD 57220

Three year suspensions:

No. 410B-2: Kathi Koester, PO Box 206, Custer SD 57730-0206
Nos. 1350-3 & 6042-3: Scott Jensen, 24348 478th Ave., Dell Rapids SD 57022

One year suspensions:

No. 6947-3: Joe Adler, 48353 149th St, Milbank SD 57252
Nos. 6263-3 & 8041-3: George G Hofer, Cedar Grove Colony, 36926 266th St, Platte SD 57369
No. 881-2: Ryan Edwards, 25331 Yellow Eagle Rd, White River SD 57579
No. 6316-3: Howard Athletic Club Inc., 508 E Farmer Ave., Howard SD 57349-9017
Nos. 2851-3 & 4955-3: David Huber, 16010 413th Ave., Conde SD 57434

Nos. 2390A-3, 3268A-3, 4400A-3, 5651-3, 6431-3, 7365-3, 7366-3, 7367-3, 7370-3, 7395-3, 7905-3, 7906-3, 7369A-3, 7369B-3, 7369C-3, 7906A-3: Joey Waldner Colony, 40068 Huron Colony Lane, Huron SD 57350-8001

Nos. 7286-3 & 7543-3: Brian Kozak, 30620 417th Ave., Tyndall SD 57066
No. 5665-3: Pat Mentele, PO Box 41, Woonsocket SD 57385-0041
No. 8326-3: Jerry D Nelsen, 45125 291st St., Viborg SD 57070
No. 7005-3: Troy Randall, Randall Enterprise LLC, 24250 479th Ave., Dell Rapids SD 57022 6139
No. 2497-2: Marty Vanderploeg, 22958 293rd St, Martin SD 57551-5930
No. 8265-3: Carl Pulvermacher, Wiskota Farm, 14050 SD Hwy 25, Webster SD 57274
Nos. 516-1 & 715-1: Lawrence Woodward, PO Box 220, Dupree SD 57623-0220



Genny McMath
Program Assistant-Water Rights

STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of March, 2022.



Karen Schlaak
Notary Public

My Commission expires April 1, 2025

