

- 181-3 7/9, 1956
1. Considered 7/9, 1956
 2. Name of Applicant Harry W Novak
 3. Post Office Address Hartley, South Dakota
 4. Amount of water claimed 2.28 cfs
 5. Source of water supply Well
 6. Water to be used for Irrigation
Acres to be irrigated 160
 7. Water to be diverted and used in Turner County about
2 miles Northwest of Hartley
 8. Proof of Publication Received ✓
Not Received _____
 9. Application Approved _____
Subject to _____
Not approved _____
Action deferred ✓

10. Remarks:

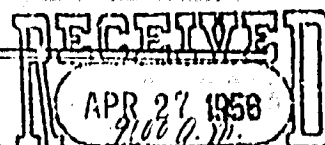
see rec'd

with 1/2 acre of water on
ground water supplies for
domestic use to be obtained

No. 157-53Water Division No. 2Vermillion River

District

(Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant HARRY W. NOVAKPostoffice address Sturley, County Turner, State S. D.If a corporation RR#1, BLM?

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

contract

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 2.28 cubic feet per second4. Source of water supply well5. Location of point of diversion 1930 Sect 5 44°-20' E from NW corner11-98-53 on bank Turner County6. Annual period or periods during which water is to be used April 1 to Sept 30

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? overhead(a) Number of acres to be irrigated 160.0 acres.(b) Legal subdivisions to be irrigated NW 1/4 11-98-53

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) NONE

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No 14813

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures 22.100 ft. by 54.5 ft. by 1.5 ft. \$ 4,000.00

(b) Pumping plant, \$ 20.00

Rock, \$-----

Total, \$ 4,020.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

PUMPING PLANT

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face ----- material used in construction -----

(b) Reservoir: Capacity when filled ----- acre Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

RAIN BIRD

DISCHARGES AND DIAMETERS FOR MODEL 40

Nozzle Pressure
Pounds
per Sq. In.

Nozzles
13/64" x 5/32"
Diameter Discharge
Feet O.P.H.

25	86	9.23
30	94	10.19
35	98	11.20
40	101	11.80
45	103	12.60
50	105	13.40
55	107	14.10
60	108	14.70

At	Mile	feet	feet	feet	feet
At	Mile	feet	feet	feet	feet
At	Mile	feet	feet	feet	feet
At	Mile	feet	feet	feet	feet
At	Mile	feet	feet	feet	feet
At	Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 3 years.

11. Time required for complete application of water to the proposed beneficial use 3 years.

12. Choice of newspaper for publication of notice of intention to appropriate

New Era

Printer to order

STATE OF SOUTH DAKOTA

County of Lincoln ss.

I, Harry W. Novak

on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

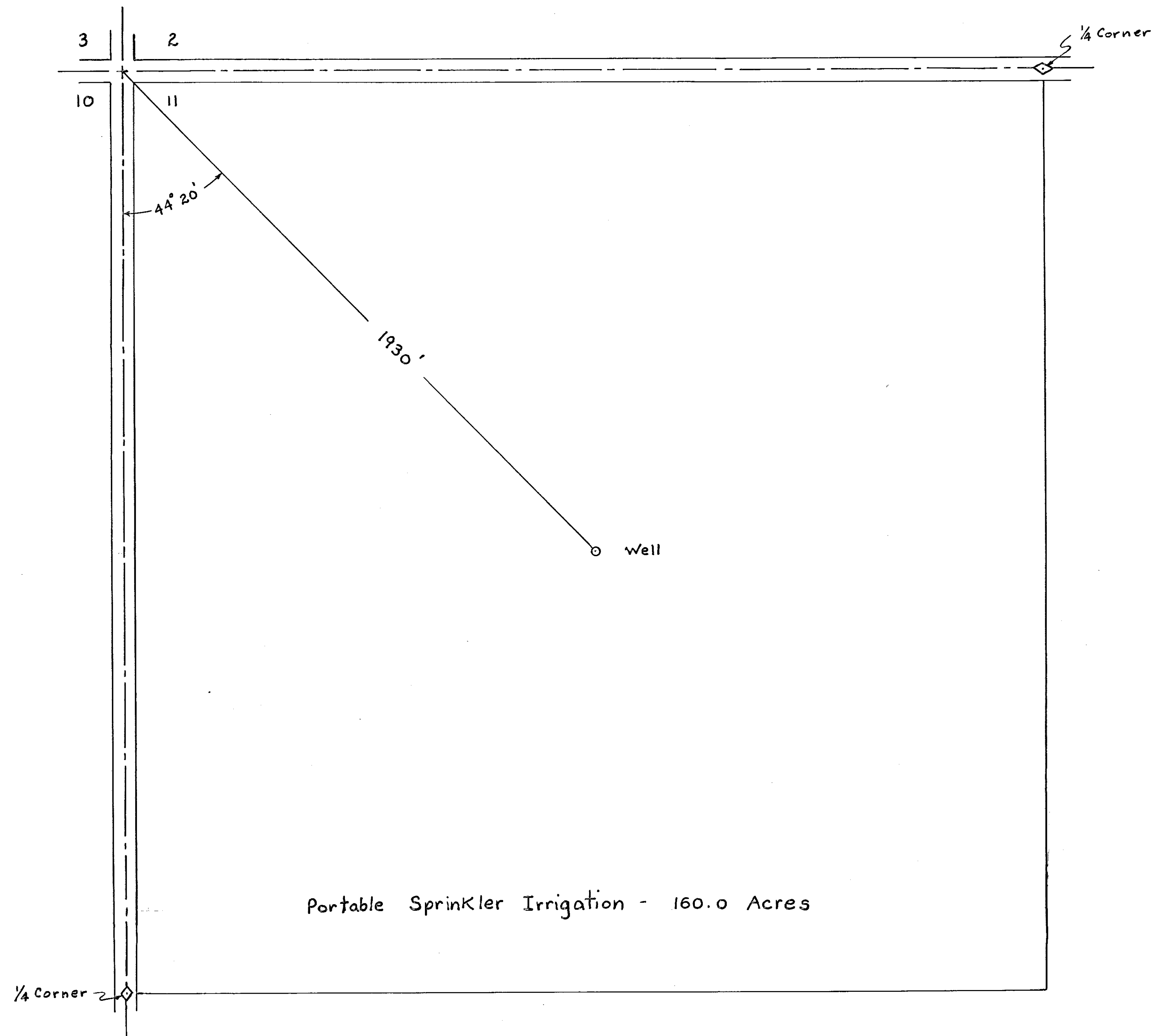
Signed Harry W. Novak

Subscribed and sworn to before me this 17 day of April, 1956

Emory G. Breen
Notary Public (or other qualified officer.)

MAP SHOWING POINT OF DIVERSION (WELL) AND LANDS TO BE
IRRIGATED WITH WATER DIVERTED FROM WELL

HARRY W. NOVAK, OWNER



LEGAL SUBDIVISION TO BE IRRIGATED
N.W. 1/4 Sec. 11 T. 98N. R. 53W. 160.0 Acres

SCALE: 1 INCH = 200 FEET

Certified Correct: Martin M. Logel
Extension Irrigation Specialist
South Dakota State College
Brookings, South Dakota

Subscribed and sworn to before me
this 26th day of April 1956

General Call
Notary Public for the State of South Dakota
Residing at Brookings, South Dakota
My commission expires Oct. 4, 1959

Map No 148-3
(Appl. No. 181-3)

STATE OF SOUTH DAKOTA

County of

Hughes ss.

Pierre, South Dakota,

May 2

1956

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock

4 m. upon the 27 day of April, 1956

State Water Resources Commission

By:

Goodwin

Chief Engineer, Executive Officer

Number of permit 181-3

Date of first receipt of application

April 27

1956

Date of return to applicant for correction, amendments or changes required as follows:

1956

Date of receipt of corrected application

1956

Date from which applicant may claim right

April 27

1956

Approved February 4, 1957

Recorded in Book 61112

Page 81

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

August 4, 1958

2nd. The whole of said work is to be completed on or before

February 4, 1960

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

February 4, 1962

4th. The water appropriated shall be used for the purpose of

irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2128 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 February 4, 1962; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this

21

day of

March

1957

State Water Resources Commission

By:

Goodwin

Chief Engineer, Executive Officer

Certificate of Construction Issued

NOVEMBER 9

9

1970

Water License Issued

NOVEMBER 9

9

1970

HARRY NOVICK NW11 - 98 - 53

PRESSURE - DISCHARGE DATA FOR SPRINKLERS

Rainbird Model 30W

Pressure Psi	Discharge gpm	for 1/4	various nozzles
	3/16	7/32	1/4
25	5.00	6.83	8.90
30	5.50	7.58	9.80
35	5.97	8.26	10.6
40	6.41	8.87	11.4
45	6.81	9.41	12.1
50	7.18	9.98	12.8
55	7.51	10.3	13.4

Rainbird Model 40

Pressure Psi	Discharge gpm	Discharge gpm	Discharge gpm	Discharge gpm	Discharge gpm
	3/16 x 3/32	3/16 x 1/8	13/64 x 1/8	13/64 x 5/32	7/32 x 5/32
25	6.31	7.12	8.2	9.2	10.3
30	6.98	7.85	9.1	10.1	11.4
35	7.57	8.52	9.8	11.2	12.2
40	8.10	9.16	10.2	11.8	13.2
45	8.62	9.80	11.2	12.6	14.0
50	9.10	10.4	11.7	13.3	14.7
55	9.56	10.9	12.2	14.1	15.3
60	10.0	11.5	12.7	14.7	16.0

Rainbird Model 70 B

Pressure Psi	Discharge, gpm,	Discharge, gpm,	Discharge, gpm,	Discharge, gpm,	Discharge, gpm,
	7/32 x 3/16	1/4 x 3/16	1/4 x 7/32	9/32 x 7/32	5/16 x 7/32
30	13.1	15.2	17.0	19.4	21.8
35	14.2	16.5	18.5	21.0	23.7
40	15.2	17.7	19.9	22.6	25.4
45	16.2	18.8	(21.1)	24.0	27.1
50	17.1	20.0	22.3	25.4	28.7
55	17.9	21.1	23.5	26.8	30.2
60	18.8	22.0	24.6	28.0	31.7
65	19.6	22.9	25.7	29.2	

Model and nozzles used N₁ 70 Rainbird 5/16 x 7/32

Number of sprinklers 21 present 21 to be added later

Average operating pressure 45 Psi.

RECEIVED
JUN 26 1956
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

9. (continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 7.2 inch,

Depth 1.0 feet

Type of casing galvanized steel
(wood, concrete, steel, etc.)

Size of casing 3.0 inch, Thickness of casing 1/4 inch
Length of casing 35 feet. If collection gallery,
length, size, and depth of gallery _____.

(b) Screens

Type of perforated screen 12 inch

Size of perforated screen 20 inch, 15 feet
(diameter) (length)

Thickness of gravel pack 1 inch, length of gravel
pack 60 feet.

(c) Water Bearing Materials

Distance to water 5 feet.

Character of water bearing materials fine sand gravel

Thickness of water bearing material 41 feet

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propellor, mixed flow, etc.)

Name of pump Western Land Pump, size 12 inch

Kind of motor electric
(gasoline, electric, diesel, etc.)

Horsepower 40 HP

Name of motor LS Motor

(e) Complete well

Capacity 1500 G.P.M. at drawdown of 15 feet

Estimated cost \$4000

(f) Owner of land upon which well is located W. H. H.
Name

No. 1, W. H. H. Dr. 1
Address

(g) Distance to nearest existing wells

On same Owner's property none rods

On property owned by others 160 rods

Form 15.

Permit No. 181-3

Water Diversion No. 3 VERMILLION RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harry W. Novak

_____ the holder _____ of
Permit No. 181-3, issued upon Application No. 181-3, bearing date of priority of April 27, 1956
_____ authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water _____ County of Turner, State of South Dakota at _____
a point 1930 feet South 44° 20' East of the NW Corner, Section 11, T93N, R53W

_____, for irrigation

purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.75 cu. ft. per second of water.

Date November 9, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

WATER LICENSE NO. 181-3

(1) WHEREAS, On the 27th day of April A. D. 19 56

Harry W. Koval

made Water Right Application No. 181-3 for a permit to use 2.28 cubic feet per second of the waters of ground water

County of Turner, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 21st day of March A. D. 19 57

Permit No. 181-3 with a date of priority of April 27, 1956

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 4th day of February A. D. 19 60 and for the application to beneficial use of said water on or before the 4th day of February A. D. 19 62

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.75 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating 160 acres in the NW $\frac{1}{4}$, Section 11, T98N, R53W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Harry B. Nayph

_____ of Hurley, S.D.

the holder _____ and owner _____ of said permit No. 181-3 a water right, dating from Apr 11 27, 1956

_____ to use of XVRX 1.75 cubic feet per second of the waters of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1930 feet South 44° 20' East of the NW Corner, Section 11, T98N, R53W

and conduct to and upon 4, Section 11, T98N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 181-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of November A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

(First Publication before June 7, 1956)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., May 2, 1956

Notice is hereby given that Harry L. Kovak whose postoffice address is Harley S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.38 cubic feet of water per second of time from the ground water through the a well, the point of diversion of which is to be located on the bank of said stream in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11 Twp. 98N Range 13W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$, Sec. 11, T 98N, R 13W~~XXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of July, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

cc: E. J. Bommann, Publisher
The New Era
Parker, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County TURNER } ss.

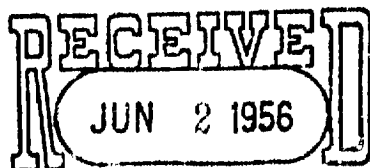
Earl J. Boman being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the THE NEW ERA a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the Turner of Pierre County of Turner and State of South Dakota; that the said notice was published in said newspaper on the following dates:

May 10, 17, 24, and 31, 1956

in each and every issue of the full number thereof, the first publication being made on the 10 day of May 1956 and the last publication on the 31st day of MAY 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Earl J. Boman

Subscribed and sworn to before me this 17th day of May A. D. 1956



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Notary Public Turner County, S. D.

Notice of Intention to Appropriate Water — No. 181-3
 APPROPRIATION OF WATER
 Office of Water Resources Commission, Pierre, S. Dak., May 2, 1956.

Notice is hereby given that Harry W. Novak, whose postoffice address is Hurley, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ground water through a well, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Twp. 98N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land: NW $\frac{1}{4}$, Sec. 11, T 98N, R 53W.

This application will be taken up by the Water Resources Commission at their office at Pierre for consideration upon the 9th day of July, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
 By: J. W. GRIMES, Chief Engineer,
 Executive Officer.
 (4th May 10, 17, 24 and 31, 1956)

Permit No. 181-3Water Division 3 VERMILLION RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Harry W. Novak
Hurley, S.D. holder
 of Permit No. 181-3, bearing date of priority of April 27, 1956
 authorizing the diversion of 2.28 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Turner County.

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

The Water Use System consists of,

A. Works used to divert the water:

Well 50 feet deep - 20 inch steel casing
 Fairbanks Pomona 6 inch pump, Mod. AV 2247
 Fairbanks Morse Electric Motor, 50 HP, Type OSZV

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

80 rods of 6 inch main line

C. Works used to apply water to beneficial use.

80 rods, 4 inch sprinkler line) Both hand moved
 80 rods, 5 inch sprinkler line

The system is in the following condition: good

The point of diversion is located 1930 feet south 44° 20' east of NW corner of Section 11,
T98N, R53W

The works are capable of diverting and conveying to the place of use 1.75
 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:

NW 1/4, Section 11, T98N, R53Wcomprising a total of 160 acres of land.Date October 20, 1970

Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission

I sold NW 1/4 Section 11 T98N R53W. to ¹⁸¹⁻³
James D. Bondeson, Hurley S. Dak. RR. 57036
So Transfer the Water Permit for Irrigation
water to James D. Bondeson Hurley.
RR2 Box 18

Harry W. Novak



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 27, 1987

James Bondeson
RR #2 Box 18
Hurley, SD 57036

Dear Mr. Bondeson:

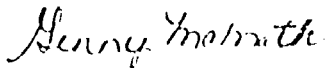
Enclosed are copies of the Water License, Certificate of Construction, and the receipt issued under Water Right No. 181-3 for Harry Novak. Mr. Novak has informed our office he has sold the land in the NW 1/4 Section 11, T98N, R53W covered under this water right to you.

Since you now own the land, the water right should be transferred to your name. Enclosed is a partially completed "Notice of Transfer". Please check over the form, date, and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. Upon receipt of the transfer form and the filing fee, Water Right No. 181-3 will be transferred to you.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact our office.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 20, 1987

181-3

James Bondeson
RR #2 Box 18
Hurley, SD 57036

Dear Mr. Bondeson:

This letter will acknowledge receipt of the "Notice of Transfer" you submitted for use in transferring Water Right No. 181-3 to your name. The form was filled out properly, however, the transfer can not be completed without a \$2.50 filing fee. Upon receipt of the \$2.50 filing fee from you, Water Right No. 181-3 will be transferred to your name.

Enclosed is the 1987 irrigation questionnaire and a postage paid envelope. The questionnaire pertains to any irrigation done under Water Right No. 181-3 during 1987. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire to be submitted each year. Please complete the form and return it to our office by November 30, 1987.

If you have any questions, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
Phone: (605) 773-3352

NOTICE OF TRANSFER OF



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:

NW 1/4 Section 11, T98N, R53W

formerly owned by Harry Novak

has been transferred to James Bondesen, RR #2 Box 18, Hurley, SD 57036

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 181-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Turner) ss.

I, James Bondesen being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

James Bondesen
(Signed)

Subscribed and sworn to before me this 13th Day of October, 1987.

Sharon A. Christensen
(Notary Public)





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

December 3, 1987

James Bondesen,
RR 2, Box 10
Hurley, South Dakota 57036

Dear Mr. Bondesen:

Enclosed is receipt No. 411072 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 181-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms:
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411072

Pierre, November 30, 1987

RECEIVED OF James Bondesen, RR 2, Box 18, Hurley, SD 57036

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.

Fee for Filing Transfer Form 181-3

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

2 50

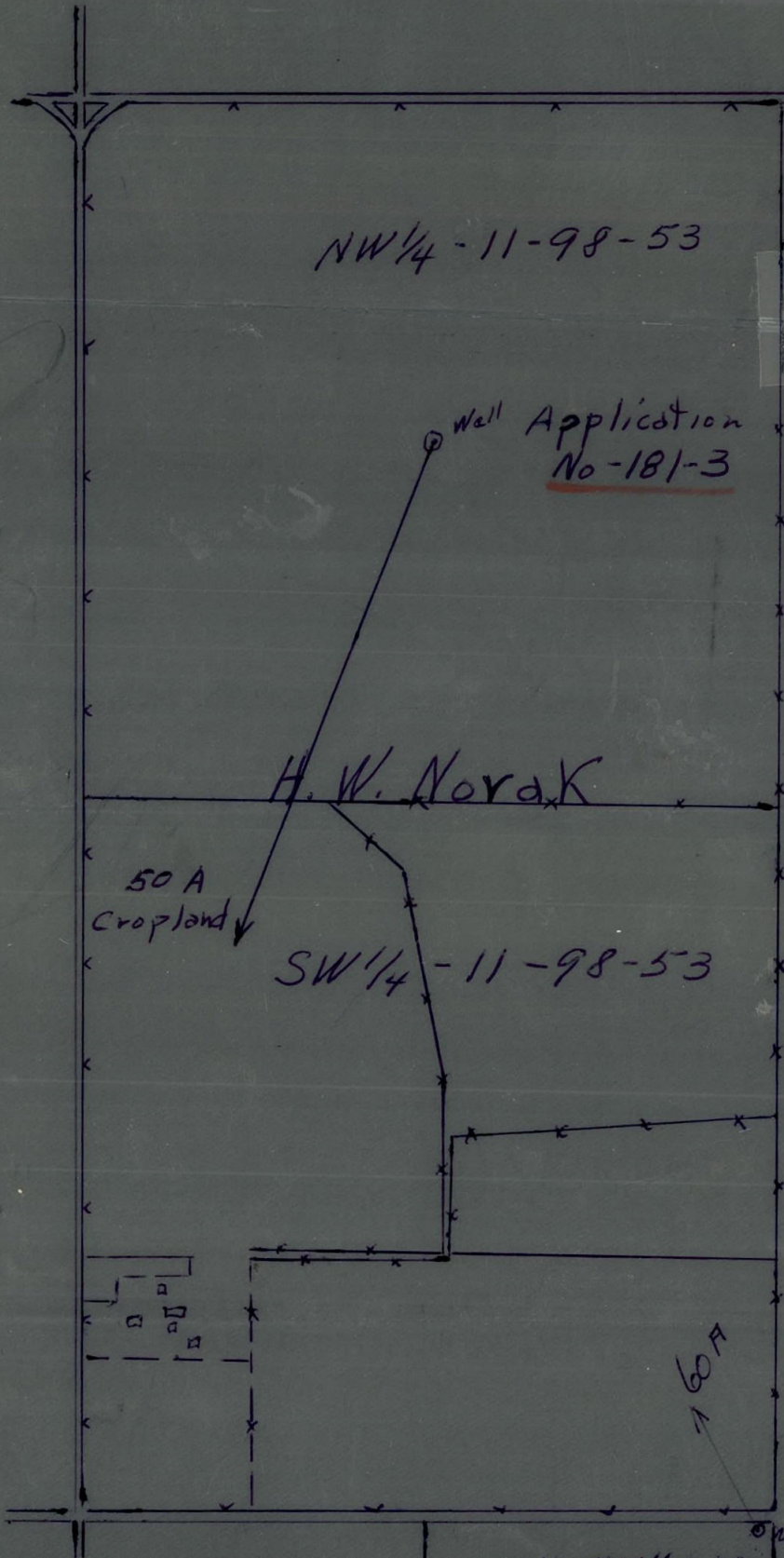
2 50

By

Chief Engineer

JOHN HATCH

MS



NW 1/4 - 11-98-53

Well Application
No - 181-3

H. W. Nord

50 A
Cropland

SW 1/4 - 11-98-53

60 ft

No 289-3

E 1/2 NW 1/4 - 14
98-53

WUCOWS

(App. # 181-3)

Gifford
Sherard

MAP # 181-3

Map # 181-3
App. # 181-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

No. 181-3

August 6, 2015

James Bondesen
28468 US Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

The Department of Environment and Natural Resources (DENR) has received information alleging the irrigation system located in the NW 1/4 Section 11-T98N-R53W had irrigation water from the end guns overspraying on the road.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

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

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Wednesday, August 05, 2015 3:08 PM
To: Gronlund, Eric
Subject: Water on why 19

T98N R53W sec 11 N 1/2 of NW 1/4 Hurley twp Turner County. Water was spraying on Hwy 19 around 8:22 am Turner county sheriff department was called about it

Kelly Knittel
Freeman SD
929-6340

June 29, 2016

James Bondesen
28468 US Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

The Department of Environment and Natural Resources (DENR) has again this season received information alleging the irrigation system located in the NW 1/4 Section 11-T98N-R53W had irrigation water from the end gun overspraying on the road.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

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

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 18, 2016

181-3

James Bondesen
28468 US Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

The Department of Environment and Natural Resources (DENR) has received another inquiry alleging the irrigation system located in the NW 1/4 Section 11-T98N-R53W had irrigation water from the end guns hitting the road on July 12th;

As stated in our June 29, 2016 letter to you, a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun over spray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

Again, if you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, July 18, 2016 10:19 AM
To: Schlaak, Karen
Subject: FW: july 2016 water overspray

-----Original Message-----

From: kknittel@gwtc.net [mailto:kknittel@gwtc.net]
Sent: Monday, July 18, 2016 10:18 AM
To: Gronlund, Eric
Subject: RE: july 2016 water overspray

3805-3 Richard Horton

It is the one that is just north of 280 st and right west of the old gravel pit that is on hwy 19. It is the one that is in the SE corner.

On 2016-07-18 08:19, Gronlund, Eric wrote:

> Mr. Knittel:

>

> On the last legal description in the SE 1/4 Section 3, which pivot are
> you referring to? There are actually three pivots that this could be
> in reference to between two different landowners. DENR does not want
> to be sending notification to the wrong person.

>

> Eric Gronlund

>

> -----Original Message-----

> **From:** kknittel@gwtc.net [mailto:kknittel@gwtc.net]
> **Sent:** Sunday, July 17, 2016 10:28 PM
> **To:** Gronlund, Eric; Duvall, Ron
> **Subject:** july 2016 water overspray

>

> On July 12th at 8:30 am there were 2 center pivots spraying water
> on the road.

> T98N R53W sec 11 NW1/4 this is the 2nd time I reported this one this
> season

> the other one is T98N R53W sec 5 SW1/4 & W1/2 of SE1/4 at 8:30 am.

> Then on July 16 at 12:30am T98N R53W sec 3 SE1/4 this one was just
> replaced with a new unit last week and now it is spraying water on the
> road.

>

>

> Kelly Knittel
> 605 925 4388 home
> 605 929 6340 cell
> Freeman SD

181-3 James Bondesen

4736-3 > James Davis
5506-3

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, July 25, 2016 3:19 PM
To: Schlaak, Karen
Cc: Goodman, Jeanne; Duvall, Ron
Subject: overspray by Jim Bondesen

Mr. Bondesen called upon receiving our second letter on overspray. He first said he didn't think the second overspray was the same system as the first one. He indicated there are three systems in the section. He has now replaced the mechanism on two of the pivots. He fully admitted the system that brought the first complaint was not working and resulting is overspray. He is having the renter watch the systems closely and is trying to eliminate endgun overspray. He did indicates the drop nozzles may put some water on to the adjoining right of way but does reach the road.

I asked Mr. Bondesen to be vigilant in watching for direct overspray on to roads. He said they are trying.



181-3

**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: JAMES D BONDESEN, 28468 US HWY 19, HURLEY, SD 57036 6003

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) 181-3, 3248-3 & 4265-3 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) 4647-3, 5987-3, 6383-3 & 7096-3 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) 4647-3, 5987-3, 6383-3 & 7096-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 181-3, 3248-3 & 4265-3 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: XNXXJD**

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.

181-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2022

James D Bondesen
28468 US Hwy 19
Hurley SD 57036 6003

RE: Water Permit/Right Nos. 181-3, 3248-3, 4265-3, 4647-3, 5987-3, 6383-3 & 7096-3

Dear Mr. Bondesen:

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. 181-3, 3248-3, 4265-3, 4647-3, 5987-3, 6383-3 & 7096-3. 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