

Considered: _____

WATER PERMIT NO. 2559A-3

HAP No. same 925-7611

Name of Applicant Nuane C. Pankratz

Post Office Address Route 1, Freeman, SD 57029

Amount of Water Claimed No add'l Total Acres No add'l

Source of Water Supply groundwater - 2 wells

Water to be used for irrigation County Brookings

About 1/2 miles W of Bruce, SD

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/89 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Oct. 4, 1988 Fee \$50.00 Remarks This appl.

2/12/76 proposes to change loc. of div. pts. as specified in Water Permit No. 2559-3

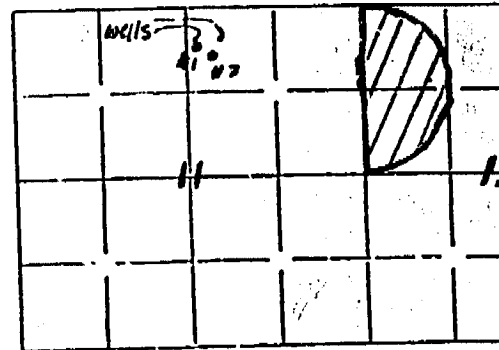
Corrected Application Received _____ Period of Annual Use Apr 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED Nov. 18, 1988 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point NW 1/4 NE 1/4 Sect 11 - T11N - R51W

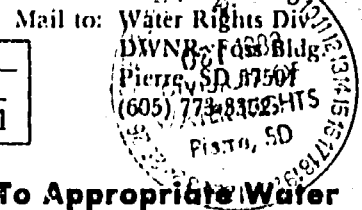
Land to be Irrigated W 1/2 NW 1/4 Sect 12 - T11N - R51W



Well Log: Driller Ed Lacey & Sons Licensed YES _____ NO _____

Depth of Well ~ 30' REMARKS See #4239-3 for logs

Type of Map aerial photo PREPARED BY Tom Brundner Reviewed and the Number assigned on November 30, 1988 By Musain A. Bowar



(See instructions)

No. 2559A-3 Hydrologic Unit 10170202
Basin Big Sioux R.
Newspaper Brookings Daily Register Drawer 177
57601

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 2559-3
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other SEE 4239-3, 2701-3 & 2559-3

- Name of Applicant Duane C. Pankratz Phone No. 925-7611
- Post Office Address Rural Route 1, Freeman, South Dakota State 57029
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s) No Add'l Total acres irrigated 63 (authorized by 2559-3)
- Source of Water supply Groundwater (2 wells)
- Location of point of diversion Well #1-2680 feet East and 590 feet South; Well #2-2950 feet East and 790 feet South of the northwest Corner of Section 11, T111N R51W (NW1/4NE1/4 Section 11, T111N-R51W) County Brookings
- Counties where water will be used Brookings
- Annual period during which water is to be used April 1 - September 30
- 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>NW1/4NW1/4 Section 12 T111 R51</u>	<u>32</u>		
<u>SW1/4NW1/4 Section 12 T111 R51</u>	<u>31</u>		

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ Other: _____ (Specify) _____
- Crops to be Irrigated: _____
- Give a description of proposed project. (Attach sheet if more space is needed)

This application proposes to change the location of the diversion points specified on Water Permit No. 2559-3 from the SW1/4SW1/4 of Section 1; SW1/4NW1/4 and SE1/4NW1/4 of Section 12; T111N, R51W to the NW1/4NE1/4 of Section 11, T111N, R51W. (These wells under 4239-3 are also used for lands irrigated under 2701-3)
This application does not authorize any additional acreage or any increase in the diversion rate.

Attachments: Attach Form 2A if diversion from a well or dug-out, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Turner)^{ss}

I, Duane Pankratz, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Duane Pankratz

Subscribed and sworn to before me this 3 day of October 1988

[Signature]
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property 3/4 mile On property owned by others 7/4 mile

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If Pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway width _____

g) X & Y Slope

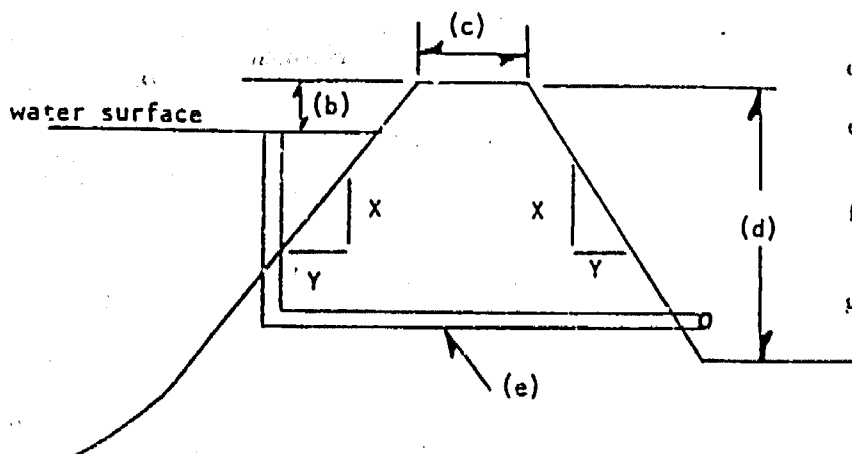
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Oliver P. P. P.
Signature of Applicant

// SOUTH DAKOTA
WATER PERMIT No. 2559A-3 FOR IRRIGATION
//

Date of first receipt of application October 4, 1988.

Date Soil/Water Compatibility Permit received November 18, 1988.

The Water Management Board approved Water Permit Application No. 2559A-3 on March 2, 1989 for Duane C. Pankratz, Route 1, Freeman, SD 57029 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2559A-3 amends Permit No. 2559-3 to specify the correct location of 2 existing irrigation wells. An inspection of Permit No. 2559-3 found 2 wells, 25 and 31 feet deep, capable of diverting 1.67 cubic feet of water per second to irrigate 63 acres in the W1/2 NW1/4 Section 12-T111N-R51W and acreage in the NE1/4 Section 11-T111N-R51W as authorized by Water Permit Nos. 2701-3 and 4239-3. The correct location of the 2 wells is the NW1/4 NE1/4 Section 11-T111N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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 - September 30.
3. The date from which applicant may claim right is February 12, 1976.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Land authorized for irrigation under Permit No. 2559A-3 is also covered under Water Right No. 2701-3. Combinations of diversion under the two permits may not exceed the Statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUN 13 1989

(date)



Department of Water & Natural Resources

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

June 13, 1989

Duane Pankratz
Rt 1
Freeman SD 57029

Dear Mr. Pankratz:

Enclosed are Water Permit Nos. 2701A-3, 4088A-3, 2559A-3 and 2702A-3 as approved by the Water Management Board authorizing your water diversion systems and the application of water to beneficial use, not exceeding the limits as specified in the Water Permits.

The final inspection has been completed on these Permits, and we are ready to issue the Water Licenses. Statutes requires we charge \$50 for the inspection and issuance of the final papers for each permit (total of \$200.00). Upon receipt of this amount the Water Licenses will be sent to you.

Very truly yours,

John Hatch /KS

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

enclosures



 **Department of
Water & Natural Resources**

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

JUL 5 1989

2559A-3
2701A-3
2702A-3
4088A-3

Duane C Pankratz
RR #3 Box 36
Freeman, SD 57029

Dear Mr. Pankratz:

Your Water Permit Nos. 2559A-3, 2701A-3, 2702A-3 and 4088A-3 issued on June 13, 1989 contained an error in the amount of appropriation specified. Number 2 on each of the permits states:

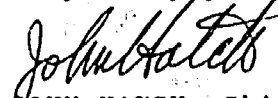
"The amount of the appropriation may not exceed 2 acre feet per acre per year..."

Number 2 should state:

"The amount of the appropriation may not exceed 3 acre feet per acre per year..."

Enclosed are corrected copies of Water Permit Nos. 2559A-3, 2701A-3, 2702A-3 and 4088A-3. If you have any questions, please contact us.

Very truly yours,



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

enclosures



SOUTH DAKOTA
WATER PERMIT No. 2559A-3 FOR IRRIGATION

Date of first receipt of application October 4, 1988.

Date Soil/Water Compatibility Permit received November 18, 1988.

The Water Management Board approved Water Permit Application No. 2559A-3 on March 2, 1989 for Duane C. Pankratz, Route 1, Freeman, SD 57029 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2559A-3 amends Permit No. 2559-3 to specify the correct location of 2 existing irrigation wells. An inspection of Permit No. 2559-3 found 2 wells, 25 and 31 feet deep, capable of diverting 1.67 cubic feet of water per second to irrigate 63 acres in the W1/2 NW1/4 Section 12-T111N-R51W and acreage in the NE1/4 Section 11-T111N-R51W as authorized by Water Permit Nos. 2701-3 and 4239-3. The correct location of the 2 wells is the NW1/4 NE1/4 Section 11-T111N-R51W.
2. The amount of the appropriation may not exceed 3 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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 - September 30.
3. The date from which applicant may claim right is February 12, 1976.
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Land authorized for irrigation under Permit No. 2559A-3 is also covered under Water Right No. 2701-3. Combinations of diversion under the two permits may not exceed the Statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

WATER MANAGEMENT BOARD

By: _____

Jalubet
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 5 1989

(date)

 **Department of
Water & Natural Resources**

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

August 15, 1989

2559A-3

Duane Pankratz
RR #3
Freeman, SD 57029

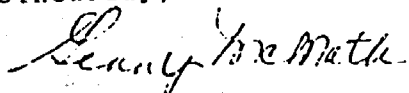
Dear Mr. Pankratz:

Presently, I am in the process of reviewing your Water Permit Nos. 2559-3, 2559A-3, 2701-3, 2701A-3 and 4239-3 for licensing purposes. Originally, two separate licenses were going to be issued (i.e., 2559-3 & 2559A-3 as one license and 2701-3, 2701A-3 and 4239-3 as one license). Since your irrigation systems are somewhat tied together, only one license will be issued (No. 2701A-3) and the remaining permits will be incorporated into the one license.

On June 21, 1989, you submitted \$100.00 for the inspection and issuance of Water License Nos. 2559A-3 and 2701A-3. Since only one license will be issued, only one inspection fee is needed. The \$50.00 fee you submitted for No. 2559A-3 will be processed and returned to you through our Auditor's Office.

It may take a couple weeks for the fee to be returned to you. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352



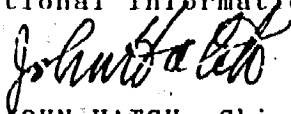
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2559A-3, Duane Pankratz

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2559A-3, Duane Pankratz, RR 1, Freeman SD.

The Chief Engineer is recommending APPROVAL of Application No. 2559A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Land authorized for irrigation under Permit No. 2559A-3 is also covered under Water Right No. 2701-3. Combinations of diversion under the two permits may not exceed the Statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 6, 1989

Report on Application 2559A-3

Duane C. Pankratz

January 5, 1989

Water Permit Application No. 2559A-3 was submitted for Duane C. Pankratz of Freeman, South Dakota to amend Water Permit No. 2559-3 by correcting the location of the existing irrigation wells. The two production wells are not located within the area initially specified on Permit No. 2559-3. This application does not authorize any increase in acres irrigated or water appropriated.

Background

Water Permit No. 2559-3 authorized an appropriation of 3.9 cubic feet of water per second (cfs) from 3 wells to be located in the SW1/4 SW1/4 of Section 1, the SW1/4 NW1/4 & SE1/4 NW1/4 of Section 12, all in T111N, R51W. The wells were to be used to irrigate 277 acres in the SW1/4 of Section 1, and W1/2 of Section 12, all in T111N, R51W.

An inspection of Permit No. 2559-3 revealed there were 2 wells constructed (25 and 31 feet deep), capable of diverting 1.67 cfs to irrigate 63 acres in the W1/2 NW1/4 of Section 12, T111N, R51W. The wells, located in the NW1/4 NE1/4 of Section 11, T111N, R51W, are also used for irrigating 132 acres in the NE1/4 of Section 11, T111N, R51W as authorized by Water Permit Nos. 2701-3 and 4239-3. The center pivot is towed between the NE1/4 of Section 11 and NW1/4 of Section 12, in T111N, R51W, so the two quarters can not be irrigated at the same time.

Aquifer Characteristics

The permit is located in the Coteau des Prairies portion of the Central Lowland physiographic province. The region is covered by Pleistocene glacial material including moraines, stagnant ice features, till and outwash. The wells have been drilled into the Big Sioux Aquifer-Brookings Management Unit. It is a surficial aquifer found predominately under water table conditions (Hedges, 1982).

This surficial aquifer consists of sand and gravel outwash that is very near the land surface with no confining layer above it. Recharge to the Big Sioux Aquifer, which has been estimated by most analyses to range from approximately 3 to 7 inches/year (Hedges, 1983), results from direct precipitation infiltration, inflow from upgradient portions of the aquifer and through the aquifer's connection with the Big Sioux River (USGS, 1980).

Water Availability

Water Permit Application No. 2559A-3 does not authorize any additional water appropriations or acreage, only a change in well location is requested. Water is available for this application.

The Brookings Management Unit has an estimated volume of recoverable water in excess of 637,000 acre-feet with 245,850 acre-feet of this amount in Brookings County (Hedges, 1982).

Three Water Rights Division observation wells, BG-75E, BG-75F, and BG-77D are located less than 2 miles from the applicant's existing well sites. The observation wells show seasonal fluctuations related to the yearly variations in precipitation. No long term trends in water levels were detected (WRD Observation Well Files, 1989).

Existing Water Rights

This permit application does not authorize any additional water, but does correct the location of the wells. A number of other permitted wells are located in the area, the closest being approximately a mile away. No interference is expected (WRD Permit Files, 1989). Other domestic wells that obtain water from the Big Sioux-Brookings Aquifer are also located in the area (WRD Drillers Logs, 1989).

The wells for Permit Application No. 2559A-3 have been in operation for a number of years and the Water Rights Division has received no complaints concerning well interference (WRD Complaint Files, 1989).

Conclusions

1. Water for this application is available from the Big Sioux Aquifer-Brookings Management Unit as no additional water is authorized.
2. The wells have been in operation for a number of years at the requested diversion points with no complaints brought against them.
3. Because of the large aquifer capacity and adequate well spacing, the Water Rights Division does not expect the application to adversely affect other existing water rights holders.

4. This permit can be approved with the well interference qualification. Upon licensing of the permit, applicable portions of 2559A-3 should be incorporated into 2559-3, 2701-3, 2701A-3, and 4239-3. The permit will retain the original priority date of Water Permit No. 2559-3.

Thomas M. Brandner

Thomas M. Brandner
Natural Resources Engineer

References

- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Prepared for U.S. Army Corps of Engineers Planning Division by DWNr Geological Survey, Vermillion, SD.
- Hedges, L.S., J. Allen, and D.E. Holly, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, Task 7: Ground Water Recharge, Prepared for U.S. Army Corps of Engineers Planning Division by DWNr Geological Survey, Vermillion, SD.
- Koch, Neil C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, USGS Water-Resources Investigations 80-100, Prepared in Cooperation with East Dakota Conservancy Sub-District, South Dakota Dept. of Water and Natural Resources, and Brookings and Hamlin Counties, Huron, SD.
- Water Rights Division, 1988, Complaint Files, DWNr, Joe Foss Bldg., Pierre, SD.
- Water Rights Division, 1989, Drillers Logs, DWNr, Joe Foss Bldg., Pierre, SD.
- Water Rights Division, 1989, Observation Well Files, DWNr, Joe Foss Bldg., Pierre, SD.
- Water Rights Division, 1989, Permit Files, DWNr, Joe Foss Bldg., Pierre, SD.

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4295

WR#

OWNERS NAME: Duane C. Pankratz

OWNERS ADDRESS: Route 1

COUNTY LAND LOCATED IN: Brookings

Freshman, SD 57029

PHONE: 325-7611

LEGAL DESCRIPTION:

1. LOCATION §1 2580 ft E & 590 ft S; §2 2950 ft E & 790 ft S of NW corner S11-111N-51W
Depth _____

☒ Well

☐ Surface

Legal Description	Acres	Legal Description	Acres
<u>NW 1/4 Sec 12-111-51</u>	<u>32</u>		
<u>SW 1/4 Sec 12-111-51</u>	<u>31</u>		
<u>TOT.</u>			
<u>TOTAL ACRES+</u>	<u>63</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: 76-340

7. ADJUSTED (SAR): _____

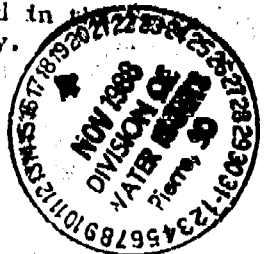
5. SALINITY (EC X 10%): 634

8. PERCENT SODIUM: 8.46

6. SODIUM (SAR): 0.35

Requirements:

Due to the potential problems with excess wetness and water tables found in mapping units, adequate internal drainage shall be provided as necessary.



[Signature]
Director, Division of Conservation

Date 11/10/88

☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

☒ REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Water Rights Division - DWNR
Conversation or File Documentation

File No. 2559A-3

NAME OF PERSON OR FILE: Duane C Pankratz

ADDRESS: Route 1, Freeman COUNTY Brookings

DATE: Dec 28, 1988 TELEPHONE _____

RE: Amendment of Permit No. 2559-3

COMMENTS:

Application No. 2559A-3 is an amendment to Permit No. 2559-3 due to an inspection being completed within the 5 year construction period. The inspection noted the current location of the wells and additions to the map for Permit No. 2701-3 show the connecting pipeline and pivot center for Permit No. 2559-3.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Don D. D. D.

Instruction to Newspaper - Publish first Notice on or before January 27, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application Nos. 2701A-3, 4088A-3, 2702A-3 and 2559A-3
to Amend Water Permit Nos. 2701-3, 4088-3, 2702-3 and 2559-3

Notice is given that Duane Pankratz, RR 1, Freeman SD 57029 has filed an application for a water permit to amend Permit No. 2701-3 to specify the correct location of 2 existing irrigation wells. Water Permit No. 2701-3 authorized irrigation of 463 acres from 3 wells. The 2 wells (Big Sioux-Brookings Aquifer) approximately 33 feet deep that have been developed are located in the SW 1/4 SE 1/4 Section 11-T111N-R51W and are capable of diverting 3.34 cubic feet of water per second. The irrigated acreage (357 acres developed) is located in the S 1/2, NE 1/4 Section 11-T111N-R51W. No additional water appropriation or increase in acreage irrigated is authorized by this application.

Application No. 4088A-3 is to amend Water Permit No. 4088-3 to specify the correct location of the existing irrigation well and the correct location of 3 irrigated acres. Water Permit No. 4088-3 authorized irrigation of 280 acres from 1 well to be located in the NW 1/4 NW 1/4 Section 16-T112N-R50W. An inspection of Permit No. 4088-3 found 1 well (Big Sioux-Brookings Aquifer) 57 feet deep, capable of diverting 2.01 cubic feet of water per second for irrigating 135 acres in the SW 1/4, S 1/2 NW 1/4 Section 9-T112N-R50W. The correct location of the existing well is the NW 1/4 SW 1/4 and the 3 acres not specified on Permit No. 4088-3 are located in the SE 1/4 NW 1/4; all in Section 9-T112N-R50W. This application, if approved, does not authorize any increase in water appropriation or number of irrigated acres.

Application No. 2702A-3 is to amend Water Permit No. 2702-3 to specify the correct location of two existing irrigation wells and the correct location of 3 irrigated acres. Water Permit No. 2702-3 authorized irrigation of 216 acres from 2 wells to be located in the center of the NE 1/4 and center of the W 1/2 SE 1/4 both in Section 14-T111N-R51W. An inspection of Permit No. 2702-3 found 2 wells (Big Sioux-Brookings Aquifer) each 28 feet deep, capable of diverting 1.78 cubic feet of water per second for irrigating 184 acres in the NE 1/4, W 1/2 SE 1/4, NE 1/4 SE 1/4 Section 14-T111N-R51W. The correct location of the 2 wells is the SW 1/4 NE 1/4 and the 3 acres not specified on Permit No. 2702-3 are located in the NE 1/4 SE 1/4; all in Section 14-T111N-R51W. This application, if approved, does not authorize any increase in water appropriation or number of irrigated acres.

Application No. 2559A-3 is to amend Water Permit No. 2559-3 to specify the correct location of two existing irrigation wells. Water Permit No. 2559-3 authorized irrigation of 277 acres from 3 wells to be located in the SW 1/4 Section 1; NW 1/4 Section 12; all in T111N-R51W. An inspection of Permit No. 2559-3 found 2 wells (Big Sioux-Brookings Aquifer) 25 and 31 feet deep capable of diverting 1.67 cubic feet of water per second (cfs) for irrigating 63 acres located in the W 1/2 NW 1/4 Section 12-T111N-R51W. The 2 wells are also used for irrigating the NE 1/4 Section 11-T111N-R51W as authorized by Water Permit Nos. 2701-3 and 4239-3. The correct location of the 2 wells is in the NW 1/4 NE 1/4 Section 11-T111N-R51W. This application does not authorize any increase in acres irrigated or water appropriated and the combined diversion rate of Permit No. 2701-3 and this application, if approved, shall not exceed 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 2701A-3, 4088A-3, 2702A-3 and 2559A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. These applications will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

(continued)

Any interested person that intends to participate in a hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on an application or to assure access to the hearing by the handicapped.

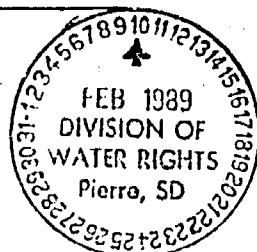
These hearings are adversary proceedings. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of a hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

No. 2701A-3, 4088A-3, 2702A-3
and 2559A-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.



I, Rob James hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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

City of Brookings

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

February 2, 1989

February 9, 1989

(Signature)

Publisher

(Title)

2/9/89

(Date Signed)

Cost of Printing: \$76.92

Legal 55, 2x, Feb. 2, 9
NOTICE OF HEARINGS on
Application Nos. 2701A-3, 4088A-3,
2702A-3 and 2559A-3 to Amend
Water Permit Nos. 2701-3, 2702-3
and 2559-3.

Notice is given that Duane Pankratz, RRI, Freeman SD 57029 has filed an application for a water permit to amend Permit No. 2701-3 to specify the correct location of 2 existing irrigation wells. Water Permit No. 2701-3 authorized irrigation of 463 acres from 3 wells. The 2 wells (Big Sioux-Brookings Aquifer) approximately 33 feet deep that have been developed are located in the SW 1/4 SE 1/4 Section 11-T111N-R51W and are capable of diverting 3.34 cubic feet of water per second. The irrigated acreage (357 acres developed) is located in the S1/2, NE 1/4 Section 11-T111N-R51W. No additional water appropriation, or increase in acreage irrigated is authorized by this application.

Application No. 4088A-3 is to amend Water Permit No. 4088-3 to specify the correct location of the existing irrigation well and the correct location of 3 irrigated acres. Water Permit No. 4088-3 authorized irrigation of 280 acres from 1 well to be located in the NW 1/4 NW 1/4 Section 16-T112N-R50W. An inspection of Permit No. 4088-3 found 1 well (Big Sioux-Brookings Aquifer) 57 feet deep, capable of diverting 2.01 cubic feet of water per second for irrigating 135 acres in the SW 1/4, S 1/2 NW 1/4 Section 9-T112N-R50W. The correct location of the existing well is the NW 1/4 SW 1/4 and the 3 acres not specified on Permit No. 4088-3 are located in the SE 1/4 NW 1/4; all in Section 9-T112N-R50W. This application, if

approved, does not authorize any increase in water appropriation or number of irrigated acres.

Application No. 2702A-3 is to amend Water Permit No. 2702-3 to specify the correct location of two existing irrigation wells and the correct location of 3 irrigated acres. Water Permit No. 2702-3 authorized irrigation of 216 acres from 2 wells to be located in the center of the NE 1/4 and center of the W 1/2 SE 1/4 both in Section 14-T111N-R51W. An inspection of Permit No. 2702-3 found 2 wells (Big Sioux-Brookings Aquifer) each 28 feet deep, capable of diverting 1.78 cubic feet of water per second for irrigating 184 acres in the NE 1/4, W 1/2 SE 1/4, NE 1/4 SE 1/4 Section 14-T111N-R51W. The correct location of the 2 wells is the SW 1/4 NE 1/4 and the 3 acres not specified on Permit No. 2702-3 are located in the NE 1/4 SE 1/4; all in Section 14-T111N-R51W. This application, if approved, does not authorize any increase in water appropriation or number of irrigated acres.

Application No. 2559A-3 is to amend Water Permit No. 2559-3 to specify the correct location of two existing irrigation wells. Water Permit No. 2559-3 authorized irrigation of 277 acres from 3 wells to be located in the SW 1/4 Section 1; NW 1/4 Section 12; all in T111N-R51W. An inspection of Permit No. 2559-3 found 2 wells (Big Sioux-Brookings Aquifer) 25 and 31 feet deep capable of diverting 1.67 cubic feet of water per second (cfs) for irrigating 63 acres located in the W 1/2 NW 1/4 Section 12-T111N-R51W. The 2 wells are also used for irrigating the NE 1/4 Section 11-T111N-R51W as authorized by Water Permit Nos. 2701-3 and 4239-3. The correct location of the 2 wells is in the NW 1/4 NE 1/4 Section 11-T111N-R51W. This application does not authorize any increase in acres irrigated or water appropriated and the combined diversion rate of Permit No. 2701-3 and this application, if approved, shall not exceed 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 2701A-3, 4088A-3, 2702A-3 and 2559A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. These applications will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on an application or to assure access to the hearing by the handicapped.

These hearings are adversary proceedings. Any person filing a petition and / or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of a hearing will also be automatically delayed for at least twenty days

upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 20, 1989

Brookings Daily Register
Box 177
Brookings SD 57006

Dear Sir:

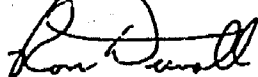
Enclosed is the Notice of Hearing on Application Nos. 2701A-3, 4088A-3, 2702A-3 and 2559A-3 to be published twice. Please publish the first notice on or before January 27, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Duane Pankratz, RR 1, Freeman SD 57029.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

Nos. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application Nos. _____ which was first published in
our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411449

Pierre, _____ October 6, 19 88

RECEIVED OF Duane C. Pankratz, Route 1, Freeman, SD 57029

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 _____	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 _____		
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 Hatch
Chief Engineer JOHN HATCH (HS)



Department of Water & Natural Resources

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

January 20, 1989

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

Duane Pankratz
RR 1
Freeman SD 57029

Dear Mr. Pankratz:

Your Application Nos. 2701A-3, 4088A-3, 2702A-3 and 2559A-3 for permits to appropriate water for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Brookings Daily Register printed at Brookings SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

2701A-3

APR 25 1990

Duane C. Pankratz
RR #3 Box 36
Freeman, SD 57029

Dear Mr. Pankratz:

Enclosed is Water License No. 2701A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411810 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 2701A-3, constructs replacement wells and does not plan to use the old wells, then the old wells will be considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

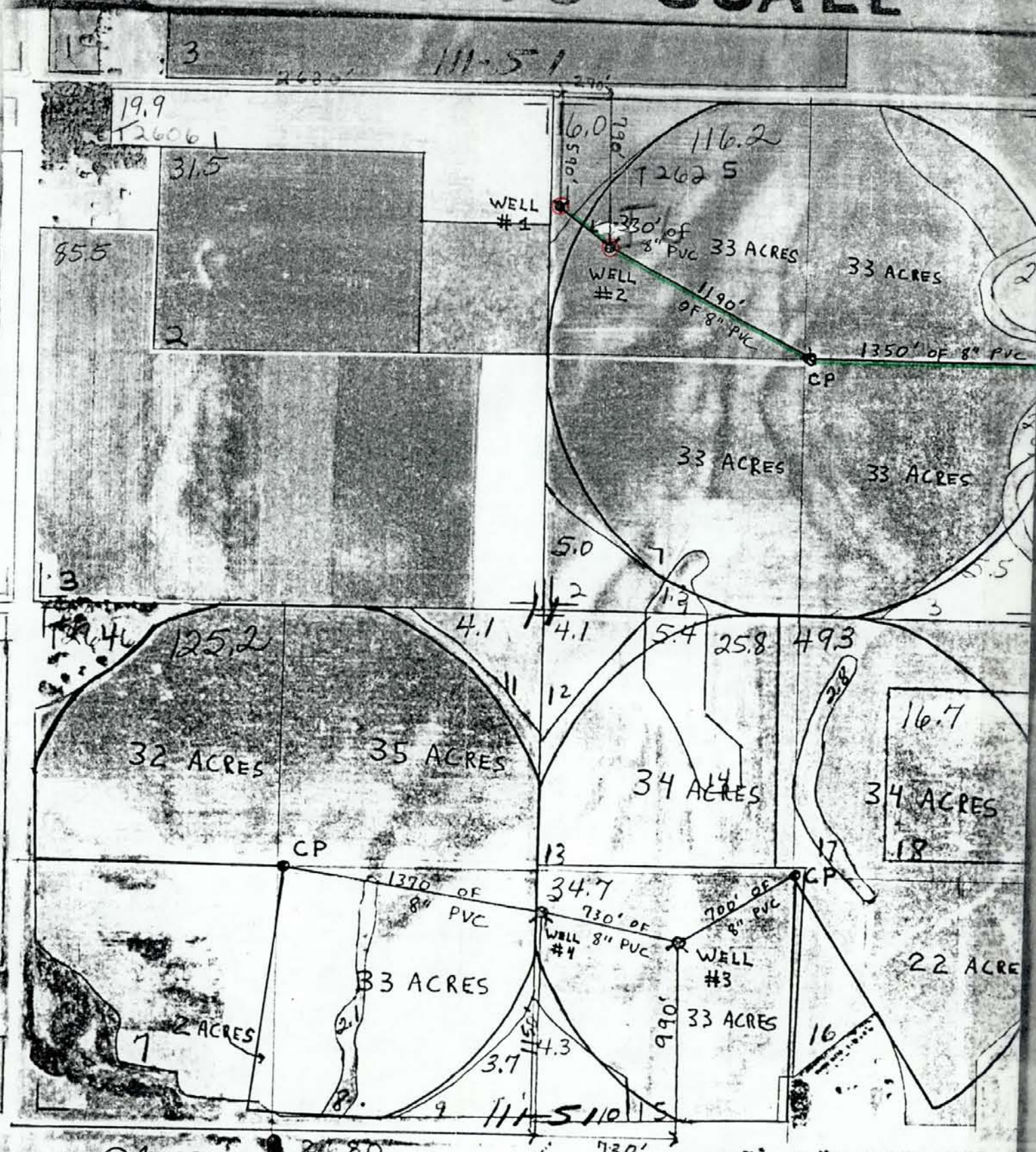
Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit Nos. 2559-3, (2559A-3), 4239-3 and 2701-3 are incorporated into this Water License No. 2701A-3. Priority dates as they pertain to the land irrigated are described in (3) of this License.

NOT TO SCALE



Thomas M. Brander
8-10-88

NOT TO SCALE 2559-3



Thomas M. Brander
8-10-88

Appl. No. 2559A-3

Non-agric
use
residence