

Considered: _____

WATER PERMIT NO. 2702-A-3

HAP No. same 925-7611

Name of Applicant Luane C. Pankratz

Post Office Address Route 1, Freeman, SD 59029

Amount of Water Claimed 1.78 cfs total Total Acres 3 (184 total)

Source of Water Supply groundwater - 2 wells

Water to be used for irrigation County Brookings

About 1 miles SW of Brice, SD

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/87 Subject to _____

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

PRIORITY

Date Received Oct. 4, 1988

Fee \$50.00

Remarks This appl.

4/14/86

changes loc. of div. pt. on Water Permit No. 2702-3

relocates 3 acres

Corrected Application Received _____

Period of Annual Use Apr 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED Nov 18, 1988

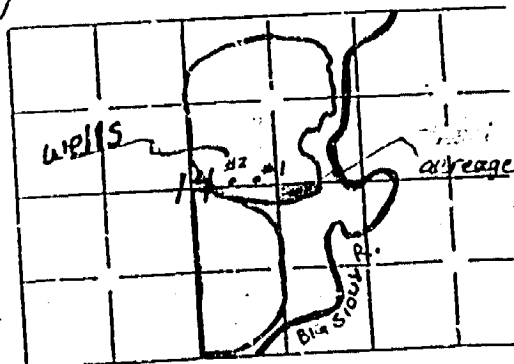
APPROVED / CONDITIONAL (Circle one)

VI-1 Description same as Application YES ☒ NO _____

REMARKS _____

Diversion Point #1, #2: SW 1/4 NE 1/4 Sect. 14-T11N-R51W

Land to be Irrigated NE 1/4 & SE 1/4 Sect. 14-T11N-R51W



Well Log: Driller Ed Lacey & Sons

Licensed YES _____ NO _____

Depth of Well 27'

REMARKS _____

Type of Map aerial photo PREPARED BY Torn Brandner Reviewed and the Number

assigned on November 30, 1988 By Luane C. Pankratz

No. 2702A-3 Hydrologic Unit 1010202
Basin Big Sioux
Newspaper Brookings Daily Register Drawer 177
57006



Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 2702-3
☒ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☒ Add Acreage ☐ Increase diversion rate ☒ Other SEE 2702-3

1. Name of Applicant Duane C. Pankratz Phone No. 925-7611

1. Name of Applicant _____
 2. Post Office Address _____ Rural Route 1, Freeman, South Dakota State 57029
 (Street, RR or box) (City) Zip Code
 104 (101 acres authorized by 2

2. Amount of water claimed (c.f.s.) No Add'l Total acres irrigated 184 (181 acres authorized by 2702-3)
Superficial (2 wells)

2. Amount of water claimed (G.A.S.) Groundwater (2 wells)

3. Source of Water supply Well #1-2700 feet North and 1520 feet West; Well #2-2700 feet

3. Source of Water supply Groundwater (2 wells)
 1. Location of point of diversion Well #1-2700 feet North and 1520 feet West; Well #2-2700 feet North and 1880 feet West of the SE Corner of Section 14, T111N, R51W
(SWNE₄ Section 14, T111N-R51W) County Brookings

5. Counties where water will be used Brookings April 1 - September 30

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

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

7. 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 Int.
NW 1/4 NE 1/4 Section 14 T111 R51	27
SE 1/4 NE 1/4 Section 14 T111 R51	24
SE 1/4 NE 1/4 Section 14 T111 R51	22
SW 1/4 NE 1/4 Section 14 T111 R51	37

Land Description	No. Acres Fr.
NW1/4 Section 14 T111 R51	37
SW1/4 Section 14 T111 R51	34
NE1/4 Section 14 T111 R51	3

Attach sheet if more space is needed

Other:

(Specify) _____

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: X (Specify) _____

9. Crops to be Irrigated:

10. Give a description of proposed project. (Attach sheet if more space is needed)
This application proposes to change the location of the diversion point specified on Water Permit No. 2702-2 from the Center of the NE $\frac{1}{4}$ and Center of W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, T111N R51W to the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T111N, R51W.
This application also proposes to irrigate 3 acres also described on Permit No. 2906-3. The acreage is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14 T111N R51W. No increase in the diversion rate is authorized.

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

STATE OF SOUTH DAKOTA)
County of Lincoln) ss

County of Franklin, 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 _____

Subscribed and sworn to before me this 3 day of October 1981

Summary of Findings

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 1 1/2 mile On property owned by others 3/4 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) Chest Width _____

Chest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

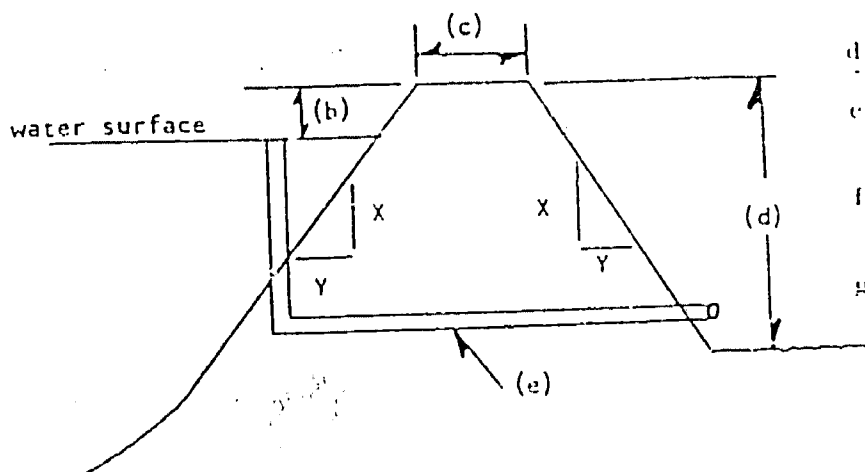
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Oliver Panikra
Signature of Applicant

 **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:

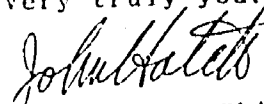
"The amount of the appropriation may not exceed 2 acre feet per acre per year..."

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. 2702A-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. 2702A-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. 2702A-3 amends 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 NE1/4 and center of the W1/2 SE1/4 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 NE1/4, W1/2 SE1/4, NE1/4 SE1/4 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 permit does not authorize any increase in water appropriation or number of acres irrigated.
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 April 14, 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.

WATER MANAGEMENT BOARD

By: John Hall
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 5 1989

(date)

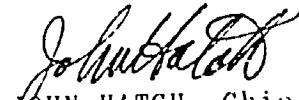
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2702A-2, Duane Pankratz

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. 2702A-3, Duane Pankratz, RR 1, Freeman SD.

The Chief Engineer is recommending APPROVAL of Application No. 2702A-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.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 9, 1989

Report on Application 2702A-3
Duane C. Pankratz
January 6, 1989

Water Permit Application No. 2702A-3 was submitted for Duane C. Pankratz of Freeman, South Dakota to amend Water Permit No. 2702-3 by correcting the location of the 2 existing irrigation wells and 3 irrigated acres. The two production wells and 2 of the acres presently being irrigated are not located within the area specified on Permit No. 2702-3. This application does not authorize any increase in acres irrigated or water appropriated.

Background

Water Permit No. 2702-3 authorized an appropriation of 3.1 cubic feet of water per second (cfs) from 2 wells to be located near the center of the NE1/4 and center of the W1/2 SE1/4, both in Section 14, T111N, R51W. The wells were to be used to irrigate 216 acres in the NE1/4 and W1/2 SE1/4 of Section 14, T111N, R51W.

An inspection of Permit No. 2702-3 revealed there were 2 wells constructed (both 27 feet deep), capable of diverting 1.78 cfs to irrigate 184 acres in the NE1/4, W1/2 SE1/4 and NE1/4 SE1/4 of Section 14, T111N, R51W. The wells are located in the SW1/4 NE1/4 of Section 14, and the 3 acres not covered under Permit No. 2702-3 are located in the NE1/4 SE1/4 of Section 14, all in T111N, R51W.

Aquifer Characteristics

The permit is located in the Coteau des Prairie 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. 2702A-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).

Two Water Rights Division observation wells, 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).

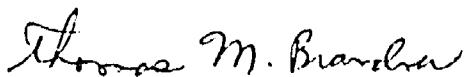
Existing Water Rights

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 1/2 mile away. No interference is expected (WRD Permit Files, 1989).

The wells for Permit Application No. 2702A-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 permit holders.
4. This permit can be approved with the well interference qualification. Upon licensing of the permit, applicable portions of 2702A-3 should be incorporated into 2702-3. The permit will retain the original priority date of Water Permit No. 2702-3.



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, Pierre, SD.
- Water Rights Division, 1989, Complaint Files, 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
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.

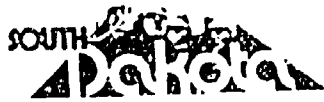
Sincerely,



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

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 _____

CUT HERE

TO:

Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Newspaper



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 S.D. 43-2A-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.

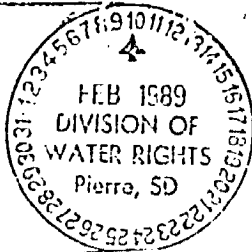
These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 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.

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

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

Leg 155, 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 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 is 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.

Water Rights Division - DWR
Conversation or File Documentation

File No. 2702A-3

NAME OF PERSON OR FILE: Diane C. Pankratz

ADDRESS: Route 1, Freeman SD 57029 COUNTY Brookings

DATE: Dec 27, 1988 TELEPHONE 925-7611

RE: Amendment of Water Permit No. 2702-3

COMMENTS:

Application No. 2702A-3 is an amendment to Permit No. 2702-3 due to an onsite inspection being completed prior to the end of the 5 year construction period. The inspection noted the current locations of the wells but no corrective action was taken subsequent to the inspection. The inspection was made on 5/10/78 by Leroy Mernaugh.

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: Ron J. Wall

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4295

WR#

OWNERS NAME: Guano C. Pankratz OWNERS ADDRESS: Route 1

Frederick, SD 57030

COUNTY LAND LOCATED IN: Brookings PHONE: 605-7611

LEGAL DESCRIPTION:

☐ Well

☐ Surface

1. LOCATION: 2700 ft E & 1520 ft W; 22 2700 ft E & 1800 ft N of SE corner of 14-111 51W

Depth: _____

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14-111-51	27	ENE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14-111-51	37
NE $\frac{1}{4}$ NE $\frac{1}{4}$ "	14	SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	34
SW $\frac{1}{4}$ NE $\frac{1}{4}$ "	22	NE $\frac{1}{4}$ SE $\frac{1}{4}$ "	3
SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	27	TOTAL +	104

OTHER:

2. TYPE OF IRRIGATION: GRAVITY _____ TOW LINE _____ CENTER PIVOT _____ GUN _____ (Specify) _____

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER 76-343 7. ADJUSTED (SAR) _____
5. SALINITY (EC X 10³) 756 8. PERCENT SODIUM 16.37
6. SODIUM (SAR) 1.98

Requirements:



[Signature]
Director, Division of Conservation

11/11/88
Date

☒ APPROVED ☐ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

44467

Pierre, October 6, 1920

RECEIVED OF Duane C. Pinkratz, Route 1, Freeman, SD 57629
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 

 **Department of
Water & Natural Resources**

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

June 13, 1989

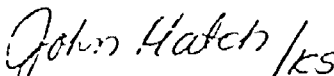
Duane Pankratz
Rt 1
Freeman SD 57029

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, Chief Engineer
Water Rights Division
605 773-3352

enclosures



2702A-3
Permit No. 2702-3

BIG SIOUX 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 DUANE
PANKRATZ of FREEMAN, SD holder of
Permit No. 2702-3, bearing the priority of APRIL 14, 1976, authorizing
the diversion of 3.1 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BROOKINGS County.

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

A. Works used to divert the water: (2 WELLS)

EAST WELL (#1) - A 27' DEEP WELL WITH 14" DIA. STEEL CASING + 10' GALVENIZED STEEL (17")
WESTERN LAND ROLLER PUMP; HEAD # - 6M; 6" PUMP; 6 IDC MC; 400 GPM CAPACITY; (17")
POWERED BY 30 HP GE INDUCTION MOTOR; TYPE K; MODEL # SK6235X4501A; ID# C761194
SERIAL # HMJB25290

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

360' OF 8" BURIED PVC PIPE BETWEEN WELLS

1190' OF 8" BURIED PVC PIPE FROM WELL #2 TO NORTH CP

1580' OF 8" BURIED PVC PIPE FROM WELL #2 TO SOUTH CP

1850' OF 6" ABOVE GROUND ALUMINUM PIPE FROM NORTH CP TO USE WITH TRAVELING GUN

Works used to apply water to beneficial use: (2 PIVOTS) + TRAVELING GUN

NORTH PIVOT - AN B TOWER, 1284' LONG REMOTE ELECTROGATOR CP WITH NELSON 150' END GUN
HIGH PRESSURE (65 PSI), 750 GPM CAPACITY
MODEL 12-665; SERIAL # 1076C.3773

The system is in the following condition GOOD

The points of diversion ^{ARE} located WELL #1) 2700' N + 1520' W (WELL #2) 2700' N +
1880' W OF THE SE CORNER OF SECTION 14, T11N, R51W.

The works are capable of diverting and conveying to the place of use 1.78 (800 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: ALL IN SECTION 14, T11N, R51W

NW 1/4 NE 1/4 - 27 ACRES NW 1/4 SE 1/4 - 37 ACRES

NE 1/4 NE 1/4 - 24 ACRES SW 1/4 SE 1/4 - 34 ACRES

SE 1/4 NE 1/4 - 22 ACRES NE 1/4 SE 1/4 - 3 ACRES

SW 1/4 NE 1/4 - 37 ACRES

comprising a total of 184 acres of land and the license should be issued for 1.78 cfs

Applicable permit qualifications have been complied with Yes ☒ No

Exceptions to compliance are: 1. NEED A CHANGE IN DIVERSION PT. LOCATION Date 8-11-88

2. NEED TO ADD ACREAGE (3 ACRES) NOT COVERED BY THE PERMIT

*3. POSSIBLY NEW SOIL/WATER APPLICATION

New Correct application approved 11-10-88

Charles M. Brammer
(signature)

A. WORKS USED TO DIVERT THE WATER

WEST WELL (#2): A 27' DEEP WELL WITH 14" DIA. STEEL CASING + 10' GALVENIZED STEEL SCREEN (14")
WESTERN LANDROLLER PUMP; HEAD NO. - 6M; 6 100 MC; 6" PUMP; 400 GPM CAPACITY
POWERED BY A 30 HP U.S. ELECTRIC UNICLOSED MOTOR; TYPE - RU; 1750 RPM
ID# E-2997-02-028
R2104157

C. WORKS USED TO APPLY WATER TO BENEFICIAL USE

SOUTH PILOT

AN 8 TOWER MINIBATOR CP WITH NELSON END GUN
HIGH PRESSURE (60 PSI); 500 GPM CAPACITY

TRAVELING GUN

WARING TRAVELING GUN, MODEL 66, STYLE - MA; USES BOSS GUN (MODEL - BB)
500 GPM CAPACITY; 650 FEET OF 4" FLEXIBLE RUBBER HOSE

LICENSE FOR PERMIT NUMBER 2702-3 (Duane Pankratz)

1. Legal location of wells: SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T111N, R51W.

dams & structures: 1 - Near center of NE $\frac{1}{4}$ of Section 14, T111-51
2 Pivots: 2 - By West quarter corner of SE $\frac{1}{4}$ of Sec. 14, T111-51

2. Well Information: Well Drilling Firm Lacey

No. of wells 2 Depth both 27'

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level = 9-10'

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____

(Other Information
on Examination Report)

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

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 _____

b) towline:

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

5. System Type: c) 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) PSI reading while system is running _____
- 9) GPM _____

g) Gun.

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

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

e) Siphon:

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
☐	☒	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒	☐	2. Special Qualifications to permit being abided by.
☒	☐	3. All Structures, wells and lands on map.

REMARKS:

* May need new soil/water approval for acreage outside of area specified on the permit. (NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, 111-51)

Will need a change in diversion point to correctly locate the wells. The acreage outside of the permit lands that is presently being irrigated should be incorporated into the permit.

The center pivot on the south quarter section has been installed recently. Prior to its placement, the pivot on the NE $\frac{1}{4}$ was towed back and forth between the 2 pivot pads.

MA

(1) WELL CONSTRUCTION

Location of well: SE 1/4 SE 1/4 NE 4 Section 14 Township 11-N Range E1-W

Well owner Dugan PANAVATZ FREEMAN SD
(Name) (Address)

Date well drilling completed 9-7-76 Purpose of well Investigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0-1	Topsoil
1-4	rocky gravel
4-10	fine sand
10-27'	coarse gravel
27'	blue clay

Depth to top of water producing aquifer 91 ft.

Depth to static water level 9' ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 27' ft.

Depth to bottom of casing _____ ft.

Casing information:In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

17 1/2" x 14" x 1/4" steel casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

10' x 14" x 100 Johnson Engines

If a flowing well, flow of completed well: _____ G.P.M.

Attach sheet if more space is needed

E. H. Lacey & Sons
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump WESTERN LAND ROLLER HP. 40

Type of pump Turbine Capacity of installed pump 350 G.P.M.

Depth of pump placement 20 ft., Date of pump installation 10/1/78

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Ed H. Lacey & Sons
Name of Pump Installation Contractor

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 21, 1939

RECEIVED OF Duane Pankratz, RR #3, 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 _____		
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>Water Right No. 2702A-3</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: [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2702A-3

(1) Duane Pankratz of RR #5, Box 36, Freeman SD 57029 made Application No. 2702A-3, October 4, 1988 for a water permit to appropriate no additional cubic feet of water per second from groundwater, Brookings County, South Dakota for irrigation purposes. Permit No. 2702A-3 with a priority date of April 14, 1976 was approved March 2, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2702A-3 amends Water Permit No. 2702-3 to correct the location of two existing wells and three irrigated acres. Permit No. 2702A-3 did not authorize an increase in water appropriation or acres irrigated.

The applicable portions of Water Permit No. 2702-3 have been incorporated into this Water License No. 2702A-3. An April 14, 1976 priority date is retained.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2700'N and 1520'W and Well #2 - 2700'N and 1880'W, both from the SE corner of Section 14, T111N, R51W.

(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:

T111N, R51W Section 14	NW 1/4 NE 1/4	27	acres
	NE 1/4 NE 1/4	24	"
	SE 1/4 NE 1/4	22	"
	SW 1/4 NE 1/4	37	"
	NW 1/4 SE 1/4	37	"
	SW 1/4 SE 1/4	34	"
	NE 1/4 SE 1/4	3	"

TOTAL 184 acres

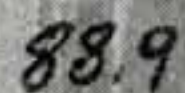
(4) Pursuant to Section 46-5-30.1 Duane Pankratz of RR #3, Box 36, Freeman SD 57029 the holder(s) and/or owner(s) of Incorporated No. 2702A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (two wells) with a priority date of April 14, 1976 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 Incorporated No. 2702A-3 and subject to South Dakota State Law.



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

SEP 14 1989

2702-3



16.1

4.4

250R

 **Department of
Water & Natural Resources**

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

SEP 14 1989

Duane Pankratz
RR 3, Box 36
Freeman SD 57029

Dear Mr. Pankratz:

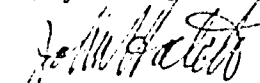
Enclosed are Water License Nos. 4088A-3 and 2702A-3. These are the final water right documents completing your process of obtaining Water Rights. Enclosed are the receipts in the amount of \$50.00 each which you paid for the inspection and issuance of the Water Licenses.

The applicable portions of Water Permit No. 4088-3 have been incorporated into this Water License No. 4088A-3. The applicable portions of Water Permit No. 2702-3 have been incorporated into this Water License No. 2702A-3.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 4088A-3 and 2702A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,



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

enclosures





2702A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: DUANE C PANKRATZ, PO BOX 1050, FREEMAN, SD 57029
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 2701A-3, 2702A-3 & 4088A-3, 4087-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 4087-3 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) 2701A-3, 2702A-3 & 4088A-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 2701A-3, 2702A-3 & 4088A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4087-3 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 on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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.



2702A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 1, 2000

Duane C Pankratz
PO Box 1050
Freeman, SD 57029-1050

RE: Water Permit/Right Nos. 2701A-3, 2702A-3, 4087-3 and 4088A-3

Dear Mr. Pankratz:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2701A-3, 2702A-3, 4087-3 and 4088A-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
Environmental Scientist
Water Rights Program
(605) 773-3352

2702A-3

2007 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 3, 2007**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

Permit No. 2702A-3

change to

DUANE C PANKRATZ
44130 279TH ST
FREEMAN SD 57029 5800

Any address/ownership corrections?

cell 605-690-4539

Telephone No. *1 605-627-5141*

1. Did you irrigate in 2007? *yes ☒ **no ☐
*If yes, *184* acres were irrigated out of
the 184.00 acres covered by Permit No. 2702A-3

**If no, check reason(s) for not irrigating:
sufficient moisture ☐ no water available ☐
system not constructed ☐ use abandoned ☐
enrolled in CRP ☐ through what year? _____
other ☐ please explain in the Comment Box:

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the
system in 2007? yes ☐ no ☒

4. If more than one water source is listed below, circle
each source used. **A. GROUNDWATER**

5. Provide your water use on the back of this form.

Comment Box

*Change ownership
to U.H.S. Investments,
~~Rich Vande Weerd~~
Rich Vande Weerd
Leroy Vande Weerd
Jenna Vande Weerd
Send Questionnaire to
Leroy Vande Weerd 46739 204th St.
Bruce, SD 57220*



NWNW	NENW	NWNE	NENE
NW		NE	
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SW		SE	
SWSW	SESW	SWSE	SESE

1 square mile

Office use only

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NOV 26 2007
WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 2702A-3 (see above section map for help reading legal descriptions)

sec 14-T111N-R51W, NW1/4NE1/4 - 27.00 acres
sec 14-T111N-R51W, NE1/4NE1/4 - 24.00 acres
sec 14-T111N-R51W, SE1/4NE1/4 - 22.00 acres
sec 14-T111N-R51W, SW1/4NE1/4 - 37.00 acres
sec 14-T111N-R51W, NW1/4SE1/4 - 37.00 acres
sec 14-T111N-R51W, SW1/4SE1/4 - 34.00 acres
sec 14-T111N-R51W, NE1/4SE1/4 - 3.00 acres

*Send Questionnaire to
Leroy Vande Weerd
46739 204th Street
Bruce, SD 57220*

Please provide your 2007 water use to irrigate the above acreage on the REVERSE side of this form.

For an example of a completed questionnaire, please refer to the reverse side of your cover letter.



December 21, 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2702A-3

LeRoy Vande Weerd
46739 204th St
Bruce SD 57220

Dear Mr. Vande Weerd:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2702A-3. The irrigation questionnaire indicated an ownership change had occurred on this water right currently listed in the name of Duane Pankratz. For your records, I have enclosed a copy of the water license and map for Water Right No. 2702A-3

The transfer form should be checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50.

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 me.

Sincerely,

Karen Schlaak

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN - 2 2008

WATER RIGHTS
PROGRAM

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

No. 2702A-3

Date: 12-30-07

I/We request that Water Right/Permit No. 2702A-3

formerly owned by: Duane Pankratz

be transferred to: (name & address)

V.H.S. Investments, owners are as follows.
Rich Underwood, LeRoy Underwood, James Underwood

Telephone No. : 605-627-5141

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

194 acres located in the NE 1/4, W 1/2 SE 1/4, NE 1/4 SE 1/4 Section 14-T111N-R51W

I/We understand that the validity of Water Right/Permit No. 2702A-3 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 V.H.S. Investments, the new owner, certify that the above information is true and correct.

Rich Underwood
LeRoy Underwood James Underwood
(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 1/2, 20 08

RECEIVED OF Vandeweerd Farms 46739 204th St Brace SD 57220

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 _____ 2702A-3		
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. _____	2	50
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.

63002

By

Garland Erbe

Chief Engineer

[Handwritten mark]



**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 3, 2008

2702A-3

VHS Investments
LeRoy Vande Weerd
46739 204th St
Bruce SD 57220

Dear Mr. Vande Weerd:

Thank you for following up on the ownership change for Water Right No. 2702A-3. The transfer has been completed. The water right formerly listed in the name of Duane Pankratz is now listed in the name of VHS Investments with owners being Rich, LeRoy and James Vande Weerd.

Enclosed is your Receipt No. 03302 in the amount of \$2.50. 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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 20, 2010

2702A-3
4442-3

Leroy G VandeWeerd
46736 204th St
Bruce SD 57220-5809

Dear Mr. VandeWeerd:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 46739 204th St, Bruce 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



2702A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 18, 2012

Rich Vande Weerd
46720 203rd St
Bruce SD 57220

605 690-4539

Dear Mr. Vande Weerd:

I am writing in regard to a well driller's report filed by Lacey Well Drilling, Inc. The report shows a new well was completed for you on January 16, 2012.

A review of our files indicates Water Right No. 2702A-3, VHS Investments was issued for 800 gallons per minute (gpm) from two well, located in the SW ¼ NE ¼ Section 14-T111N-R51W for irrigation of 184 acres.

Mr. Vande Weerd, is this a replacement well or an additional well which does not increase the total appropriation of 800 gpm? If the authorized diversion rate is to be increased, a new water permit will need to be obtained. Once we know this information, we can determine what additional action, if any, needs to be taken to ensure the water right accurately reflects your irrigation system.

Please contact Eric Gronlund or me regarding the status of this well or if you have any questions.

Sincerely,

Karen Schlaak

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

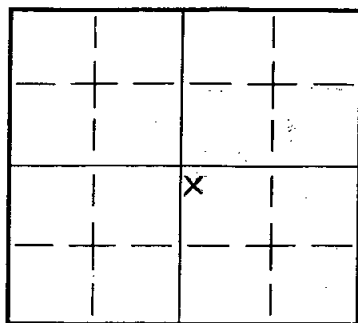
Location NW 1/4 SE 1/4 Sec 14 Twp 11-N Rg 51-WCounty Brookings North

Please mark well location with an "X"

W

E

Well Completion Date

1/16/12

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 3/4 mile S.W. ft. from Feed lot (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket- Force CasingCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>20 LB/FT</u>	<u>12 IN</u>	<u>1</u> FT	<u>19</u> FT	<u>20 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>12</u>	_____ lb./gal	<u>0</u> ft.	<u>10</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 9 FEETMaterial PVC 1600Slot Size 0.85 Set From 19 Feet to 28 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

Chlorine PalletDD-200Well Owner: Rich Vandeweerde

Business Name: _____

Address: 46720 203rd St.Brookings, SD 57220

WELL LOG:

DEPTH

FORMATION

FROM

TO

Sandy Topsoil02Brown Sand212Gray Gravel1228STATIC WATER LEVEL 11' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ PumpedDescribe: Sub☐ Bailed☐ Other

Pumping Level Below Land Surface

25 ft. After 2 Hrs. pumped 400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

APR 20 2012

WATER RIGHTS PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling Inc.

Signature of License Representative:

Juan Pablo Lacey

Signature of Well Owner or Equitable Property Holder:

Rich Vandeweerde

Date: _____