

Water Right Number 3748-3

1. Considered 1-26, 1971
2. Name of Applicant JAMES D. BONDSON
3. Post Office Address HURLEY
4. Amount of water claimed 3 . 98
5. Source of water supply 88' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 3E 2.5 Miles of HURLEY
8. Proof of Publication Received 1-14-71
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 3248-3Map No. 236-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. F. C.)

APPLICATION FOR PERMIT

Permit No. 318-3

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant James D. Rosen
 Post-office address Hardy State S. Dak.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Boresum No. 1
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply Well
6. Location of point of diversion about center of NE 1/4 Section 6 T97N R52W
7. Annual period or periods during which water is to be used May thru Sept
8. Use to be made of water (irrigation, industrial, domestic, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres irrigated 160
 List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each
- | Land Description | Acres Irr. | Land Description | No. Acres |
|-------------------------|------------|------------------|-----------|
| <u>NE 1/4 SECTION 6</u> | <u>160</u> | | |
| <u>all T97N R52W</u> | | | |
| | | | |
| | | | |
| | | | |
10. Time required to complete construction of water supply system Done Additional time required to complete application of water to the purpose intended 1 year
11. Choice of newspaper for Notice of Intention to Appropriate water publication Hardy Leader
12. Principal feature of the Proposed Water Supply System

A. Works proposed to divert water from its natural source

Turbin Pump

B. Works proposed to transport water to place of use

Center Pivot

C. Works proposed to apply water to beneficial use

Center PivotEstimated Total Cost \$ 40,000

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

STATE OF SOUTH DAKOTA

County of TURKEYI, JAMES D. ROSEN, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed James D. RosenSubscribed and sworn to before me this 2 day of Oct, 1926

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3248-3

JAMES D. BONDESEN
(Applicant)

HURLEY
(Post Office Address)

SOUTH DAKOTA 57036 With the following modifications.
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

The applicable portions of Permit No. 318-3 have been incorporated into this Permit No. 3248-3 and Permit No. 318-3 has been placed in a cancelled status.

Date of first receipt of application NOVEMBER 4 19 76

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

Date of receipt of corrected application _____ 19 _____

Approved JANUARY 27 19 77, Recorded in Book 19 Page 336

WATER RIGHT PERMIT NO. 3248-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3248-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1.30 FROM OCTOBER 13, 1956
98 FROM NOVEMBER 4, 1976
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed immediately 19 76
3. The whole of said work is ~~to be~~ completed immediately 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED 19 76
5. The water appropriated shall be used for the purpose or IRRIGATION
6. The price right of all persons who by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.20 cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3.00 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation or, or before THIS DATE of APRIL 1 - OCTOBER 1 said water to be used during the following described annual period:

Witness my hand this 5th day of MAY 19 78

WATER RIGHTS COMMISSION

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 23, 1981

Water License Issued JANUARY 23, 1981

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 17", Depth 88'
 (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 1/4"
 (3) Perforated Screen
 Type Johnson, Diameter 14", Length 30'
 (4) Gravel Pack, Thickness 5", Length of gravel pack 80'

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth 7'

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials (Please attach a copy to test well log if available.)

Character of Water bearing materials fine coarse gravel

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 88' 8' Blue clay section

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 10'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 22 rds. On property owned by others 150 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, max water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

James D. Bonelson
 Signature of Applicant

REPLACEMENT INTEL
& ADDITIONAL CR.

NO V.I.-1 REQUIRED

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3248-3

(1) WHEREAS, On the 4th day of November A. D. 1976

James D. Bondesen

made Water Right Application No. 3248-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater (one well)

County of Turner, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 27th day of January A. D. 1977

Permit No. 3248-3, with a date of priority of October 13, 1956 and November 4, 1976

was issued to said applicant _____ for the diversion of said water, and ~~providing~~ ^{recognizing} the completion of construction of the water supply system therein described on ~~XXXXXX~~ ^{XXXXXX} and for the application to beneficial use of said water of ~~XXXXXX~~ ^{XXXXXX}

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.83 cubic feet per second of water for beneficial use and,

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

for irrigating a 139 acre circle in the NE $\frac{1}{4}$, Section 6-T97N-R52W

confirm to James D. Bondesen

Harley, South Dakota

the holder _____ and owner _____ of said permit No. 3248-3 a water right, dating from October 13, 1956 and November 4, 1976 to use of _____ 1.88 cubic feet per second of the water of _____ groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted ~~xx~~ in the center of the NE1/4, Section 6-T97N-R52W

~~XXXXXXXXXXXXX~~ for irrigating a 13⁹ acre circle in the
NE $\frac{1}{4}$, Section 6-T97N-R52W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3248-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of January A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer, Executive Officer JOHN HATCH

Permit No. 3248-3

Water Diversion No. 5 VERMILLION RIVER Water District

CERTIFICATE OF CONSTRUCTION

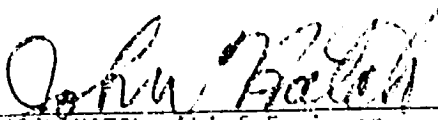
This is to Certify, That James D. Bondesen

_____ the holder _____ of
Permit No. 3248-3, issued upon Application No. 3248-3, bearing date of priority of October 13,
1956 & November 4, 1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water (one well) _____ County of Turner, State of South Dakota ~~at~~
in the center of the NE $\frac{1}{4}$, Section 6-T97N-R52W

_____, for irrigation

_____ purposes, has S complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.88 cu. ft. per second of water

Date January 23, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

No. 3248-3

Publish first publication, on or before January 13, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~December 15~~, 1976

Notice is hereby given that James D. Bondesen
whose post office address is Hurley, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
an add'l .98 cubic feet of water per second of time from the ground water through the
Bondesen addition, the point of diversion of which is to be located in the _____

_____ center of the NE $\frac{1}{4}$ _____
of Section 6, Twp. 97N, Range 52W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ Sec. 6 T97N, R52W

This application No. 3248-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/pw
cc: James D. Bondesen, Hurley, SD 57036

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

James E. Hoff hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley Leader

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

County of Turner of Hurley

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

Thursday, January 6, 1977

Thursday, January 13, 1977

X James E. Hoff

(Signature)

Publisher

(Title)

Jan 13, 1977
(Date Signed)

— THE HURLEY LEADER —

Thursday, January 13, 1977

No. 3248-3

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

Notice is hereby given that
James D. Bondesen, whose
post office address is Hurley,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
an add'l. 1.88 cubic feet of water
per second of time from ground
water through the

Bondesen Addition,
the point of diversion of which is
to be located in the
Center of the NE $\frac{1}{4}$
of Section 6, Twp. 97N, Range
52W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

NE $\frac{1}{4}$ Section 6, T97N, R52W

This application No. 3248-3 will
be considered by the Water
Rights Commission at their of-
fice at Pierre upon the 26th day
of January, 1977, at 10:00 A. M.
All interested persons may ap-
pear and be heard.

By, HURTON F. JONES

Water Rights Specialist

Publish: Jan. 6 & 13, 1977



Jan 13, 1977

J. D. Bondesen
Notary Public
Turner County
S.D.

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7875

PIERRE, January 5, 1931

RECEIVED OF James Dondesen, Rt. 2, Box 18, Hurley, SD 57036
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriation No. (examination, processing, recording and filing) -----		
Fee for inspecting Construction and issuing Cert. of Construction No. 3248-3 -----	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3248-3 -----		
Fee for issuing Location Certificate-Dry Draw, No. -----		
Fee for filing -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for (any other work as provided by law) -----		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *W. H. J. J. J. J.*
Chief Engineer, Executive Officer
JOHN EDWIN JONES

Permit No. 3248-3

Water Division 3 VERMILLION RIVER Water District

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

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by JAMES D. BONDESON of HURLEY holder of Permit No. 3248-3, bearing date of priority of OCTOBER 13, 1956 & NOVEMBER 4, 1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATERS for IRRIGATION purposes, in TURNER County.

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

The Water Use System consists of,

A. Works used to divert the water:

88' DEEP WELL - 14" STEEL CASING - 30' SS SCREEN
WESTERN LAND ROLLER 8" PUMP - MOD. 18M - 5 STAGG - 10 KAH BOWLS
50 HP US ELECTRIC MOTOR

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

10' OF 8" MAIN LINE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

9 TOWER ZIMMATIC CENTER PIVOT SYSTEM, WITH
"200 END GUN

The system is in the following condition: GOOD

The point of diversion is located IN THE CENTER OF THE NE⁴ SECTION 6,
T97N, R52W.

The works are capable of diverting and conveying to the place of use 1.88 (850 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:

FOR IRRIGATING A 139 ACRE CIRCLE IN THE
NE⁴ SECTION 6, T97N, R52W

comprising a total of 139 acres of land.

Date JUNE 18, 1980

Burton Jones
(Signature)

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Resources Engineer
605 773-3352

March 7, 1984

N O T I C E

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer

4647-3
~~3248-3~~
3966-3
4265-3

March 23, 1984

James Bondeson
RR#2, Box 18
Hurley, South Dakota 57036

Dear Mr. Bondeson:

This letter will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaires. A notice was sent to you March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Permit No. 4647-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation. Notice was also sent to you concerning possible Board Action to amend Water Permit Nos. 3248-3, 3966-3 and 4265-3 if the questionnaires were not received. Our records now show that you have returned your 1983 Irrigation Questionnaires, and are no longer in violation.

Please disregard the notice sent to you dated March 7, 1984. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:GM:ms

Equal Opportunity Employer

3248-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

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

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 181-3, 3248-3 & 4265-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4647-3, 5987-3, 6383-3 & 7096-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4647-3, 5987-3, 6383-3 & 7096-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 181-3, 3248-3 & 4265-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: XNJXJD**

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.

3248-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2022

James D Bondesen
28468 US Hwy 19
Hurley SD 57036 6003

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

Dear Mr. Bondesen:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit/Right Nos. 181-3, 3248-3, 4265-3, 4647-3, 5987-3, 6383-3 & 7096-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us