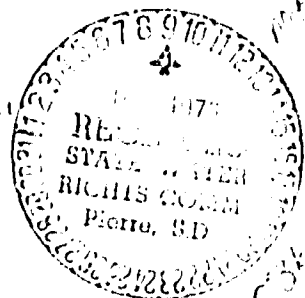


Water Right Number 3411-3

1. Considered 1.26, 19 77
2. Name of Applicant LARRY HANSON
3. Post Office Address HURLEY
4. Amount of Water claimed 2.28
5. Source of Water supply 110' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 2 N miles 12 of HURLEY
8. Proof of Publication Received 12 5-3-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
- Reviewed*

10. Remarks:

Map No. 2673-3 Water Division No. 3 VERMILLION RIVER District
 (Blank, to be filled by the Engineer for the N. R. Co.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

- Name of Applicant Larry Hansen Bar K Cattle Co
 Postoffice address Hurley State South Dakota
 If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract
- Name of diversion work _____
- Amount of water claimed (cubic feet per second) 2.82 cfs 2.28
- Source of water supply well
- Location of point of diversion center of the NE 1/4 Section 15 T98N R53W

- County Turner
- Annual period or periods during which water is to be used April - November
 - Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 - For irrigation use, Total number of acres to be irrigated 140

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>NE 1/4 of the NE 1/4 Sect 15 T98N R53W</u>	<u>40</u>		
<u>NW 1/4</u>	<u>40</u>		
<u>SE 1/4</u>	<u>40</u>		
<u>SW 1/4</u>	<u>40</u>		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication New Era
- Principal Features of the Proposed Water Supply System.
 - Works proposed to divert water from its natural source. Well
 - Works proposed to transport water to place of use. underground PVC pipe
 - Works proposed to apply water to beneficial use. irrigation system

Estimated Total Cost \$ 50,000

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 Turner

I, Larry E. Hansen 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 [Signature]
 Subscribed and sworn to before me this 16 day of June 19 76
[Signature]
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3411-3
LARRY HANSON (Applicant) 51301 (Post Office Address)
SOUTH DAKOTA 57036 (State) With the following modifications:

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.

Date of first receipt of application DECEMBER 9 19 76
 Date of return to applicant for correction, amendments or changes required DECEMBER 9 19 76
 Date of receipt of corrected application DECEMBER 29 19 76
 Approved MARCH 23 19 77, Recorded in Book 18 Page 109

WATER RIGHT PERMIT NO. 3411-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3411-3 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 DECEMBER 9 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 79
3. The whole of said work is to be completed on or before MARCH 23 19 82
4. The limit of time from or to of beneficial use of water appropriated in accordance herewith is MARCH 23 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 23 19 86; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 3RD day of MAY 19 77

WATER RIGHTS COMMISSION

By: John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 8 in, Depth 110'
- (2) Casing, Type Steel (wood, concrete, steel, etc.) Diameter 1 1/4 in Thickness 0.25 in
- (3) Perforated Screen:
Type Johnson, Diameter 1 1/4 in, Length 25'
- (4) Gravel Pack, Thickness 2 in, Length of gravel pack 110'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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 0-2' Topsoil
2-41' sand and gravel
41-70' clay
70-110' sand and gravel

Depth to top of water bearing material 2' - 70'

Depth to bottom of water bearing material 41' - 110'

Thickness of water bearing material 39' - 40'

Depth to water (ground surface to water level) 12'

- (2) Distance to nearest existing household or livestock watering well:

On same owner's property _____ rds. On property owned by others 70 rds.

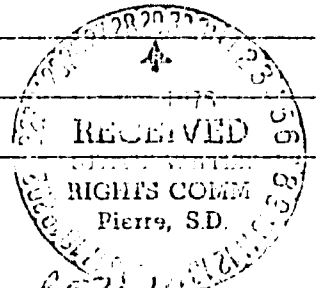
G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum 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. Howard
Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Larry Hanson
ADDRESS Harley, South Dakota 57036
COUNTY Turner



LEGAL DESCRIPTION

1. WELL LOCATION center of the NE 1/4 Section 15 T98N R53W
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 section 15 T98N R53W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn Alfalfa Beans

WATER QUALITY

5. SAMPLE NUMBER 76-1994
6. SALINITY (EC X 10⁶) 1671 (high)
7. SODIUM (SAR) 1.01 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Turner Co. Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

Larry Hanson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF April 1974.

[Signature]
(TITLE OR SEAL)

Robert J. DePue
APPROVED/DISTRICT COVER

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

Submitted by: Larry Hanson
Address: Brookings, SD 57006

Date Rec'd: December 18, 1976
Sample No.: 76-1924
Identification: Well
151, Sec. 15, T. 98N, R. 13E

WATER ANALYSIS

Calcium (Ca)	159	ppm*	7.96	me/l**
Magnesium (Mg)	112	ppm	9.13	me/l
Sodium (Na)	68	ppm	2.86	me/l
Potassium (K)	34	ppm	0.83	me/l
Sulfate (SO ₄)	875	ppm	18.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	36	ppm	1.02	me/l
Bicarbonate (HCO ₃)	73	ppm	1.28	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	64	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1671	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.01			
Sodium	14.11	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.45			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 20.97 me/l
Total anions 20.50 me/l

By: Shirley Pittman

Service Performed

Amount Due

Irrigation analysis

\$3.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1924

Amount Enclosed \$

Signed



December 22, 1976

Mr. Larry Hanson
Hurley, SD 57036

Dear Mr. Hanson:

Your water sample (Lab. No. 76-1994) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

Form 15.

Permit No. 3411-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Larry Hanson

_____ the holder _____ of
Permit No. 3411-3, issued upon Application No. 3411-3, bearing date of priority of _____
December 9, 1976 authorizing the diversion of 1.97 cu. ft. per second of the waters of _____
ground water County of Turner, State of South Dakota ~~88~~
115 rods South 45° West of the NE corner of Section 15, T98N, R53W

_____, for Irrigation

purposes, has _____ 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 2.23 cu. ft. per second of water.

Date June 26, 1978

By.

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3411-3

(1) WHEREAS, On the 9th day of December A. D. 19 76

Larry Manson

made Water Right Application No. 3411-3 for a permit to use 2.28 cubic feet per second of the waters of ground water

County of Turner, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 23rd day of March A. D. 19 77

Permit No. 3411-3 with a date of priority of December 9, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of March A. D. 19 82 and for the application to beneficial use of said water on or before the 23rd day of March A. D. 19 86

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 1.97 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,

to irrigate portions of the following described land, all in Section 15-T98N-R43W

NW¼ NE¼ 35 acres

NE¼ NE¼ 37 acres

SW¼ NE¼ 31 acres

SE¼ NE¼ 35 acres

TOTAL 138 acres

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

_____ of Hurley

the holder _____ and owner _____ of said permit No. 3411-3 a water right, dating from December 9, 1976

_____ to use of 1.97 cubic feet per second of the waters

of ground water

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at ~~xx~~ 115 rods South 45° West of the NE corner

of Section 15-T98N, R53W

and conduct to and upon portions of land in Section 15-T98N, R53W, more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3411-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 26th day of June A. D.

Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

No. 3411-3Publish first publication, on or before January 13, 19 77NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 2, 19 77

Notice is hereby given that Larry Hanson
whose post office address is Burley, 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
2.28 cubic feet of water per second of time from ~~the~~ ground water through the
Hanson # 3, the point of diversion of which is to be located in the
Center of the NE 1/4
of Section 15, Twp. 48N, Range 53W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NE 1/4, Section 15, T48N, R53W

This application No. 3411-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 16th day of January, 19 77, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Larry Hanson, Burley, South Dakota 57036

No. 3411-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County TURNER) ss.

I, EARL J. BORMANN hereby

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

Water was taken from the _____

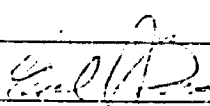
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

NEW ERA of PAPER, S. D.,

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

THURSDAY, JANUARY 6th, 1977

THURSDAY, JANUARY 13th, 1977


(Signature)

OWNER
(Title)

1-11-77
(Date Signed)

No. 3411-3
NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
January 3, 1977

Notice is hereby given that
Larry Hanson whose post office
address is Hurley, South Dakota,
has made an application in ac-
cordance with the provision of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second of time from
ground water through the Hanson
No. 3, the point of diversion of
which is to be located in the
center of the NE $\frac{1}{4}$ of Section
15, Twp. 98N, Range 53W. Said
water to be used for the purpose
of providing irrigation on portions

of the following described land:
NE $\frac{1}{4}$, Section 15, T98N,
R53W.

This application No. 3411-3 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/bw
cc: Larry Hanson, Hurley, South
Dakota 57036.



34423

Long Horn

5-5-77

NE 1/4 - 15 & 98 53

Wally C. McDonald

Model #3071 - L. # 12372

Est. 140 Acres

Motor 50 HP - 1755 RPM

1000 lbs. Rep. 1/2" 1/2"

70" R 6232-02-078 R 7072 67

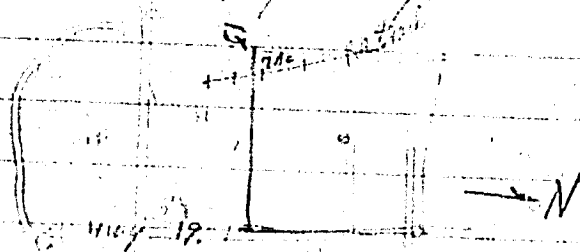
Leads. Ser. # 776 130

Model N 200

National Pumps

Work 128 Miles 100500 ft.

Leads 1000 9.000



Permit No. 3411-3Water Division 3 Vermillion River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Larry Hanson
 of Hurley, S.Dak, 57036 holder
 of Permit No. 3411-3, bearing date of priority of December 9, 1976
 authorizing the diversion of 3411-3 cu. ft. per second of the waters of 2.28
 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:

Motor - US Electrical ID# R-6232-02-076 R2107267
50 HPPump - National Model N200; Serial # 776 130
Pumping 1000 gpm

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

8" dia. Aluminum Pipe

C. Works used to apply water to beneficial use.

Valley Center Pivot with corner unit. Model # 5071
ser # 19356The system is in the following condition: Excellent.The point of diversion is located 115 Rods S 45° W of the N.E. corner of
Section 15, T98N R53WThe works are capable of diverting and conveying to the place of use 2.23cu. 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 15, T98N R53WNW 1/4 NE 1/4 - 35.0 Ac., NE 1/4 NE 1/4 - 37.0 Ac., SW 1/4 NE 1/4 - 31.0 Ac.,
SE 1/4 NE 1/4 - 35.0 Ac.comprising a total of 140.08 acres of land.

Well data:

Depth 109 ftTested at 1500 gpmPumping 1000 gpmDate June, 30 1977
Leroy J. Harnough
(Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

June 26, 1976

Larry Hanson
Hurley, SD 57036

Dear Mr. Hanson:

Enclosed herewith are, Water License No. 3411-3 and Certificate of Construction.

Water License No. 3411-3 is the final water right document completing your process of obtaining water right.

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.

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH9Y

Enclosures

NOTE: Your pump capacity is 2.23 cfs (1000 gpm) and based upon the acreage actually irrigated, you are entitled to only divert 1.97 cfs (836 gpm). Any diversion in excess of .97 cfs would be a violation of your Water Rights,

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6921

PIERRE, May 21, 1979

RECEIVED OF War K Cattle Co., Inc. Spencer, IA 51301

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

Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing transfer of water right No. 3411-3	2	50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH 88 97

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: _____

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

138 acres in the NE $\frac{1}{4}$, Section 15, T98N, R53W

formerly owned by Larry Hanson, Hurley, SD 57036

has been transferred to Bar K Cattle, Co. Inc., 1004 W 11th St., Spencer, IA

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3411-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Turner) ss.

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

Larry Hanson
(Signed)

Subscribed and sworn to before me this 18th Day of May 1979.

Immanuel J. Berens
(Notary Public)



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

NOTICE

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, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer

121-3A
289-3
2234-3
2506-3
~~3411-3~~
3944-3
3945-3
4736-3
4572-3

April 2, 1984

Larry Hansen
Bar K Cattle Co., Inc.
RR#1, Box 5
Hurley, South Dakota 57036

Dear Mr. Hansen:

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 Nos. 4736-3 and 4572-2 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. 121-3A, 289-3, 2234-3, 2506-3, 3411-3, 3944-3 and 3945-3 if the questionnaires were not received. Our records now show that you have returned your 1983 Irrigation Questionnaires and are no longer in violation of your permits.

Please disregard the notices 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

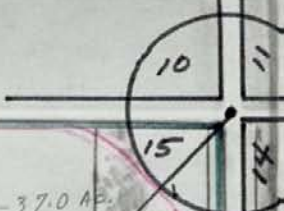
JH:GM:ms

Equal Opportunity Employer

4
N

LARRY HANSON IRRIGATION SYSTEM # 4
Larry Hansen
Hurley, S. Dak. 57036

R. 53 W.



150.2

110

133.3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 37.0 AC.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 35.0 AC.

3-179

Land To Be Irrigated (Outlined in Green):

NE $\frac{1}{4}$ 15-98-53

Proposed Irrigation Well

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 37.0 AC.

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 31.0 AC.

115 RODS S 45° W.

T. 98 N.

186.6

101.5

FILED IN 26-28-3 APR 15 34 11-3

98-53

26.9

71.6

37.4

35.4

3-179

3411-3

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Thursday, August 14, 2014 10:13 AM
To: Gronlund, Eric
Subject: Water road

Eric the last couple days I have seen these center pivots over spraying the road.

T98N R53W

Sec 14 sw 1/4 on Hwy 19

Sec 15 ne 1/4 on Hwy 19

Sec 10 nw 1/4 on 280th street

T98N R52 W

Sec 6 sw 1/4 on 280th street.

Kelly Knittel
Freeman SD
605-929-6340



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



August 15, 2014

3906A-3
3411-3

Paul Petersen
45610 282nd St
Hurley SD 57036

Dear Mr. Petersen:

The Department of Environment and Natural Resources (DENR) has received another inquiry alleging the irrigation systems located in the SW 1/4 Section 14 and the NE 1/4 Section 15; all in T98N-R53W had irrigation water from the end guns hitting the road. The water right for the system in Section 14 is held in your name under Water Right No. 3906A-3 and the system in Section 15 is held in the name of Bar K Cattle with you listed as the operator.

As stated in our August 1, 2014 letter to you, a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun over spray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

DENR asks that you check to make sure your end gun stops are functioning properly when the pivots near the roadway.

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

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

3411-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: PAUL PETERSEN, 45610 282ND ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: XTHTSS**

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.

3411-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

Paul Petersen Farms
45610 282nd St
Hurley SD 57036

RE: Water Permit or Right Nos. 121-3A, 164-3, 199-3, 289-3, 1773-3, 2053-3, 2852-3, 3411-3, 3632-3, 3633-3, 3648-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3

Dear Mr. Petersen:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Genny McMath".

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

No. 3411-3

June 22, 2023

Paul Petersen Farms
45610 282nd Street
Hurley SD 57036

Dear Mr. Petersen:

On June 21, 2023, a staff member from the Department of Agriculture and Natural Resources (DANR) observed overspray from the irrigation system located in the NE 1/4 Section 15-T98N-R53W onto the road west of the intersection of Hwy 19 and 281st Street (see attached). This irrigation system is covered by Water Right No. 3411-3 with you listed as operator.

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

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes end gun overspray upon lands, including roadways, not covered by the water right. Application of water to a roadway or unauthorized lands is a waste and unreasonable use of water pursuant to SDCL 46-1-4.

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

Thank you for your cooperation,

Ron Duvall
Water Rights Program, DANR

enclosures

On June 21, 2023, at 2:37pm DANR Water Rights Staff documented overspray occurring from a center pivot authorized by Water Permit No. 3411-3. Additional documentation is shown below.

Picture of Overspray Occurring



Picture is facing east and picture location is approximately 0.30 west of the intersection of Hwy 19 and 281st in Turner County.

Map of picture/report location and area water rights/permits

Permit Responsible

