

Water Right Number 3471-3

1. Considered 2-23, 19 77
2. Name of Applicant DONALD BENSON
3. Post Office Address HURLEY
4. Amount of Water claimed 2.57
5. Source of Water supply 50' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 180
7. Water to be diverted and used in TURNER County
about 2S, 5W miles of HURLEY
8. Proof of Publication
Received 2-18-77
Not Received
9. Application
Approved
Subject to
Not Approved
Action Deferred
10. Remarks:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 2009

3471-3

Donald Benson
45237 284rd St
Hurley SD 57036

Dear Mr. Benson:

Enclosed is your 2009 irrigation questionnaire for Water Right No. 3471-3.

On the form you indicated you irrigated 170 acres but nothing was completed on the back of the form. Please complete the back page with the pump rate, days water was applied and the hours per day.

Once completed, please return the form to us by December 1st. 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: irrigation questionnaire
postage paid envelope

Map No. 2751-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

- Name of Applicant Donald Benson
- Postoffice address Hurley, State S. Dak. 57036
- If a corporation show date and place of incorporation no
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract
- Name of diversion work Donald Benson Irrigation System #1
- Amount of water claimed (cubic feet per second) 2.57
- Source of water supply Well
- Location of point of diversion Approx. 40 rods S. and 80 rods W. of the NE corner of Sec. 35-98-54
N 1/4 Sec 35
- County Turner
- Annual period or periods during which water is to be used April - November
- Use to be made of water (irrigation, industrial, domestic, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 180

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
NW 1/4 NW 1/4 35-98-54	33	And Approx. 27 ac. along W. side of the E 1/2 NE 1/4 35-98-54	27
NE 1/4 NW 1/4 35-98-54	40		
NW 1/4 NE 1/4 35-98-54	40		
SW 1/4 NE 1/4 35-98-54	40	Total	180

Att. 1 (more space is needed)

- Time required to complete construction of water supply system 1 Additional time required to complete application of water to the proposed use 1
- Choice of newspaper for Notice of Intention to Appropriate Water publication Hurley Leader, Hurley, S. D. 57036
- Principal features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source

Elec. Pump

B. Works proposed to transport water to place of use

Underground Pipeline

C. Works proposed to apply water to the general use

Sprinkler System

Estimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA

County of TURNER

I, DONALD BENSON, 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 to complete the necessary construction

Signed Donald Benson

Subscribed and sworn to before me this 9 day of April, 1926

James E. Johnston
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No 3471-3
DONALD BENSON HURLEY
 (Applicant) (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.

Date of first receipt of application NOVEMBER 10 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application JANUARY 26 19 77
 Approved MARCH 23 19 77, Recorded in Book 18 Page 94
 WATER RIGHT PERMIT NO: 3471-3

The Water Rights Commission hereby grants and issues this Water Right Permit No 3471-3 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 JANUARY 26 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23 19 77
3. The whole of said work is to be completed on or before MARCH 23 19 79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23 19 79
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 2.57 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 3.3 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 79 said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 26th day of APRIL 19 77

WATER RIGHTS COMMISSION

By John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 18", Depth 50'

(2) Casing, Type Steel Diameter 1 1/2" Thickness 1/4"
(wood, concrete, steel, etc)

(3) Perforated Screen

Type Johnson Stainless Steel Diameter 1 1/2", Length 15'

(4) Gravel Pack, Thickness 2", Length of gravel pack 40'

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 Three feet of topsoil and seventeen feet of
yellow clay; balance water bearing sand and gravel.

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 80' (test well dug to 80 ft. but casing
will run down to 50' only)

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 5'

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

On same owner's property 2' rds. On property owned by others 160 rds.

G. Water Storage Dams.

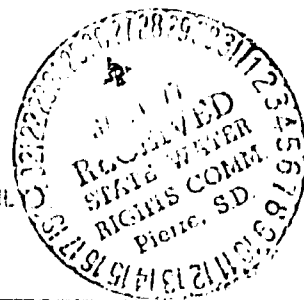
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity in storage dam. The location of each water storage dam should be shown on the water right map.

n/a

Donald Benson

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 Donald Benson

ADDRESS Hurley, S. Dak. 57036

COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Approx. 40 rods south and 80 rods west of the NE corner of Sec. 35-98-51
2. LOCATION OF AREA TO BE IRRIGATED The NE $\frac{1}{4}$ and NW $\frac{1}{4}$ 35-98-53 (excluding Class Vw land on east)

TYPE OF IRRIGATION

3. GRAVITY _____ TOW/LINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1801
6. SALINITY (EC x 10⁶) 2789 (very high)
7. SODIUM (SAR) 0.83 (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.

Donald Benson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
9 DAY OF Aug 19 76.

Conrad E. Rasmussen
(TITLE OR SEAL)

Alfred J. H. H. H.
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Donald Fenton
 Address: Hurley, SD 57036

Date Rec'd: November 8, 1976
 Sample No.: 76-1801
 Identification: Well 50'
NE 1/4, Sec. 35, T 98N, R 54W

WATER ANALYSIS

Calcium (Ca)	431	ppm*	21.55	me/l**
Magnesium (Mg)	158	ppm	12.96	me/l
Sodium (Na)	79	ppm	3.44	me/l
Potassium (K)	21	ppm	0.55	me/l
Sulfate (SO ₄)	1560	ppm	32.45	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	590	ppm	9.68	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)	484	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2789	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.83			
Sodium	8.93	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.20			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 38.50 me/l
 Total anions 42.21 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1801

Amount Enclosed \$ _____

Signed _____



December 6, 1976

Mr. Donald Benson
Hurley, SD 57036

Dear Mr. Benson:

Your water sample (Lab. No. 76-1801) 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.

This water is unsatisfactory for use in irrigation of any normal soil. It will cause excessive salt accumulation in the soil, or soil structure, deterioration, or both. It is my recommendation that this water not be considered further. However, I am sending your WI-1 and a copy of this letter and the water analysis to the Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

No. February 10 77

Publish first publication, on or before

NOTICE OF INTENT TO APPROPRIATE WATER

Donald Benson

Pierre, South Dakota 57501

Hurley

Notice is hereby given that

2.57

xx ground water

whose post office address is Pierre, 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 _____ cubic feet of water per second of time from the _____ through the

NW $\frac{1}{4}$ NE $\frac{1}{4}$

, the point of diversion of which is to

be located in the 35 98N 54W

of Section N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 35-T49N-R54W, Twp. _____, Range _____. Said water to be used for the purpose of providing irrigation on the following described land:

3471-3

13 February 77 10:00

This application No. _____ will be considered by the Water Rights

Commission at _____

upon the _____ day of _____ at _____ M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Donald Benson, Hurley, South Dakota 57036
BORTON P. JONES, Water Rights Specialist

BFJ/bw
cc:

No. 3471-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, James E. Hurley hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

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

Pitt of Hurley

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

Thurs February 10 1977

Thurs February 17 1977

James E. Hurley
(Signature)
Editor
(Title)
2-17-77
(Date Signed)

Thursday, February 17, 1977
— THE HURLEY LEADER —

No. 3471-3
NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, S. D. 57501
February 1, 1977

Notice is hereby given that
Donald Benson whose post office
address is Hurley, South Dakota,
has made an application in ac-
cordance with the provisions of
the Water laws of South Dakota
for a permit to appropriate for
beneficial use 257 cubic feet of
water per second of time from
ground water through the Don-
ald Benson Irrigation Sys. No. 1,
the point of diversion of which
is to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 35, Twp. 23N, Range
54W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 35,
T98N, R54W

This application No. 3471-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 23rd day of
February, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION,

BURTON F. JONES,

Water Rights Specialist

Publish: February 10 & 17, 1977.



 **Department of
Water & Natural Resources**

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

March 23, 1987

DONALD BENSON
RT #1
HURLEY, SD 57036

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

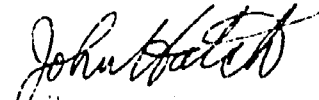
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3471-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 3, 1987

3471-3

Donald Benson
RR #1
Hurley, SD 57036

Dear Mr. Benson:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3471-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3471-3

December 2, 1967

Donald Benson
RR 1, Box 90
Hurley, South Dakota 57036

Dear Mr. Benson:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 3471-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411135

Pierre, January 28, 1926

RECEIVED OF Donald Ellison, Hurley, SD 57066

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>3471-3</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 JOHN BATCH (MS)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411139

Pierre, January 28, 1983 10

RECEIVED OF Donald Benson, Hurley, SD 57026

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>3471-3</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

Chief Engineer

JOHN HATCH

(MS)

Yamhill River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Water Rights, DWSR, Foss Bldg, Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by David H. Brown
of RR 1 Box 90, Hurley SD 57036 holder ofPermit No. 3471-3, bearing the priority of January 20 1977 authorizing
the diversion of 2.57 cu. ft. per second of the waters of Ground water
for irrigation purposes, in Turner County.

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

- A. Works used to divert the water: 20 Feet of 14 inch steel casing, 15 Feet of 14 inch SS screen
2 well, 45 Feet deep, Haynie Bowler Pump, 675 GPM
General Electric Motor, Serial # 566354X11501A, 60 HP
- B. Works used to transport water to place of use:
4,180 Feet of buried 8 inch PVC
- C. Works used to apply water to beneficial use:
two center pivots
Pringle center pivot, Model 6500, 7 towers with outgun
Pringle turnable center pivot, Model 7500, 4 towers with outgun, operates at 70 psi

The system is in the following condition GoodThe point of diversion is located at a point 1,270 feet east and 2,000 feet north of the
center of Section 35, T98N R54WThe works are capable of diverting and conveying the place of use 1.50
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in Section 35, T98N R54W

<u>35 acres in the SW 1/4 NW 1/4</u>	<u>23 acres in the SE 1/4 NE 1/4</u>
<u>36 acres in the NE 1/4 NW 1/4</u>	<u>38 acres in the SW 1/4 NE 1/4</u>
<u>31 acres in the NW 1/4 NE 1/4</u>	
<u>7 acres in the NE 1/4 NE 1/4</u>	

comprising a total of 170 acres of land and the license should be issued for 1.50 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date September 10, 1987

David H. Brown
(signature)

LICENSE FOR PERMIT NUMBER 3471-3 Dorothy B...

1. Legal location of wells: at a point 1,290 feet east and 2020 feet north
of the corner of sections 35, T98N R54W

dams & structures: _____

2. Well Information: Well Drilling Firm Ed H Lacey & Son

No. of wells 1 Depth 45 feet

Casing a) diameter 14 inch
b) length 30 feet
c) type steel

Screen a) type SS, 14 inch
b) length 15 feet

Static Water Level _____

Pump a) make Layne-Bowler
b) model submerged
c) size _____
d) capacity 675 GPM
e) turbine pump
no. of stages _____

Motor a) make General Electric
b) model no. Serial # 546254X1150/A
c) horsepower rating 60
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 8 inch
b) type PVC
c) length 4,180 feet

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 _____

6/60

Water Level Information:
 Static water level 6 below land surface
 If flowing: closed in pressure PSI
 rate of flow GPM
 Controlled by:
☐ Valve ☐ Reducers ☒ Other
 If other; specify

Well Test Data:

☒ Pumped _____

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface
2' ft. After 4' Hrs. pumped 300 GPM

_____ " " _____ " " _____ " "

_____ " " _____ " " _____ " "

Formation	Depth	
	From	To
Black Gumbo	0	10
Yellow Gumbo	10	15
Blue Gumbo	15	25
Blue Gumbo	25	30
Blue Gumbo	30	40
Blue Gumbo	40	50
Blue Gumbo	50	60
Blue Gumbo	60	70
Blue Gumbo	70	80
Blue Gumbo	80	90
Blue Gumbo	90	100
Blue Gumbo	100	110
Blue Gumbo	110	120
Blue Gumbo	120	130
Blue Gumbo	130	140
Blue Gumbo	140	150
Blue Gumbo	150	160
Blue Gumbo	160	170
Blue Gumbo	170	180
Blue Gumbo	180	190
Blue Gumbo	190	200
Blue Gumbo	200	210
Blue Gumbo	210	220
Blue Gumbo	220	230
Blue Gumbo	230	240
Blue Gumbo	240	250
Blue Gumbo	250	260
Blue Gumbo	260	270
Blue Gumbo	270	280
Blue Gumbo	280	290
Blue Gumbo	290	300
Blue Gumbo	300	310
Blue Gumbo	310	320
Blue Gumbo	320	330
Blue Gumbo	330	340
Blue Gumbo	340	350
Blue Gumbo	350	360
Blue Gumbo	360	370
Blue Gumbo	370	380
Blue Gumbo	380	390
Blue Gumbo	390	400
Blue Gumbo	400	410
Blue Gumbo	410	420
Blue Gumbo	420	430
Blue Gumbo	430	440
Blue Gumbo	440	450
Blue Gumbo	450	460
Blue Gumbo	460	470
Blue Gumbo	470	480
Blue Gumbo	480	490
Blue Gumbo	490	500
Blue Gumbo	500	510
Blue Gumbo	510	520
Blue Gumbo	520	530
Blue Gumbo	530	540
Blue Gumbo	540	550
Blue Gumbo	550	560
Blue Gumbo	560	570
Blue Gumbo	570	580
Blue Gumbo	580	590
Blue Gumbo	590	600
Blue Gumbo	600	610
Blue Gumbo	610	620
Blue Gumbo	620	630
Blue Gumbo	630	640
Blue Gumbo	640	650
Blue Gumbo	650	660
Blue Gumbo	660	670
Blue Gumbo	670	680
Blue Gumbo	680	690
Blue Gumbo	690	700
Blue Gumbo	700	710
Blue Gumbo	710	720
Blue Gumbo	720	730
Blue Gumbo	730	740
Blue Gumbo	740	750
Blue Gumbo	750	760
Blue Gumbo	760	770
Blue Gumbo	770	780
Blue Gumbo	780	790
Blue Gumbo	790	800
Blue Gumbo	800	810
Blue Gumbo	810	820
Blue Gumbo	820	830
Blue Gumbo	830	840
Blue Gumbo	840	850
Blue Gumbo	850	860
Blue Gumbo	860	870
Blue Gumbo	870	880
Blue Gumbo	880	890
Blue Gumbo	890	900
Blue Gumbo	900	910
Blue Gumbo	910	920
Blue Gumbo	920	930
Blue Gumbo	930	940
Blue Gumbo	940	950
Blue Gumbo	950	960
Blue Gumbo	960	970
Blue Gumbo	970	980
Blue Gumbo	980	990
Blue Gumbo	990	1000

(Use Back If Necessary)

Method of Drilling: ☐ Forward Rotary ☒ Bored ☐ Jetted
☐ Reverse Rotary ☒ Cable ☐ Other

Well Construction:

Diameter of Hole 12" 11

Depth _____

Casing ☒ Steel ☐ Concrete

☐ Plastic ☐ Other

if other, specify _____

Was casing end left open NO

Was a well screen installed YES

Describe Well Screen

Diameter 12" Material SS

Slot size 125

Was well gravel packed YES

Was well grouted NO

Was water sample taken NO

Date Completed: 3-13-81

Driller: E. H. LACEY, JR. III
Driller's or Firm's Name License NO.

PO 796 Trenton
Address

James R. [Signature] 11-28-81
Signed By Date

Remarks: Rather tough
water - eats up
cast iron + pump
bolts!

old well

Turnover

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION
Location of well NE 1/4 Section 35 Township 98 Range 54
Well owner Donald Reason Irrigation Well
Date well drilling completed 4-9-77 Purpose of well P. E. Hurlbert, S.D.

2 top well bore

Depth, top to top in feet	Description of layer	Depth to top of water producing sands
<u>20</u>	<u>Yellow Clay</u>	<u>4</u>
<u>30</u>	<u>Coarse sand and gravel</u>	<u>1st</u>
		<u>52</u>
		<u>31</u>

Casing information in the space below show kind, size, weight, length per diameter, etc. for production casing and surface casing, if used.
Steel 12" 20' length, and a 11 ft one. 55 pds per ft.

Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
20 ft Johnson 304 S Steel casing 12"

If a flowing well, flow of completed well 800 G.P.M.
Schmelfong Well Drilling
Name of Drilling Contractor

(2) PUMP INSTALLATION
Company name and size of pump Lane Bowler HP
Type of pump Capacity of installed pump G.P.M.
Depth of pump placement ft., Date of pump installation

(3) WATER SURFACE MEASURING TUBE
On some wells an air-tight water surface measuring tube is required. See Sect on 46 408 of Chapter 4B4, MINIMUM WELL CONSTRUCTION STANDARDS.
Show exact vertical length of water surface measuring tube, when installed ft., tube diameter

Robert Riemers, Lenny, S.D.
Name of Pump Installation Contractor



State of South Dakota
Water License No. 3471-3

(1) Donald Benson
of Rural Route 1, Box 90, Hurley, South Dakota 57036
made Application No. 3471-3, November 10, 1976 for a water permit to appropriate
2.57 cubic feet per second of water from groundwater (one well),
Turner County, South Dakota for irrigation purposes.
Permit No. 3471-3, with a priority date of January 26, 1977
was approved March 23, 1977 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 23, 1976 and for the application to beneficial use of said
water on or before March 23, 1979.

and

(2) It is certified that the application 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 1.50 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is at a point 1,290 feet east and 2,020 feet
north of the Center of Section 35, T98N, R54W

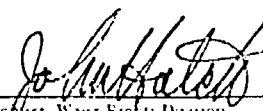
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land in T98N, R54W

Section 35	NW $\frac{1}{4}$ NW $\frac{1}{4}$	35 Acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	36 Acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	31 Acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7 Acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	38 Acres
	TOTAL	170 ACRES

(4) Pursuant to §16-5-30.1 Donald Benson
of RR 1, Box 90, Hurley, South Dakota 57036
the holder(s) and/or owner(s) of Water Permit No. 3471-3 is issued a license to appropriate water, the right to use
1.50 cubic feet per second of water from groundwater (one well) with a priority date
of January 26, 1977 from the location specified in (2) of this license. The water 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 Water Permit No. 3471-3 and subject
to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources
DEC 19 1988
JOHN HATCH



Department of Water & Natural Resources

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

DEC 19 1988

3471-3

Donald Benson
Rural Route 1, Box 90
Hurley, South Dakota 57036

Dear Mr. Benson:

Enclosed is Water License No. 3471-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3471-3, 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





Department of Water & Natural Resources

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

February 8, 1989

DONALD BENSON
RR 1 BOX 90
HURLEY, SD 57036

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s) 3471-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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 questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

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



 **Department of
Water & Natural Resources**

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

February 23, 1989

3471-3

Donald Benson
RR #1 Box 90
Hurley, SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 3471-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division





January 29, 1993

3471-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTICE

TO: DONALD BENSON
RR 1 BOX 90
HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 3471-3

The first notice to file chemigation report(s) for Permit No(s) 5324-3; & 3471-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 3471-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 3471-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 3471-3

Donald Benson
P.R.I., Box 90
Hertley SD 57036
Don Benson

4a. Article Number P 906 560 223

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

1/30/93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

Thank you for using Return Receipt Service.



3471-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 11, 1993

No. 3471-3

Donald Benson
RR 1 Box 90
Hurley, SD 57036

Dear Sir:

I am writing to acknowledge receipt of your phone call concerning the 1992 chemigation questionnaire. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filled out the questionnaire for permit No. 3471-3 with the information you provided over the phone and your name is deleted from the Water Management Board agenda.

If you have any questions, please contact me at 605-773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry A. McLaury".

Barry A. McLaury
Natural Resources Analyst
Water Rights Division

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Donald Benson
45237 283rd St
Hurley SD 57036

3471-3

4a. Article Number

P 378 080 613

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-5-97

5. Signature (Addressee)

X Donald Benson

6. Signature (Agent)

X Donald Benson

J. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3471-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 4, 1997

NOTICE

TO: DONALD BENSON
45237 283RD ST
HURLEY SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

RE: Failure to Report Chemical Use under Water Permit No(s) 3471-3

The first notice to file chemigation report(s) for Permit No(s) 3471-3 was dated 10/24/96. Our records indicate that we have not received the 1996 chemigation report for Permits No(s) 3471-3. The Water Management Board has directed that owners of water permits who have not submitted the 1996 chemigation report(s) be given notice of violation and hearing before the board. The hearing held by the board is to determine what action is to be taken concerning violation of Administrative Rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical applied.

The hearing will be held at 2:30 PM on March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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 or up to three years for the 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). 3471-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 chemigation report(s) is(are) received by this office on/or before February 28, 1997 your name will be deleted from the board agenda.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 East 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.



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: DONALD BENSON, 45237 28 RD ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3471-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 13, 1997

3471-3

Donald Benson
45237 283rd St
Hurley, SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire and chemical reporting form. You may disregard the February 4, 1997, Notices of Violation.

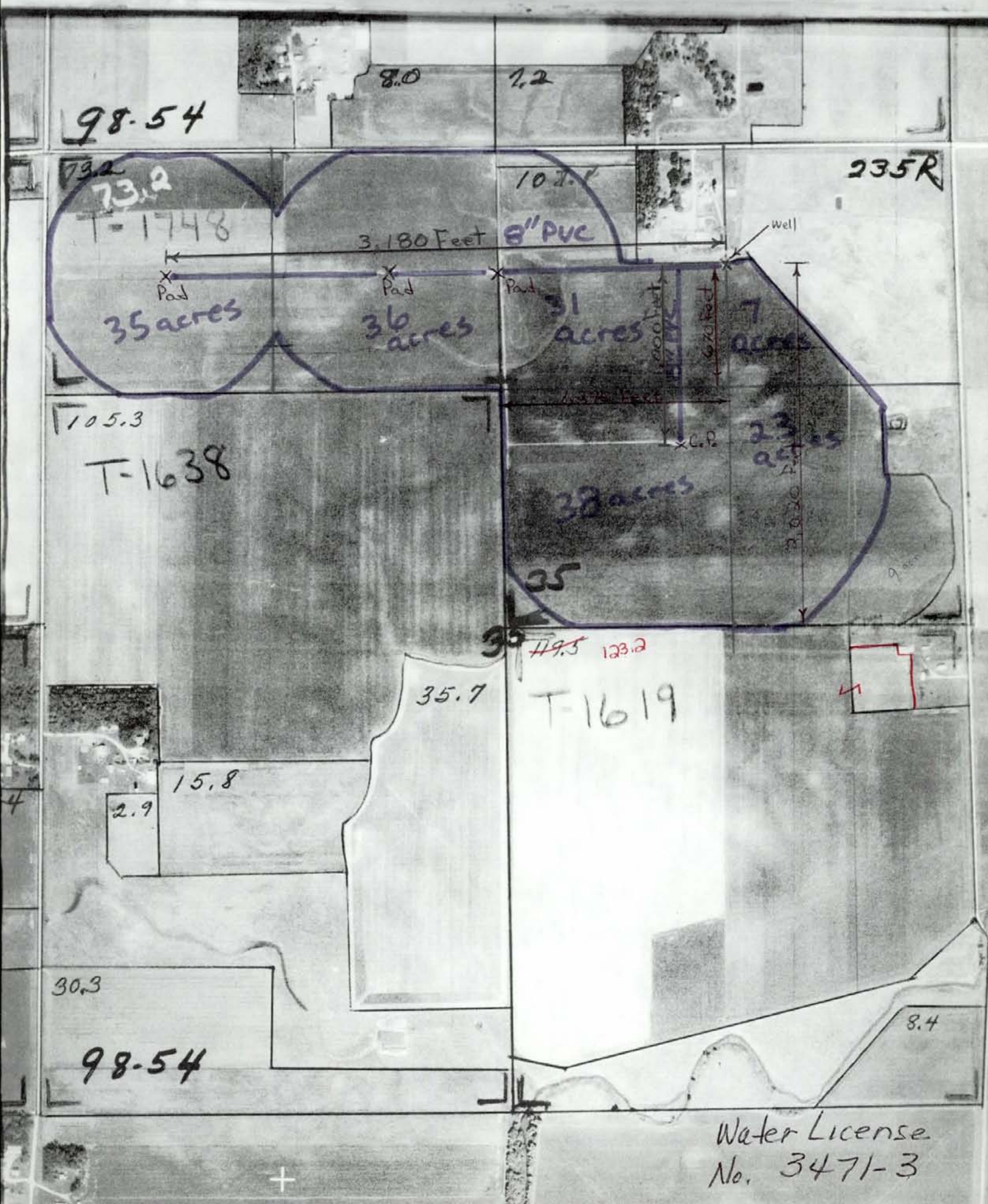
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE



A
N

8.6

98.54

R-54 W.

26

25

35

36

73.2

9.0

3-154

73.1

90 RODS-600 W.

PROPOSED IRRIG.
WELL #1 y

159.5

Land To Be Irrigated:

$N\frac{1}{2}NW\frac{1}{4}$ 35-98-53 &
Approx. 107 A. in the
 $NE\frac{1}{4}$ 35-98-54 - Total of 180 ac.
(more or less)

T. 98 N.

— UNDERGROUND
PIPELINE

119.5

DONALD BENSON IRRIGATION SYSTEM #1
Donald Benson, Owner
Hurley, S. Dak. 57036

y

30.3

98.54

y

8.4

MAP NO 24513 APR 1934 71-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2009

NOTICE

TO: DONALD BENSON, 45237 283RD ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3471-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

3471-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5299
Status: **Delivered**

Your item was delivered at 1:24 PM on January 26, 2009 in HURLEY, SD 57036. The item was signed for by D BENSON.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5299

DONALD BENSON
45237 283RD ST
HURLEY SD 57036

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

(See Reverse)**PS Form 153, May 2002**



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

3471-3

Donald Benson
45237 283rd St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3471-3.

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,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 2009

3471-3

Donald Benson
45237 284rd St
Hurley SD 57036

Dear Mr. Benson:

Enclosed is your 2009 irrigation questionnaire for Water Right No. 3471-3.

On the form you indicated you irrigated 170 acres but nothing was completed on the back of the form. Please complete the back page with the pump rate, days water was applied and the hours per day.

Once completed, please return the form to us by December 1st. 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: irrigation questionnaire
 postage paid envelope

07-92

Date: 11-15-13

SOUTH DAKOTA WATER WELL COMPLETION REPORT

3471-3

07-92

Location SE 1/4 NW 1/4 Sec 35 Twp 98-N Rg 51-W

County Turner

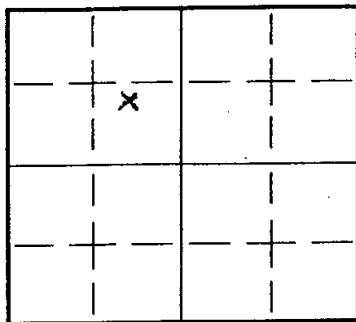
Please mark well location with an "X"

W

E

Well-Completion Date

5-31-13



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile from old well (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket Face Casing

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>20 LB/FT</u>	<u>14 IN</u>	<u>2 1/2 FT</u>	<u>22 FT</u>	<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>8</u>	_____ lb./gal	<u>0</u> ft	<u>2</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 14 IN Length 12 FEET
 Material PVC 110
 Slot Size 100 Set From 22 Feet to 34'6" 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? _____
Chlorine in Pack

Laboratory sent to for water quality analysis _____

Well Owner: James Benson

Business Name: _____

Address: 45067 284th St.
Hurley, So Dak. 57036

WELL LOG:

DEPTH

FORMATION	FROM	TO
Till w/ gravel streaks	0	11
Gray, cemented sand	11	12
Coarse Rinky Sand	12	24
Finer Gray Sand	24	32
Coarse Gravel	32	34'6"

STATIC WATER LEVEL 2 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:

- ☒ Pumped Describe: Sub
☐ Bailed
☐ Other

Pumping Level Below Land Surface

24 ft. After 1 1/2 Hrs. pumped 550 GPM

28 ft. After 1/2 Hrs. pumped 850 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

NOV 20 2013

WATER RIGHTS
PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

[Signature]

Date: 11-15-13



3471-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: DONALD BENSON, 45237 283RD ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 3471-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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: <http://denr.sd.gov/iq.aspx>

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2014

3471-3

Donald Benson
45237 28rd St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 3471-3. 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,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



3471-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: DONALD BENSON, 45067 284th ST, HURLEY, SD 57036

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 3471-3 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) 7535-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 7535-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3471-3 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 questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) 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: <http://denr.sd.gov/iq.aspx>

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 26, 2015

3471-3
7535-3

Donald Benson
45067 284th St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 3471-3 and Water Permit No. 7535-3. 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,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



3471-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2017

NOTICE

TO: DONALD BENSON, 45067 284th ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 3471-3 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) 7535-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 7535-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3471-3 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 1, 2017** 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: <http://denr.sd.gov/iq.aspx>

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.



3471-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 9, 2017

3471-3
7535-3

Donald Benson
45067 284th St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 3471-3 and Water Permit No. 7535-3. 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
email: genny.mcmath@state.sd.us



3471-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: DONALD BENSON, 45067 284th ST, HURLEY, SD 57036
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 3471-3 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) 7535-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 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) 7535-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3471-3 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 7, 2018** 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: <http://denr.sd.gov/iq.aspx>

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.



3471-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 7, 2018

3471-3
7535-3

Donald Benson
45067 284th St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 3471-3 and Water Permit No. 7535-3. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

3471-3

January 22, 2021

NOTICE

TO: DONALD BENSON, 45067 284th 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) 3471-3 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) 7535-3 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) 7535-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3471-3 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: BVNUKV**

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.

3471-3



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

3471-3
7535-3

Donald Benson
45067 384th St
Hurley SD 57036

Dear Mr. Benson:

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

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 3471-3 and Water Permit No. 7535-3. 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,

A handwritten signature in blue ink that reads "Genny McMath". The signature is fluid and cursive.

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

January 14, 2025

NOTICE

TO: DONALD BENSON, 45067 284TH ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 3471-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held on **Wednesday, March 5, 2025, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3471-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TAFGSN**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 4, 2025

3471-3

Donald Benson
45067 284th St
Hurley SD 57036

Dear Mr. Benson:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 3471-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 10th, 2025

3471-3

James Benson
45067 284th St
Hurley, SD 57036

Dear Mr. Benson:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

I understand that Water Right 3471-3, should now be transferred to you, and you may also include your mother Delores's name as well. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

PAID

JAN 08 2026

Ck# 3570

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 3471-3

RECEIVED

Date: 12/20/25

JAN 09 2026

I/We request that Water Right/Permit No. 3471-3 formerly owned by:

Donald Benson

be transferred to:

OFFICE OF
WATER

New Owner Name:

James Benson

Address:

45067 284th St

mobile:

605 201 2010

City, State, Zip

HMW 50

email:

jbbfeb2014@yahoo.com

57026

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

170 acres Located in Section 35, T098N, R54W
NW1/4 NW1/4 - 35 acres
NE1/4 NW1/4 - 36 acres
NW1/4 NE1/4 - 31 acres
SE1/4 NE1/4 - 23 acres
NE1/4 NE1/4 - 7 acres
SW1/4 NE1/4 - 38 acres

☒ I understand that the validity of Water Right/Permit No. 3471-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, James Benson the new owner, certify that the above information is true and correct.

(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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

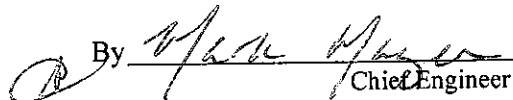
South Dakota Department of Agriculture and Natural Resources

Date January 08, 2026

RECEIVED OF James Benson 45067 284th St Hurley SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #3471-3	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 13th, 2026

3471-3

James Benson
45067 284th St
Hurley, SD 57036

Dear Mr. Benson,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right No. 3471-3. Enclosed is a receipt of payment for your records.

Water Right No. 3471-3, previously held by Donald Benson is now listed under your name. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 3471-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure