

Water Right Number 5876-3

1. Considered 5.26, 1. 77
2. Name of Applicant LAR LEYSON
3. Post Office Address ELETON
4. Amount of water claimed 6.5
5. Source of water supply 2-194' DEEP WELLS
6. Water to be used for IRRIGATION  
Acres to be irrigated 480
7. Water to be diverted and used in BROOKINGS County  
about 4N Miles 12 of ELETON
8. Proof of Publication  
Received 12 5-20-77  
Not received \_\_\_\_\_  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
9. Application
10. Remarks:

No. 3876-3  
 Map No. 3135-3 Water Division No. 3 BIG SIOUX 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)

1. Name of Applicant Lee Layson  
 Postoffice address Elkton 57026, State South Dakota  
 If a corporation show date and place of incorporation \_\_\_\_\_
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Lee Layson Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 6.8
5. Source of water supply 2 wells
6. Location of point of diversion Well #1 - 2800' N 20° E of SW corner Sec 29-110-47  
Well #2 - 2500' N 78° E of SW corner Sec 29-110-47  
 County Brookings
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use. Total number of acres to be irrigated 480

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. |
|-------------------------|----------------|----------------------|----------------|
| NW 1/4 of Sec 29-110-47 | 139            | SW 1/4 Sec 29-110-47 | 104            |
| NE 1/4 of Sec 29-110-47 | 133            | SE 1/4 Sec 29-110-47 | 104            |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Deep well turbinesB. Works proposed to transport water to place of use. closed conduitC. Works proposed to apply water to beneficial use. center pivot irrigation machines & big gun hose pullsEstimated Total Cost \$100,000

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 )  
 ) ss.  
 County of Brookings )

I, Lee Layson, the applicant, verify 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 Lee LaysonSubscribed and sworn to before me this 10 day of March, 1977

John D. Williams  
 Notary Public (or other qualified officer)

## WATER RIGHT APPLICATION APPROVAL

*Pankow, David*  
The Water Rights Commission hereby approves Water Right Application No. 3876-3

LEE LEYSON  
(Applicant)

ELKTON  
(Post Office Address)

SOUTH DAKOTA 57026 With the following modifications:  
(State)

The irrigation wells approved under this Permit ~~are~~ located near domestic 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.

Date of first receipt of application MARCH 23, 19 77  
Date of return to applicant for correction, amendments or changes required \_\_\_\_\_, 19 \_\_\_\_  
Date of receipt of corrected application APRIL 4, 19 77  
Approved MAY 26, 19 77, Recorded in Book 18 Page 275

WATER RIGHT PERMIT NO. 3876-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3876-3 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 MARCH 23, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26, 19 79
3. The whole of said work is to be completed on or before MAY 26, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26, 19 85
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 6.8 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 MAY 26, 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14<sup>TH</sup> day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

*John Hatch*  
Chief Engineer, Executive Officer

Certificate of Construction Issued September 22, 19 81

Water License Issued September 22, 19 81

2 nearly identical wells

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 20", Depth 194'  
(2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 4"  
(3) Perforated Screen.  
Type Cent 510+, Diameter 14", Length 20'  
(4) Gravel Pack, Thickness 4", Length of gravel pack 30'

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'-3' top sand, 2'-15' yellow blue clay, 152'-160' water bearing sand, 160'-180' blue clay, 180' to 194' sand & gravel mixed, 194' to 200' blue clay

Depth to top of water bearing material 152' + 180'  
Depth to bottom of water bearing material 194'  
Thickness of water bearing material 22'  
Depth to water (ground surface to water level) 49'

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

On same owner's property well #1 - 180' well #2 - 170' On property owned by others well #1 - 200' well #2 - 170' 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.

[Signature]  
Signature of Applicant

CONSERVATION  
COMMISSION  
FORM WL #1

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 Lee Leyson  
ADDRESS E/ Kton S. Dak. 57026  
COUNTY Brookings

LEGAL DESCRIPTION

1. WELL LOCATION 2 wells - SE<sup>4</sup> of SW<sup>4</sup> + NW<sup>4</sup> of SW<sup>4</sup> Sec 29 - 110-49  
2. LOCATION OF AREA TO BE IRRIGATED Sec 29-110-49 - Draining ways excluded.  
Draining ways are set on soil

TYPE OF IRRIGATION

3. GRAVITY \_\_\_\_\_ TOWLINE \_\_\_\_\_ CENTER PIVOT ☒ GUN ☒  
4. CROPS TO BE IRRIGATED Corn & alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-435  
6. SALINITY (EC X 10<sup>6</sup>) 17.56 (high)  
7. SODIUM (SAR) 1.23 (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 Brookings Co. S.D. 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.

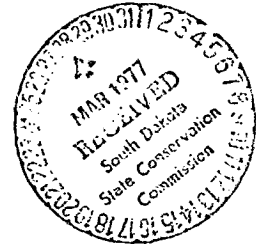
Lee Leyson  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
15 DAY OF March 1977.

John L. L. L. L.  
(TITLE OR SEAL)

Alfred J. L. L.  
APPROVED/ 1977

(SOILS INFORMATION ON REVERSE SIDE)



March 24, 1977

Mr. Lea Leyson  
Elkton, SD 57026

Dear Mr. Leyson:

Your water sample (Lab. No. 77-435) 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 marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

- (1) It will be used no more than 3 times (preferably less) in any growing season.
- (2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.
- (3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.
- (4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

*L. O. Vine*

L. O. Vine  
Water Quality Lab

LOF:ckb  
Enclosures  
cc: State Conservation Commission  
D. Pahl, Extension Service

**REPORT OF ANALYSIS**  
 Water Quality Laboratory  
 Water Resources Research Institute  
 South Dakota State University  
 Brookings, South Dakota 57003

Submitted by: 77-435  
 Address: 77-435  
 \_\_\_\_\_  
 \_\_\_\_\_

Date Recd: 10/10/77  
 Sample No: 77-435  
 Identification: 77-435  
 S.D. No. 77-435

**WATER ANALYSIS**

|                                       |       |                             |       |         |
|---------------------------------------|-------|-----------------------------|-------|---------|
| Calcium (Ca)                          | 236   | ppm                         | 12    | mc/l    |
| Magnesium (Mg)                        | 222   | ppm                         | 11    | mc/l    |
| Sodium (Na)                           | 90    | ppm                         | 4.5   | mc/l    |
| Potassium (K)                         | 4     | ppm                         | 0.2   | mc/l    |
| Sulfate (SO <sub>4</sub> )            | 810   | ppm                         | 40.5  | mc/l    |
| Nitrate (as N)                        |       | ppm                         | 0.5   | mc/l    |
| Chloride (Cl)                         | 4     | ppm                         | 0.2   | mc/l    |
| Bicarbonate (HCO <sub>3</sub> )       | 529   | ppm                         | 26.45 | mc/l    |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         | 0.2   | mc/l    |
| Iron (Fe)                             |       | ppm                         |       | mc/l    |
| Fluoride (F)                          |       | ppm                         |       | mc/l    |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |       | mc/l    |
| Alkalinity (Methyl Orange)            | 434   | ppm (as CaCO <sub>3</sub> ) |       | 21.7*** |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |       |         |
| Electrical Conductivity               | 1756  | microhm/cm at 25°C          |       |         |
| Sodium Adsorption Ratio               | 3.23  |                             |       |         |
| Sodium                                | 16.71 | % of cations                |       |         |
| Residual sodium carbonate             | 0.00  | mc/l                        |       |         |
| pH                                    | 7.73  |                             |       |         |
| Others:                               |       |                             |       |         |
| mg/l = milligrams per liter           |       |                             |       |         |
| mc/l = milliequivalents per liter     |       |                             |       |         |
| ***g.p.g. = grains per gallon         |       |                             |       |         |

**COMMENTS:** Total cations 24.18 mg/l  
 Total anions 25.63 mg/l

By: Shirley Witten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-435

Amount Enclosed

Signed

No. 3876-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )

County Brookings ) ss

I, James M. McLellan Jr. hereby

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

Water was taken from the Brookings City Ditch

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

City Brookings of Brookings

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

May 12, 1977

May 19, 1977

James M. McLellan Jr.  
(Signature)

Editor - General Manager  
(Title)

5-19-77

Date Signed

Legal Notice - May 12 & 19  
NOTICE INTENT TO  
APPROPRIATE WATER  
Pierre, South Dakota 57501  
April 11, 1977

Notice is hereby given that Lee Leyson  
whose post office address is Elkron,  
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 6.8  
cubic feet of water per second of time  
from ground water through the Lee  
Leyson No. 1, the points of diversion of  
which are to be located in the SE $\frac{1}{4}$  SW $\frac{1}{4}$   
AND SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 29, Twp.  
110N, Range 47W. Said water to be used  
for the purpose of providing irrigation on  
portions of the following described land:  
Section 29, T110N, R47W.

This Application No. 3876-3 will be  
considered by the Water Rights  
Commission at their office at Pierre  
upon the 10th day of May, 1977, at 11:00  
A.M. All interested persons may appear  
and be heard.

WATER RIGHTS COMMISSION  
By: JAMES WINTERTON  
Water Rights Specialist



Form 6 - Notice Intent to Appropriate Water

No. 2076-1

Publish first publication, on or before May 10, 1977

**NOTICE  
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 11, 1977

Notice is hereby given that THE ELLISON

whose post office address is 1001 1st St., 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

6.8 cubic feet of water per second of time from the Red River through the Red River, the point of diversion of which is to be located in the NE 1/4

SW 1/4 and NE 1/4

of Section 2, Twp. 100N, Range 100W. Said water to be used for the purpose of providing irrigation on the following described land:

Section 2, Twp. 100N, Range 100W

This application No. 2076-1 will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of May, 1977 at 10:00 A.M. All interested persons may appear and be heard.

**WATER RIGHTS COMMISSION**

By.

Water Rights Specialist

BEJ/LW

cc: 100-10000, 10000, 10000

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission  
Foss Building  
Pierre, South Dakota 57501

Date: January 18, 1978

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

Portions of Section 29, T110N, R47W as described on permit #3876-3.

formerly owned by Lee Leyson, Elkton, SD 57026

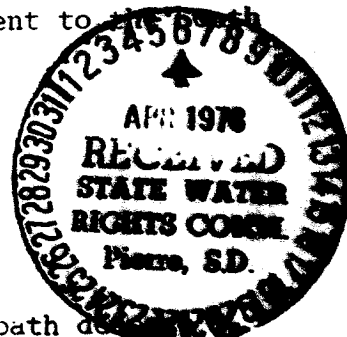
has been transferred to David Pankonin, Box 11, Elkton, SD 57026

together with any rights to the beneficial use of water thereon as evidenced by  
Water Right Permit No. 3876-3 as provided for in Section 61.0127 of the 1960  
Supplement to the South Dakota Code of 1939.

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 Section 61.0159 of the 1960 Supplement to the South  
Dakota Code of 1939..

STATE OF SOUTH DAKOTA     )  
                                      ) SS.  
County of Brookings     )



I, Lee Leyson being first duly sworn on my oath do  
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.

X Lee Leyson  
(signed)

Subscribed and sworn to before me this 31st day of March

19 78.

Daniel H. Hart  
(Notary Public)

Comm. Exp. 2/19/81

# RECEIPT

WATER RIGHTS COMMISSION  
State of South Dakota

No 4 6418

PIERRE, April 6, 1978

RECEIVED OF David Pankonin, Box 11, Elkton, SD 57026

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 # 3876-3                                                                    | 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)                                                                        |          |           |
| <b>TOTAL</b>                                                                                                       | <b>2</b> | <b>50</b> |

WATER RIGHTS COMMISSION

By *John Hatch*  
Chief Engineer, Executive Officer  
JOHN HATCH

99

# RECEIPT

WATER RIGHTS COMMISSION  
State of South Dakota

No 4 8462

PIERRE, September 17, 1981

RECEIVED OF David Pankonin, Box 11, Elkton, SD 57026

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. 3876-3                                      | 50.00        |  |
| Fee for Inspecting Beneficial Use, and issuing Water License No. 3876-3                                            |              |  |
| Fee for issuing Location Certificate-Dry Draw, No. ....                                                            |              |  |
| Fee for filing .....                                                                                               |              |  |
| Fee for certified copy of .....                                                                                    |              |  |
| Fee for Print copy of map .....                                                                                    |              |  |
| Fee for Certifying .....                                                                                           |              |  |
| Fee for (any other work as provided by law)                                                                        |              |  |
| <b>TOTAL</b>                                                                                                       | <b>50.00</b> |  |

WATER RIGHTS COMMISSION  
By *John Hatch*  
Chief Engineer, Executive Officer  
JOHN HATCH

Permit No. 3876-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by DAVID PANKONIN of ELKTON holder of Permit No. 3876-3, bearing date of priority of MARCH 23, 1977 authorizing the diversion of 6.8 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in BROOKINGS County.

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

The Water Use System consists of, WELL #1 - 146' DEEP WITH 14" STEEL CASING  
10' SS SCREEN, VALLEY 8" PUMP - MODEL 14-1062  
12 MME-7A - POWERED BY 125 HP GE ELECTRIC  
MOTOR, -1760 RPM

A. Works used to divert the water:

WELL #2 - 144' DEEP WITH 14" STEEL CASING - 15' SS SCREEN  
NATIONAL PUMP CO 8" PUMP - MODEL N-260-8, POWERED BY  
125 HP GE ELECTRIC MOTOR - 1760 RPM

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

FROM WELL #1 - 8100' 8" BURIED PVC TO PIVOT PAD IN NE<sup>4</sup> & 1580' OF 8" BURIED  
PVC TO PIVOT PAD IN NW<sup>4</sup>

FROM WELL #2 - 1400' OF 8" BURIED PVC TO PIVOT PAD IN SE<sup>4</sup> & 1120' OF 8" BURIED  
PVC TO PIVOT PAD IN SW<sup>4</sup>

12" STEEL I-BEAMS, USED FOR 2 WHEELS TO CROSS DRAWS.

C. Works used to apply water to beneficial use.

SW<sup>4</sup> - 10 TOWER ELECTRIC DRIVE CENTER PIVOT WITH NELSON #100 END GUN  
SE<sup>4</sup> - 7 TOWER VALLEY ELECTRIC CENTER PIVOT WITH NELSON #100 END GUN  
NW<sup>4</sup> & NE<sup>4</sup> - TOWNS VALLEY 7 TOWER ELECTRIC DRIVE CENTER PIVOT SYSTEM  
WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located WELL #1 - N20°E, 2800'; WELL #2 - N78°E, 2500'  
BOTH FROM THE SW<sup>4</sup>, SECTION 29, T10N, R47W

The works are capable of diverting and conveying to the place of use 4.0 (400 GPM PER WELL)  
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SEC 29, T10N, R47W

|                       |                                                   |
|-----------------------|---------------------------------------------------|
| <u>NW<sup>4</sup></u> | <u>130 ACRE CIRCLE</u>                            |
| <u>NE<sup>4</sup></u> | <u>120 ACRE - PIVOT IS ABOUT 300' W OF CENTER</u> |
| <u>SW<sup>4</sup></u> | <u>130 ACRE CIRCLE</u>                            |
| <u>SE<sup>4</sup></u> | <u>100 ACRE - 1/4 OF CIRCLE</u>                   |

comprising a total of 480 acres of land.

David Pankonin  
Elkton, SD  
3/23/77

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 3876-3

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

made Water Right Application No. 3876-3 for a permit to use 6.8 cubic feet per second of the waters  
 of groundwater (two wells)

County of Brookings State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 26th day of May A. D. 19 77

Permit No. 3876-3 with a date of priority of March 23, 1977

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 26th day of May A. D. 19 82 and for the  
 application to beneficial use of said water on or before the 26th day of May A. D. 19 85

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 4.0 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 the following lands all in Section 29, T110N, R47W

NW $\frac{1}{4}$  130 acre circle

NE $\frac{1}{4}$  120 acre-pivot 300' W of center

SW $\frac{1}{4}$  130 acre circle

SE $\frac{1}{4}$  100 acres - 3/4 of circle

TOTAL 480 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 David Pankonin

\_\_\_\_\_ of Elkton, South Dakota

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 3876-3 a water right, dating from March 23, 1977

\_\_\_\_\_ to use of 4.0 cubic feet per second of the waters of groundwater (two wells)

in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Well #1: N 20<sup>0</sup>E, 2800'; Well #2: N 78<sup>0</sup>E, 2500', both from the SW<sup>1</sup>/<sub>4</sub>, Section 29, T110N, R47W

and conducted to and upon portions of land in Section 29, T110N, R47W, more fully described on the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3876-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 22nd day of September A. D.

Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH

Permit No. 3876-3

Water Diversion No. 3 Big Sioux River Water District

### CERTIFICATE OF CONSTRUCTION

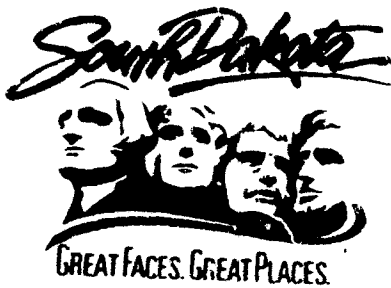
This is to Certify, That David Pankonin

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 3876-3 issued upon Application No. 3876-3 bearing date of priority of March 23,  
1977 authorizing the diversion of 5.8 cu. ft. per second of the waters of \_\_\_\_\_  
groundwater (two wells) County of Brookings State of South Dakota at \_\_\_\_\_  
Well #1; N 20° E, 2800'; Well #2; N 78° E, 2500', both from the SW  
Section 28, T110N, R47W  
\_\_\_\_\_ for irrigation

\_\_\_\_\_ purposes, he \_\_\_\_\_ complies 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 5.0 cu. ft. per second of water.

Date September 22, 1981

  
JOHN HATCH, Chief Engineer  
Water Rights Division



January 9, 1998

**NOTICE**

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

TO: DAVID PANKONIN, BOX 11, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 4600-3, 3876-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 3876-3 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) 4600-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4600-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3876-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                                                                                                                                                                                                                                                                |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>INSTRUCTIONS:</b><br>• Complete items 1 and 2 for additional services.<br>• Complete items 3, 4a, and 4b.<br>• Print your name and address on the reverse of this form so that we can return the card to you.<br>• Attach this form to the front of the mailpiece, or on the back if space does not permit.<br>• Write "Return Receipt Requested" on the mailpiece below the article number.<br>• The Return Receipt will show to whom the article was delivered and the date delivered. |  | <b>I also wish to receive the following services (for an extra fee):</b><br>1 <input type="checkbox"/> Addressee's Address<br>2 <input type="checkbox"/> Restricted Delivery<br>Consult postmaster for fee                                                                     |  |
| <b>3. Article Addressed to:</b><br><br>DAVID PANKONIN<br>BOX 11<br>ELKTON SD 57026                                                                                                                                                                                                                                                                                                                                                                                                          |  | <b>4a. Article Number</b><br>38763<br>Z179157156                                                                                                                                                                                                                               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | <b>4b. Service Type</b><br><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified<br><input type="checkbox"/> Express Mail <input type="checkbox"/> Insured<br><input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | <b>7. Date of Delivery</b><br>1-10-98                                                                                                                                                                                                                                          |  |
| <b>5. Received By: (Print Name)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  | <b>6. Addressee's Address (Only if requested)</b>                                                                                                                                                                                                                              |  |

Thank you for using Return Receipt Service.

Return Receipt

3876-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 23, 1998

3876-3  
4600-3

David Pankonin  
Box 11  
Elkton, SD 57026

Dear Mr. Pankonin:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 3876-3 and 4600-3.

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, appearing to read "Genny McMath".

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



3876-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: DAVID PANKONIN, 21285 US HWY 14, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 4600-3, 3876-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 3876-3 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) 4600-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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) 4600-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3876-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3876-3

## Track & Confirm

### Delivery Status

You entered 2301 0370 0000 7541 4586

Your item was delivered at 2:47 pm on January 21, 2003 in ELKTON, SD 57026. The item was signed for by D PANKONIN.

[Shipment History >](#)
[Request Delivery Record >](#)

### Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)


POSTAL INSPECTORS  
Preserving the Trust

site map contact us government services  
Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

### U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:  
2301 0370 0000 7541 4586

DAVID PANKONIN  
21285 US HWY 14  
ELKTON SD 57026

Postmark  
Here

#### POSTAL CUSTOMER:

Keep this receipt. For inquiries:  
Access internet web site at  
[www.usps.com](http://www.usps.com)  
or call 1-800-222-1811

CHECK ONE (PRIORITY MAIL ONLY)

☐ Priority Mail

☐ Package Services

PS Form 153, February 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2003

3876-3  
4600-3

David Pankonin  
21285 US Hwy 14  
Elkton SD 57026

Dear Mr. Pankonin:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 3876-3 and 4600-3.

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



3876-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 20, 2005

**NOTICE**

TO: DAVID PANKONIN, 21285 US HWY 14, ELKTON, SD 57026

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 3876-3 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) 4600-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 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) 4600-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3876-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3876-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 2, 2005

3876-3  
4600-3

David Pankonin  
21285 US Hwy 14  
Elkton SD 57026

Dear Mr. Pankonin:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 3876-3 and 4600-3.

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

If you have any questions, please contact me.

Sincerely,

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

|    |    |
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| 29 | 28 |

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Investigation Proposed  
EMT on S.D.

2

Sec 22-110-07

Scale B<sup>u</sup> 14.11

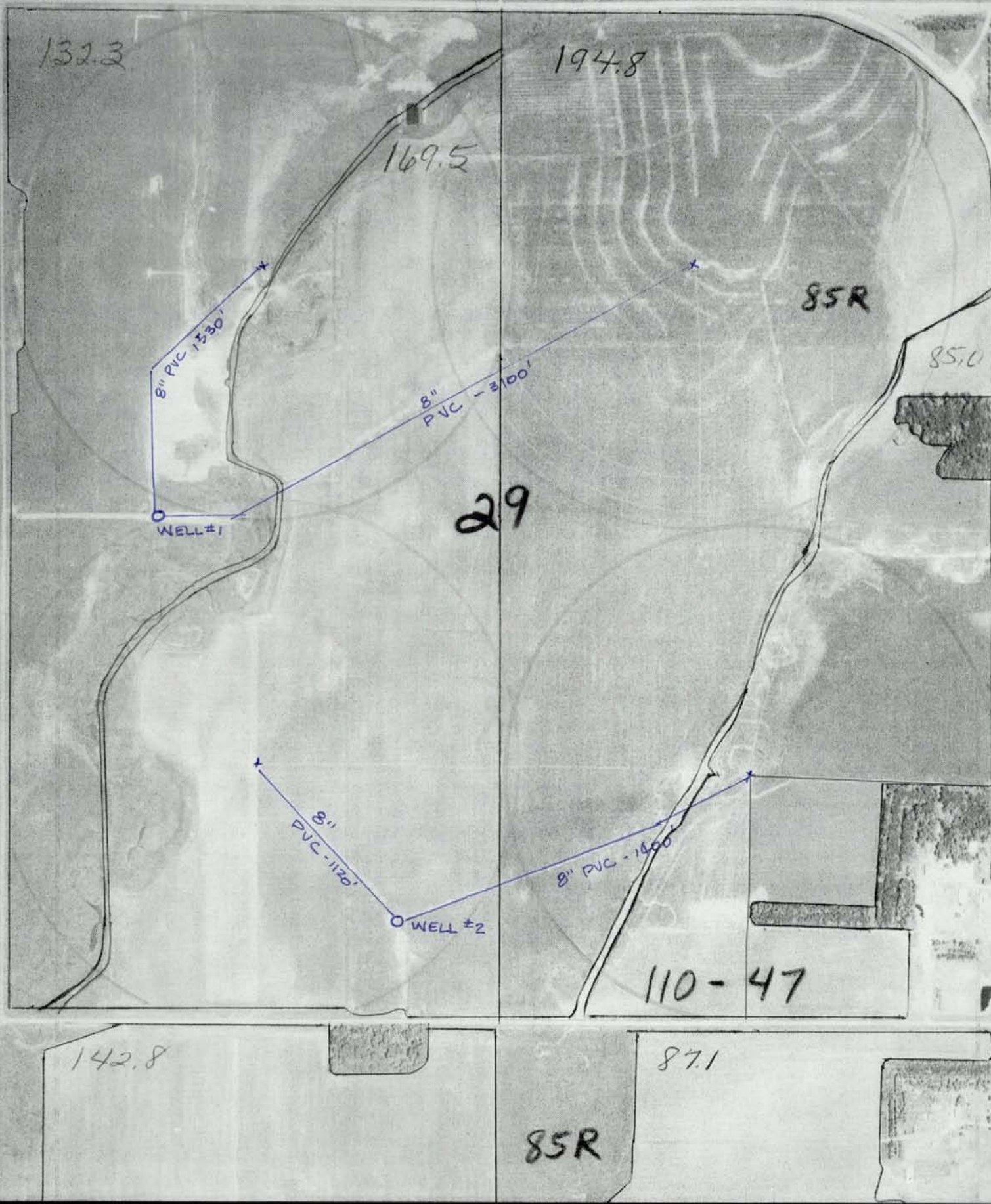
3-18-77

to find the

John. L. Williams

NOT TO SCALE

3876-3  
PANKONIN





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 3, 2008

3876-3  
4600-3

David Pankonin  
PO Box 263  
Elkton SD 57026-0263

Dear Mr. Pankonin:

Enclosed is a "Notice" dated October 24, 2008 concerning the 2008 irrigation questionnaires. The notice was originally mailed to 21285 US Hwy 14, Elkton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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](mailto:genny.mcmath@state.sd.us)

enclosures

3876-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

October 28, 2013

3876-3  
4600-3

David Pankonin  
21247 US Hwy 14  
Elkton SD 57026 6702

Dear Mr. Pankonin:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaires.

The notice was originally mailed to PO Box 263, Elkton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

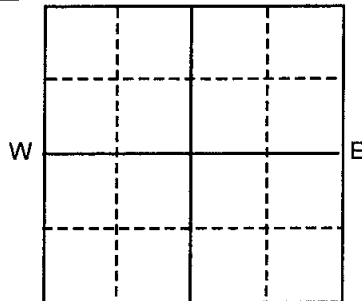
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 29 Twp 110 Rg 47

County Brookings

North

Please mark well  
location with an "X"

Well Completion Date

May 13, 2013

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
ft. from (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

mud rotary

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

| PIPEWEIGHT | DIAMETER | FROM   | TO       | HOLE DIAMETER |
|------------|----------|--------|----------|---------------|
| LB/FT      | 12.00 IN | 2.0 FT | 180.0 FT | 17.50 IN      |
| LB/FT      | IN       | FT     | FT       | IN            |
| LB/FT      | IN       | FT     | FT       | IN            |

## GROUTING DATA:

| Grout Type                  | No. of Sacks | Grout Weight | From     | To       |
|-----------------------------|--------------|--------------|----------|----------|
| Quick Grout                 | 51           | Lb/gal       | 0.0 Ft   | 170.0 Ft |
|                             |              | Lb/gal       | Ft       | Ft       |
| Describe grouting procedure |              |              |          |          |
| Red Flint#80                | 30           |              | 170.0 Ft | 200.0 Ft |

## SCREEN:

☐ Perforated pipe ☒ Manufactured  
 Diameter 12.00 Inches Length 20.0 Feet  
 Material Stainless Steel  
 Slot Size 80 Set From 180.0 Feet to 200.0 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? irrigation  
 Lab to which water quality sample sent for analysis

Well Owner: David Pankonin

Business Name:

Address: 21285 US Hwy 14

City, State, Zip: Elkton SD 57026

## WELL LOG:

| FORMATION     | DEPTH |     |
|---------------|-------|-----|
|               | FROM  | TO  |
| Top Soil      | 0     | 2   |
| Gravel / Rock | 2     | 5   |
| Clay          | 5     | 21  |
| Clay          | 21    | 90  |
| Clay          | 90    | 138 |
| Clay          | 138   | 180 |
| Sand          | 180   | 200 |
|               |       |     |
|               |       |     |

STATIC WATER LEVEL 64.5 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe: submersible  
☐ Bailed  
☐ Other

Pumping Level Below Land Surface

136.5 Ft. After 6.0 Hrs. pumped 860.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

## REMARKS

 Prod Well #1  
 44 18' 14.3" N  
 96 30' 09.3" W

RECEIVED

DEC 23 2013

WATER RIGHTS  
PROGRAM

This well was drilled under license # 463 and this report is true and accurate.

Drilling firm: Steffl Drilling &amp; Pump Inc / Kris VanHeuveln

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: Aug 5 - 2013

12-26-13

3876-3  
4600-3

21247 Hwy 14  
Elkton, SD 57026

Water Management Board  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501

RECEIVED  
OCT 29 2015  
WATER RIGHTS  
PROGRAM

Dear Board:

This year is the first year I have ran short of water the wells were sucking air. We even drilled a new well and it sucked air even with a smaller pump. I have one of the oldest permits in this area. You have allowed to much development of pivots around me. Your job is to protect the earliest permits from overdevelopment. I would suggest you should stop all irrigation put in in the last 10 yrs. And then slowly allow them back on in order of their seniority. til we are affected again.

The development south of Elkton was way to fast and of to large a scope.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

November 6, 2015

David Pankonin  
21247 US Hwy 14  
Elkton, SD 57026-6702

Dear Mr. Pankonin:

This is in response to your letter to the Water Management Board included with the 2015 Irrigation Questionnaires. I appreciate your quick return of the questionnaires and taking the time to write with your concerns.

I asked Ken Buhler, an engineer on my staff, to look into your concerns. He tells me there are 57 water rights/permits pumping water from the Big Sioux: Aurora aquifer, which is the same aquifer you pump from. Half of the water rights/permits were approved after your water right was approved and are junior to yours, and half were approved before and are senior to yours.

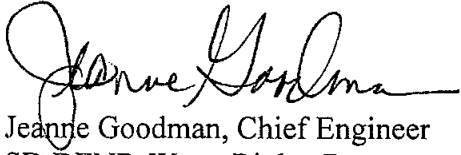
The premise of South Dakota water law is to maximize water use while insuring withdrawals from an aquifer do not exceed recharge on an average annual basis, giving preference to senior water rights in regard to adverse impacts between users. Every new water permit application is thoroughly evaluated to ensure there is water available, withdrawal will not exceed recharge, and existing water users will not be unlawfully impaired

One of the most valuable tools we have is an observation well network consisting of dedicated observation wells that allows us to measure water levels in the aquifers. The Water Rights Program monitors 15 observation wells completed into the Big Sioux:Aurora aquifer; four of these observation wells are located within two and one-half miles of your well. The enclosed map shows the well locations and water level history (hydrographs) of each well. The observation well data shows some seasonal water level fluctuations and fluctuations of the water table due to wet and dry cycles and well pumping. However, the data indicates the water levels always recover from dry weather and pumping. It shows us the aquifer is not over appropriated.

I also asked Ken to check into why your well pumped air if the water levels were stable. Ken contacted your well driller and irrigation system representative. We understand your old well failed because of a hole in the well screen. We were also told you put in a new irrigation system set up for a pumping rate higher than what your well will produce. I suggest you work with your pivot system dealer to get the maximum efficiency of your investment based on the physical capabilities of your well.

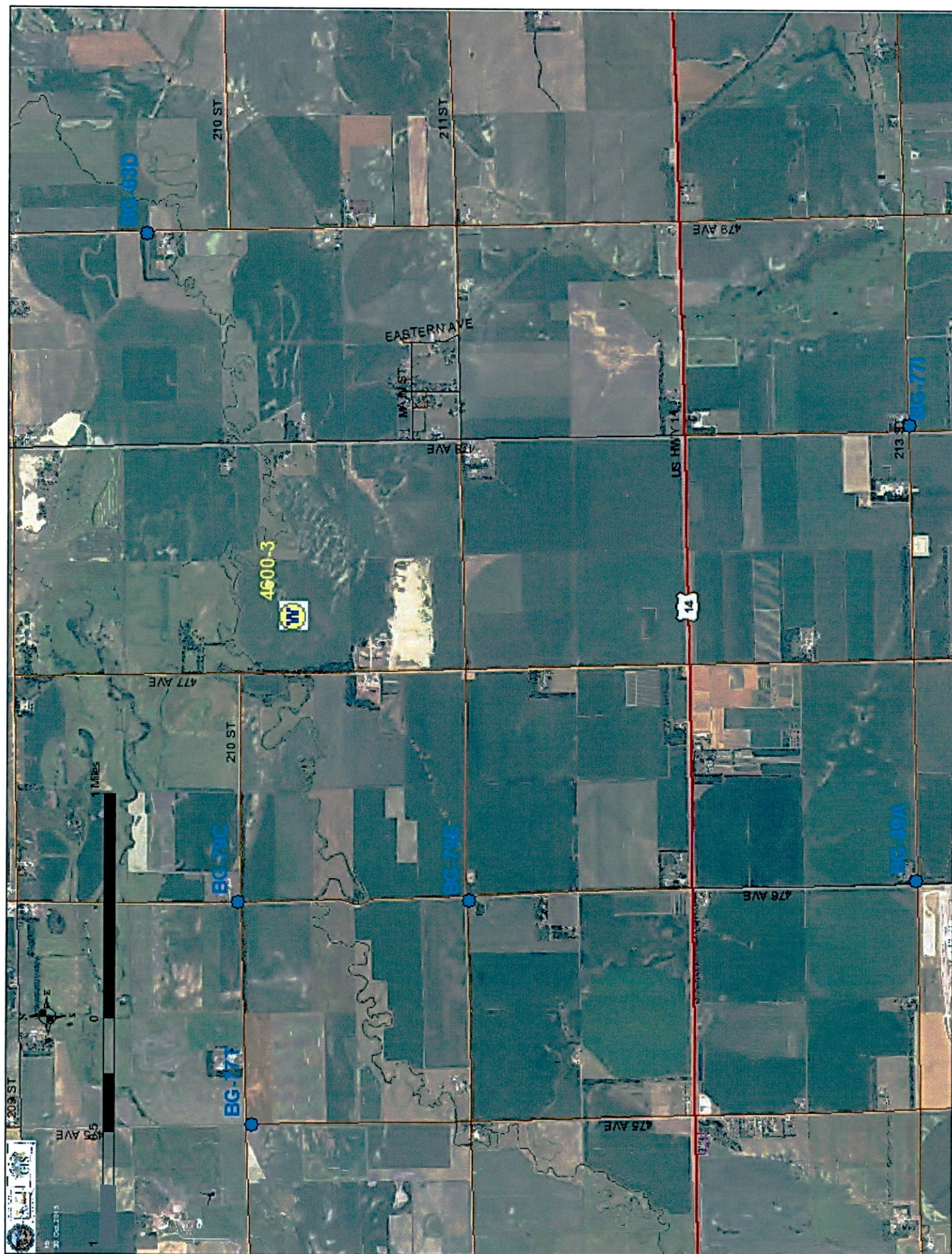
Thank you again for taking the time to write. If you have any questions, feel free to contact to contact Ken Buhler at (605)773-3352.

Sincerely,

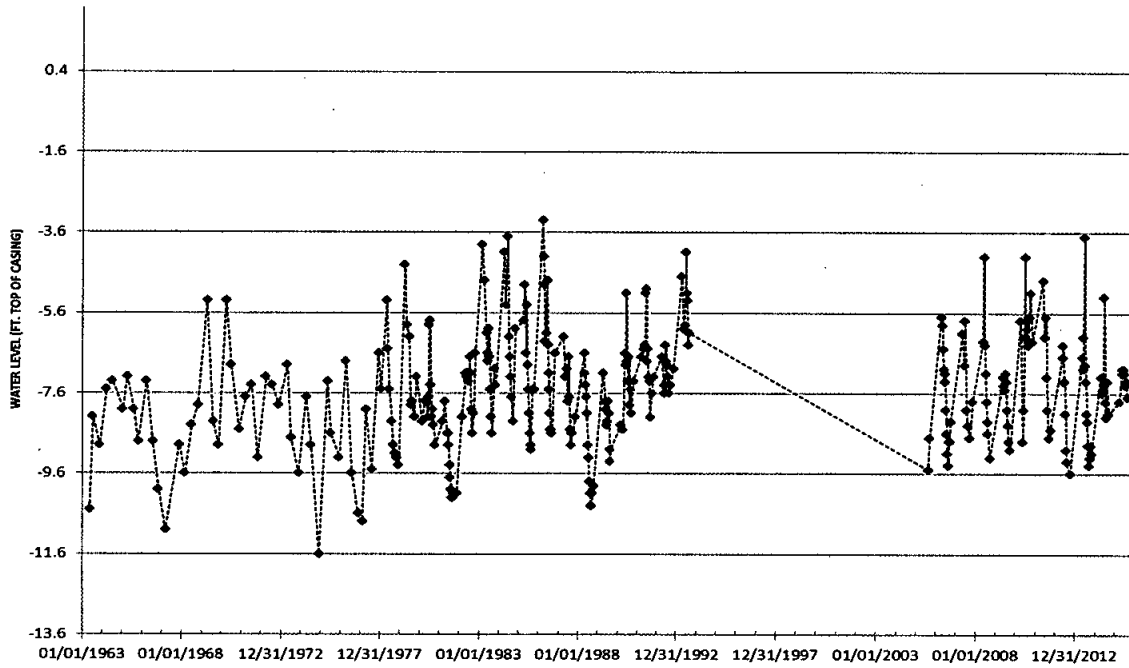
A handwritten signature in black ink, appearing to read "Jeanne Goodman". The signature is fluid and cursive, with the first name "Jeanne" being more prominent than the last name "Goodman".

Jeanne Goodman, Chief Engineer  
SD DENR-Water Rights Program

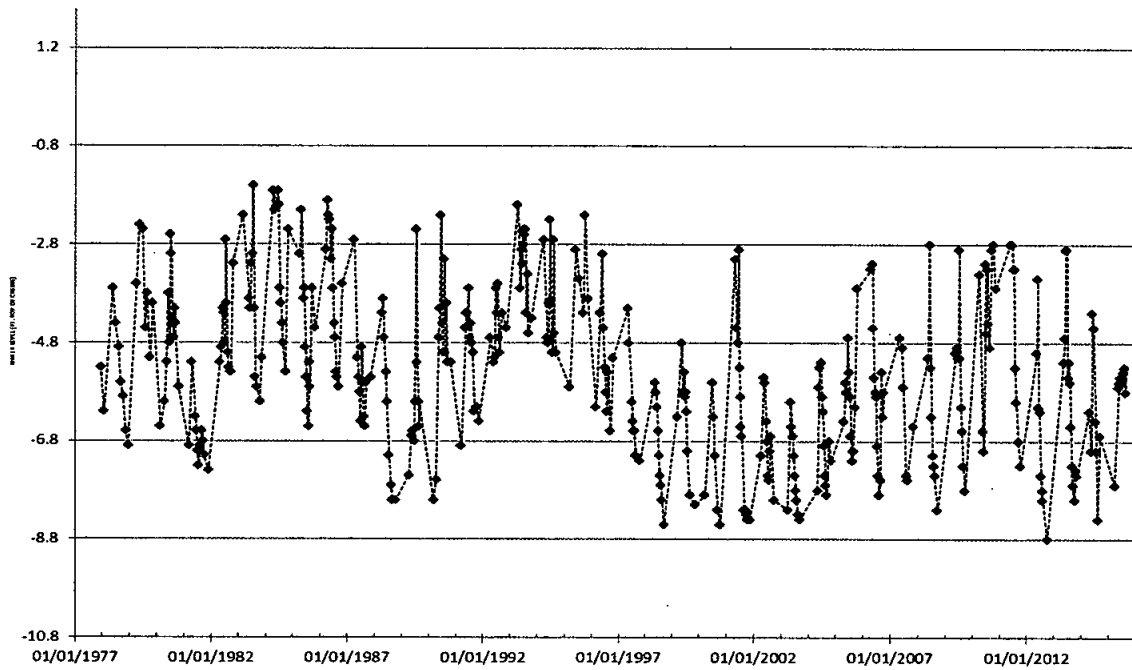
enclosures



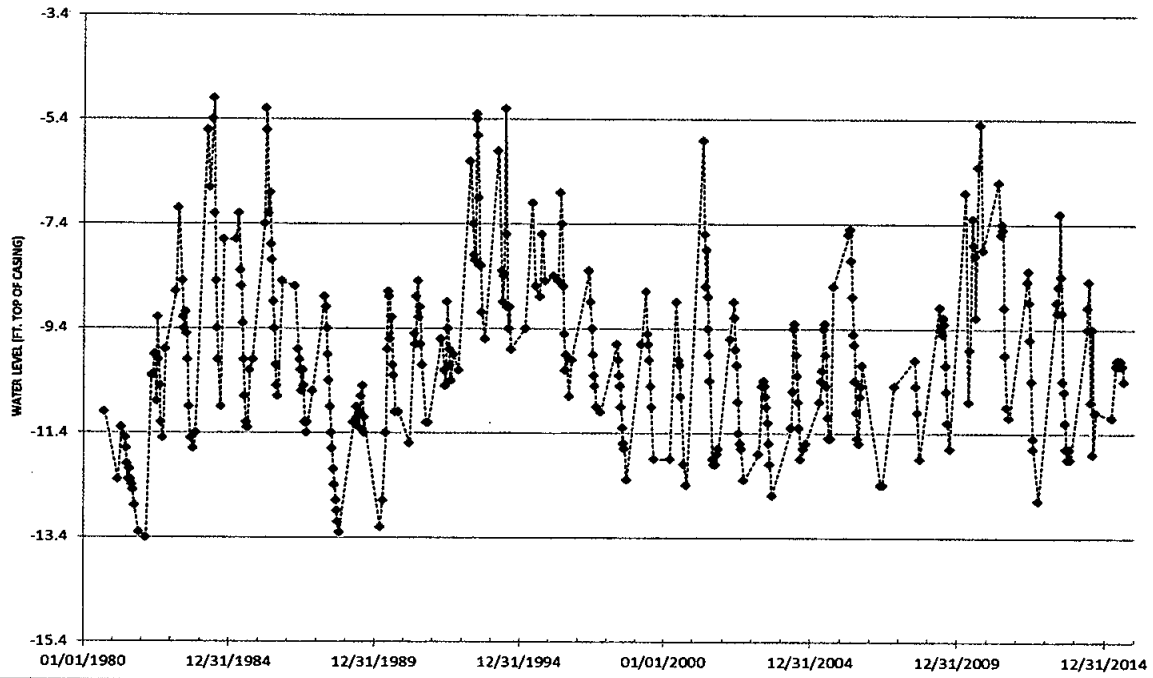
**WATER RIGHTS' OBSERVATION WELL  
BG-63D**



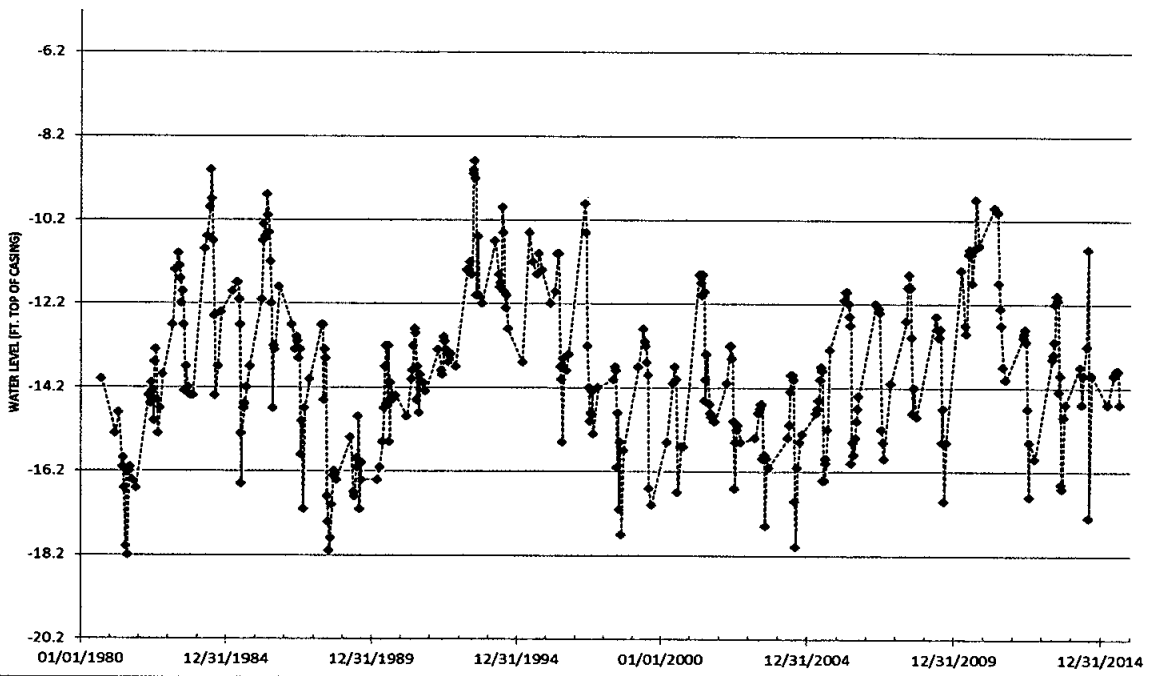
**WATER RIGHTS' OBSERVATION WELL  
BG-77T**



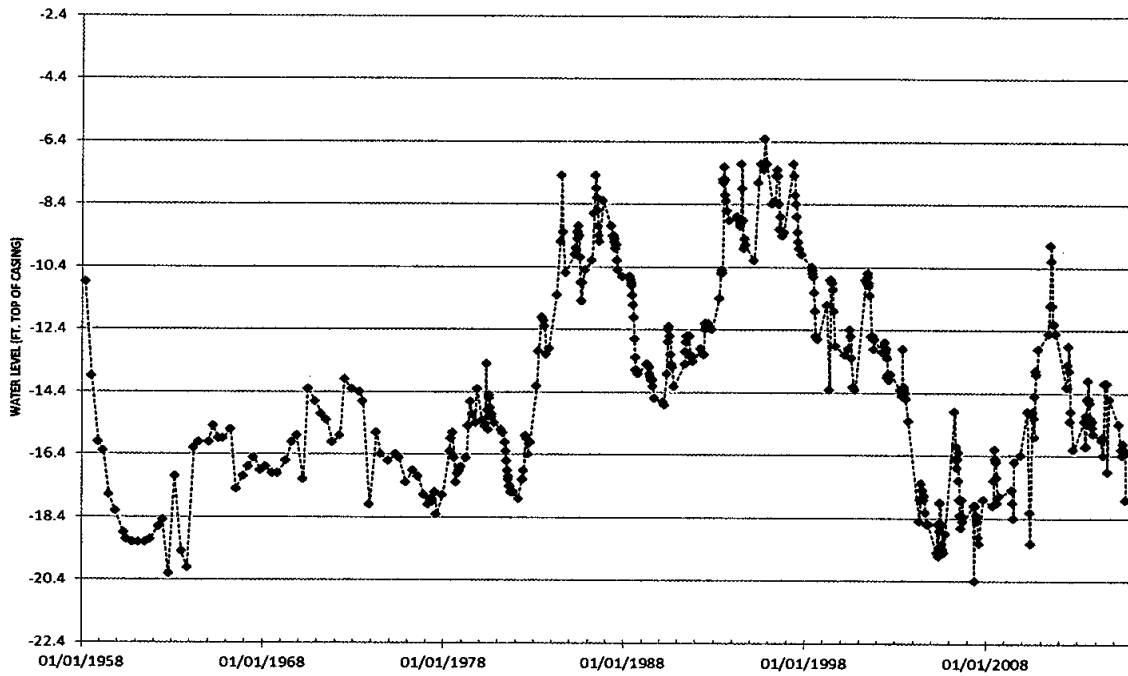
**WATER RIGHTS' OBSERVATION WELL  
BG-79C**



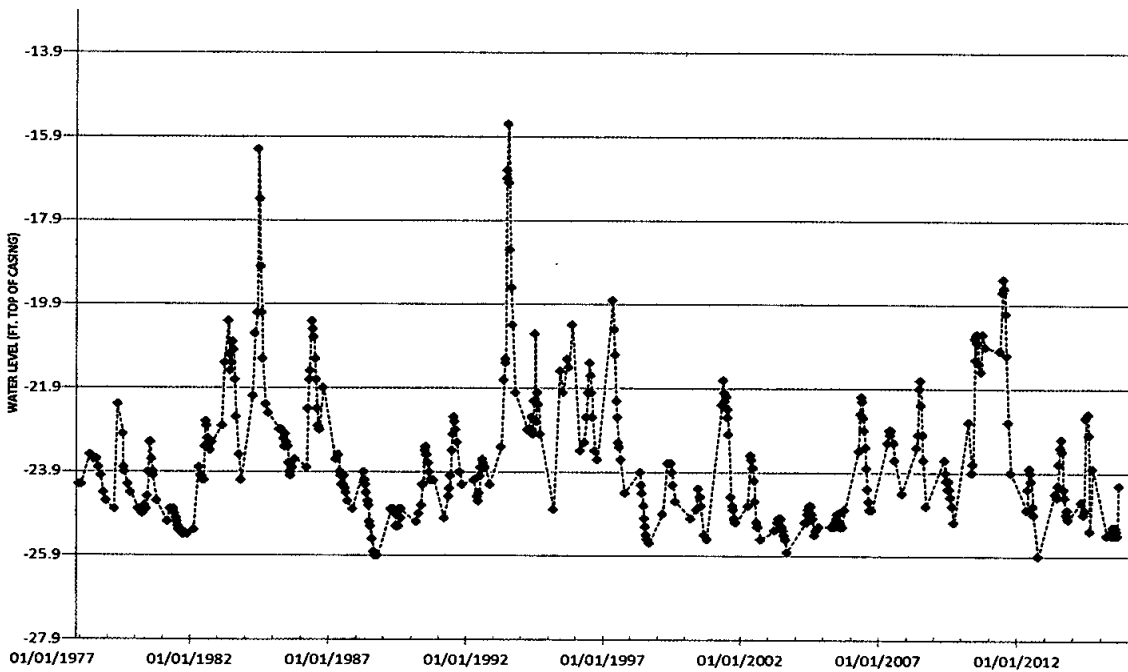
**WATER RIGHTS' OBSERVATION WELL  
BG-79E**



**WATER RIGHTS' OBSERVATION WELL  
BG-89A**



**WATER RIGHTS' OBSERVATION WELL  
BG-77I**





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 20, 2023

**NOTICE**

TO: DAVID PANKONIN, 21247 US HWY 14, ELKTON, SD 57026 6702  
FROM: Ron Duvall, Water Rights Permitting Administrator  
for Eric Gronlund, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 3876-3 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) 4600-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4600-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3876-3 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 8, 2023** 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](mailto:genny.mcmath@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LPRUNF**

**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

January 25, 2023

3876-3  
4600-3

David Pankonin  
21247 US Hwy 14  
Elkton SD 57026 6702

Dear Sir:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 3876-3 and 4600-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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