

Water Right Number 4088-3

1. Considered 10-6, 1977
2. Name of Applicant DUANE PANKRATZ
3. Post Office Address FREEMAN
4. Amount of water claimed 3.8
5. Source of water supply 2-40' DEEP WELLS
6. Water to be used for IRRIGATION
Acres to be irrigated 280
7. Water to be diverted and used in BROOKINGS County
about 5N, 2 1/2 E Miles of BRUCE
8. Proof of Publication
Received 9-22-77
Not received
Approved
Subject to
Not approved
Action deferred
9. Application
10. Remarks:

Map No. 3323-3 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 Duane Pankratz
 Postoffice address Freeman 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
 3. Name of diversion work Duane Pankratz
 4. Amount of water claimed (cubic feet per second) 8 CFS
 5. Source of water supply Well
 6. Location of point of diversion South Border of the N 1/2 of NW 1/4 Sec. 16
2 WELLS - PER TELEPHONE CALL FROM DARREN PANKRATZ
 County Brookings

7. Annual period or periods during which water is to be used May - August
 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 280

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.
SW 1/4 Sec. 9 50-112	160	N 1/2 of NW 1/4 Sec. 16	80
		50-112	
SW 1/4 of NW 1/4 Sec. 9	40		
10-112			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use _____ 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.

Irrigation

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 7,000

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

STATE OF SOUTH DAKOTA

County of Brookings

I, Duane Pankratz the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Duane PankratzSubscribed and sworn to before me this 27 day of June 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 4088-3
DUANE PANKRATZ FREEMAN
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57029 With the following modifications
 (State)

The irrigation wells 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.

WELLS APPROVED UNDER THIS PERMIT SHALL BE SPACED SO THAT THERE IS AT LEAST 660' BETWEEN WELLS

Date of first receipt of application JUNE 28 19 77
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application JULY 26 19 77
 Approved JANUARY 25 19 78 Recorded in Book 19 Page 246
 WATER RIGHT PERMIT NO. 4088-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 4088-3 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 JUNE 28 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 25 19 79
3. The whole of said work is to be completed on or before JANUARY 25 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 21 19 81
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 3.8 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 JANUARY 25 19 81; said water to be used during the following described annual period MAY - AUGUST

Witness my hand this 31ST day of JANUARY 19 78

WATER RESOURCES COMMISSION

By John H. Hatcher
 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 28", Depth 40'
- (2) Casing, Type Steel Diameter 16 Thickness ---
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Johnson Irrigation, Diameter 16, Length 15'
- (4) Gravel Pack, Thickness 6, Length of gravel pack 15'

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 10 ft. sand and 15 ft. sands and gravel

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 40'

Thickness of water bearing material 25'

Depth to water (ground surface to water level) 15'

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

On same owner's property 240 rds. On property owned by others 320 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.

Quane Park
Signature of Applicant

Sample 2

A circular stamp with a double-lined border. Inside the border, the text "JUL 1977" is at the top, "RECEIVED" is in the middle, "STATE WATER RIGHTS COMM" is below that, and "Pierre, S.D." is at the bottom. The number "4" is handwritten in the center. The outer edge of the stamp contains a circular sequence of numbers from 1 to 28.

LEGAL DESCRIPTION

- TYPE OF IRRIGATION

- ## WATER QUALITY

- 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 B. A. G. S. 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.

APPLICANT'S SIGNATURE

(TITLE OR SEAL)

Condition A

APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

Affidavit of Publication

State of South Dakota

55

County of Brookings

Dennis D. Koenders

of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for September

successive week. S., to wit:

September 14, 1977

September 21, 1977

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person; that no part thereof has been agreed to be paid to any person whatsoever; that the fees charged for the publication thereof are:

Fifteen dollars and seventy-eight cents Dollars

Dennis D. Koenders

19th

Subscribed and sworn to before me this day of

September 1977

G. R. [Signature]

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires

September 1978

Exhibit "A"

Legal No. 285 Sept. 14 and 21
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER RIGHTS
Notice is hereby given that Duane
Pankratz, whose post office address is
Freeman, South Dakota, has made an
application for a permit to appropriate
provisions of SDCL 46-1-1 thru 46-1-8; 46-
2-1 thru 46-2-14; 46-3-1 thru 46-3-8;
46-5-1 thru 46-5-14; and Commission
Rules 1-1 thru 1-10; 1-11 thru 1-14;
52:01:01 thru 52:01:14 for a permit to appropriate
for beneficial use 3.8 cubic feet of water
per second of time from ground water
through the D. Pankratz Farms, the
point of diversion of which is to be
located in the NW 1/4 of Section 16,
Twp. 112N Range 50W. Said water to be
used for the purpose of providing
irrigation on portions of the following
described land: SW 1/4 NW 1/4
Section 9, NW 1/4 Section 16, T112N
R50W. This Application No. 4028-3 will be
considered by the Water Rights
Commission at the Holiday Inn
Spearfish, SD, on the 9th day of
October, 1977, at 10:00 A.M. The
Commission is authorized to make a
determination on this application at the
hearing. All interested persons may
appear and be heard. Any person who
may be affected by a Commission
decision who desires to present evidence
or cross-examine witnesses according to
SDCL 1-25 may notify the Commission in
writing prior to the hearing or orally at
the hearing.
James Winteron
Water Rights Specialist



Publish first publication, on or before September 15, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 30, 1977

Notice is hereby given that Duane Pankratz whose post office address is Freeman, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.8 cubic feet of water per second of time from ground water through the D. Pankratz Farms, the point of diversion of which is to be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 16, Twp. 112N Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9; N $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16; T112N, R50W.

This Application No. 4088-3 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, SD upon the 6th day of October, 1977 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERTON
Water Rights Specialist

cc: **Duane Pankratz, Freeman, SD**

4087-3

4088-3

September 29, 1977

Duane Pankratz
Freeman
South Dakota 57029

Dear Mr. Pankratz:

This letter will confirm our telephone conversation regarding proposed action on your Water Right applications Nos. 4087-3 and 4088-3.

The Commission has deferred applications in this area pending receipt of data from an analog model study being carried out by the U.S. Geological Survey, and until we can ~~have~~ recover readings on the observation wells we have in the area. The Staff recommendation will be that your applications also be placed in a deferred status until the above data is available.

We will notify you when the applications are to be reconsidered.

Sincerely,

Burton F. Jones
Water Rights Specialist

BFJ/bw



4087-3 & 4088-3

No. _____

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

October 17, 1977

Duane Pankratz
Freeman
South Dakota 57029

Dear Mr. Pankratz:

The Water Rights Commission deferred action on your Application
No. 4087-3 & 4088-3 at the October 6-7, 1977

Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw



BROOKINGS COUNTY DEFERRED

4688-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 16, 1978

TO: Holders of Deferred Applications in Brookings County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Brookings County Water Right Applications at 2:00 P.M., January 25, 1978 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These Applications were deferred by the Water Rights Commission during 1977, pending Staff Investigation.

After reconsideration of the deferred Applications the Commission can approve, defer, or deny all or part of any of these Applications.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFJ/bw

Permit No. 4088-3Water 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 DUANE
PANKRATZ of FREEMAN holder
of Permit No. 4088-3, bearing date of priority of JUNE 28, 1977
authorizing the diversion of 3.8 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,

A. Works used to divert the water:

40' DEEP WELL WITH 16" STEEL CASING - 15' JOHNSON SS SCREEN
WESTERN LAND ROLLER 8" PUMP - 4-12CH - SERIAL # 78184
POWERED BY 75 HP US ELECTRIC MOTOR - TYPE RUG @ 1760 RPM.

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

1300' OF 8" BURIED PLASTIC MAINLINE TO CENTER OF
PIVOT

C. Works used to apply water to beneficial use.

8 TOWER ELECTROGATOR CENTER PIVOT - MODEL #280
SERIAL # 379C5776 - 1284' LONG WITH NELSON #150 END GUN

The system is in the following condition: GOOD

The point of diversion is located 1150' N & 50' E OF THE SW CORNER,
SECTION 9, T112N, R50W

The works are capable of diverting and conveying to the place of use 2.0 (900 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE
SW⁴, SECTION 9, T112N, R50W

comprising a total of 136 acres of land.Date JUNE 25, 1981

Justin Jones
(Signature)

 **Department of
Water & Natural Resources**

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

4083-3
2701-3
2702-3

February 17, 1989

Duane Pankratz
Route 1
Freeman, SD 57029

Dear Mr. Pankratz:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line.

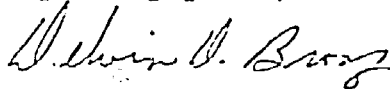


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Fowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

SEP 14 1989

Duane Pankratz
RR 3, Box 36
Freeman SD 57029

Dear Mr. Pankratz:

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

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

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

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

Very truly yours,

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

enclosures



NOT TO SCALE

112-50

10

330

68.5

2-22

11.2

111.6

3.5

43.5

9

50' in front

1150'

⊗ PER CALL FROM RED PART

X

Well Location

Handwritten signature
CUT THE SPEC.

112-50

16.1

Well Location

16

174.3

6.8

2.5

112-50

~~33033~~ Appl. No. 4088