

1. Considered 3/25 19 81
 2. Name of Applicant James Bondesen
 3. Post Office Address Rt 2 Box 18 Hurley 57036
 4. Amount of Water Claimed 2.28
 5. Source of Water Supply Well - 150 EXISTING
 6. Water to be used for Irrig.
 7. Acres to be irrigated 160 maximum acre feet
 8. Water to be diverted and used in Turner County about 1 1/2 miles SOUTH of HURLEY
 9. PROOF OF PUBLICATION Received 3-20-81
Not Received _____
- APPLICATION Approved 3/25/81
Subject to WT TD
Not Approved _____
Action deferred _____

Priority 2/26/81 Date Received 2/26/81 Application Complete yes ☒ no _____ FEE 250.00

Remarks _____

Date information and/or fee or corrected Application received
Period of Annual use April - November

WATER
QUALITY

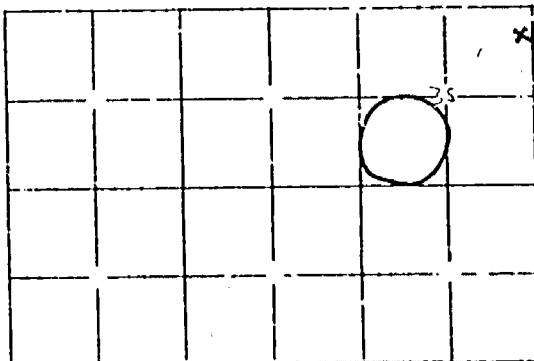
Received yes 3/5/81 no _____ APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application (yes) no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____



NE 1/4 35-98-53

Lands to be irrigated _____

NE 1/4 35-98-53

WELL
LOG

Remarks _____

Existing on # 317-3

Driller _____ Licensed yes _____ no _____

Depth 150' deep

MAP Map No. 3862-3 Map located in Water Right X Map file _____
Type of Map aerial Prepared by ASCS

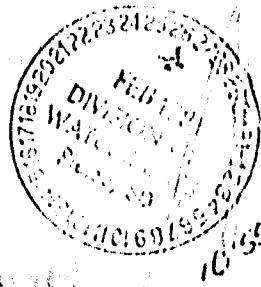
+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81
BAG & BAW-
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. Remarks _____

No. 4647-3Map No. 3862-3 Water Division No. 3 VERMILLION RIVER District
Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

Now ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant James D. Bondesen Phone No. 238-5482
 Post Office Address Rt. 2 Box 18, Hurley State S. D. 57036
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation no
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Bondesen Irrigation System #5
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply Will use well on the NE 1/4 35-98-53 which I am purchasing-See Permit No. 2317-3 dated Sept. 16, 1975 under Donald E. Jorgensen. See also Water Sample No. 75-619 attached.
6. Location of point of diversion NE 1/4 35-98-53
Approx. 55 rods 8-SW of the NE corner 35-98-53

County Turner

7. Annual period or periods during which water is to be used April - November
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 160

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.
SW 1/4 35-98-53	40
NW 1/4 35-98-53	40
NE 1/4 35-98-53	40
SE 1/4 35-98-53	40

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time 3 years to complete application of water to the proposed beneficial use.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Hurley Leader
Hurley, S. D. 57036
12. 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.

Buried Pipeline-will hook onto existing line in center of the NE 1/4 35-98-53

C. Work proposed to apply water to beneficial use.

C.P. Sprinkler

Estimated Total Cost \$ 65,000.00

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

STATE OF SOUTH DAKOTA)

County of Turner) ss.I, James D. Bondesen the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed James D. BondesenSubscribed and sworn to before me this 25 day of April, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4647-3

James A. Paulson
(Applicant)

1212, Box 16, Hurley
(Post Office Address)

SOUTH DAKOTA 57036
(State)

With the following qualifications.

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.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 26, 1981

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

Date of receipt of corrected application MARCH 5, 1981

Approved MARCH 25, 1981, Recorded in Book 22 Page 90

WATER RIGHT PERMIT NO. 4647-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4647-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 26, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 25, 1982
3. The whole of said work is to be completed on or before MARCH 25, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 25, 1986
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 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 25, 1986, said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 20TH day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By John H. Heston
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

D Well Information

Will use existing well on the NE¹/₄ 35-98-53 which I am purchasing from Donald E. Jorgensen. See Permit No. 2317-3 dated Sept. 16, 1975. Also see Report of Analysis Water Sample No. 75-619.

- (1) Casing Hole, Diameter _____, Thickness _____
 (2) Casing, Type _____, Diameter _____, Thickness _____
 (wood, concrete, steel, etc)
 (3) Screen, Type _____, Diameter _____, Length _____
 (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F Fill out for Either a Well or a Dugout

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

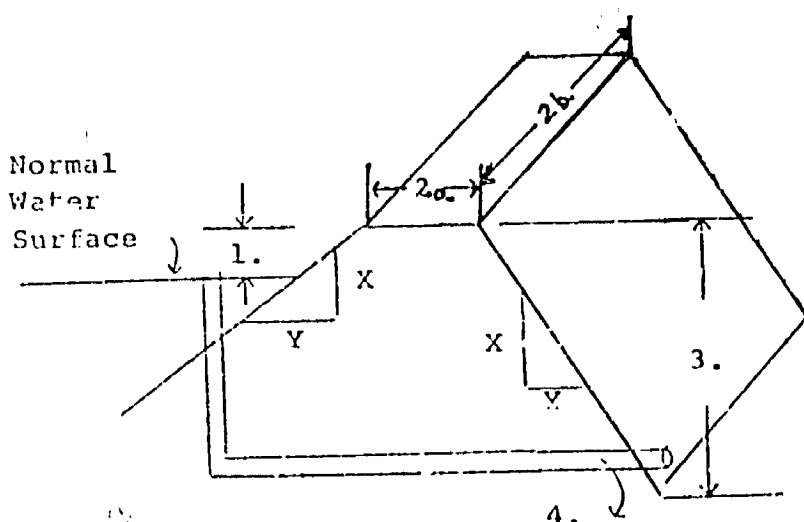
- (2) Distance to nearest existing household or livestock watering well

On same owner's property _____ rds.

On property owned by others _____ 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____

2a Crest width _____ b. length _____

3. Height of Dam _____

4. Outlet dimensions:

Pipe diameter _____

Spillway width _____

X & Y slope.

Upstream _____

Downstream _____

Surface area of impoundment _____

Drainage area above dam _____

James D. B. Baker
 Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

OWNERS NAME: James D Bondesen OWNERS ADDRESS: Box 12 RR 2
Hurley SD 57036
COUNTY LAND LOCATED IN: Turner PHONE: 238-5402
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 35-98-53 400' S of NE corner of
35-98-53
2. SURFACE WATER SOURCE: Well
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST - Sent in, ACCOMPANY THE APPLICATION. (See Instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>S 1/4 35-98-53</u>	<u>16.0</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn - Beans
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 75
LEGAL DESCRIPTION: NE 1/4 35-98-53 - purchased by James D Bondesen.
IN WHAT NAME: Donald E Storgensen
land to be irrigated will be S 1/4 35-98-53

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 75-619
8. SALINITY (EC X 10⁶): 1359
9. SODIUM (SAR): 0.85
10. ADJUSTED (SAR): 2.38 (1.67)

RECEIVED

MAR 02 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: N/A by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4). See Analysis report dated 7-15-1975

SUBSCRIBED AND SWORN BEFORE ME THIS

17 DAY OF _____, 19____.

(NOTARY PUBLIC)

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water

APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

4647/3

NAME OF APPLICANT

James Bondeesen

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED



RECOMMENDED MANAGEMENT:

To-Tatonka fill loam. This soil is poorly drained and should be returned
to permanent vegetation if problems with traction or ponding occur.

This soil is indicated by red hatch marks.

no of irrigation system recommended for use on this application is center
pivot.

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

Submitted by: Donald E. Jorgensen
 Address: Hurley, SD 57036

Date Rec'd: July 15, 1975
 Sample No. 75-619
 Identification Well-
NW, Sec. 35, T. 98N, R. 53W

WATER ANALYSIS

Calcium (Ca)	245	ppm*	12.25	me/l**
Magnesium (Mg)	36	ppm	2.95	me/l
Sodium (Na)	54	ppm	2.95	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO ₄)	450	ppm	9.36	me/l
Nitrate (as N)	10	ppm	0.29	me/l
Chloride (Cl)	361	ppm	5.92	me/l
Bicarbonate (HCO ₃)		ppm		me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	296	ppm (as CaCO ₃)		g.p.g.*10
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1359	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.85			
Sodium	13.25	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.16			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

*g.p.g.=grains per gallon

COMMENTS: Total cations 17.73 me/l
 Total anions 15.57 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-619

Amount Enclosed \$

Signed

No. 4647-3

STAT

Coun



**NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
No. 4647-3**

March 12, 1981
Pierre, S. D.
Notice is hereby given that
James D. Bondesen whose post
office address is Hurley, South
Dakota has made an ap-
plication in accordance

with the provisions of
SDCL 46-1-1 thru 46-1-9, 46-1-
14; 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-
3.1, 46-6-5, 46-6-8.1, 46-6-10,
46-6-14 and Board Rules AR-
SD 1111 52:01:01:01 thru
52:01:01:13, for a permit to ap-
propriate for beneficial use 2.28
cubic feet of water per second
of time from ground water (one
well-existing) through the
Bondesen Irrigation Project
#5, the point of diversion of
which is to be located in the
NE 1/4 NE 1/4 of Section 35,
Township 98N, Range 53W.
Said water to be used for the
purpose of providing irrigation
on portions of the following
described land: SW 1/4, Section
35, T98N, R53W.

This Application No. 4647-3
will be considered by the Water
Management Board at the
Holiday Inn, Sandy Shore
Room, Watertown, South
Dakota upon the 25th day of
March 1981 at 1:00 p.m.

The Board 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 Board
decision who desires to present
evidence or cross-examine wit-
nesses according to SDCL 1-26
may notify the Board in
writing to the hearing or orally
at the hearing.

This hearing is an adversary
proceeding. Any person 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 at the hearing.
Decisions of the Board may be
appealed to the Courts as
provided by law.

Any handicapped person
wishing to attend this hearing
can contact the Water Rights
Division, DWNIR, Joe Foss
Building, Pierre, S. D., prior
to the hearing date for
assistance to assure access to
the hearing.

—Water Management Board,
Betty Westlund
Water Rights Specialist
Pub. March 12, 19, 1981

I, James D. Bondesen hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley Leases

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 of Hurley

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

Thursday, March 12, 1981

Thursday, March 19, 1981

James D. Bondesen
(Signature)

Publisher, Turner
(Title)

3-19-81
(Date Signed)



Joyce G. West

My Commission Expires 2-1-83

Publish first publication, on or before March 12, 1981NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 6, 1981

Notice is hereby given that James D. Bondesen whose post office address is Hurley, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from groundwater (one well-existing) through the Bondesen Irrig. Proj. #5, the point (a) of diversion of which is (a) to be located in the NE 1/4 NE 1/4

of Section 35, Twp. 98N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 35, T98N, R53W

This Application No. 4647-3 will be considered by the Water Management Board at Holiday Inn, Sandy Shore Room, Watertown SD upon the 25th day of March, 1981 at 1:00 P.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: James D Bondesen
Rt 2, Box 18
Hurley SD 57036

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

No 4 8017

State of South Dakota

February 26

81

PIERRE,

19

RECEIVED OF James D Bondesen, Route 1, Box 18, Hurley SD 57036

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

Fee for Application for Permit to Appropriate Water No. 4647-3 (examination, processing, recording and filing) -----	250	00
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 filling -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (Sgt)

Five Sacks
to Wayne E. is
going to coal



Feb. 25, 1981
Hurley, S.D.

Dear Sir:

In regard to my application for my water permit. I have purchased the NE $\frac{1}{4}$ quarter of section 35-98-53 from Donald E. Jorgensen, on which there is a well permit, number 2317-3. I would like to use the same well and water on my quarter, SW $\frac{1}{4}$ of same section.

We are sending a copy of the water sample letter from the well and a map of the soil condition of SW $\frac{1}{4}$.

I did not send a copy to Brookings, as I understand it would not be necessary. If you need verification from Brookings, would it be possible for you to call them?

If there is anything I can do to expedite the permit please let me know.

Thank you,
James D. Bondeson

Pk. 238-5482

27 FEB 81

LEO CHRISTENSON
HURLEY

CALLED ABOUT BONDESON
APPLICATION TO USE WELL
UNDER PERMIT NO. 2317-3
TO IRRIGATE ANOTHER
QUARTER OF LAND. - HIS
WELL IS ACROSS THE ROAD
FROM WELL UNDER 2317-3
(JURGENSEN)

I WROTE A LETTER. J.A.G

SOUTH DAKOTA Department of
Water & Natural Resources
Jon Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

March 3, 1981

Leo Christensen
Hurley, SD 57036

Dear Mr. Christensen:

I have prepared a sketch map of the permits adjacent to your permits. As far as we know, Permit No. 593-3 for the Game, Fish & Parks can be cancelled because of non-use. Permit No. 2031-3 has been licensed for the acreage and amount of water listed. Although I believe there is a new owner. Permit No. 2317-3 has not been licensed yet and the well was authorized to be drilled in the NE1/4 NE1/4 of Section 35, T98N, R53W. This meant anywhere in that 40 acre tract. The actual location is about 200 feet from your irrigation well. I estimated this distance using the aerial photos.

James Bondesen proposes to divert water from the well under Permit No. 2317-3, to irrigate the SW1/4 of Section 35, T98N, R53W through a buried pipeline. This application was filed February 26, 1981 in our office, the day before your phone call to me.

I realize the reason for your concern. The amount of water withdrawn yearly from these two wells would nearly double if this application is approved. I was unable to find a driller's log of the Jorgensen well, but I assume this well is similar to the others in the area. When Permit No. 2317-3 was approved, there was a restriction placed upon the well which stated that the irrigation well owner 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. Following this reasoning, 189-3 has priority over 2317-3, 2317-3 has priority over 2852-3, and 2852-3 has priority over the new Bondesen application. If a problem occurred our office would have to determine a course of action based upon a field investigation and the permit restrictions.

There is one way to determine the effect of the two wells upon one another. We could run an aquifer test to measure drawdowns and calculate the aquifer characteristics. This procedure would enable predictions of the effects of long term pumping to be made. From a practical sense, if these wells have not seriously interfered with one another yet, then they probably would not even with increased pumping. I will make sure this is discussed with the Board before any action is taken on the new Bondesen application.

Sincerely,

JAMES A. CORDMAN
Hydrologist

JAG/ny

1

1

Permit No. 4647-3Water Division 3 VERMILLION 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 JAMES D. BOJDESON of HURLEY holder of Permit No. 4647-3, bearing date of priority of 1.2 CFS FROM JULY 21, 1975 *
1.2 CFS FROM FEBRUARY 26, 1981 authorizing the diversion of 2.28 cu. ft. per second of the waters of GRAND DICAUTE for IRRIGATION purposes, in TURNER County.

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

The Water Use System consists of,

A. Works used to divert the water:

150' DEEP WELL WITH 20' CONCRETE CASING - 24' SLOTTED SCREEN
NATIONAL PUMP CO 8" PUMP - MODEL P-200 (SER# 676-830)
POWERED BY 75 HP US ELECTRIC MOTOR @ 1760 RPM

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

1320' OF 8" BURIED PVC PIPE TO NE PLOT
3700' OF 8" BURIED PVC PIPE TO SW PLOT

C. Works used to apply water to beneficial use.

NE⁴ - 7 TOWER ZIMMATIC CENTER PIVOT WITH NELSON #200 ENT
SW⁴ - 8 TOWER ZIMMATIC CORNER SYSTEM - MODEL 301-410 (SER# 117-1)

The system is in the following condition, GOOD

The point of diversion is located 900'S & 100'W OF THE NE CORNER,
SECTION 35, T48N, R53W

The works are capable of diverting and conveying to the place of use 2.00 (900 GPM)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, T48N, R53W

NW ⁴ SW ⁴	27 AC	NW ⁴ NE ⁴	20 AC
NE ⁴ SW ⁴	37 AC	NE ⁴ NE ⁴	33 AC
SW ⁴ SW ⁴	37 AC	SW ⁴ NE ⁴	33 AC
SE ⁴ SW ⁴	37 AC	SE ⁴ NE ⁴	33 AC

comprising a total of 257 acres of land.

* THE APPLICABLE PORTIONS OF PERMIT NO. 2317-3 HAVE
BEEN INCORPORATED INTO THIS WATER LICENSE.

Date NOVEMBER 4, 1981

(Signature)

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

No. 4647-3

December 9, 1981

James D. Bondeson
Rt. 2, Box 18
Hurley, SD 57036

Dear Mr. Bondeson:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 4647-3 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.

You will also receive the Certificate of Construction as required by statute.
Sincerely,

BARB TEMPLETON
Staff Assistant

/bt

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

Also enclosed is a "Notice of Transfer" form. Please check over, date, sign, have notarized and return the form with a \$2.50 filing fee so that the Permit No. 2317-3 can be changed to your name. Total amount due for transfer and Water License is \$52.50.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

**SOUTH Dakota Department of
Water & Natural Resources**
Joe Foss Building
Pierre, South Dakota 57501
Water Rights Division
605 773-3352

May 10, 1982

James D Bondesen
Rt 2, Box 18
Hurley SD 57036

SECOND NOTICE
2317-3 & 4647-3

Dear Mr. Bondesen:

On December 9, 1981 notice was sent to you concerning the transfer of Water Permit No. 2317-3 in the name of Donald Jorgensen which covers irrigation of 160 acres in the NE 1/4 Sec. 55, T98N, R53W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name.

Also, on the above date you were notified concerning the final inspection fee of \$50.00 which is due before Water License No. 4647-3 and Certificate of Completion of Works can be issued. As of this date, the fee has not been received.

State Statutes requires a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your water right.

Please remit the above state tranfer form and fees (total of \$52.50) at your earliest convenience. If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GY:ks

enclosure

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 26, 1983

THIRD NOTICE
2317-3 & 4647-3

James D Bondesen
Rt 2, Box 18
Hurley SD 57036

Dear Mr. Bondesen:

On December 9, 1981 and May 10, 1982 notice was sent to you concerning the transfer of Water Permit No. 2317-3 in the name of Donald Jorgenson, which covers irrigation of 160 acres in the NE $\frac{1}{4}$, Section 35, T98N, R53W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The Permit can then be transferred to your name. If you are not the owner of the land covered under this Permit, please advise. The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

You were also notified on the above dates of the required final inspection fee of \$50.00 due before Water License No. 4647-3 can be issued. As of this date, the fee has not been received.

The fee is the final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee your Water License will be sent to you along with the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions. Also submit the notice of transfer and the \$2.50 filing fee. The total amount due is \$52.50.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:G:ks
enclosure

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4647-3
James D Bondesen
RR 2 Box 18
Hurley SD 57036

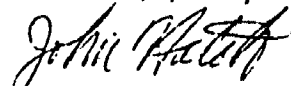
Dear Sir:

Water Permit No. 4647-3 was approved with the qualification that the Irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

WATER LICENSE NO. 4647-3.

(1) WHEREAS, On the 26th day of February A. D. 19 81
James D. Bondeson

made Water Right Application No. 4647-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater
County of Turner, State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 25th day of March A. D. 19 81
Permit No. 4647-3, with a date of priority of February 26, 1981

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 25th day of March A. D. 1983 and for the application to beneficial use of said water on or before the 25th day of March A. D. 19 86

WHEREAS, on the 4th day of November, 1981 the applicable portions of Permit No. 2317-3 have been incorporated into this Water License No. 4647-3 with a date of priority of 1.20 cfs from July 21, 1975 and .80 cfs from February 26, 1981,

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 2.00 (900 gpm) 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 land all in Section 35, T98N, R53W

NW1/4SW1/4	27 Acres	(CB)
NE1/4SW1/4	37 Acres	(CA)
SW1/4SW1/4	37 Acres	(CC)
SE1/4SW1/4	37 Acres	(CD)
NW1/4NE1/4	20 Acres	(AB)
NE1/4NE1/4	33 Acres	(AA)
SW1/4NE1/4	33 Acres	(AC)
SE1/4NE1/4	33 Acres	(AD)
TOTAL ACRES 257		

(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 James D. Bondeson

of Route #2, Box 18, Hurley, South Dakota 57036

the holder and owner of said permit No. 4647-3 a water right, dating from July 21, 1975 and

February 26, 1981 to use of 2.00 cubic feet per second of the waters

of groundwater

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

purposes hereinafter mentioned, to be diverted at a point 900'S and 100'W of the NE Corner, Section 35,

T98N, R53W

and conducted to and upon portions of Section 35, T98N, R53W more fully described on

the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4647-3 and subject to the laws of the State of South Dakota.

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

this 18th day of April A. D.

Nineteen Hundred and Eighty-Three

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

April 30, 1983

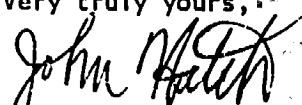
James Bondesen
RR#2, Box 18
Hurley, South Dakota 57036

Dear Mr. Bondesen:

Enclosed herewith is, Water License No. 4647-3. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Applicable portions of Permit No. 2317-3 have been incorporated into this Water License No. 4647-3.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9227

PIERRE, April 11, 1983

RECEIVED OF James Bondeson, RR#2, Box 18, Harley, SD 57036

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. 4647-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 4647-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
 Chief Engineer, Executive Officer
 JOHN HATCH (ms)

4647-3



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 7, 1984

N O T I C E

Dear Sir:

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

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

be notified of this requirement.

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

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

Owners of water permits not in compliance with the Irrigation Questionnaire qualification are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action including possible suspension of the permit on April 25, 1984 at 10:30 am in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD for all permits without questionnaires returned by April 2.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

Equal Opportunity Employer

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

March 23, 1984

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

Dear Mr. Bondeson:

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

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

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:GM:ms

Equal Opportunity Employer

NOT TO SCALE

78-53

20
30

32.0

14.7

8.2

29.3

29.2

29.3

11.8

38

11.8

96.0

25.7

15.7

9.2

35

130.1

71.4

65.5

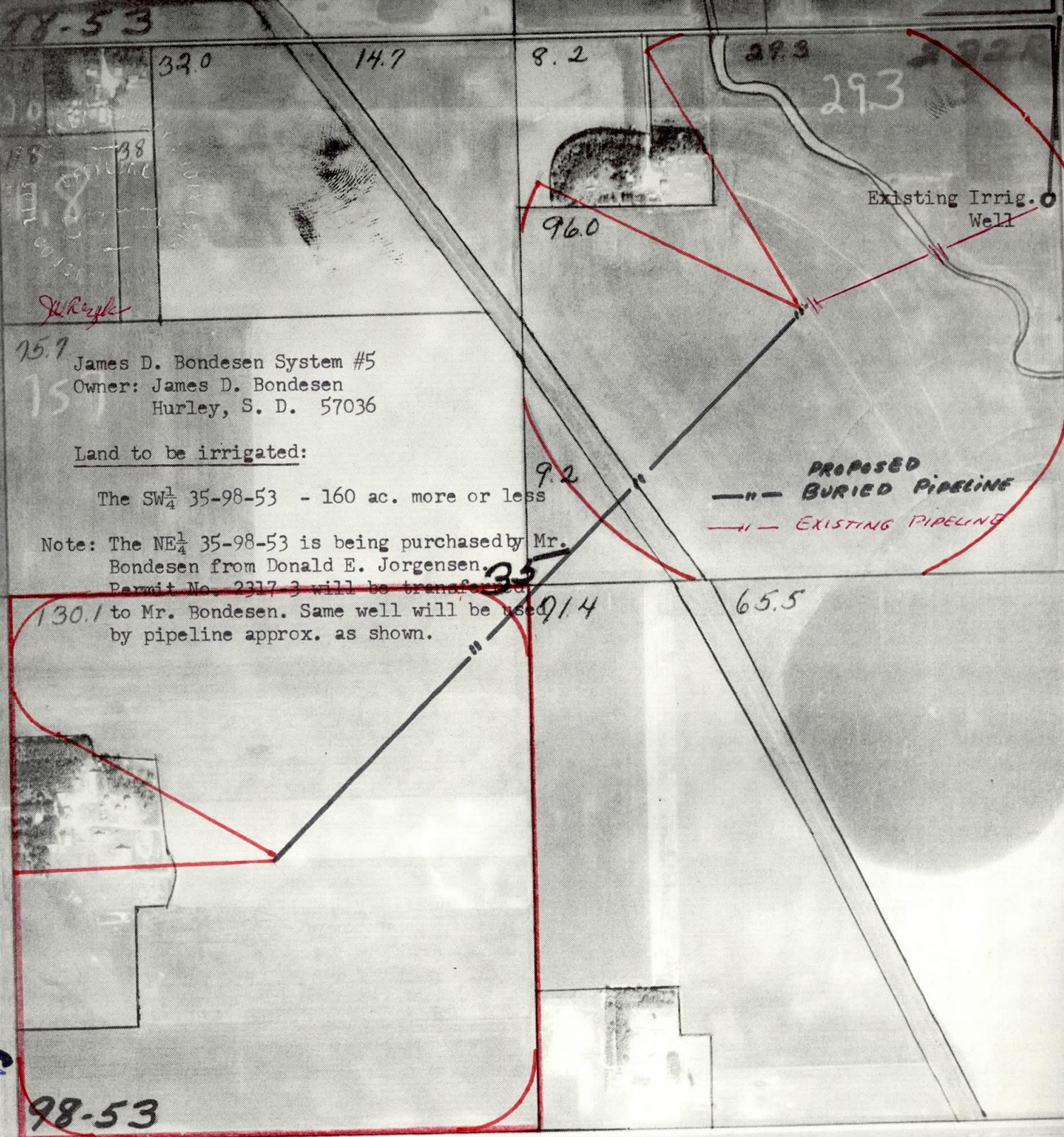
98-53

10
9



WR # 4647-3 ~~Map # 5605~~

NOT TO SCALE



James D. Bondesen System #5
Owner: James D. Bondesen
Hurley, S. D. 57036

Land to be irrigated:

The SW $\frac{1}{4}$ 35-98-53 - 160 ac. more or less

Note: The NE $\frac{1}{4}$ 35-98-53 is being purchased by Mr. Bondesen from Donald E. Jorgensen. Permit No. 2317-3 will be transferred to Mr. Bondesen. Same well will be used by pipeline approx. as shown.

MAP NO 3862-3 (APP. NO 4647-3)

NOT TO SCALE

98-53

20 32.0

30 30

118 38

11.8

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

15.7

8.2

29.3

29.3

96.0

8" PVC
1320'

RR HAS BEEN
ABANDONED, AND
RT-OF-WAY LEVELLED.

2317-3
(INC INTO 4647-3)
BONDESON

130.1

8" PVC
3700'

4647-3
J. BONDESON

THIS SMALL PIVOT
HAS BEEN MOVED
TO SW¹ NW⁴, SEC 36

8" PVC

2852-3
CHRISTENSEN

98-53

RR HAS BEEN ABANDONED
AND RT-OF-WAY LEVELLED

4647-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

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

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

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

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

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

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

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

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

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



4647-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2022

James D Bondesen
28468 US Hwy 19
Hurley SD 57036 6003

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

Dear Mr. Bondesen:

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

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

If you have any questions, please contact me.

Sincerely,

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