

WATER PERMIT NO. 6383-3

Name of Applicant: **James Bondesen**

Address: **28468 SD Hwy 19, Hurley SD 57036**

Phone: **605 238-5482**

Amount of Water Claimed: **2.0 cfs**

Total Acres: **90**

Source of Water Supply: **groundwater**

Water to be used for: **irrigation**

County: **Turner**

Type of Waste Disposal System:

Location: **2 miles north of Hurley**

PRIORITY Date Received: **1-13-03**

Application/License Fee: **\$275**

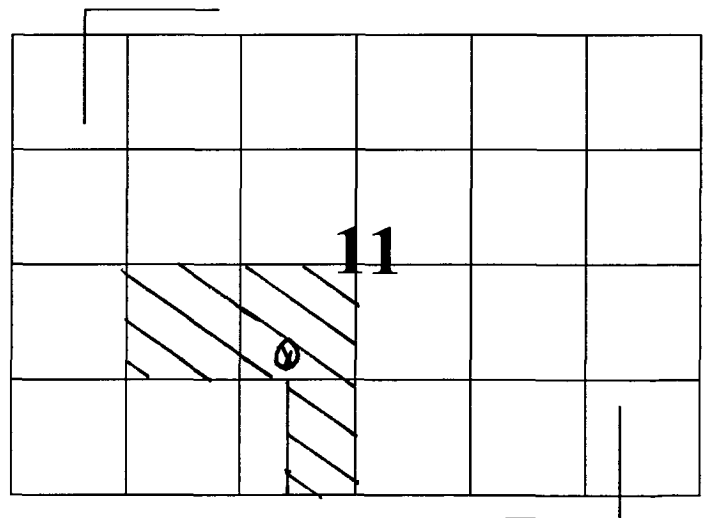
Corrected Application Received: **1-27-03**
21

Period of Annual Use: **April 1 – September 30**

Remarks:

Diversion Point: **NE ¼ SW ¼ Sec 11-T98N-R53W**

Land to be Irrigated: **N ½ SW ¼, SE ¼ SW ¼ Sec**
11-T98N-R53W



Depth of Well: **50 feet**

Well Driller: :

Remarks:

Type of Map: **aerial**

Prepared by: **Linda Kasten, FSA**

Reviewed and the Number Assigned on: **1-22-03**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6383-3**

Date of first receipt of application January 13, 2003.

Date of return to applicant for corrections, amendments or changes January 13, 2003.

Date of receipt of corrected application January 21, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6383-3 to James Bondesen, 28468 SD Hwy 19, Hurley SD 57036 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6383-3 appropriates 2.0 cubic feet of water per second from one well (Parker Centerville Aquifer) approximately 50 feet deep located in the NE ¼ SW ¼ Section 11 to irrigate 90 acres located in the N ½ SW ¼, SE ¼ SW ¼ Section 11; all in T98N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is January 13, 2003.
4. The date of approval of Permit No. 6383-3 is March 24, 2003.
5. One-fifth of the construction is to be completed on or before September 24, 2005.
6. All construction is to be completed on or before March 24, 2008.
7. Water is to be put to beneficial use on or before March 24, 2012.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6383-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6383-3 authorizes a maximum diversion rate of 2.00 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 13 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6383-3</u> (office use only)
	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>The New Era, Parker</u>

RECEIVED
JAN 13 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant James Bondesen Phone 238-5482
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 28468 SD Hwy 19 Hurley State SD Zip Code 57036
(Street, RR, or Box and City)
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 90
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1- well - NE1/4 SW1/4 Sec 11 - T98N - R53W
N1/2 SW1/4 E1/2 SE1/4 SW1/4 County Turner
5. County or counties where water will be used Turner
6. Annual period during which water is to be used April - Sept. 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>N1/2 SW1/4</u>			
<u>E1/2 SE1/4 SW1/4</u>	<u>90</u>		
<u>Sec 11 - T98N - R53W</u>			

8. Give a description of the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA) SS
County of Turner

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, James Bondesen, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature James Bondesen

Subscribed and sworn to before me this 10th day of January 20 03

Karen M Greier
Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 2 1/2" Depth 50' - 75'
- b) Casing Type plastic Diameter 1 1/2" Thickness 1/2"
- c) Screen Type plastic Diameter 1 1/2" Thickness 1/2"
- d) Gravel Pack pea rock Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 5'
- f) Depth to Water (ground surface to water level) 5'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others 3/4 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

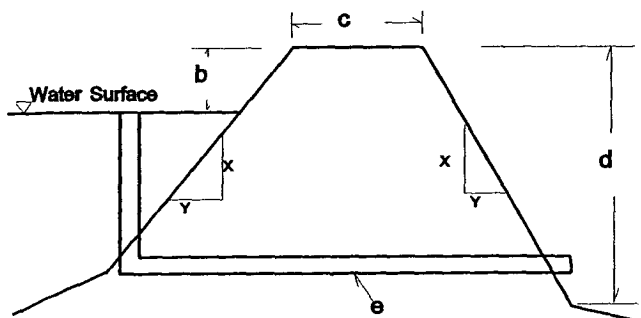
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 2003

RECEIVED

JAN 21 2003

**WATER RIGHTS
PROGRAM**

James Bondesen
28468 SD Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation.

Enclosed is the map submitted with the application. On the map, please mark the proposed well location with an "X".

Item No. 2 of the application indicates the amount of water claimed to be 1000 gallons per minute (gpm). State Statutes limit diversions to 1 cubic foot of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 575 gpm minute for the 90 acres to be irrigated. We understand that your method of irrigation may require a greater diversion rate. Please justify in writing your request for a diversion rate greater than the statutory limit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

January 16,2003

RECEIVED
JAN 21 2003
WATER RIGHTS
PROGRAM

Karen Schlaak
Water rights Program
Joe Foss Building
Pierre, SD. 57501-3182

Dear Karen:

I am writing to you in regards to your letter of January 13.2003, item # 2.

The State Statutes limit diversions allows me 575 gallons per minute. If possible I would like a 900 gallon permit, the reason being the soil is very sandy and I will be using two pivets. Also, I would prefer to irrigate at night in order to conserve water. With the power companies peak load, it works quite well to operate at night and in the forenoon.

Thank You,


James D. Bondesen

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 13, 2003

RECEIVED OF Water Right No. 28460 SD Hwy 15, Rutledge SD 57036-6003

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

Fee for Application for Permit No. <u>6-585-3</u> to Appropriate Water, to construct and to put water to beneficial use	275.00
Fee for Application for Permit No. _____ to Appropriate Water for Future use	
Fee to retain Future Use Permit No. _____ after period of seven years.	
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6-585-3</u>	50.00
Fee for Filing Transfer Form _____	
Fee for _____	
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____	
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____	
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____	
(Any Other Work Provided by Law)	
TOTAL	275.00

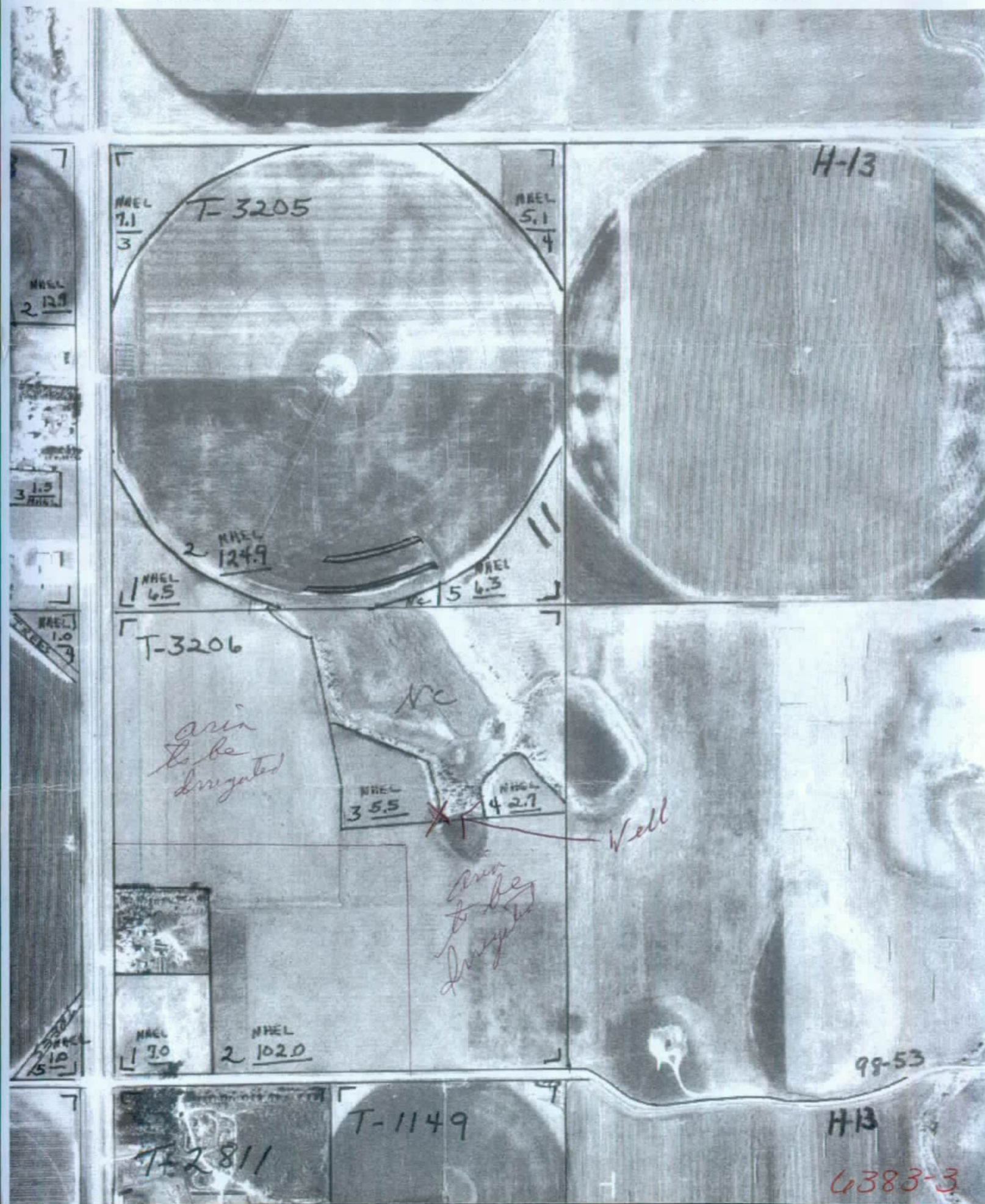
No.

By

David E. White
Chief Engineer

*Lindley K. Harty
Turner Co 75A*

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



REPORT ON WATER PERMIT APPLICATION NO. 6383-3

For James Bondeson

February 6, 2003

Application No. 6383-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 50 feet deep located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 11 to irrigate 90 acres located in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 11; all in T98N R53W in Turner County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – PARKER CENTERVILLE (PAC)

The Parker Centerville is a surficial outwash (sand and gravel) which is under predominantly water table conditions in Turner County. The aquifer underlies 74 square miles and contains an estimated 322,000 acre-feet of water in storage in Turner County (Lindgren, 1990). Ground water movement is from northwest to southeast across Turner County and locally toward the Vermillion River. The aquifer is hydraulically connected to the Vermillion River and some area creeks and drainages. Also the aquifer is hydraulically connected to both the East and West Fork Vermillion aquifers and to the underlying Upper Vermillion Missouri aquifer in the area to the north of this application. Recharge to the aquifer has been estimated to average 4.9 inches per year (19,340 acre-feet per year). Reported irrigation pumping from the aquifer has never exceeded 14,000 acre-feet per year.

No test holes or well logs were submitted with this application. However, the area around this application is extensively irrigated. Also, there are two Water Rights Observation Wells, TU-77D, located about one-half mile west of this application and TU-77C, located about one-half mile east of this application. There is sufficient information to evaluate the water source for this application based upon existing well data and information from the Turner county study. The only potential problem is the fact that the deeper Upper Vermillion Missouri aquifer is also present at this site. If test hole drilling does not confirm sufficient water in the Parker Centerville aquifer then the deeper aquifer would suffice. This would require another permit application.

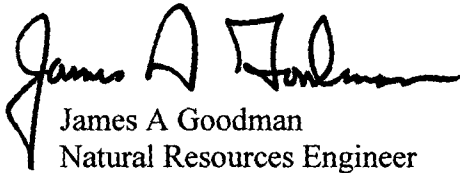
Water level data for this area indicates fluctuation due to climatic conditions like recharge and that area pumping does not significantly affect the aquifer. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are water permits/rights completely surrounding this application. The nearest irrigation well is about one-half mile away. Interference is not a concern. These wells have been in use for many years with no apparent problems. Also not all of the wells obtain water from the Parker Centerville aquifer some of them obtain water from the underlying Upper Vermillion Missouri aquifer.

CONCLUSIONS

1. Water is available from the Parker Centerville aquifer.
2. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
3. Interference is not a concern. The distance between wells is sufficient to minimize any potential impacts. The aquifer is under water table conditions.
4. The applicant proposes to exceed the statutory limit of 1 cfs per 70 acres. This is acceptable for this situation.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 2003, Unpublished Observation Well Data for Turner County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6383-3, James Bondesen**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6383-3, James Bondesen, 24268 SD Hwy 19, Hurley SD 57036.

The Chief Engineer is recommending APPROVAL of Application No. 6383-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6383-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6383-3 authorizes a maximum diversion rate of 2.00 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 24, 2003

Affidavit of Publication

STATE OF SOUTH DAKOTA

} :ss

COUNTY OF TURNER

I, **Sarah Ebeling** of the City of Parker, County of Turner, State of South Dakota, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon-Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the

undersigned, the affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

±2990

printed copy of hereto attached, was printed and published in the said

newspaper for two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 6 day of March, 2003;

On Thursday, the 13 day of March, 2003;

On Thursday, the _____ day of _____, 200____;

On Thursday, the _____ day of _____, 200____;

On Thursday, the _____ day of _____, 200____;

That \$ 39.91 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this

day of

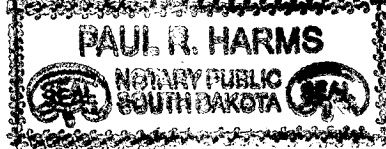
April

2003.

My Commission Expires:

02/02
2006

Notary Public, Turner County, South Dakota



Notice of Application No. 6383-3 to Appropriate Water

Notice is given that James Bondesen, 28468 SD Hwy 19, Hurley has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Parker Centerville Aquifer) approximately 50 feet deep located in the NE 1/4 SW 1/4 Section 11 to irrigate 90 acres located in the N1/2 SW 1/4, SE 1/4 SW 1/4 Section 11; all in T98N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6383-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineers recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineers recommendation. The Chief Engineers address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 24, 2003.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(#2990, 3/06/03, 3/13/03, The New Era)

Publication Fees .. \$ _____

Notary Fees \$ _____

Total ... \$ 39.91

Received Payment,

RECEIVED

APR 14 2003

WATER RIGHTS PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

February 24, 2003

James Bondesen
28468 SD Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

Water Permit Application No. 6383-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the New Era printed at Parker, SD (Ph # 605-297-4419). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2003

The New Era
PO Box 579
Parker SD 57053-0579

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6383-3 to Appropriate Water to be published twice. Please publish the first notice on March 6, 2003 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is James Bondesen, 28468 SD Hwy 19, Hurley SD 57036 (Ph # 605-238-5482).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6383-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of February 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6383-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on March 6, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6383-3 to Appropriate Water

Notice is given that James Bondesen, 28468 SD Hwy 19, Hurley SD 57036 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Parker Centerville Aquifer) approximately 50 feet deep located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 to irrigate 90 acres located in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11; all in T98N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6383-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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JUN 13 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

James Bondesen
28468 SD Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

Enclosed is Water Permit No. 6383-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

No. 6383-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 6383-3, James Bondesen

ADDRESS: 28468 SD Hwy 19, Hurley SD COUNTY: Turner

DATE: August 25, 2004 TELEPHONE: (605) 238-5482 & cell 310-3331

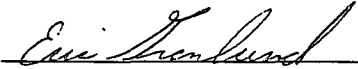
RE: Status of Construction of Water Permit No. 6383-3

COMMENTS:

I met with Mr. Bondesen at his farm place to conduct licensing investigations of Water Permit Nos. 6054-3 and 6383-3.

Water Permit No. 6383-3 was issued appropriating 2.0 cfs to irrigate 90 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11, T98N, R53W Mr. Bondesen informed me that only a portion of the irrigation authorized by Water Permit No. 6383-3 has not been developed. He has put up a small pivot in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11. The other acreage has not been developed. Since the time to complete construction of works is March 28, 2008 it is premature to license the water permit at this time.

Mr. Bondesen stated that the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 is a slough area which is not able to be irrigated. He is trying to purchase the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of this section and if he's successful, he'll amend the permit to change acres.

NAME: 



6383-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2005

238-5482

Jim Bondeson
28468 SD Hwy 19
Hurley SD 57036

Dear Mr. Bondeson:

I am writing in regard to a well driller's report filed by Hammond-Wetmore Drilling. The report shows a new well was completed for irrigation on June 6, 2004. A review of our files indicates that you hold Water Right No. 3966-3 for 850 gallons per minute (gpm) from one well, approximately 136 feet deep located in the NW ¼ Section 23-T98N-R53W for irrigation use.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

If the well is a replacement well or an additional well which does not increase the total appropriation of 850 gpm, please let me know. A new permit application will be required for the additional diversion rate above 850 gpm.

If you have any questions or need application forms, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

Water Rights Program - File Documentation

NAME: Jim Bondesen

ADDRESS: Hurley

DATE: 3-1-05 **COUNTY:** TU **TELEPHONE:** 238-5482

RE: Well Completion Report

COMMENTS:

Jim Bondesen called concerning my letter dated 2-23-05. Mr. Bondesen stated the well is actually located in the SW ¼ Sec 11-T98N-R53W and is covered under Water Permit No. 6383-3. I told him we would make that change on the well completion report and file a copy with the permit.



Karen Schlaak
Environmental Scientist

Water Rights Program - File Documentation

NAME: James Bondesen

ADDRESS: Hurley SD

DATE: 2-18-09 **COUNTY:** TU **TELEPHONE:** cell 605 310 3331

RE: Water Permit No. 6383-3 and pending application

COMMENTS:

Eric called James Bondesen with some questions regarding his existing permit and the pending application.

Mr. Bondesen indicated that he only developed a 45 acre pivot located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11-T98N-R53W as authorized on Water Permit No. 6383-3. The construction completion date was March 24, 2008. Eric indicated at the time of licensing the permit would be reduced to the acreage developed.

That being the case, Eric told Mr. Bondesen that the application just submitted to irrigate portions of the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 11 from a new well would be considered new application with a new priority date.

Mr. Bondesen indicated he would be using a gun or other method rather than pivot to irrigate the 60 acres. He thought he would probably need about 450 gallons per minute to operate the system but since he was unsure he was requesting 600 gallons per minute.



Karen Schlaak
Environmental Scientist

Permit No. 6383-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **July 15, 2008**, made a thorough examination of the water use system constructed by **James Bondesen** of **28468 SD Hwy 19, Hurley, SD 57036** holder of Permit No. **6383-3**, bearing the priority of **January 13, 2003** authorizing the diversion of **2.0** cu. ft. per second of the waters of **Parker Centerville Aquifer** for **Irrigation** purposes, in **Turner** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Hammond-Wetmore Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **104** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **16** inches
- 2) Length **51** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **30** feet
- 3) Static water level **16** feet

Pump:

- 1) Make **Western Land Roller**
- 2) Capacity **600** GPM

Motor:

- 1) Make **US Motor**
- 2) Horsepower rating **50** hp

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Reinke
- 2) Number of towers 5
- 3) End gun Y
- 4) High or low pressure Low

Chemigation Equipment:

- 1) Does chemigate N

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 2080 feet north and 795 feet east of the SW corner of Section 11-T98N-R53W
(N 43.32068, W -97.07914) (NW ¼ SW ¼)

The works are capable of diverting and conveying to the place of use 1.33 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:

Section 11-T98N-R53W

NW ¼ SW ¼ - 34 acres

NE ¼ SW ¼ - 3.5 acres

SW ¼ NW ¼ - 2.5 acres

comprising a total of 40 acres of land and the license should be issued for 1.33 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

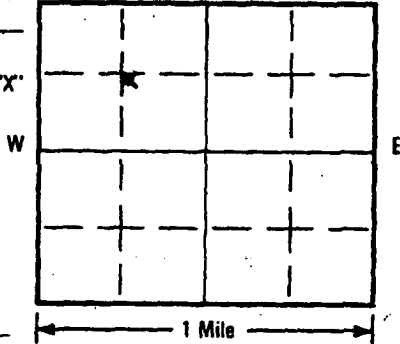
Date report completed: **April 16, 2010**

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6383-3 07-92

Location SE 1/4 NW 1/4 Sec 28 Twp 98N Rg 53W
 County Turner SW 1/4 11ks North

Please mark well location with an "X"



Well Completion Date

June 6, 2004

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from Abandoned well (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR 21 LB/FT</u>	<u>16 IN</u>	<u>20 FT</u>	<u>51 FT</u>	<u>22 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Best GRT</u>	<u>31</u>	<u>210 lb./gal</u>	<u>21 ft</u>	<u>47 ft</u>
<u>Leamont GRT</u>	<u>21</u>	<u>214 lb./gal</u>	<u>0 ft</u>	<u>21 ft</u>

Describe grouting procedure TremieSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 30 FEETMaterial PVCSlot Size 160 Set From 51 Feet to 81 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: HTH Tablets

Laboratory sent to for water quality analysis _____

☐ NO, Why Not? _____Well Owner: Jim Bondeson

Business Name: _____

Address: 28463 Highway 17
Harley, SD

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>GRAVEL, FINE, SANDY</u>	<u>0</u>	<u>19</u>
<u>CLAY, GRAY, SANDY</u>	<u>19</u>	<u>47</u>
<u>SAND, MED-FINE</u>	<u>47</u>	<u>50</u>
<u>GRAVEL, MED-COARSE, SANDY</u>	<u>50</u>	<u>104</u>

STATIC WATER LEVEL 16 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air lift☐ Bailed☒ Other _____

Pumping Level Below Land Surface

17 ft. After 4 Hrs. pumped 500 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 1666

And this report is true and accurate.

Drilling firm HAMMOND Not more Drilling

Signature of License Representative:

R. L. Hammond

Signature of Well Owner or Equitable Property Holder:

Jim Bondeson

Date: _____

James Bondesen

Water Permit No. 6383-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 16, 2010

0 412.5 825 1,650 2,475 3,300 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today

Licensing of Acreage Outside of Permitted Area

NAME: James Bondesen

ADDRESS: 28468 SD Hwy 19, Hurley, SD 57036

DATE: April 16, 2010 **COUNTY:** Turner **TELEPHONE:** 238-5482

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 40 acres as compared to 90 acres authorized by the permit. Licensing of the permit will not result in either an increase in the amount of water appropriated or permitted acreage.

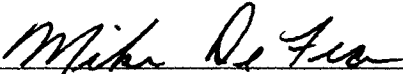
UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

Water Permit No. 6383-3 authorizes the irrigation of 90 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11-T98N-R53W. The inspection of the permit showed that 2.5 acres in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ in Section 11 were being irrigated. The acreage is contiguous to the permitted acreage, owned by the same property owner, and developed as part of the original irrigation project.

RECOMMENDED ACTION

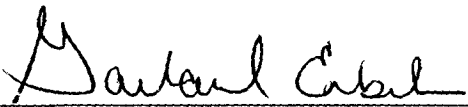
Based on the above criteria, it is recommended that the 2.5 acre area be included in the water license.


Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the non-permitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.


Garland Erbele, Chief Engineer

Water Rights Program

Approval of Location Change and/or Additional Diversion Point(s)

NAME: James Bondesen

ADDRESS: 28468 SD Hwy 19, Hurley, SD 57036

DATE: April 20, 2010

COUNTY: Turner

TELEPHONE: 238-5482

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source is the Parker Centerville aquifer which is the same as permitted and no additional water is appropriated.

- **If irrigation, no new land is irrigated**

A extra 2 ½ acres are being irrigated; however, SDCL 46-5-30.5 allows for unpermitted acres to be irrigated if the acres are contiguous to the permitted acreage.

- **Review of Existing Diversions**

There are water rights/permits surrounding this application. The nearest irrigation well is about one-half mile away. Interference is not a concern. These wells have been in use for many years with no apparent problems.

RECOMMENDED ACTION

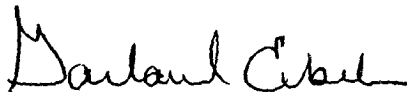
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mike DeFea, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 28 2010

6383-3

James Bondesen
28468 SD Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

Enclosed is your Water License No. 6383-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6383-3, 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.

Sincerely,

Garland Erbe, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6383-3**

(1) James Bondesen, 28468 SD Hwy 19, Hurley SD 57036 made Application No. 6383-3, January 13, 2003 for a water permit to divert 2.00 cubic feet of water per second from ground water (one well – Parker Centerville Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 6383-3, with a priority date of January 13, 2003 was approved March 24, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 24, 2008 and for the application to beneficial use of said water on or before March 24, 2012.

An inspection of the project found 2.5 acres developed outside the area authorized by the water permit. Pursuant to SDCL 46-5-30.5, acreage developed outside the area described on the permit may be licensed provided no increase occurs in either permitted acreage or water appropriated. The Chief Engineer makes a finding that the acreage change does not impair existing water rights and the overall project as developed is consistent with the original application.

The inspection also found the diversion point was outside of the area originally permitted. Pursuant to SDCL 46-5-13.1, the location of the diversion point may be changed or additional diversion points licensed provided the source of water is the same as permitted and no additional water is appropriated or no additional land is irrigated. The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that the change in diversion point location does not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 2,080 feet north and 795 feet east of the SW corner of Section 11, T98N, R53W (NW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 11, T98N, R53W	NW ¼ SW ¼	34.0 acres
	NE ¼ SW ¼	3.5 acres
	SW ¼ NW ¼	2.5 acres
	Total	40.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 James Bondesen, 28468 SD Hwy 19, Hurley SD 57036 the holder and/or owner of Water Right No. 6383-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from ground water (one well – Parker Centerville Aquifer) with a priority date of January 13, 2003 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6383-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6383-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28 (*well drilled in June, 2004 by Hammond Wetmore Drilling – log on file with the Water Rights Program*).

Water License No. 6383-3

- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 6383-3 authorizes a maximum diversion rate of 1.33 cfs for the irrigation of 40 acres with an annual volume not to exceed 2 acre-feet per acre per year (*the diversion rate and acres authorized for irrigation were reduced to reflect the project as developed*).
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 28 2010

date





DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



Nos. 6383-3 and 3247-3

August 1, 2014

James Bondesen
28468 Hwy 19
Hurley SD 57036

Dear Mr. Bondesen:

The irrigation season is in full swing. This has led to the Department of Environment and Natural Resources (DENR) fielding inquiries regarding end gun overspray on to roads. DENR recently distributed the attached press release to the media.

DENR received an inquiry alleging the irrigation systems located in the NW ¼ SW ¼ Section 11 T98N, R53W and the SE ¼ Section 35, T98N, R53W are each having irrigation water from the end gun hitting in one case Highway 18 and in the other Highway 19. The water rights for these systems are held in your name under Water Right Nos. 6383-3 and 3247-3.

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

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

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

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

DENR Reminds Irrigators to Avoid Overspray
FOR IMMEDIATE RELEASE: Thursday, July 24, 2014

PIERRE, S.D. – The Department of Environment and Natural Resources (DENR) reminds irrigators to check their center pivots to ensure they are operating properly and are adjusted to spray only upon land authorized for irrigation by their water permit.

“It is important that irrigators do everything they can to avoid overspraying onto nearby roads or neighboring properties,” said DENR Secretary Steve Pirner. “Irrigation overspray can damage roadways, lead to unsafe driving conditions and impact neighbors.”

A water right holder is not allowed to waste water or operate an irrigation system in violation of state water law, which includes spraying water on land not covered by the water permit. Irrigation systems and especially end guns must be constantly monitored to make sure they are not applying water where it is not allowed. Irrigators who fail to prevent overspray can be subject to fines or required to appear before the Water Management Board for possible suspension of their right to irrigate.

South Dakota has nearly 5,300 active irrigation permits authorizing irrigation of up to 879,000 acres.

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Friday, August 01, 2014 7:45 AM
To: Gronlund, Eric
Subject: water sprayed on road

This last week these were spraying water on the roads. They are all in the same township. Hurley Town ship Turner county

T98N R53W

sec 11 nw1/4 of sw 1/4
on hwy 19

sec 10 ne 1/4
on 280th st

sec 11ne 1/4
on 280th st

sec 12ne 1/4
on 280th st

sec 1 se 1/4
on 280th st

sec 35 se 1/4
on hwy 18

sec 3 sw 1/4 of se 1/4

this happen all time during the day and night. you don't see this at night until you hit it and then you can't see the road.

Also this morning I was driving and the same pivot that was over spraying the road that caused my accident was spraying water on the road again. this is the 2nd time that I have had to file a complaint about its in the nw 1/4 of sec 12 T98N R53W. I was told that they wont be doing that anymore and they still are.

If you have any questions just email me or call me at 605 929 6340

thanks

Kelly Knittel



**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.

6383-3



**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