

WATER PERMIT NO. 6569-3

Name of Applicant: Roger Hansen

Address: Box B, Centerville SD 57014 Phone: 605 563-2212

Amount of Water Claimed: 1.11 cfs Total Acres: 42 acres

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 6 miles south of Centerville

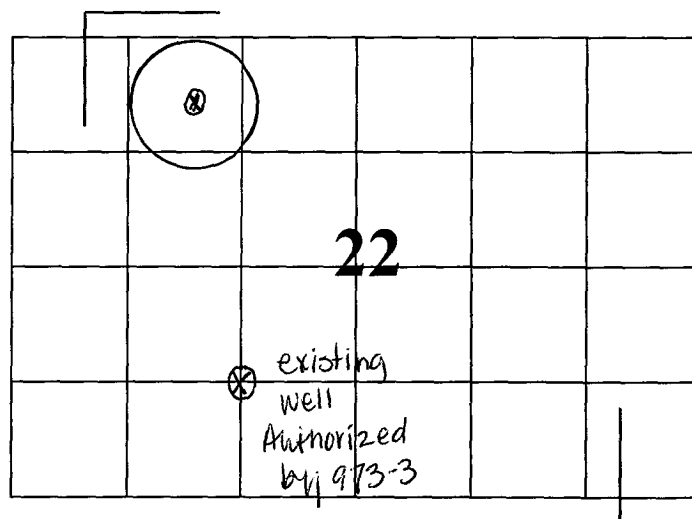
PRIORITY Date Received: 1-4-05 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks: Will use the well authorized by Water Right No. 973-3 and a new well

Diversion Point: NW ¼ NW ¼, N ½ SW ¼ Sec 22-
T95N-R52W

Land to be Irrigated: N ½ NW ¼, SW ¼ NW ¼
Sec 22-T95N-R52W



Depth of Well: 45 feet deep

Well Driller: : Empire Drilling

Remarks:

Type of Map: aerial

Prepared by: Keith Janten, Clay Co FSA

Reviewed and the Number Assigned on: 1-11-05

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED
JAN - 4 2005
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6569-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Vermillion Plain Talk</u>

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.)

- Name of Applicant Roger Hansen Properties Phone 605-563-2212
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box B Centerville State SD 57014
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 42
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Ground Water
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Clay
new well NW 1/4 NW 1/4 Section 22, T95N R52W and well authorized
by WR No. 973-3 in N 1/2 SW 1/4 Section 22, T95N R52W
- County or counties where water will be used Clay
- Annual period during which water is to be used April 1 - Oct 31
- 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
NW NW Section 22 T95N R52W	34		
NE NW " " " "	5		
SW NW " " " "	3		

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

Drill a new well within 5 year construction period. Will initially use existing well authorized by WR No. 973-3. If new well not drilled system will operate using existing well in SW quarter. Over statutory limit to operate system

STATE OF SOUTH DAKOTA) SS
County of Hughes

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, Roger Hansen, 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.

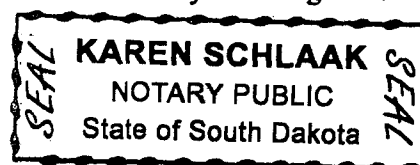
Applicant's signature Roger Hansen

Subscribed and sworn to before me this 4th day of January 20 05

Karen Schlaak
Notary Public signature

4-2000

My Commission Expires
April 1, 2007



**SOUTH DAKOTA
WATER PERMIT NO. 6569-3**

Date of first receipt of application January 4, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6569-3 to Roger A Hansen, dba Hansen Properties, Box B, Centerville SD 57014 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. 6569-3 appropriates 1.11 cubic feet of water per second (cfs) from two wells completed into the Lower Vermillion Missouri Aquifer (one approximately 42 feet deep, the other 150 feet deep) located in the N ½ SW ¼ Section 22 (existing well authorized by Water Right Nos. 215-3 & 973-3) and the NW ¼ NW ¼ Section 22 to irrigate 42 acres located in the N ½ NW ¼, SW ¼ NW ¼ Section 22; all in T95N-R52W.
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 – October 31.
3. The date from which applicant may claim right is January 4, 2005.
4. The date of approval of Permit No. 6569-3 is March 14, 2005.
5. One-fifth of the construction is to be completed on or before September 14, 2007.
6. All construction is to be completed on or before March 14, 2010.
7. Water is to be put to beneficial use on or before March 14, 2014.
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 wells 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 new well authorized by Permit No. 6569-3 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) 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. 6569-3 authorizes a maximum diversion rate of 1.11 cfs from the wells for the irrigation of 42 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

APR 01 2005

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) - Drill Hole Diameter 32" Depth 158'
- b) Casing Type Plastic Diameter 16" Thickness sch 40
- c) Screen Type Plastic Diameter 16" Thickness sch 40
- d) Gravel Pack Road Gravel Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material Gravel @ 92' down to 158'
- f) Depth to Water (ground surface to water level) 60'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

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

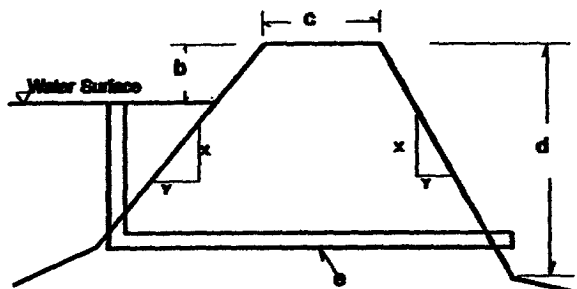
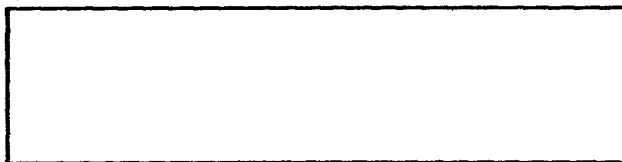
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 6, 20 05

RECEIVED OF Roger Karsen, PO Box B, Centerville SD 57014

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

Fee for Application for Permit No. <u>6569-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	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>6569-3</u>	50	000
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	200.00

No. 001814

By

Darlene E. White
Chief Engineer



United States Department of Agriculture
Farm Service Agency

22-95-52

Kelly Porter CED

April 22, 2004

Clay County



1997 Digital Orthophotography - Not To Scale



United States Department of Agriculture
Farm Service Agency

22-95-52

Lockwood
April 22, 2004

Clay County



1997 Digital Orthophotography - Not To Scale

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 NW 1/4 7 Section 22 Township 95 Range 52

Well owner Jack Litzelman Box 394 Vermillion
(Name) (Address)

Date well drilling completed 5/25/73 Purpose of well IRRIGATION
(domestic, irrigation, municipal, industrial, other)

WELL LOG

[illegible]

Attach sheet if more space is needed

22" KELLY CONCRETE PLAIN CASING

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

22" O.D. KELLY CONCRETE SCREEN

If a flowing well, flow of completed well _____ P.M.

EMPIRE IRRIGATION DRILLING CO., INC.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Western Land Reclamation HP. 600

Type of pump turbine Capacity of installed pump 1000 G.P.M.

Depth of pump placement 30 ft., Date of pump installation 5-6-73

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Compu. Integration Inc. Co. Ill.
Name of Firm Installation Contract



CRWS

Clay Rural Water System

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MAR 14 2005

WATER RIGHTS
PROGRAM

GM

30376 SD Hwy. 19
Wakonda, SD 57073-6416
605-267-2088
FAX 605-267-2085

March 10, 2005

Water Rights Program
ATTN: Chief Engineer
Foss Building - 523 East Capitol
Pierre SD 57501

Hansen Properties
POB B
Centerville SD 57014

RE: Applications to Appropriate Water

To Whom It May Concern:

The Clay Rural Water System has taken note of the eleven applications to appropriate water in Riverside Township, Clay County and would like to provide comment.

The proposed site of these diversions is within two to six miles of the Clay Rural Water System well field. All but one of the diversions is located in the same aquifer - the Lower Vermillion-Missouri - as the Clay Rural Water well field.

Our initial concern regarding these applications is the impact it could have on the Clay Rural Water Systems' sole supply. Clay Rural Water supplies water to over 4,200 residents in southeast South Dakota.

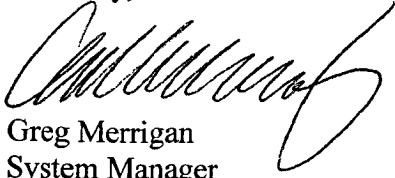
The applications request total withdrawals of 21.2 cubic feet per second. In discussions with Jim Goodman of your program, indications are that this withdrawal is not of concern for this aquifer. Mr. Goodman states that no safe withdrawal rate has been set for the aquifer, as the current diversion is not significant. Clay Rural Water acknowledges these statements.

An additional concern is that of possible use of the irrigation units for chemigation. The proposed diversions are located within one to five miles of the Clay Rural Water Source Water Protection Area. As chemigation can present a direct link to the aquifer in the event of an equipment malfunction, the possible threat to the aquifer could be significant. The Clay Rural Water System requests that any chemigation from these units require a permit and be routinely monitored.

In closing, the requested diversions are a substantial increase in the amount of irrigation that has historically taken place in this area. We hope DENR will review them closely and monitor all activity granted as a result of approval of the applications.

Thank you for the opportunity to comment and please contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Merrigan', written in a cursive style.

Greg Merrigan
System Manager



CRWS

Clay Rural Water System

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MAR 17 2005

WATER RIGHTS
PROGRAM

30376 SD Hwy. 19
Wakonda, SD 57073-6416
605-267-2088
FAX 605-267-2085

March 15, 2005

Water Rights Program
ATTN: Chief Engineer
Foss Building – 523 East Capitol
Pierre SD 57501

Hansen Properties
POB B
Centerville SD 57014

RE: Applications to Appropriate Water

To Whom It May Concern:

This letter is a follow up to my letter of March 10, 2005 regarding the Applications to Appropriate Water from Hansen Properties in Riverside Township, Clay County.

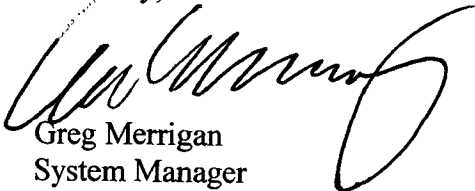
I have had the opportunity to meet with Mr. Hansen and discuss the applications. At his request I am writing this letter to clarify our comments.

The Clay Rural Water System is not opposed to the issuance of these permits and is not requesting a hearing before the Water Rights Board. We are not requesting the applicant obtain a special permit for any chemigation activities, only that it be inspected and regulated as per existing DENR protocol.

The intent of our original letter was to make our concerns known. If existing DENR regulations are followed it appears the diversions will not have an adverse effect on the Clay Rural Water System or its members.

Thank you again for the opportunity to comment and please contact me if you have any additional questions.

Sincerely,



Greg Merrigan
System Manager

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MAR 23 2005

WATER RIGHTS
PROGRAM

March 21, 2005

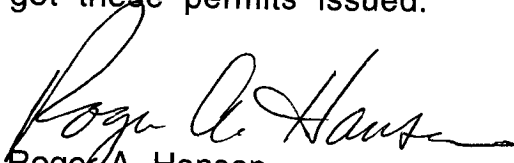
Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre, SD 57501-3181

Re: Water appropriation applications # 6563-3 through # 6573-3

Dear Eric,

Upon further discussion with my attorney, we will be recording the eleven water appropriation permits. To be most correct and cover any previously discussed forms, the permits should be issued in the name of: Roger A. Hansen, dba Hansen Properties, P.O. Box B, Centerville, SD (Ph. # 605-563-2212) Hansen Properties is a sole proprietorship of Roger A. Hansen, not a corporation or L.L.C.

Thank you for your assistance in the various steps along the way to get these permits issued.


Roger A. Hansen
dba Hansen Properties

March 22, 2005

Water Management Board
ATTN: Chief Engineer
Foss Building - 523 E. Capital
Pierre, SD 57501

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MAR 25 2005

WATER RIGHTS
PROGRAM

Hansen Properties
PO Box B
Centerville, SD 57014

RE: Applications to Hansen Properties to Appropriate Water; Clay County

To Whom It May Concern:

As a rural resident, customer of rural water, and landowner in Clay County, I have noted the 11 applications by Hansen Properties to appropriate water in Riverside Township, Clay County. I have also sought information from officials of the state Water Management Board, the South Dakota Geological Survey and the Clay Rural Water System in an effort to determine whether the proposed water appropriation would be in the public interest, as required by state water rights laws and regulations.

Though no safe withdrawal rate has been determined, both Jim Goodman, state Groundwater Supervisor, and Derric Iles of SD Geological Survey indicated their belief that, given the capacity of the Missouri-Lower Vermillion Aquifer, the withdrawal of 21.2 cubic feet per second will not pose a threat to the public water supply.

I have not, however, received satisfactory assurance from any of the several persons with whom I have spoken, that the use of the proposed irrigation systems for the application of chemicals and fertilizer will not pollute the aquifer, which is vital to the 4,200 residents who rely on the Clay Rural Water System. Given that no alternative source of water is available to county residents, I believe that the public interest, protected by state law, must ensure that no pollution of the aquifer be allowed.

Borings by the SD Geological Survey indicate that in at least four of the 10 sections for which permits are requested -- sections 11, 14, 22 and 28 -- the Missouri-Lower Vermillion is a shallow aquifer, possibly as near as 10 to 20 feet below the surface, and with little or no clay layer between the very porous sand and gravel soil and the water, a condition that presents the possibility of nitrogen or chemicals leaching into the aquifer, especially if water and or chemicals are over-applied, or in the case of equipment malfunction.

I understand that the SD Geological Survey has two monitoring wells in section two of Riverside Township, and that in the shallower of these two wells, nitrates above the drinking water standard of 10 milliliters per liter were detected in 2002. But these monitoring wells are up-gradient from the proposed 11 well sites, so they would not be likely to detect any pollution that might occur as a result of the proposed

developments.

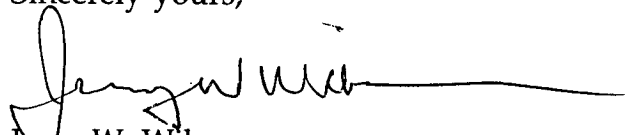
I understand that the Chief Engineer has tentatively determined that this project is in the public interest. I do not know whether the approval of these permits could lead to degradation of water quality for residents of Clay County at any future time, but if the county's water supply is in any way put at risk by this very large project, then I question whether the approval is in the public interest, or only a private interest.

I propose that one or two conditions be attached if these applications are to be approved:

1. Stipulate that no chemigation of any sort will be allowed over the shallow aquifer; and/or
2. Establish a monitoring well or wells down-gradient (i.e., between the closest of the proposed wells and the well-field of the Clay Rural Water System), and stipulate that any increase in nitrates or chemical pollutants detected by the monitoring well(s) will trigger the shut-down of these wells.

Thank you for your defense of the public interest. Nothing is more important to the public this year, in 10 years, in 100 years and far beyond, than clean, safe water.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jerry W. Wilson", followed by a long horizontal line extending to the right.

Jerry W. Wilson
30959 Frog Creek Road
Vermillion, SD 57069



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 31, 2005

Jerry W. Wilson
30959 Frog Creek Road
Vermillion SD 57069

Dear Mr. Wilson:

The Water Rights Program received your letter regarding the eleven permit applications to appropriate water for irrigation filed by Roger Hansen. Since your letter was submitted after the March 14, 2005, published date to file a petition to intervene a hearing will not be scheduled before the Water Management Board. Water Rights law directs the Chief Engineer to issue the water permits as recommended.

We do however note your concerns regarding potential pollution to the aquifer from applying of chemicals and fertilizer through the irrigation systems. There are state requirements that irrigators, who apply chemicals through an irrigation system, must follow to prevent the sort of concerns which you express. These rules are intended to protect the environment by prohibiting the back flow of fluid towards the water source and shutting down the system if any component malfunctions. A copy of these rules is attached.

The handling, disposal, transportation and storage of fertilizers and pesticides are subject to additional requirements administered by the South Dakota Department of Agriculture. I encourage you contact the Department of Agriculture at (605) 773-4432 if you have questions on the regulations they administer.

If you have any questions on the water right permitting process, please feel free to contact us.

Sincerely,

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

enclosure

c: Roger Hansen, Box B, Centerville SD 57014

REPORT ON WATER PERMIT APPLICATION NO. 6569-3

For Roger Hansen

February 1, 2005

Application No. 6569-3 proposes to appropriate 1.11 cfs (500 gpm) from either of two wells one approximately 158 feet deep well located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 22 or the other an existing 42 feet deep well located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ authorized by Water Right No. 973-3 for irrigation of 42 acres located in the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 22, T95N R52W in Clay County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – LOWER VERMILLION MISSOURI (LVM)

The Lower Vermillion Missouri is a buried outwash (sand and gravel) that can be under artesian conditions or water table conditions in this area. The aquifer underlies 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Turner and Lincoln County to the north (where it blends into the Parker Centerville and Upper Vermillion Missouri aquifers), to the south where the aquifer blends into the Missouri Elk Point aquifer and the aquifer is also hydraulically connected to the Vermillion River. The aquifer appears to be under slightly confined conditions at the proposed site but would be under water table conditions at the existing well site. The aquifer generally behaves like it is under water table conditions over most of Clay County. Ground water movement has a basic component of northwest to southeast with locally movement toward the Vermillion River (Christensen, 1967). This means most of the time the river is a discharge zone for ground water.

The existing well for this application was completed in 1973. The completion report indicates sand and gravel from 12 to 42 feet with a 6 feet static water level. The well was capable of producing 1,000 gpm. The proposed well would be located on top the hills above the floodplain of the Vermillion and would be considerably deeper but would still be in the same aquifer. Also, it appears from the county study mapping that the aquifer could be as much as 175 feet thick in this area (Christensen, 1967).

The Water Rights Program monitors an observation well CL-66A located just one-quarter mile west of the proposed well or three-quarters mile northwest of the existing well for this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph of this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2005).

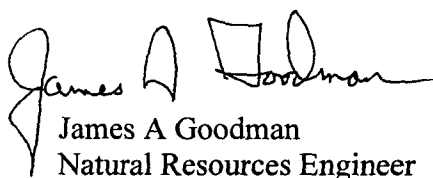
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing water right No. 1813-3 with a well about one-half mile from either the proposed or the existing well for this application. Also there are three water permit

applications that will have wells located within one mile of the well for this application. Interference is not expected to be a problem. The observation well record presently does not indicate that drawdown created by pumping is significant.

CONCLUSIONS

1. Water is available from the Lower Vermillion Missouri aquifer.
2. The aquifer behaves like a water table situation. Interference is not a concern. The observation well record does not indicate that drawdown caused by pumping is significant.
3. This is an existing well and it can not be determined if the well has been constructed in accordance with SD Well Construction Standards. The proposed well must be constructed in accordance with SD Well Construction Standards.
4. Water Right Nos. 973-3 and 215-3 both appear cover the same lands. Approval of this application will not affect this problem but these rights should be licensed to reflect the water actually put to beneficial use.
5. Approval of this application allows 1.11 cfs diversion rate (greater than the statutory rule of one cfs per 40 acres) for 42 acres. This is allowable because of the system setup but the permit should be limited to two acre-feet per acre.
6. It is assumed that the effective priority date for application Nos. 6563-3 through 6573-3 would be arranged by the permit number. That is first priority would be 6563-3 and the last priority would be 6573-3 all following in numerical order.



James A Goodman
Natural Resources Engineer

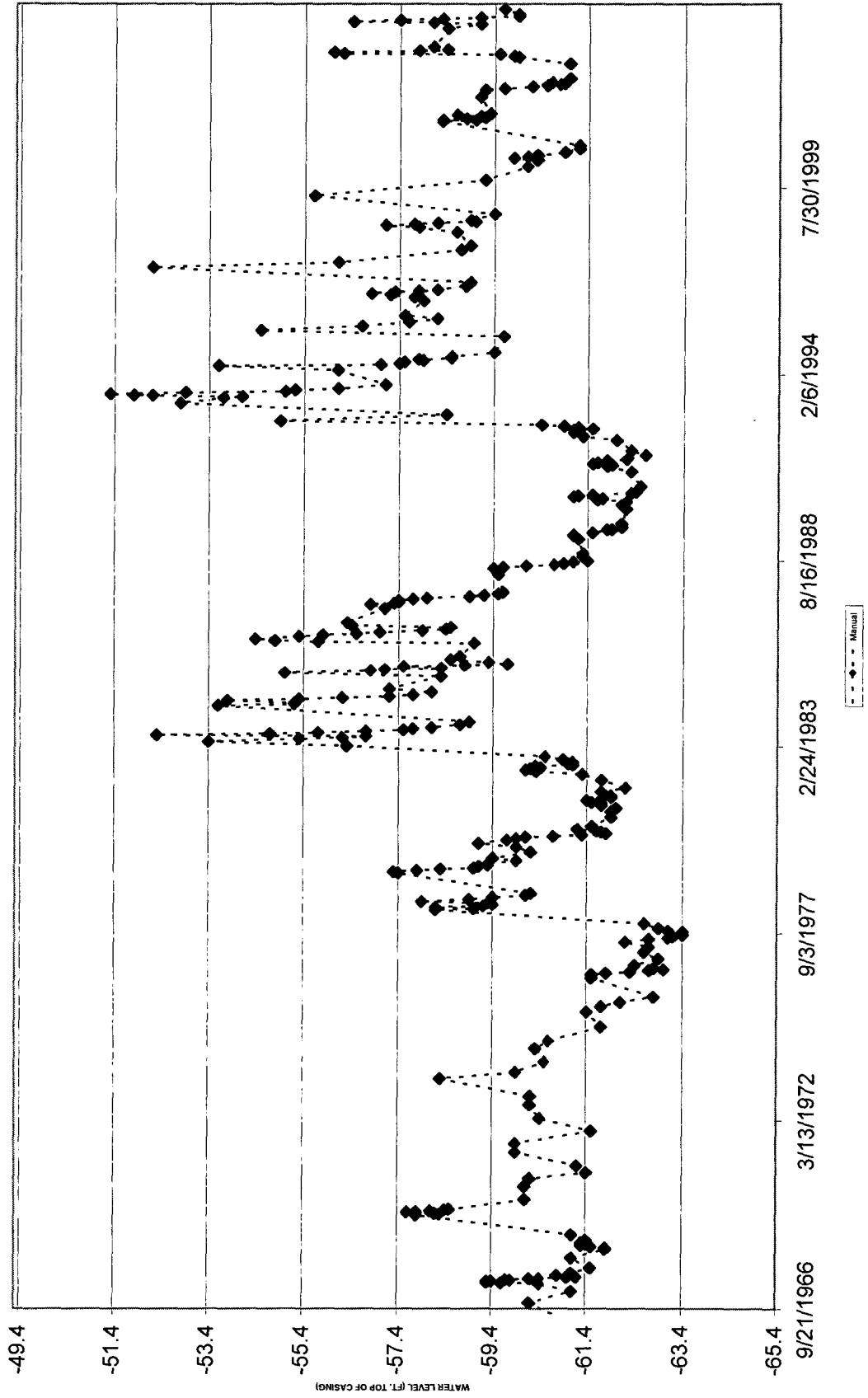
BIBLIOGRAPHY

Christensen, C.M., J.C. Stephens, 1967, Geology and Water Resources of Clay County, South Dakota, Bulletin 19, Part II Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2005, Unpublished Observation Well Data for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CL-66A





**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. 6569-3, Roger Hansen**

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. 6569-3, Roger Hansen, Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 6569-3 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 wells 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 new wells authorized by Permit No. 6569-3 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) 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. 6569-3 authorizes a maximum diversion rate of 1.11 cfs from the wells for the irrigation of 42 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 17, 2005

Note: Water Right Nos. 215-3 and 973-3 will need to be reissued to reflect the current develop of irrigation.

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF APPLICATIONS TO

APPROPRIATE WATER

Application No. 6563-3

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 25th day of February 20 05, and that the succeeding publications were severally

on Friday, the 4th day of March, 20 05,

on Friday, the _____ day of _____, 20 _____,

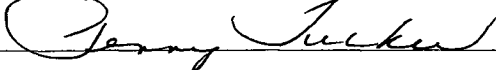
on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

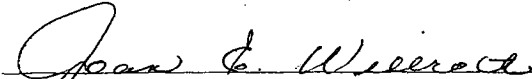
One hundred thirteen _____ dollars and 44 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the 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 4th day of March, 20 05



My Commission Expires
April 17, 2005

Notary Public

RECEIVED

MAR - 9 2005

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATIONS TO APPROPRIATE WATER

Notice is given that Hansen Properties, Box B, Centerville SD 57014 has filed eleven applications for water permits to irrigate in Clay County. Specifics on each application are as follows:

Application No. 6563-3 proposes to appropriate an additional 1.56 cubic feet of water per second (cfs) and irrigate 248 additional acres to what is currently authorized by Water Right No. 1569-3. Water Right No. 1569-3 is currently diverting 1.78 cfs from one existing well completed into the Lower Vermillion Missouri Aquifer (158 feet deep) located in the SW 1/4 NW 1/4 Section 15 to irrigate 132 acres located in the NW 1/4 Section 15, T95N-R52W. Water Permit No. 6009-3 changed the well location to the present location. This application proposes to appropriate an additional 1.56 cfs from the existing well to irrigate an additional 248 acres located in the N 1/2 and SW 1/4 Section 15-T95N-R52W. When developed, a total of 3.34 cfs will be appropriated from this existing well to irrigate 380 acres.

Application No. 6564-3 proposes to appropriate 2.83 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located 1320 feet south of the N 1/4 Section 16 to irrigate 228 acres located in the S 1/2 NW 1/4, S 1/2 NE 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4 Section 16; all in T95N-R52W.

Application No. 6565-3 proposes to appropriate 1.94 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the center of the NW 1/4 Section 21 to irrigate 136 acres located in the NW 1/4 Section 21; all in T95N-R52W.

Application No. 6566-3 proposes to appropriate 1.22 cfs from one well completed into the Lower Vermillion Missouri Aquifer (44 feet deep) located in the SE 1/4 NW 1/4 Section 14 to irrigate 86 acres located in the NW 1/4, NE 1/4 SW 1/4 Section 14; all in T95N-R52W.

Application No. 6567-3 proposes to appropriate 0.56 cfs from two wells completed into the Lower Vermillion Missouri Aquifer (approximately 75 feet deep) located 1320 feet north of the S 1/4 Section 14 (existing well authorized by Water Right Nos. 229-3 and 974-3) and in the SW 1/4 SW 1/4 Section 14 to irrigate 39 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 14; all in T95N-R52W.

Application No. 6568-3 proposes to appropriate an additional 0.86 cfs to irrigate an additional 60 acres to what is currently developed under Water Permit No. 3543-3. Water Permit No. 3543-3 is currently diverting 1.52 cfs from one well completed into the Parker Centerville Aquifer (45 feet deep) located in the NE 1/4 SW 1/4 Section 11 and irrigates 107 acres developed in the SW 1/4 Section 11, T95N-R52W. This application proposes to appropriate an additional 0.86 cfs from the existing well to irrigate 60 additional acres located in the SW 1/4, W 1/2 SE 1/4 Section 11-T95N-R52W. If approved, the application will accommodate the installation of a larger windshield wiper pivot on the property.

Application No. 6569-3 proposes to appropriate 1.11 cfs from two wells completed into the Lower Vermillion Missouri Aquifer (one approximately 42 feet deep, the other 150 feet deep) located in the N 1/2 SW 1/4 Section 22 (existing well authorized by Water Right Nos. 215-3 & 973-3) and the NW 1/4 NW 1/4 Section 22 to irrigate 42 acres located in the N 1/2 NW 1/4, SW 1/4 NW 1/4 Section 22; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6570-3 proposes to appropriate 1.11 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the center of the SW 1/4 Section 10 to irrigate 55 acres located in the SW 1/4 Section 10; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6571-3 proposes to appropriate 3.56 cfs from two wells to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the centers of the SW 1/4 and SE 1/4 Section 27 to irrigate 250 acres located in the SW 1/4 and N 1/2 SE 1/4, SW 1/4 SE 1/4 Section 27; all in T95N-R52W.

Application No. 6572-3 proposes to appropriate 1.33 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the W 1/2 SE 1/4 Section 28 to irrigate 78 acres located in the SE 1/4 Section 28; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6573-3 proposes to appropriate 1.84 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the NE 1/4 SW 1/4 Section 28 to irrigate 130 acres located in the SW 1/4, S 1/2 NW 1/4 Section 28; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 and 6573-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the application or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's 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 14, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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.

Publish: February 25 & March 4, 2005

Instruction to Newspaper - Publish first Notice on February 25, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATIONS TO APPROPRIATE WATER

Notice is given that Roger Hansen, Box B, Centerville SD 57014 has filed eleven applications for water permits to irrigate in Clay County. Specifics on each application are as follows:

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Application No. 6565-3 proposes to appropriate 1.94 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 158 feet deep) located in the center of the NW $\frac{1}{4}$ Section 21 to irrigate 136 acres located in the NW $\frac{1}{4}$ Section 21; all in T95N-R52W.

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(continued)

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 17, 2005

Vermillion Plain Talk
PO Box 256
Vermillion SD 57069-0256

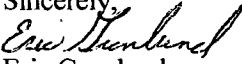
ATTENTION: Legal Public Notice

Enclosed is a Notice of Application to Appropriate Water to be published twice. Please publish the first notice on February 25, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Roger Hansen, Box B, Centerville SD (Ph # 605-563-2212).

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-----

Nos. 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3
6572-3, 6573-3

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

Date _____

We are in receipt of your letter of February 17, 2004 enclosing Notice to Appropriate Water by Application Nos. 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3, 6573-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
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 17, 2005

Roger Hansen
Box B
Centerville SD 57014

Dear Mr. Hansen:

Water Permit Application Nos. 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Vermillion Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports 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 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. 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.



APR 01 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Roger A Hansen
Hansen Properties
Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed are Water Permit Nos. 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 and 6573-3 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



January 26, 2007

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 215-3, 229-3, 973-3 & 974-3 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) 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 6563-3, 6564-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 215-3, 229-3, 973-3 & 974-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.



700 BROADWAY CENTERVILLE SOUTH DAKOTA 57014
PHONE (605) 563-2212 FAX (605) 563-2640

2-8-07

Jenny -

I HAVE RENTED my Ground
to KEN LESS FROM Merrill, IA. for
the last 3 years. I won't be
Renting to him next year And
He's not Happy about it. I'm
Enclosing a copy of a note I sent
him 10/31/06 with the questionnaires
Asking him to get them filled
out and returned to you. When
you called & said they had not
Arrived, I finally found out from
him that he had not filled them
out or sent them. Retaliation
I Guess.

I am finally able to get the
info together so it know these
are late.

Roger Hansen

RECEIVED

FEB 12 2007

OVER 35 YEARS OF SERVICE WORLDWIDE

WATER RIGHTS
PROGRAM

6569-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2007

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

RE: Water Permit/Right Nos. 215-3, 229-3, 973-3, 974-3, 6563-3, 6564-3, 6565-3, 6566-3,
6567-3, 6568-3, 6569-3, 6570-3, 6571-3, 6572-3 & 6573-3

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for the water permits and rights listed above. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for the note concerning the difficulties you had with obtaining the information from your past renter. The forms you completed are fine and nothing more is needed for last season. The 2007 questionnaires will be mailed to you in October 2007.

If you have any questions, please contact me.

Sincerely,

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

Roger Hansen Farms - Clay County, South Dakota

Irrigation Well, Pump, & Water Permit DataWell # 7 Pivot # 19**WELL DATA**

Location: in Clay County, SD Riverside Twp	NW 1/4 - Sec 22
Date the well was placed in service:	8/4/07
Depth of well in feet:	161'
Static water level:	55'
Drawdown at normal pumping volume:	7'
Normal Delivery in GPM or CFS:	650 GPM
Could the well be successfully deepened?	NO
Diameter and gauge of casing:	16" Schedule 40
Date pump was installed:	8/5/07
Make and type:	Grundfos Submersible-Electric
Diameter of column:	6"
Length of column:	100'
Diameter of discharge pipe:	6"
Rated capacity of bowls or pump in GPM:	625
Rated horsepower:	40
Date of most recent pump test:	8/5/07
Tested by:	Hammond/Wetmore Drilling Vermillion, SD
Original or replacement cost of well inc. casing:	\$12,628.00
Original or replacement cost of pump:	\$4,575.00
Original or replacement cost of power unit:	\$5,455.00
Estimated total replacement cost of well:	\$26,988.00

WATER PERMIT DATA

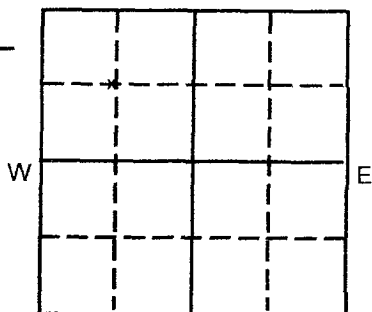
South Dakota Water Permit #	6569-3
Allowable delivery in GPM under water right:	650
Number of acres in water right:	42

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw ¼ nw ¼ Sec 22 Twp 95n Rg 52wCounty clay North

Please mark well location with an "X"



Well Completion Date

7/19/2007

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

900.0 ft. from septic system (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

direct rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	102.0	22.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	96.0 Ft
Bent grt	25	9.5		

Describe grouting procedure
Tremie method

SCREEN:

☐ Perforated pipe ☒ ManufacturedDiameter 16.00 Inches Length 60.0 FeetMaterial PVC slottedSlot Size .060 Set From 102.0 Feet to 162.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets☐ No, Why Not?
Lab sample sent to for water quality analysisWell Owner: Roger HansenBusiness Name: Hansen PropertiesAddress: Box BCity, State, Zip: Centerville SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
topsoil, Dk Brn, Silty	0	1
Clay, brown, silty, pebbly	1	9
Clay, gray, silty pebbly	9	44
gravel, medium to coarse, sandy	44	161

STATIC WATER LEVEL 56.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

66.0 Ft. After 2.0 Hrs. pumped 700.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 700.0 GPM

REMARKS

RECEIVED

FEB - 1 2008

WATER RIGHTS

PROGRAM 666

This well was drilled under license # _____

And this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 1/26/08



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 215-3, 229-3, 973-3 & 974-3 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) 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 215-3, 229-3, 973-3 & 974-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 2009

Roger Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. The questionnaires were received on February 20th. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 215-3, 229-3, 973-3, 974-3, 6563-3, 6565-3, 6566-3, 6567-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811-3, 6812-3, 6813-3, 6814-3, 6815-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6920-3, 6921-3, 6822-3, 7001-3, 7002-3 & 7003-3.

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

We have also received the "Notice of Transfer of Ownership" form and filing fee you submitted for Water Right No. 1813-3. The transfer has been completed. The water right formerly held by Richard and Carole K Myers is now listed in your name.

Enclosed is your Receipt No. 04039 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Roger A. Hansen, dba Hansen Properties

ADDRESS: PO Box B Centerville, SD

DATE: 8/14/2013 TELEPHONE: 605-563-2212

RE: Inspection of Water Right Nos. 215-3 and 973-3 and Water Permit No. 6569-3

COMMENTS:

An inspection of Water Right Nos. 215-3 and 973-3 and Water Permit No. 6569-3 was conducted on July 25, 2012. In the file for Water Permit No. 6569-3 it was stated that the proposed irrigation project would use an existing well authorized by Water Right No. 973-3 until a new well could be constructed and put to beneficial use. Water Right No. 215-3 authorizes the irrigation of 180 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 22, T95N-R52W at a maximum diversion rate of 2.55 cfs. Water Right No. 973-3 authorizes the irrigation of 135 acres in the W $\frac{1}{2}$ Section 22, T95N-R52W, most of which was authorized for irrigation by Water Right No. 215-3, at a maximum diversion rate of 1.93 cfs. Water Permit No. 6569-3 authorizes the irrigation of 42 acres in the NW $\frac{1}{4}$ Section 22, T95N-R52W at a maximum diversion rate of 1.11 cfs from two wells, one existing and authorized by Water Right No. 973-3 and a new well.

The inspection revealed that there were two center pivots irrigating a total of 189 acres. One pivot is located near the center of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T95N-R52W, irrigates 58 acres at a diversion rate of 1.39 cfs (625 gpm), and is authorized by Water Permit No. 6569-3. This center pivot is shown as #19 in the attached map. However, the center pivot irrigates 16 more acres than authorized and has a diversion rate 0.28 cfs greater than authorized. The second irrigation system is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T95N-R52W, irrigates 131 acres, and is authorized by Water Right No. 973-3, specifically, and Water Right No. 215-3. This center pivot has a capacity of 1.78 cfs (800gpm). This center pivot is shown as #20 on the attached map. However, this center pivot irrigates 2 acres of land that was not originally authorized for irrigation by either Water Right No. 215-3 or 973-3.

Since, Water Permit No. 6569-3 authorizes the irrigation of 42 acres at a maximum diversion rate of 1.11 cfs from up to two wells, but the irrigation system irrigates 58 acres at a maximum diversion rate of 1.39 cfs from one well. A new permit will be required for the increase of

irrigated acres and increase of diversion rate. Water Right Nos. 215-3 and 973-3 authorize irrigation of 180 acres and 135 acres, respectively, with most of the 135 acres overlapping the 180 acres. Water Right Nos. 215-3 and 973-3 authorize maximum diversion rates of 2.55 and 1.93 cfs, respectively. The irrigation system authorized by Water Right Nos. 215-3 and 973-3 irrigates 131 acres at a maximum of 1.78 cfs. Therefore, Water Right No. 215-3 should be incorporated into Water Right No. 973-3 for the irrigation of 131 acres located in the SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22 and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, all in T95N-R52W, at a maximum diversion rate of 1.78 cfs. The attached map has a breakdown of the acreages for both irrigation systems.



Adam Mathiowetz

Natural Resources Engineer

DENR-Water Rights Program



6569-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 973-3, 974-3 & 1813-3 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) 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 973-3, 974-3 & 1813-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



6569-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 25, 2016

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

RE: Water Right or Permit Nos. 973-3, 974-3, 1813-3, 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 for Hansen Properties and Water Permit Nos. 8070-3, 8071-3 & 8072-3 for Hanson Irrigated Farms LLC

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for the above listed water rights and water permits. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

6569-3



121 E. 5th St. / P.O. Box 1307 / Storm Lake, IA 50588
Phone: 712.732.4117 / Fax: 712.749.7502
www.metabank.com

March 6, 2019

RECEIVED

Member FDIC

MAR 11 2019

WATER RIGHTS
PROGRAM

PAID

MAR 11 2019

Ck# 66142870

Ms. Genny McMath
DENR – Water Rights Program
Joe Foss Building
523 E Capital
Pierre, South Dakota 57501

Dear Ms. McMath,

Please find enclosed the signed transfer agreements of the water rights previously owned by Hansen Properties. Also, please find enclosed a check in the amount of \$1,750 for the fees for the transfers. Please contact me at 712-749-7545 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron W. Wilcke".

Ron W. Wilcke
Market President

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

MAR 11 2019

WATER RIGHTS
PROGRAM

Water Right/Permit No. 6569-3

Date: 2-21-19

PAID

MAR 11 2019

Ck# 66142870

I/We request that Water Right/Permit No. 6569-3 formerly owned by:
Hansen Properties be transferred to:

New Owner Name: MetaBankAddress: 5501 Broadband LaneCity, State, Zip Sioux Falls SD 57108 Telephone No. 605-361-4347

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

irrigate 42 acres located in the N 1/2 NW 1/4, SW 1/4 NW 1/4 all in section 22-T95N-R52W

☒ I understand that the validity of Water Right/Permit No. 6569-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

I, Jon W. Wilcke, Market President, MetaBank, the new owner, certify that the above information is true and correct.

Jon W. Wilcke MP.
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 11, 2019

RECEIVED OF MegaBank 5501 Broadband Lane Sioux Falls SD 57108

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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. _____		
Fee for Filing Transfer Form <u>6569-3</u>		
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	50 00

No. **09081**

By

Jeannie Goodman
Chief Engineer

EM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 2019

Jon W Wilcke
MetaBank
PO Box 1307
Storm Lake IA 50588

RE: Ownership changes for Hansen Properties – MetaBank transfers

Dear Mr. Wilcke:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted by MetaBank for transferring water permits/rights from Hansen Properties to MetaBank. The ownership changes have been completed.

Water Permit/Right Nos. 973-3, 974-3, 1813-3, 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6818-3 6819-3, 6820A-3, 6821-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3, 7995-3, 8070-3, 8071-3, 8072-3 once held by Hansen Properties are now listed under “MetaBank” 5501 Broadband Lane, Sioux Falls SD 57108.

Please keep in mind the annual irrigation questionnaires will be mailed out in October, 2019 and any water use will need to be reported. If the bank has the land managed by someone, please let them know to keep track of water use during the irrigation season.

If you have any questions, please contact me.

Sincerely,

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

enclosures: Receipts for the filing fees

PAID

JAN 16 2020

Ck# 2424

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

JAN 16 2020 Water Right/Permit No. 6569-3

WATER RIGHTS
PROGRAM

Date: December 20, 2019

I/We request that Water Right/Permit No. 6569-3 formerly owned by:

MetaBank be transferred to:

New Owner Name: David Smit Revocable Trust & Cathy Smit Revocable Trust

Address: 45536 283rd Street

City, State, Zip Hurley SD 57036 Telephone No. 610-310-0640

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

42 acres located in the N 1/2 NW 1/4, SW1/4 NW1/4, all in Section 22-95N-R-52W

☒ I understand that the validity of Water Right/Permit No. 6569-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

I, David Smit, the new owner, certify that the above information is true and correct.

David Smit
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

6569-3

RECEIPT**WATER RIGHTS PROGRAM**

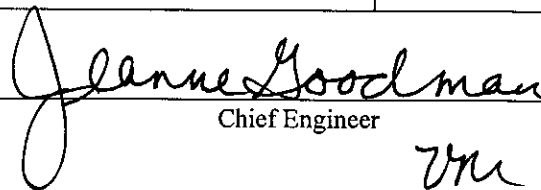
South Dakota Department of Environment and Natural Resources

Date January 16, 2020RECEIVED OF First Dakota Title-Vermillion 100 E Main ST Vermillion SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>6569-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By



Chief Engineer

vme



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2020

6569-3

David & Cathy Smit
45536 283rd St
Hurley SD 57036

Dear Mr. & Ms. Smit:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Permit No. 6569-3.

The ownership change has been completed. The water permit formerly held by MetaBank is now listed under "**David Smit Revocable Trust & Cathy Smit Revocable Trust**".

I have enclosed a copy of the water permit for your records. The receipt for the filing fee is being sent by copy of this letter to First Dakota Title in Vermillion SD. If you have any questions, please let me know.

Sincerely,

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

encl

c: First Dakota Title-Vermillion, 100 E Main St., Vermillion SD 57069



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 2020

David Smit
45536 283rd St
Hurley SD 57036

Dear Mr. Smit:

Enclosed is an *Application for a Permit* to increase the acreage and diversion rate authorized by Water Permit No. 6569-3 (copy enclosed). This partially completed form is being sent based on your phone conversation with Eric Gronlund.

Please review the application form and map, make any necessary corrections, list an email address if available, and sign at the bottom of the form. The map outlines the 57 acres covered by the system.

Water Permit No. 6569-3 was approved for two wells as identified on the application. Are both wells used to supply this pivot?

Return the signed application with an application fee of \$500.00. A postage prepaid envelope is included. You should be aware that you will be responsible for payment of the public notice once a staff report and the Chief Engineer's recommendation are complete. We will be in contact with you at that time.

As requested, a copy of Water Permit No. 8216-3 is also included.

If you have any questions, please contact me.

Sincerely,

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

enclosures

6569-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 13, 2022

6569-3
7633-3

David Smit
45536 283rd St
Hurley SD 57036-6021

Dear Mr. Smit:

Awhile back we spoke on the phone about updates needed for Water Permit Nos. 6569-3 and 7633-3.

With reference to Permit No. 7633-3, you requested the permit be transferred to your trust. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

On your irrigation questionnaire for No. 6569-3, you indicated you wanted the permit to be revised to 65 acres. Water Permit No. 6569-3 authorizes irrigation of 42 acres within Section 22, T95N, R52W. I have included a copy of the map and permit as a reference.

The enclosed map shows the 42 acres that are permitted outlined in green. If you want to irrigate over and above that, a new permit would be required for the additional acreage. I can send you an application for that if you want to start the process. Let me know if you have any questions.

Sincerely,

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

enclosures

6569-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 8, 2023

David & Cathy Smit Revocable Trust
c/o David Smit
45536 283rd St
Hurley SD 57036

Dear Mr. Smit:

Our office is in receipt of the 2023 Irrigation Questionnaire you'd submit online for Water Permit No. 6569-3. In the comment box you had made a note indicating that you would like to transfer this Water Permit into the name of the Smit Family Trust. You had also indicated that the acres for Permit No. 6569-3 were not an accurate reflection of the system, as it was developed.

For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete, sign, and return in the pre-paid envelope, along with a "New Permit Application" to authorize the irrigation of the additional acres you had indicated on the questionnaire.

Please return the transfer form and application with a check for \$550.00 made payable to "SD Water Rights Program" (\$50.00 to cover the transfer fee & \$500.00 to cover the Permit Application. The \$200.00 licensing fee will be waived, as it would have been paid under Permit No. 6569-3). If you would prefer to pay by card you may call Megan Stephenson in our Fiscal Office at 605.773.4216. These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 8, 2024

6569-3
8686-3

Smit Family Trust
c/o David Smit, MGR
45536 283rd St
Hurley SD 57036

Dear Mr. Smit:

I have received your "Notice of Transfer of Ownership" form and the required fees for Permit No. 6569-3. Enclosed is a receipt of payment for your records. Water Permit No. 6569-3 previously owned by the David & Cathy Smit Revocable Trust is now listed under the Smit Family Trust.

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

Our office is also in receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system authorized under Permit No. 8686-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you.

If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

No. 6569-3

Date: 12/18/2023

I/We request that Water Permit No. 6569-3

formerly owned by: DAVID & CATHY SMIT REVOCABLE TRUST c/o DAVID SMIT

be transferred to: (name & address) Smit Family Trust

45536 283rd St. Hurley, So. Dak 57036

Telephone No. 605-310-0640

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

60
42 ac - NW 1/4 Sec 22 - T95N - R52W

I/We understand that the validity of Water Permit No. 6569-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Smit Family Trust, the new owner, certify that the above information is true and correct.

David Smit

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

Water Rights Program File Documentation

Permit/Right No. and Owner:

Permit No.	Owner	Status	Uses
973-3	Nicholas & Courtney Blake	License	Irrigation
974-3	Hansen Ventures LLC	License	Irrigation
1813-3	Hansen Ventures LLC	License	Irrigation
1916-3	Troy & Sheila Gust	License	Irrigation
3905-3	Clay Rural Water System Inc	License	Rural Water System
4731-3	Richard & Gayle Johnson	License	Irrigation
5979-3	Clay Rural Water System Inc	License	Rural Water System
6563-3	Rus Farms Real Estate LLC	License	Irrigation
6565-3	Rus Farms Real Estate LLC	License	Irrigation
6566-3	Hansen Ventures LLC	License	Irrigation
6569-3	Smit Family Trust	Permit	Irrigation
6571-3	Rus Farms Real Estate LLC	License	Irrigation
6572-3	Brad & Linda Trudeau Living Trust	License	Irrigation
6808-3	Lovejoy Family Trust	License	Irrigation
6813-3	Rus Farms Real Estate LLC	License	Irrigation
6815A-3	Rus Farms Real Estate LLC	License	Irrigation
6817-3	Hansen Ventures LLC	Permit	Irrigation
6818-3	Hansen Ventures LLC	Permit	Irrigation
6819-3	Hansen Ventures LLC	License	Irrigation
6821-3	Tim Gregoire	License	Irrigation
6822-3	Hansen Properties	Permit	Irrigation
7001-3	Rus Farms Real Estate LLC	License	Irrigation
7003-3	Hansen Ventures LLC	License	Irrigation
7383-3	Hansen Ventures LLC	Permit	Irrigation
7693-3	Hansen Ventures LLC	Permit	Irrigation

Date: January 14, 2025

County: Clay

RE: aquifer designation

COMMENTS:

Jensen (2025) as part of a review of the Lower Vermillion Missouri aquifer (LVM) determined that Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, should have the aquifer reassigned. In reviewing the best information currently available for aquifer and management unit naming

conventions, the best aquifer designation for Water Rights previously listed is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) shown in Figure 1.

This change of aquifer designation, to the Southern management unit of the Upper Vermillion Missouri aquifer, does not represent a physical change in the water source. It is an update to the name of the aquifer materials to reflect the currently best available information for aquifer extents. This update to the aquifer name does not authorize any increase in the amount of water appropriated by Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, relocation of existing wells, or completion of additional wells into the aquifer. Going forward, issuance of any pertinent documents will reflect the updated aquifer designation.

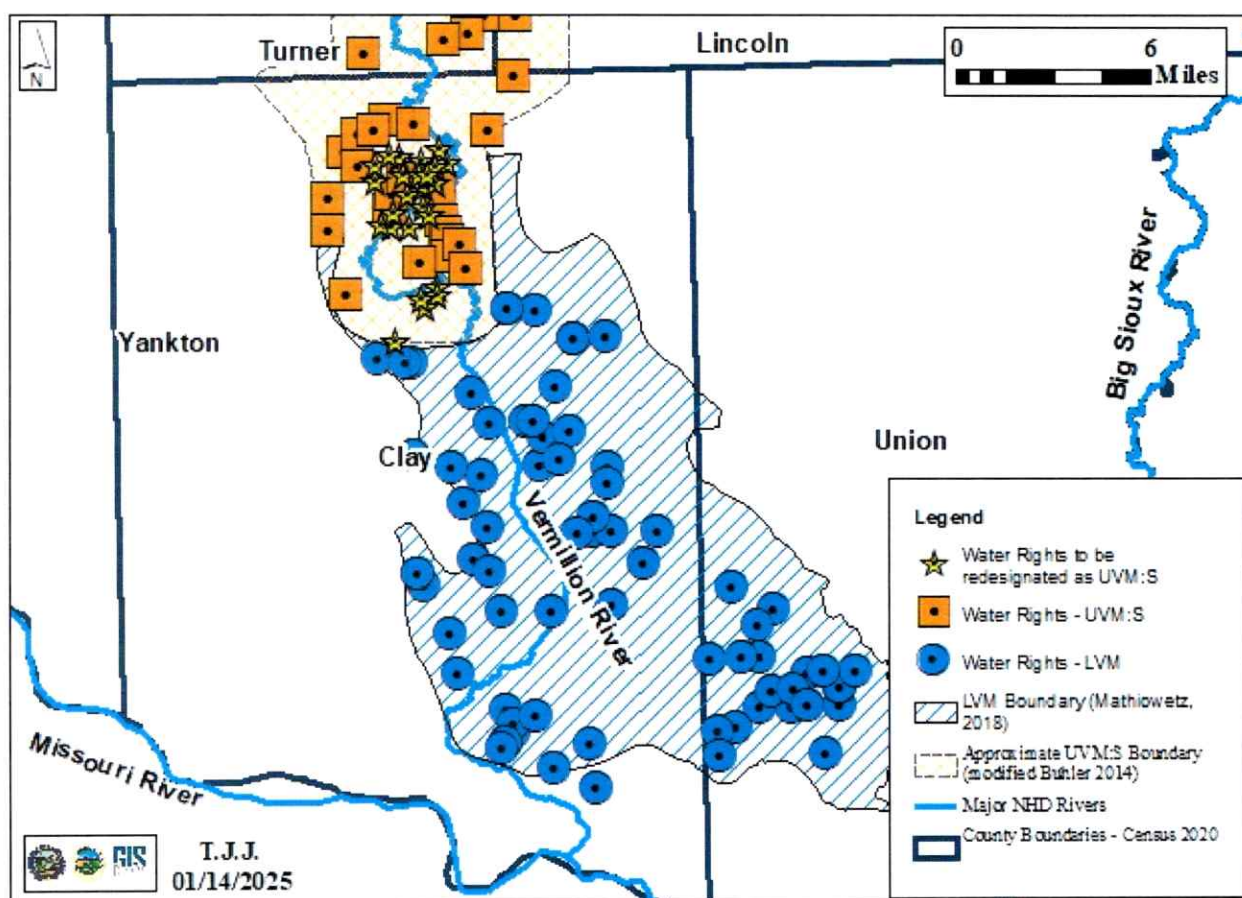


Figure 1. Map of the approximate Upper Vermillion Missouri: South aquifer boundary (Buhler, 2014), map of the approximate Lower Vermillion Missouri aquifer boundary (Mathiowetz, 2018), Water Rights/Permits for Upper Vermillion Missouri: South aquifer, Water Rights/Permits for Lower Vermillion Missouri aquifer, and Water Rights/Permits for Upper Vermillion Missouri: South aquifer previously assigned Lower Vermillion Missouri aquifer.



Tyler Jensen
Natural Resources Engineer I



Eric Gronlund
Chief Engineer

References

Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.

Jensen, T. 2025. Report to the Chief Engineer on Water Permit Application No. 8910-3. SD DANR-Water Rights Program. Joe Foss Building, Pierre, South Dakota.

Mathiowetz, A. 2018. Report to the Chief Engineer on Water Permit Application 8335-3. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.