

WATER PERMIT NO. 6813-3

Name of Applicant: Hansen Properties

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

Amount of Water Claimed: no add'l water Total Acres: 46

Source of Water Supply: groundwater (~~one existing well~~)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 4 miles south of Centerville

PRIORITY Date Received: 2-20-07 Application/License Fee: \$200

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

Remarks: Change of acreage and additional acres to what is authorized by Water Permit No. 6564-3

Diversion Point: center of SW ¼ Sec 16-T95N-
R52W

Land to be Irrigated: W ½ Section 16-T95N-
R52W

Depth of Well: ^{Drilled} 158-feet deep

Well Driller:

Remarks:

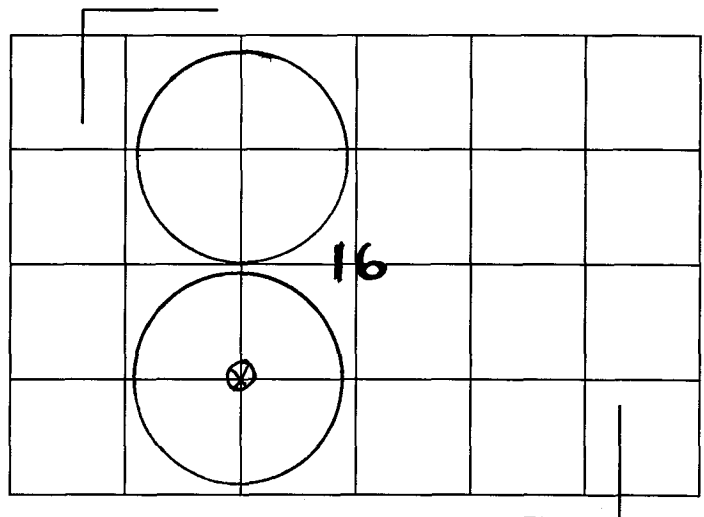
Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 2-28-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

RECEIVED

FEB 20 2007

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6813-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>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.)

Change acreag and add acreage to Water Permit No. 6564-3. The location of the well will also be changed but there will not be a change an increase in the diversion rate

- Name of Applicant 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 no add'l *CFS or **GPM ***AF Total Acreage 46
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply One well authorized by Permit No. 6564-3
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Clay
approximate center of the SW 1/4 of Section 16, T95N, R52W
- County or counties where water will be used Clay
- Annual period during which water is to be used April 1 - October 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)

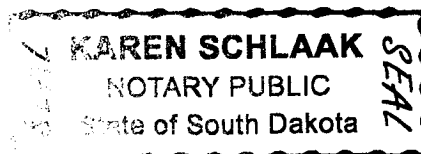
Land Description	Acres	Land Description	Acres
NW 1/4 NW 1/4 Section 16, T95N, R52W	34	NW 1/4 SE 1/4 Section 16, T95N, R52W	34
NE 1/4 NW 1/4 Section 16, T95N, R52W	34	NE 1/4 SE 1/4 Section 16, T95N, R52W	34
SW 1/4 NW 1/4 Section 16, T95N, R52W	34	SW 1/4 SE 1/4 Section 16, T95N, R52W	34
SE 1/4 NW 1/4 Section 16, T95N, R52W	35	SE 1/4 SW 1/4 Section 16, T95N, R52W	35

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

Installing two center pivots in the W 1/2 Section 16. Application is to add and change acres as necessary to accomodate proposed change. Hansen Pivot Nos. 7 and 8.

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 A. HansenSubscribed and sworn to before me this 20th day of February 20 07Karen Schlaak
Notary Public signatureMy Commission Expires
April 1, 2007

**SOUTH DAKOTA
WATER PERMIT NO. 6813-3**

Date of first receipt of application February 20, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6813-3 to Hansen Properties, c/o Roger Hansen, 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. 6813-3 authorizes changing the location of the well, irrigates 46 additional acres and changes the location of acreage authorized by Water Permit No. 6564-3. Water Permit No. 6564-3 authorizes 2.83 cubic feet of water per second from one well completed in the Lower Vermillion Missouri Aquifer (158 feet deep) located approximately 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. This permit changes the location of the well to the center of the SW 1/4 Section 16, authorizes irrigation of 46 additional acres and changes the location of the existing irrigation all to be located in the W 1/2 Section 16-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 February 20, 2007 (46 additional acres) and January 5, 2005 (2.83 cfs and 228 acres).
4. The date of approval of Permit No. 6813-3 is May 14, 2007.
5. One-fifth of the construction is to be completed on or before November 14, 2009.
6. All construction is to be completed on or before May 14, 2012.
7. Water is to be put to beneficial use on or before May 14, 2016.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

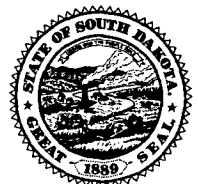
1. Water Permit No. 6813-3 incorporates Permit No. 6564-3 for a total appropriation of 2.83 cfs to irrigate 274 acres.
2. The well approved under this Water Permit No. 6813-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit 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.
3. The well authorized by Permit No. 6813-3 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.
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 15 2007

date



Hansen Properties water permit application to change the well location,
change acres and add acreage to Water Permit No. 6564-3



Map depicts the new location of the well (authorized by WP No. 6564-3) and the location of the two standard sized center pivots in the W /12 Section 16, T95N, R52W. This constitutes a change of acres and the irrigation of 46 additional acres.




Eric Gronlund PE
Water Rights Program, DENR

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Feb 20, 20 07

RECEIVED OF Roger A Hansen, 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>6813-3</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>6813-3</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	200.00

No.

02947

By

Harland Erbele

Chief Engineer

(RS)

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Applications filed by Hansen Properties

ADDRESS: COUNTY: Clay

DATE: February 27, 2007 TELEPHONE:

RE: Twelve applications filed by Hansen Properties

COMMENTS:

Mr. Hansen stopped in the Water Rights Program office on February 20th to file 12 applications. He later that week mailed one additional application. I helped him complete the application form and the map. The maps depict the area he showed me that are proposed to be irrigated. In some instances the number of acres listed on the application appears to be greater than the area portrayed on the map. Mr. Hansen obtained the estimated acres from his irrigation system supplier. Upon development of the irrigation system, the water license will be issued for the amount of irrigation actually taking place.

NAME: *Eric Hansen*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 17, 2007

Greg Merrigan, System Manager
Clay Rural Water System
30376 SD Hwy 19
Wakonda SD 57073-6416

Dear Mr. Merrigan:

Roger Hansen dba Hansen Properties has filed a twelve water right permit applications to appropriate ground water for irrigation in Clay County.

Enclosed are the reports, recommendations and public notice for these applications. The notice is being published in the Plain Talk on April 27 and May 4th. Petitions to intervene to cause a hearing before the Water Management Board must be submitted by May 14th as set forth in the public notice.

This information is being sent to keep Clay Rural Water System informed of these water permit application. Please contact Jim Goodman or myself if you have questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6813-3, Hansen Properties**

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. 6813-3, Hansen Properties, c/o Roger Hansen, Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 6813-3 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 qualification:

1. Water Permit No. 6813-3 incorporates Permit No. 6564-3 for a total appropriation of 2.83 cfs to irrigate 274 acres.
2. The well approved under this Water Permit No. 6813-3 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.
3. The well authorized by Permit No. 6813-3 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.
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
April 13, 2007

REPORT ON WATER PERMIT NO. 6813-3
For Hansen Properties
March 27, 2007

Application No. 6813-3 proposes to change the location of the well and to irrigate 46 additional acres and change the location of acreage authorized by Water Permit No. 6564-3. Water Permit No. 6564-3 authorizes 2.83 cfs from one well approximately 158 feet deep located approximately 1,320 feet south of the N $\frac{1}{4}$ corner of section 16 to irrigate 228 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 16; all in T95N R52W. This application proposes to change the location of the well to the center of the SW $\frac{1}{4}$ of section 16 and proposes to irrigate 46 additional acres and change the location of the permitted acres to be all located in the W $\frac{1}{2}$ of section 16, T95N R52W in Clay County. This application, with incorporation of Water Permit No. 6564-3, will authorize a total diversion of 2.83 cfs from one proposed well to irrigate 274 acres.

AQUIFER – LOWER VERMILLION MISSOURI (LVM)

The Lower Vermillion Missouri is a buried outwash (sand and gravel) that may be under artesian or water table conditions at this site. The Lower Vermillion Missouri 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 Union County to the southeast, blends into the Upper Vermillion Missouri aquifer to the north, and blends into the Missouri Elk Point aquifer to the south. Just to the northeast of this application the Lower Vermillion Missouri aquifer appears to be hydraulically connected to the overlying Parker Centerville aquifer and is also hydraulically connected to the Vermillion River. Ground water movement has a basic component of northwest to southeast in Clay County with locally movement toward the Vermillion River (Christensen, 1967). This would mean most of the time the aquifer is discharging to the river.

Without test holes at this site it is impossible to identify the depth of aquifer. Based upon surrounding information for the area and the county study this site should be underlain by Lower Vermillion Missouri aquifer (Christensen, 1967). At this site a well would probably encounter 125 to 150 feet of saturated sands and gravels. The well should be completed as deep as possible into the source for a more reliable well. This is because the greater saturated thickness allows for a higher capacity well.

The Water Rights Program monitors three observation wells within three miles of this application. One of these monitor wells TU-77N (located about three miles north) is completed into the Parker Centerville aquifer, and the other two monitor wells CL-80K (located about three miles northeast of this application) and CL-66A (located about one mile southeast of this application) are completed into the Upper Vermillion Missouri or Lower Vermillion Missouri aquifers respectively. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water record indicates that the aquifer is capable of sustaining additional withdrawals (Water

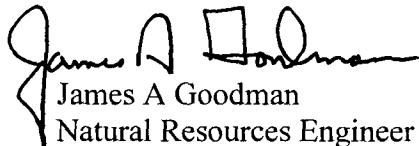
Rights, 2007). Hydrographs for these three observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This application proposes to use a well authorized by Water Permit No. 6564-3 but moved from the original location about one-half mile to the south. This permit authorizes a 158 feet deep well but is only an estimate because no test hole was drilled and no well completed since the original permit was issued. Also, this proposed well is about one-half mile from a permitted irrigation well (Water Permit No. 6565-3) which is located to the south. At this distance between wells interference is not expected to be a concern. Drawdown is not expected to be significant and this is shown by the observation well record. The nearest existing irrigation well is over one mile from this proposed site.

CONCLUSIONS

1. Water is available from the Lower Vermillion Missouri aquifer.
2. No test well information is available for this site. The county study would indicate that total thickness of 125 to 150 feet can be expected. The total depth of an irrigation well may be over 150 feet. Interference is not expected to be a concern. The observation well records indicate drawdown is not significant. The aquifer appears to be under water table conditions in this area.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

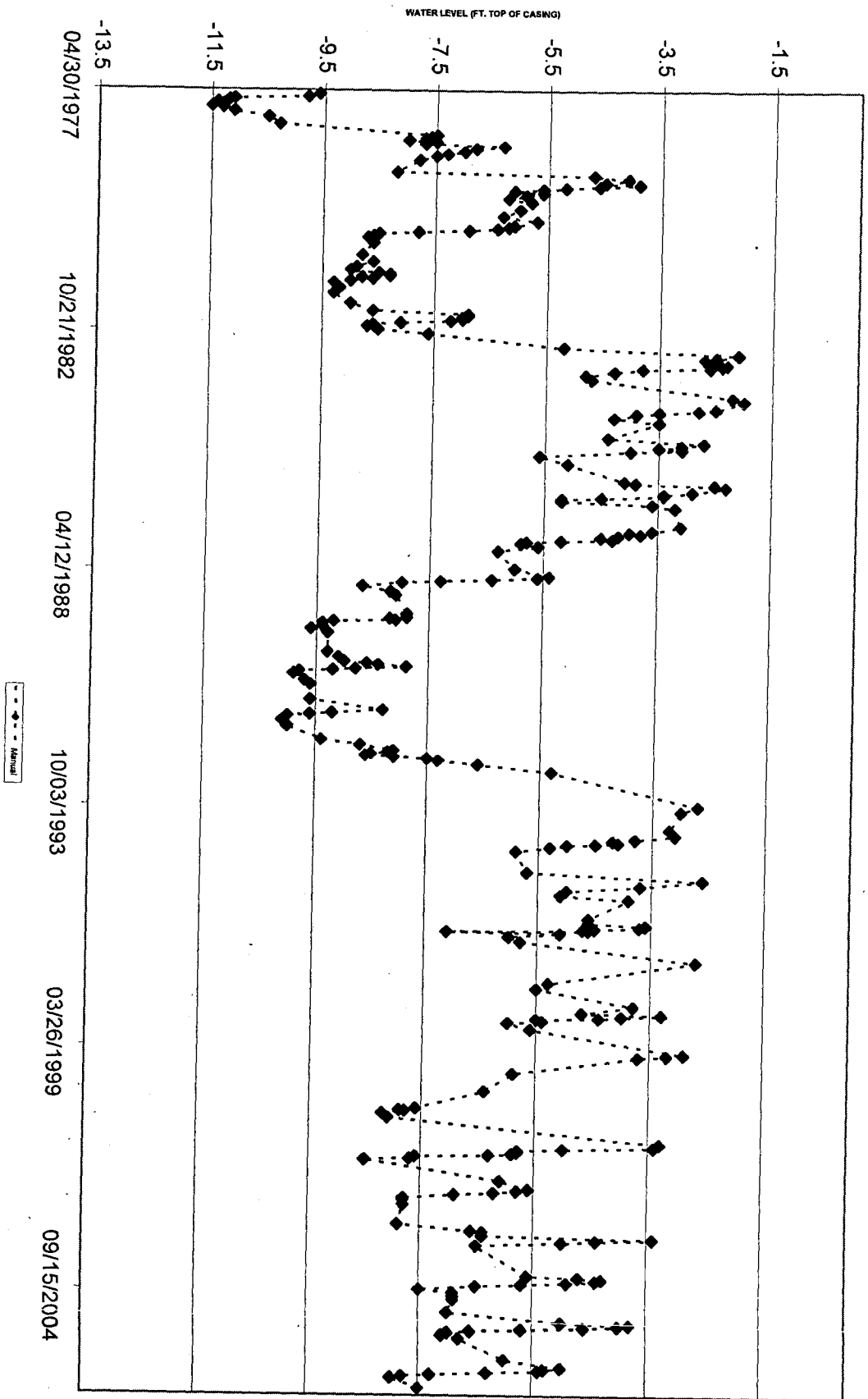
BIBLIOGRAPHY

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.

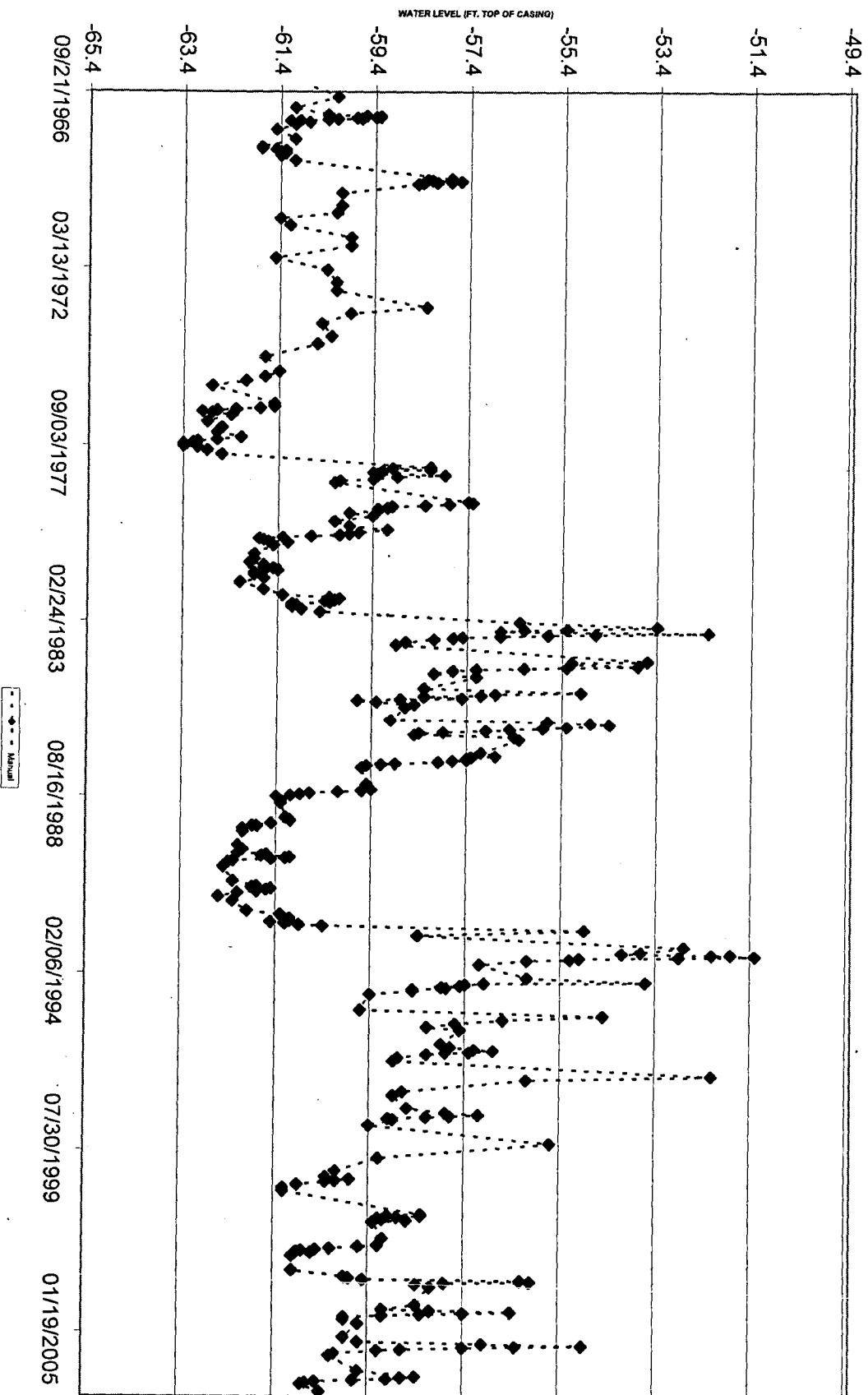
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Data for Turner and Clay Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

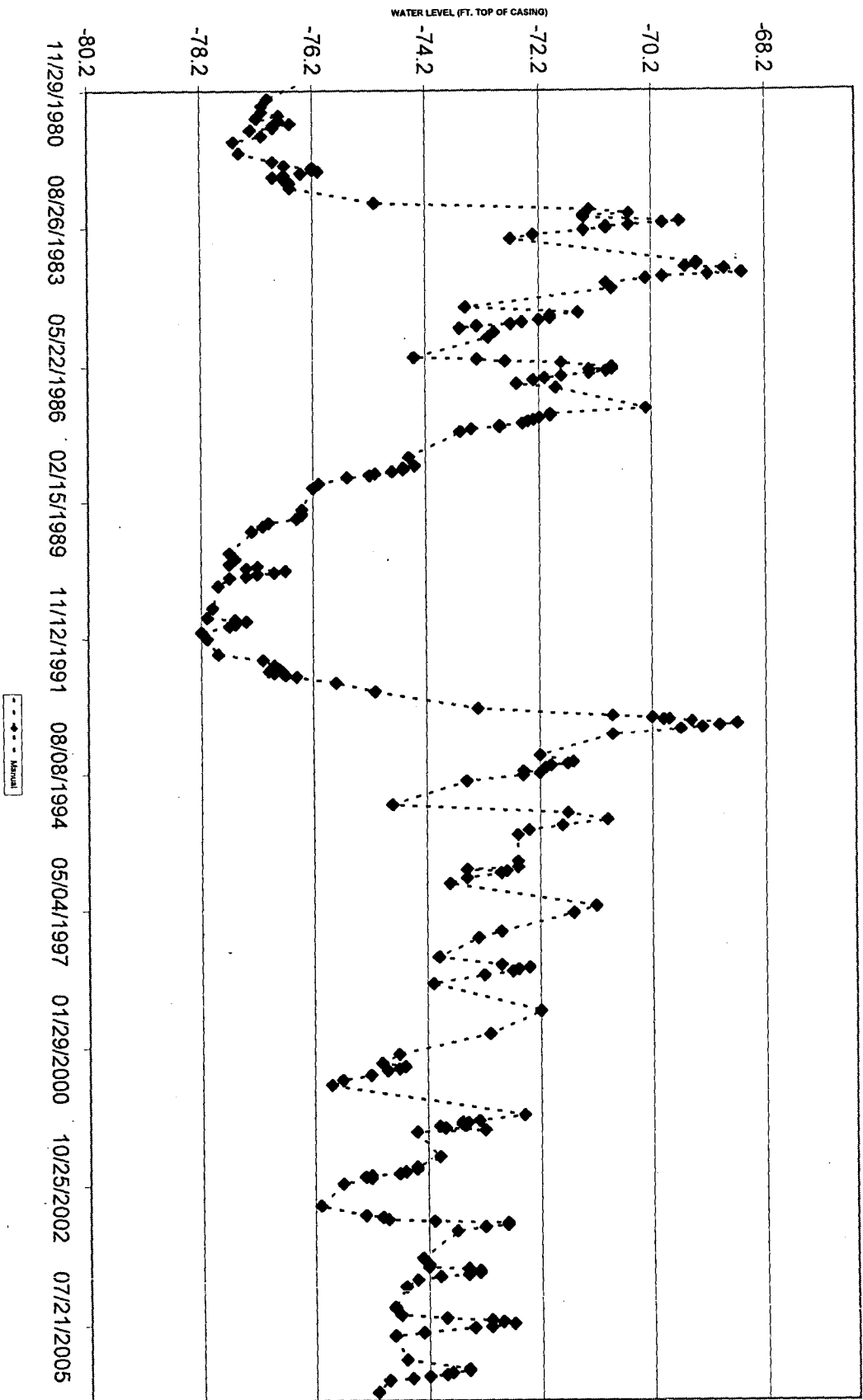
WATER RIGHTS' OBSERVATION WELL
TU-77N



WATER RIGHTS' OBSERVATION WELL
CL-66A



WATER RIGHTS' OBSERVATION WELL CL-80K



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 APPLICATION NOS. 6810-3 THRU 6822-3

TO APPROPRIATE WATER

HANSEN PROPERTIES

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 27th day of April, 20 07, and that the succeeding publications were severally

on Friday, the 4th day of May, 20 07,

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 forty-four _____ dollars and 45 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 May, 20 07



NOTARY PUBLIC
SOUTH DAKOTA



My Commission Expires 04/17/2011

NOTICE OF APPLICATION NOS. 6810-3 thru 6822-3 to Appropriate Water

Notice is given that Hansen Properties, Box B, Centerville, SD 57014 has filed the following applications to appropriate water:

Application No. 6810-3 proposes to appropriate 1.56 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N 1/2 SW 1/4 Section 3 to irrigate 71 acres located in the N 1/2 SW 1/4 Section 3; all in T95N-R52W.

Application No. 6811-3 proposes to appropriate 1.78 cfs from one well to be completed into the Upper Vermillion Missouri Aquifer (approximately 100 feet deep) located in the NE 1/4 NW 1/4 Section 10 to irrigate 115 acres located in the NW 1/4, N 1/2 SE 1/4, NE 1/4 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. 6812-3 proposes to appropriate an additional 0.67 cfs and irrigate 62 additional acres to what is currently authorized by Water Permit No. 6570-3. Water Permit No. 6570-3 authorizes 1.11 cfs from one well completed in the Upper Vermillion Missouri Aquifer (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. This application proposes to appropriate an additional 0.67 cfs from the existing well to irrigate 62 additional acres located in the SW 1/4 SE 1/4, SE 1/4 SW 1/4 Section 10-T95N-R52W. This notice also serves to correct the water source authorized by permit No. 6570-3 to the Upper Vermillion Missouri Aquifer. This application incorporates Water Permit No. 6570-3 to authorize a total diversion of 1.78 cfs for irrigation 117 acres which is slightly greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6813-3 proposes to change the location of the well, to irrigate 46 additional acres and change the location of acreage authorized by Water Permit No. 6564-3. Water Permit No. 6564-3 authorizes 2.83 cfs from one well completed in the Lower Vermillion Missouri Aquifer (158 feet deep) located approximately 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. This application proposes to change the location of the well to the center of the SW 1/4 Section 16 and irrigate 46 additional acres and change the location of the existing irrigation all to be located in the W 1/2 Section 16-T95N-R52W. This application, with incorporation of Water Permit No. 6564-3, will authorize a total diversion of 2.83 cfs from one proposed well to irrigate 274 acres.

Application No. 6814-3 proposes to irrigate an additional 180 acres utilizing the well authorized by

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MAY 11 2007
WATER RIGHT
PROGRAM
Notary Public

Water Permit No. 6563-3. Water Permit No. 6563-3 appropriates 3.34 cfs one well completed into the Lower Vermillion Missouri Aquifer (158 feet deep) located in the SW 1/4 NW 1/4 Section 15 to irrigate 380 acres in Section 15 T95N R52W. This application proposes to irrigate 180 acres located in the E 1/2, SE 1/4 NW 1/4, NE 1/4 SW 1/4 Section 16-T95N-R52W. This application does not request an increase in the diversion rate from the well.

Application No. 6815-3 proposes to appropriate 1.78 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 150 feet deep) located in the center of the SW 1/4 Section 15-T95N-R52W to irrigate 147 acres located in the S 1/2, S 1/2 NE 1/4, Section 15-T95N-R42W. Also this well will be utilized to irrigate 127 acres authorized by Water Permit No. 6563-3 located in the SW 1/4 Section 15-T95N-R52W. If approved, this application will authorize a total diversion of 1.78 cfs to irrigate 274 acres.

Application No. 6816-3 proposes to appropriate 1.56 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N 1/2 SE 1/4 Section 21 to irrigate 96 acres located in the N 1/2 SW 1/4 and the N 1/2 SE 1/4 Section 21; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6817-3 proposed to appropriate 0.16 cfs by increasing the diversion rate authorized by Water Permit No. 6573-3. Water Permit No. 6573-3 authorizes 1.84 cfs from one well completed into the Lower Vermillion Missouri Aquifer (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. This application proposes to increase the diversion rate from 1.84 cfs to 2.00 cfs. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6818-3 proposes to appropriate 1.55 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the approximate center of the NE 1/4 Section 28 to irrigate 117 acres located in the N 1/2 Section 28; all in T95N-R52W.

Application No. 6819-3 proposes to appropriate 1.78 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N 1/2 NE 1/4 Section 27 to irrigate 137 acres located in the N 1/2 NE 1/4 Section 27 and S 1/2 SE 1/4 Section 22; all in T95N-R52W.

Application No. 6820-3 proposes to appropriate 1.56 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the approximate center of the SW 1/4 Section 23 to irrigate 43 acres located in the E 1/2 SW 1/4, NW 1/4 SE 1/4 Section 23; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6821-3 proposes to appropriate 2.0 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 200 feet deep) located in the SE 1/4 SW 1/4 Section 3 to irrigate 95 acres located in the S 1/2 SE 1/4, NW 1/4 SE 1/4, SE 1/4 SW 1/4 Section 3; all in T94N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6822-3 proposes to appropriate 1.11 cfs from one well to be completed into the Lower Vermillion Missouri (approximately 150 feet deep) located in the SE 1/4 NE 1/4 Section 27 to irrigate 36 acres located in the S 1/2 NE 1/4 Section 27; all in T95N-R52W. 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 Nos. 6810-3 to 6822-3 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 these applications, 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 this application. 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 recommendation. 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 May 14, 2007.

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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Publish: April 27 & May 4, 2007



April 17, 2007

PLAIN TALK
PO BOX 256
VERMILLION SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 6810-3 through 6822-3 to Appropriate Water to be published twice. Please publish the first notice on April 27, 2007 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 Hansen Properties, Box B, Centerville SD 57014 (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. 6810-3 through 6822-3

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

Date _____

We are in receipt of your letter of April 17, 2007 enclosing Notice to Appropriate Water by Application Nos. 6810-3 through 6822-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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.

April 17, 2007

HANSEN PROPERTIES
BOX B
CENTERVILLE SD 57014

Dear Sir:

Water Permit Application Nos. 6810-3 through 6822-3 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 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 applications 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 Notices 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 applications.

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.

Instruction to Newspaper - Publish first Notice on April 27, 2007 with the second publication 7 days later. The applicant is responsible for payment.

Notice is given that Hansen Properties, Box B, Centerville SD 57014 has filed the following applications to appropriate water.

Application No. 6810-3 proposes to appropriate 1.56 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 3 to irrigate 71 acres located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 3; all in T95N-R52W.

Application No. 6811-3 proposes to appropriate 1.78 cfs from one well to be completed into the Upper Vermillion Missouri Aquifer (approximately 100 feet deep) located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 to irrigate 115 acres located in the NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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. 6812-3 proposes to appropriate an additional 0.67 cfs and irrigate 62 additional acres to what is currently authorized by Water Permit No. 6570-3. Water Permit No. 6570-3 authorizes 1.11 cfs from one well completed in the Upper Vermillion Missouri Aquifer (158 feet deep) located in the center of the SW $\frac{1}{4}$ Section 10 to irrigate 55 acres located in the SW $\frac{1}{4}$ Section 10; all in T95N-R52W. This application proposes to appropriate an additional 0.67 cfs from the existing well to irrigate 62 additional acres located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10-T95N-R52W. This notice also serves to correct the water source authorized by permit No. 6570-3 to the Upper Vermillion Missouri Aquifer. This application incorporates Water Permit No. 6570-3 to authorize a total diversion of 1.78 cfs for irrigation 117 acres which is slightly greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6813-3 proposes to change the location of the well, to irrigate 46 additional acres and change the location of acreage authorized by Water Permit No. 6564-3. Water Permit No. 6564-3 authorizes 2.83 cfs from one well completed in the Lower Vermillion Missouri Aquifer (158 feet deep) located approximately 1320 feet south of the N $\frac{1}{4}$ Section 16 to irrigate 228 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; all in T95N-R52W. This application proposes to change the location of the well to the center of the SW $\frac{1}{4}$ Section 16 and irrigate 46 additional acres and change the location of the existing irrigation all to be located in the W $\frac{1}{2}$ Section 16-T95N-R52W. This application, with incorporation of Water Permit No. 6564-3, will authorize a total diversion of 2.83 cfs from one proposed well to irrigate 274 acres.

Application No. 6814-3 proposes to irrigate an additional 180 acres utilizing the well authorized by Water Permit No. 6563-3. Water Permit No. 6563-3 appropriates 3.34 cfs one well completed into the Lower Vermillion Missouri Aquifer (158 feet deep) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section to irrigate 380 acres in Section 15 T95N R52W. This application proposes to irrigate 180 acres located in the E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16-T95N-R52W. This application does not request an increase in the diversion rate from the well.

Application No. 6815-3 proposes to appropriate 1.78 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 150 feet deep) located in the center of the SW $\frac{1}{4}$ Section 15-T95N-R52W to irrigate 147 acres located in the S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 15-T95N-R42W. Also this well will be utilized to irrigate 127 acres authorized by Water Permit No. 6563-3 located in the SW $\frac{1}{4}$ Section 15-T95N-R52W. If approved, this application will authorize a total diversion of 1.78 cfs to irrigate 274 acres.

Application No. 6816-3 proposes to appropriate 1.56 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21 to irrigate 96 acres located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6817-3 proposed to appropriate 0.16 cfs by increasing the diversion rate authorized by Water Permit No. 6573-3. Water Permit No. 6573-3 authorizes 1.84 cfs from one well completed into the Lower Vermillion Missouri Aquifer (158 feet deep) located in the NE ¼ SW ¼ Section 28 to irrigate 130 acres located in the SW ¼, S ½ NW ¼ Section 28; all in T95N-R52W. This application proposes to increase the diversion rate from 1.84 cfs to 2.00 cfs. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6818-3 proposes to appropriate 1.55 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the approximate center of the NE ¼ Section 28 to irrigate 117 acres located in the N ½ Section 28; all in T95N-R52W.

Application No. 6819-3 proposes to appropriate 1.78 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the N ½ NE ¼ Section 27 to irrigate 137 acres located in the N ½ NE ¼ Section 27 and S ½ SE ¼ Section 22; all in T95N-R52W.

Application No. 6820-3 proposes to appropriate 1.56 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 100 feet deep) located in the approximate center of the SW ¼ Section 23 to irrigate 43 acres located in the E ½ SW ¼, NW ¼ SE ¼ Section 23; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6821-3 proposes to appropriate 2.0 cfs from one well to be completed into the Lower Vermillion Missouri Aquifer (approximately 200 feet deep) located in the SE ¼ SW ¼ Section 3 to irrigate 95 acres located in the S ½ SE ¼, NW ¼ SE ¼, SE ¼ SW ¼ Section 3; all in T94N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 6822-3 proposes to appropriate 1.11 cfs from one well to be completed into the Lower Vermillion Missouri (approximately 150 feet deep) located in the SE ¼ NE ¼ Section 27 to irrigate 36 acres located in the S ½ NE ¼ Section 27; all in T95N-R52W. 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 Nos. 6810-3 to 6822-3 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 these applications, 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 this application. 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 recommendation. 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 May 14, 2007.

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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PAYMENT REQUEST FORM

PAYEE: Hansen Properties
Roger Hansen
PO Box 8
Centerville SD 57014

FROM: Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund on Water licenses

AMOUNT: \$150.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Darlene E. Ebel 6/15/07

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



JUN 15 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Hansen Properties
c/o Roger Hansen
PO Box 8
Centerville SD 57014

Dear Mr. Hansen:

Enclosed are Water Permit Nos. 6812-3 thru 6820-3 and 6822-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Enclosed are the receipts for the payment of the application/license fees. A \$50 license fee was charged for Water Permit Nos. 6812-3, 6813-3 and 6814-3, when it was not required. Therefore, \$150 will be refunded to you. You should be receiving this refund within the next couple of weeks.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished each 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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Hansen Properties

ADDRESS: Box B Centerville SD

DATE: August 13, 2007

TELEPHONE: 563-2212

RE: Irrigation of property not covered by permit

COMMENTS:

On August 13, 2007, Karen Bjordal called concerning the property in the N $\frac{1}{2}$ NE $\frac{1}{4}$ section 16-T95N-R52W. A portion of this area was being irrigated by an irrigation system owned by Hansen Properties located on the adjoining property. According to Ms. Bjordal, three towers of the pivot were crossing the property line into the N $\frac{1}{2}$ NE $\frac{1}{4}$ section 16.

In response to the complaint I contacted Roger Hansen who acknowledged the pivot had crossed the property line and steps had been taken to prevent that in the future. The pivot is now equipped with both a software and a mechanical switch to prevent the pivot from crossing the property line. Mr. Hansen indicated in the midst of getting 19 irrigation systems set up that the necessary fine tuning of switches was taking some time but the problem should now be fixed.

I left a message on the phone for Jon Bjordal indicating that the problem should not occur in the future and to let me know if he had any questions.



Ron Duvall
Natural Resources Engineer
Water Rights Program

Roger Hansen Farms - Clay County, South Dakota

Irrigation Well, Pump, & Water Permit DataWell # 4 Pivot # 7 & 8**WELL DATA**

Location: in Clay County, SD Riverside Twp	SE 1/4 - Sec 16
Date the well was placed in service:	7/22/07
Depth of well in feet:	162'
Static water level:	68'
Drawdown at normal pumping volume:	12'
Normal Delivery in GPM or CFS:	800 GPM
Could the well be successfully deepened?	NO
Diameter and gauge of casing:	16" Schedule 40
Date pump was installed:	7/22/07
Make and type:	Grundfos Submersible-Electric
Diameter of column:	6"
Length of column:	120'
Diameter of discharge pipe:	8"
Rated capacity of bowls or pump in GPM:	800
Rated horsepower:	60
Date of most recent pump test:	7/22/07
Tested by:	Hammond/Wetmore Drilling Vermillion, SD
Original or replacement cost of well inc. casing:	\$12,717.00
Original or replacement cost of pump:	\$6,488.00
Original or replacement cost of power unit:	\$7,365.00
Estimated total replacement cost of well:	\$31,579.00

WATER PERMIT DATA

South Dakota Water Permit #	6564-3
Allowable delivery in GPM under water right:	800
Number of acres in water right:	228

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

6813-3

Location ne $\frac{1}{4}$ sw $\frac{1}{4}$ Sec 16 Twp 95n Rg 52wCounty
clay

North

Please mark well
location with an "X"

W

E

Well Completion Date

7/12/2007

1 Mile

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

? 1,850.0 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 LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	102.0	22.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Bent grt	26	9.5	0.0	95.0

Lb/gal Ft Ft

Describe grouting procedure

Tremie method

SCREEN:

☐ Perforated pipe
 ☒ Manufactured
 Diameter 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:

DEPTH

FORMATION

FROM

TO

topsoil, Dk Brn, Silty	0	1
Clay, brown, silty, pebbly	1	25
Clay, gray, silty pebbly	25	73
gravel, medium to coarse, sandy	73	178

STATIC WATER LEVEL

76.0 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

87.0 Ft. After 2.0 Hrs. pumped 800.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: 800.0 GPM

REMARKS

RECEIVED

FEB - 1 2008

This well was drilled under license WATER RIGHTS PROGRAM 666

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: 1/3/08



6813-3
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 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.

6813-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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,

A handwritten signature in cursive script that reads "Genny McMath".

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

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 25, 2012, made a thorough examination of the water use system constructed by Roger Hansen, dba Hansen Properties of Centerville, SD holder of Permit No. 6813-3, bearing the priority of February 20, 2007 (46 additional acres) and January 5, 2005 (2.83 cfs and 228 acres) authorizing the diversion of 2.83 cu. ft. per second of the waters of Lower Vermillion Missouri aquifer for irrigation purposes, in Clay County.

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

A. Works used to divert the water:

One well is in place with a submersible pump that is capable of producing 1.78 cfs (800 gpm.

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

For the pivot in the SW ¼ Section 16: Well head is 20 ft from the pivot point. Water from the well is conveyed to the pivot point in an above ground PVC pipeline.

For the pivot in the NW ¼ Section 16: Well head is 2,500 ft from the pivot point. Water from the well is conveyed to the pivot point in a buried PVC pipeline. The systems are powered by an electric 60 hp submersible motor.

C. Works used to apply water to beneficial use:

For the pivot in the SW ¼ Section 16: one, seven-tower Zimmatic center pivot

For the pivot in the NW ¼ Section 16: one, six-tower Zimmatic center pivot

The systems are in the following condition good. The point of diversion is located as follows:

Measurements made from the SW corner of Sec 16, T95N-R52W: 1,360 ft. north and 1,335 ft. east; NE ¼ SW ¼ Sec. 16, T95N-R52W; 96.99818° W, 43.04337° N; near the approximate center of the SW ¼ Sec. 16, T95N-R52W.

The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows all in Sec. 16 T95N-R52W:

NW ¼ NW ¼ -	28 ac	NE ¼ NW ¼ -	22.5 ac	SE ¼ NW ¼ -	22.5 ac	SW ¼ NW ¼ -	26.5 ac
NW ¼ SW ¼ -	32 ac	NE ¼ SW ¼ -	26.5 ac	SE ¼ SW ¼ -	28.5 ac		

comprising a total of 187 acres of land and the license should be issued for 1.78 cfs. Applicable permit qualifications have been complied with Yes. Exceptions to compliance are: None.

Date: August 21, 2013



Adam Mathiowetz

DENR Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 6813-3

DATE: 7/25/12

Other permit(s) associated with the project:

DIVERIONS POINT LEGAL LOCATION: NE ¼ SW ¼, near the approximate center of the SW ¼ Sec. 16, T95N-R52W; 96.99818° W, 43.04337° N

WELL INFORMATION:

- 1) Well Drilling Firm: Hammond-Wetmore
- 2) No. of Wells: 1
- 3) Depth(s), feet: 178
- 4) Well Log is available, Y/N: Yes
- 5) Comments: Well log and pump info is in the file for 6813-3

Casing:

- 1) Diameter, inches: 16
- 2) Type: PVC
- 3) Length, feet: 102

Screen:

- 1) Type: PVC
- 2) Static water level, feet: 76
- 3) Length, feet: 60

Pump:

- 1) Make: Grundfos
- 2) Model: submersible-electric
- 3) Size: 10 inches
- 4) Capacity, GPM: 800

Motor:

- 1) Make: Franklin
- 2) Model No.: submersible
- 3) Horsepower rating, hp: 60

DISTRIBUTION LINES OR CANALS:

- 1) TYPE: PVC, above ground to SW $\frac{1}{4}$ pivot and buried in ground to NW $\frac{1}{4}$ pivot
- 2) Length, feet: SW $\frac{1}{4}$: 20 and NW $\frac{1}{4}$: 2,500

SYSTEM TYPE:**Center pivot:**

- 1) Make: Zimmatic
- 2) Overall length, feet: SW $\frac{1}{4}$: 1,350 and NW $\frac{1}{4}$: 1,200
- 3) Number of towers: SW $\frac{1}{4}$: 7 and NW $\frac{1}{4}$: 6
- 4) Distance between towers, feet: approx. SW $\frac{1}{4}$: 193 and NW $\frac{1}{4}$: 200
- 5) End gun, Y/N: Yes
- 6) High or low pressure: Low, 35 psi
- 7) Capacity, GPM: 800

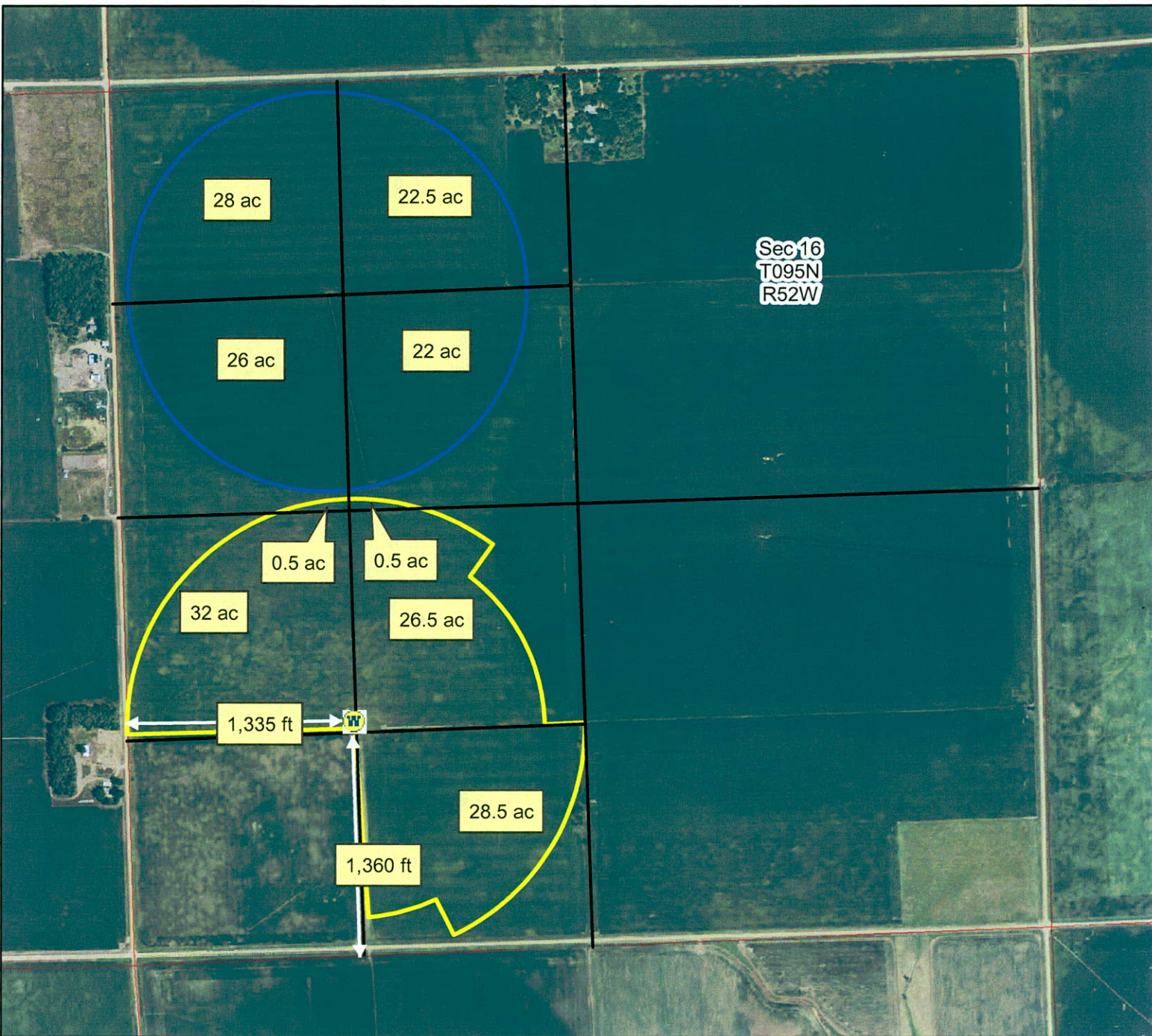
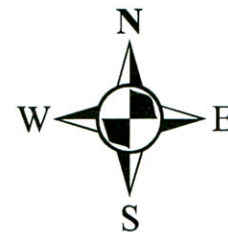
CHEMIGATION EQUIPMENT:

- 1) Does chemigate, Y/N: No

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and land listed on permit, Y/N: Yes
- 2) Special qualifications to permit being abided by, Y/N: Yes
- 3) All structures, wells and lands on map, Y/N: Yes
- 4) Irrigation Questionnaires check to determine if permit owner started irrigation by the end of construction period, Y/N: Yes

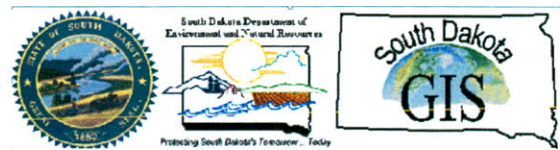
Roger Hansen
Hansen Properties
PO Box B
Centerville, SD - Clay County
Water Permit No. 6813-3



0 0.1 0.2 0.4 Miles

- Well Site
- NW 1/4 Pivot
- SW 1/4 Pivot
- Section Boundaries - PLSS

Adam Mathiowetz
Adam Mathiowetz
DENR Water Rights Program
August 21, 2013



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6813-3

(1) Roger Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014 made Application No. 6813-3, February 20, 2007 for a water permit to change the location of a well, irrigate additional acreage and change the location of acreage authorized under Water Permit No. 6564-3. The project is located in Clay County, South Dakota. Permit No. 6813-3, with priority dates of February 20, 2007 and January 5, 2005 was approved May 14, 2007 and incorporated the applicable portions Water Permit No. 6564-3. No. 6813-3 was issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 14, 2012 and for the application to beneficial use of said water on or before May 14, 2016.

The incorporated water permit specified two priority dates. Water Permit No. 6564-3 carried a priority date of January 5, 2005 for 2.83 cubic feet of water per second for irrigation of 228 acres. Water Permit No. 6813-3 specified a priority date of February 20, 2007 for 46 additional acres. The system as constructed covers 187 acres with a developed diversion rate of 1.78 cfs. Since the project as developed is within the acreage and diversion rate of the originating water permit, Water License No 6813-3 will be issued with a priority date of January 5, 2005.

(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 1.78 cubic feet of water per second for beneficial use.

The location of the diversion point is 1,360 feet north and 1,335 feet east of the SW corner of Section 16, T95N, R52W (NE 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:

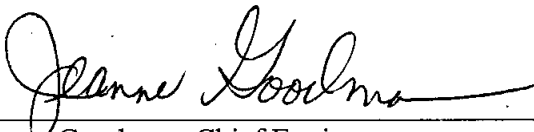
Section 16, T95N, R52W			
NW ¼ NW ¼	28.0 acres	NW ¼ SW ¼	32.0 acres
NE ¼ NW ¼	22.5 acres	NE ¼ SW ¼	26.5 acres
SE ¼ NW ¼	22.5 acres	SE ¼ SW ¼	28.5 acres
SW ¼ NW ¼	26.5 acres		
Total			187.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Roger Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014 the holder and/or owner of Water Right No. 6813-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well, Lower Vermillion Missouri Aquifer) with a priority date of January 5, 2005 from the location specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6813-3 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. 6813-3 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. *The well was completed in July, 2007 by Hammond-Wetmore Drilling. A copy of the log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 11 2013

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 11 2013

6813-3

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed is Water License No. 6813-3. 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. 6813-3, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



6813-3
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.



6813-3
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

6813-3



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 dark 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

RECEIVED

MAR 22 2019

Water Right/Permit No. 6813-3Date: 2-21-19WATER RIGHTS
PROGRAMI/We request that Water Right/Permit No. 6813-3 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:

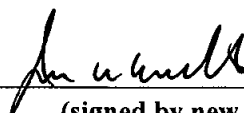
section 16-T95N-R52W. NW 1/4 NW 1/4 = 28.0 acres, NE 1/4 NW 1/4 = 22.5 acres, SE 1/4 NW 1/4 = 22.5 acres, SW 1/4 NW 1/4 = 26.5 acres, NW 1/4 SW 1/4 = 32.0 acres, NE 1/4 SW 1/4 = 26.5 acres, SE 1/4 SW 1/4 = 28.5 acres, for total of 187.0 acres

☒ I understand that the validity of Water Right/Permit No. 6813-3 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.


(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, 20 19

RECEIVED OF MetaBank 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>6813-3</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. **09075**

By

Jeane Goodman
Chief Engineer

DM

6813-3



121 E. 5th St. / P.O. Box 1307 / Storm Lake, IA 50588

Phone: 712.732.4117 / Fax: 712.749.7502

www.metabank.com

March 14, 2019

Member FDIC

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

Dear Ms. McMath,

Please find enclosed the two corrected, Notice of Transfer of Ownership forms for water permits # 973-3 and #6813-3. I understand there will not be an additional fee for correcting the legal descriptions on these forms. Also enclosed, is a new Notice of Transfer of Ownership on permit #7949-3 and a check for the \$50 transfer fee. Please let me know if there is anything else you need from us. Thanks for your assistance.

Sincerely,

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

Jon W. Wilcke
Market President

6813-3



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,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosures: Receipts for the filing fees

6813-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 15, 2020

Marion Rus
Rus Farms Real Estate LLC
3283 Dogwood Ave
Rock Valley IA 51247

RE: Ownership changes for Water Right Nos. 6563-3, 6571-3, 6813-3, 6815A-3 & 7001-3

Dear Mr. Rus:

I am writing in follow-up to our phone conversation concerning land you purchased from MetaBank under the above Water Right numbers. Prior to MetaBank, the property was owned by Roger Hansen or Hansen Properties.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$250). The check or money order for the fee can be made payable to the Water Rights Program.

I have made changes to the irrigation questionnaire database to allow the annual forms to be sent to PBP Farms in Hurley SD. If I can answer any questions for you, please let me know.

Sincerely,

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

Enclosures

6813-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date September 23, 2020RECEIVED OF Rus Farms, Inc. 3283 Dogwood Avenue, Rock Valley IA 51247

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>6813-3</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 *Eric Gronlund*
 Chief Engineer *vm*

PAID

SEP 23 2020

Ck# 1079

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

SEP 23 2020

WATER RIGHTS
PROGRAM

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

No. 6813-3

Date: _____

I/We request that Water Right No. 6813-3

formerly owned by: MetaBank

be transferred to: (name & address) Rus Farms Real Estate LLC

3283 Dogwood Avenue, Rock Valley IA 51247

Telephone No. 712 540-2134

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

187 acres – NW ¼, N ½ SW ¼ and SE ¼ SW ¼ Section 16, T95N, R52W

I/We understand that the validity of Water Right/Permit No. 6813-3 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 Maria Rus Rus Farms Real Estate, the new owner, certify that the above information is true and correct.

Maria Rus
(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.

6813-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 29, 2020

Marion Rus
Rus Farms Real Estate LLC
3283 Dogwood Ave
Rock Valley IA 51247

RE: Water Right or Permit Nos. 6563-3, 6571-3, 6813-3, 6815A-3, 7001-3

Dear Mr. Rus:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right or Permit Nos. 6563-3, 6571-3, 6813-3, 6815A-3 and 7001-3.

The ownership changes have been completed. The above listed permits and rights formerly held by MetaBank are now listed under Rus Farms Real Estate LLC.

The receipts for the filing fees you submitted are enclosed. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosures

6813-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: PBP FARMS, OPERATOR, 45610 282ND ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 3500-3 & 3501-3 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) 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3 & 7001-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3 & 7001-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3500-3 & 3501-3 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 3, 2021** 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://denr.sd.gov/iq> using this password: PDUVFL**

C: JAY W PARSONS, PO BOX 177, VIBORG SD 57070-0177

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

Brett or Paul Petersen
PBP Farms
45610 282nd St
Hurley SD 57036

RE: Water Right/Permit Nos. 3500-3, 3501-3, 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3 & 7001-3

Dear Sirs:

I am writing to acknowledge receipt of the 2020 irrigation questionnaires for PBP Farms.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits or rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: PBP FARMS, BRETT PETERSEN, 45610 282ND ST, HURLEY SD 57036

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3, 7001-3, 8557-3 & 8558-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3, 7001-3, 8557-3 & 8558-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3, 7001-3, 8557-3 & 8558-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WKAPQX**

**cc: RUS FARMS REAL ESTATE LLC, 3283 DOGWOOD AVE, ROCK VALLEY IA 51247
BUZZ WILSON LLC, 44220 271ST ST, MARION SD 57043
ALLTHATISLEFT LLC, 8787 LOCUST AVE 14, FONTANA CA 92336**

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.

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.

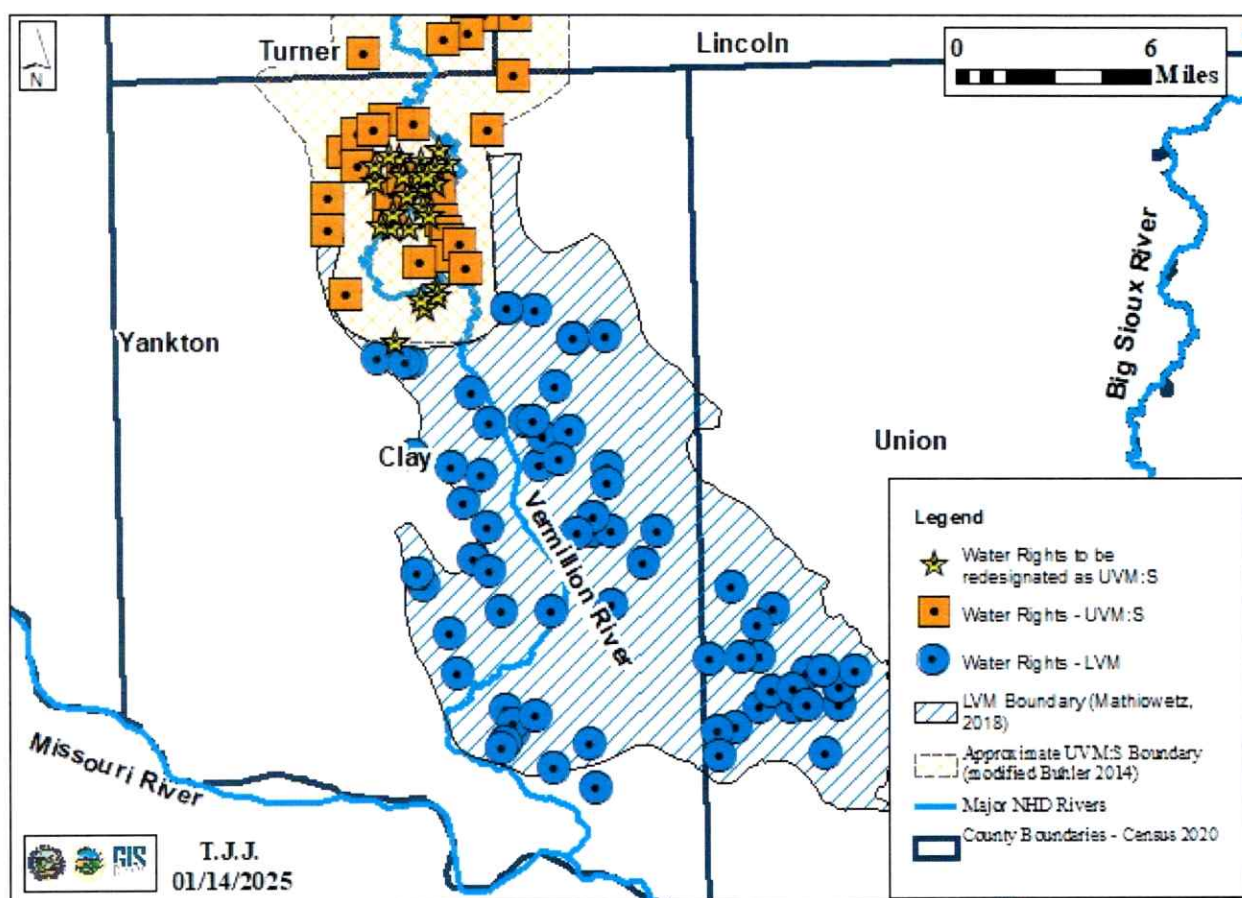


Figure 1. Map of the approximate Upper Vermillion Missouri: South aquifer boundary (Buhler, 2014), map of the approximate Lower Vermillion Missouri aquifer boundary (Mathiowetz, 2018), Water Rights/Permits for Upper Vermillion Missouri: South aquifer, Water Rights/Permits for Lower Vermillion Missouri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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

4737-3, 6563-3, 6571-3, 6813-3,
6815A-3, 7001-3, 8557-3, 8558-3

PBP Farms
c/o Brett Peterson
45610 282nd St
Hurley SD 57036

Dear Mr. Peterson:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4737-3, 6563-3, 6571-3, 6813-3, 6815A-3, 7001-3, 8557-3 & 8558-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: RUS FARMS REAL ESTATE LLC, 3283 DOGWOOD AVE, ROCK VALLEY IA 51247
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