

WATER PERMIT NO. 6827A-3

Name of Applicant: Myron Van Buskirk

Address: 5800 S Remington Pl, Sioux Falls SD 57108

Phone: 605 361-8211

Amount of Water Claimed: 3.21 cfs

Total Acres: 225

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Jerauld

Type of Waste Disposal System:

Location: 12 miles west of Wessington Springs

PRIORITY

Date Received: 9-6-11

Application/License Fee: \$100.00

Corrected Application Received:

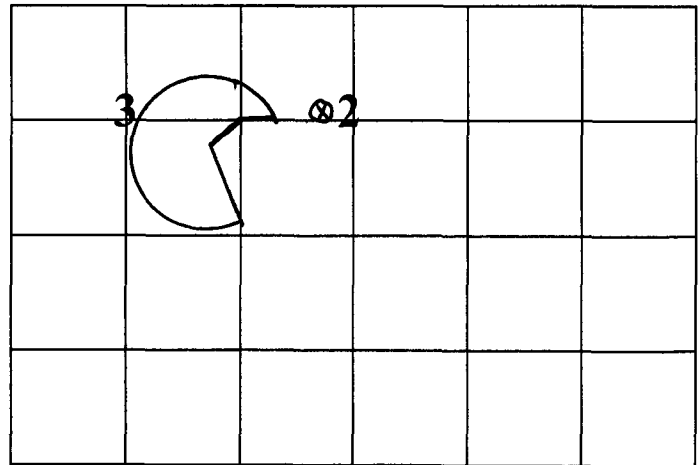
Period of Annual Use: May 1 – October 31

Remarks: change of acreage and diversion point

Diversion Point: SE ¼ NW ¼ Sec 2-T107N-R67W

Land to be Irrigated: SW ¼ NW ¼ Sec 2 and SE

¼, S ½ NE ¼ Sec 3; all in T107N-R67W



Depth of Well: 75 feet deep

Well Driller: Stretch's Well Service

Remarks:

Type of Map: aerial

Prepared by: Perry L Kolb, PE

Reviewed and the Number Assigned on: 9-6-11

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED

SEP - 6 2011

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>6827A-3</u> (office use only) Hydrologic Unit <u>16140105</u>	
	Basin <u>Missouri River</u>	
	Newspaper <u>True Dakotan</u> <u>PO Box 358</u> <u>605-539-1281</u> <u>Wessington 57362</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☐ Amendment/Correction to Permit No. 6827-3
 (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
 Change of land upon water to be used, more acres on Section 3 less on Section 2 - one well instead of 2 wells.

1. Name of Applicant Myron Van Buskirk Phone 605-361-8211
 (check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address 5800 S. Remington Pl, Suite: 100 Sioux Falls SD 57108
 (Address) (City) (State) (Zip Code)

2. Amount of water claimed 3.21 *CFS or **GPM ***AF Total Acreage 225
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply One well in Section 2 - 107N - 67W, SW1/4

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Jerauld
SE1/4 - NW1/4, Section 2 - 107N - 67W

5. County or counties where water will be used Jerauld

6. Annual period during which water is to be used May thru October 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SW 1/4, NW 1/4, S2 - 107N - 67W	25		
SE 1/4, and S1/2 - NE 1/4			
All in S3 - 107N - 67W	200		

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

This water project is for Ag. use, mainly row crops.

STATE OF SOUTH DAKOTA)
 County of Lincoln) SS

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

I, Myron Van Buskirk, 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 Myron Van Buskirk

Subscribed and sworn to before me this 1st day of Sept 20 11

Julian Martenson
 Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6827A-3

Date of first receipt of application September 6, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6827A-3 to Myron Van Buskirk, 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108 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. 6827A-3 transfers a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6827-3 appropriates 3.56 cubic feet of water per second (cfs) from two wells to be completed into the Crow Creek Aquifer located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 to irrigate 260 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 3 and E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ Section 2; all in T107N-R67W. Permit No. 6827A-3 authorizes 3.21 cfs from one well to be completed into the Crow Creek Aquifer (69 feet deep) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 to irrigate 225 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 and SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 3; all in T107N-R67W. This permit will utilize one well to supply one large center pivot instead of two wells to supply two pivots.
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: May 1 – October 31.
3. The date from which applicant may claim right is February 28, 2007 (established by Permit No. 6827-3).
4. The date of approval of Permit No. 6827A-3 is November 4, 2011.
5. One-fifth of the construction is to be completed on or before May 4, 2013.
6. All construction is to be completed on or before November 4, 2016.
7. Water is to be put to beneficial use on or before November 4, 2020.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6827A-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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Water Permit No. 6827A-3 incorporates Water Permit No. 6827-3.

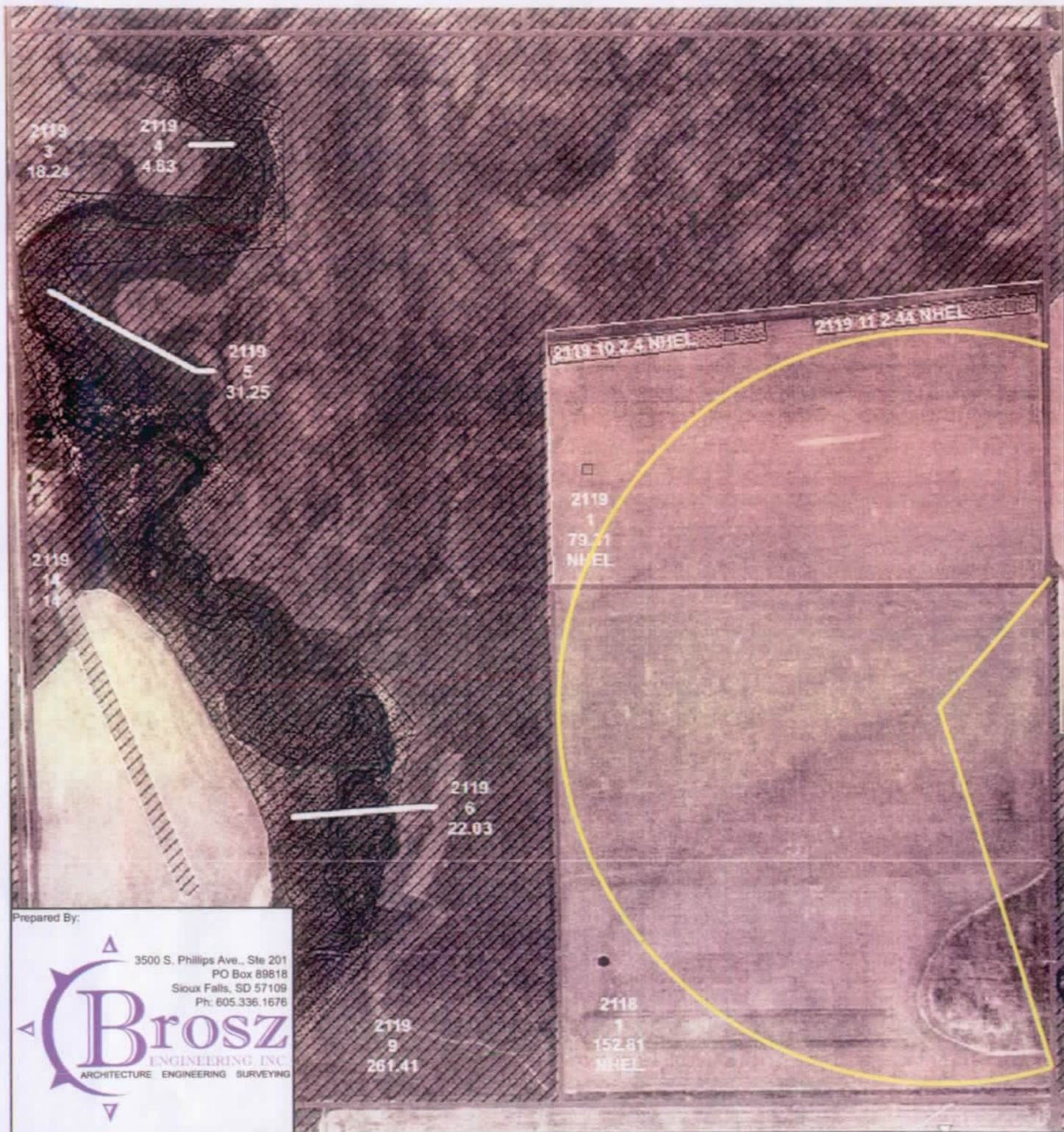
WATER MANAGEMENT BOARD

By: Garland Erbele

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

NOV 08 2011
date







Prepared By:

3500 S. Phillips Ave., Ste 201
PO Box 89818
Sioux Falls, SD 57109
Ph: 605.336.1676

Brosz
ENGINEERING, INC.
ARCHITECTURE ENGINEERING SURVEYING

USDA - Farm Service Agency

Jerauld County, SD
2-107N-67W

RECEIVED

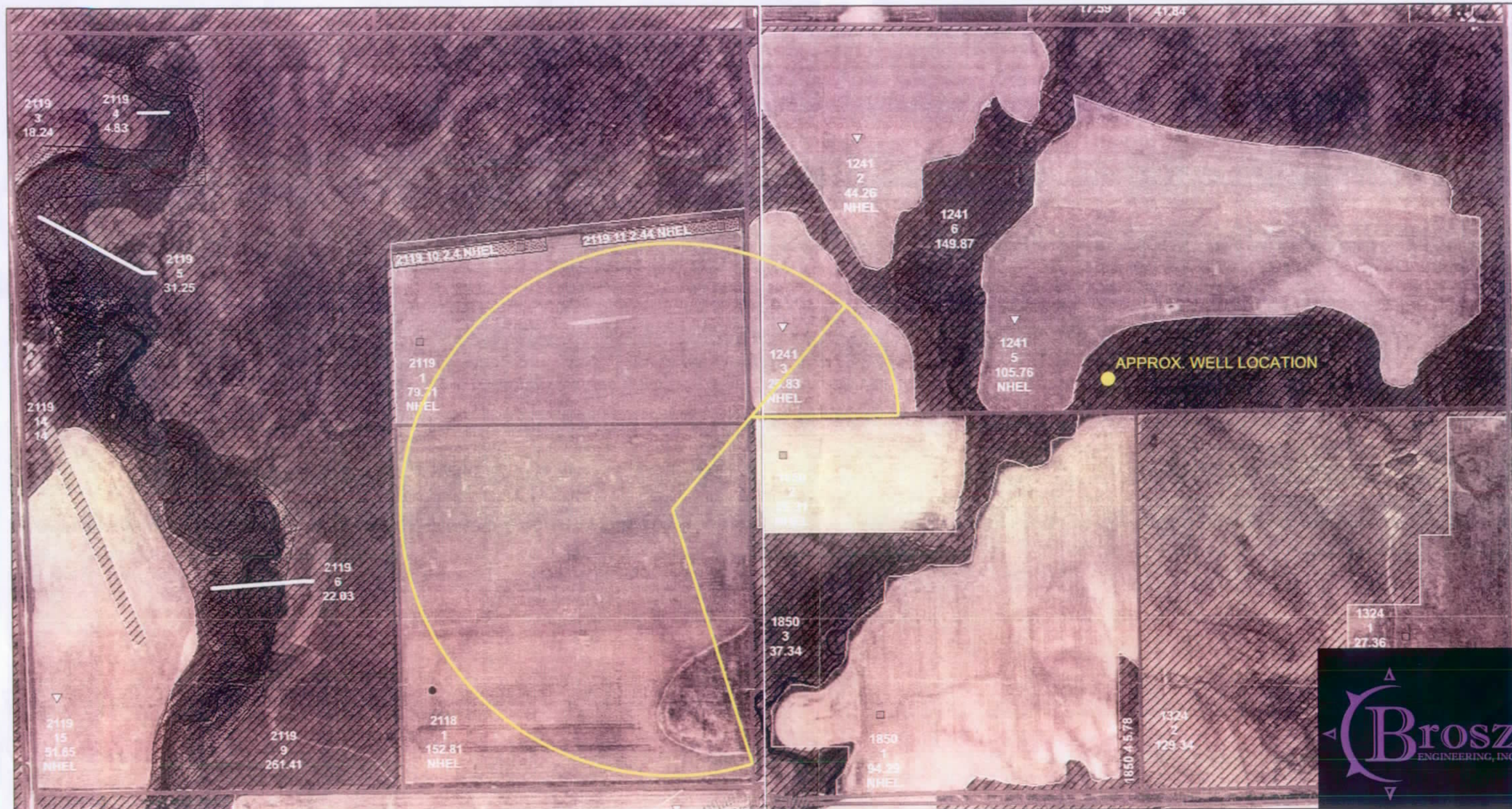
SEP - 6 2011

WATER RIGHTS
PROGRAM



- Legend**
- Tract Boundaries
 - Common Land Units
 - Rangeland
 - CRP
 - Easements



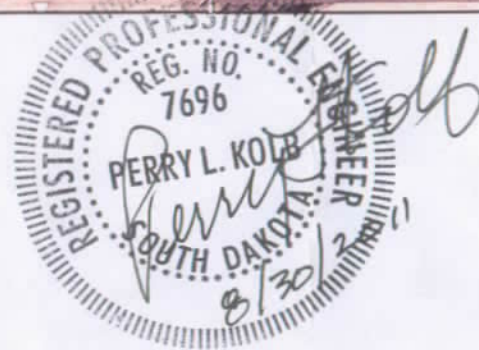


USDA USDA - Farm Service Agency

Jerauld County, SD
3-107N-67W

April 03, 2009

RECEIVED
 SEP - 6 2011
 WATER RIGHTS
 PROGRAM



Jerauld County, SD
2-107N-67W



Legend

- Tract Boundaries
- Common Land Units
- Rangeland
- CRP
- Easements

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Examined from Concentration/Contamination Data



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of the maps. FSA maps do not represent a legal survey. The user accepts the data as is and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-402) and attached maps for the exact wetland boundaries and determinations, or contact NRCS.

Stretch's Well Service Inc. Drillers Log (605)266-2128

Page No. 3

Job Name		Location		Date	Rig No.	Foreman
CANDAS KIRK				4-25-26-	25	Dave
Jt. #	Depth	Time	Remarks			
1	0-15	12.22	0-2 TOP SOIL BLACK			
2	15-30	12.58	2-4 Gray clay			
3	30-45	3.08	4-6 lighter Gray			
4	45-60	4.28	6-8 Lite olive green			
			8-10 Sand Gravel Course			
			10-19 Sand Gravel and clay Course			
5	60-75		19-20 dirty sand Gravel			
			20-25 Sandy Yellowish clay with Sand Lenses			
			25-30 Clean Sand took H2O drilled Good			
			30-35 Clay with sand Lenses			
			35-40 Course Colored			
			40-47 Course Colored			
			47-50 GRAY CLAY			
			50-55 Colored Sand			
			55-60 Colored Sand			
			60-65 Course			
			65-69 Course			
			69-75- Gray clay little sand			
			50' 5" PVC well casing			
1	0-15		20' 5" PVC screen			
2	15-25		7 bag bentonite			
3	25-40		well 15' 68' 6" Next day after Pump test			
4	40-55		Pena rock For Packer			
5	55-70		Pumped well with air 100 GPM For 2 hrs			
			WL	DD	GPF	100 GPM with Pump
		3.00	6.30			
		3.10	8.70	2.40	41.66	42' of available water
		3.20	8.70	2.40	41.66	
		3.30	8.70	2.40	41.66	
		3.40	8.70	2.40	41.66	
		3.50	8.70	2.40	41.66	
		4.00	8.70	2.40	41.66	
		4.15	8.70	2.40	41.66	

Will use this
well location

Myron

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/6, 20 11

RECEIVED OF Van Buskirk Real Estate PO Box 89634 Sioux Falls SD 57109

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

Fee for Application for Permit No. <u>6827A-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	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 _____		
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	100 00

No. 05023

By

Sandra E. Mule
Chief Engineer



**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. 6827A-3, Myron VanBuskirk**

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. 6827A-3, Myron VanBuskirk, 5800 S. Remington Pl, Suite 100, Sioux Falls SD 57108.

The Chief Engineer is recommending APPROVAL of Application No. 6827A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6827A-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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Water Permit No. 6827A-3 incorporated Water Permit No. 6827-3.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 6, 2011

REPORT ON WATER PERMIT NO. 6827A-3

For Myron Van Buskirk

September 30, 2011

Application No. 6827A-3 proposes to transfer a portion of the irrigated acreage and point of diversion to other lands. Water Permit No. 6827-3 appropriates 3.56 cfs from two wells to be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 3 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 2 to irrigate 260 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of section 3 and the E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ of section 2; all in T107N R67W in Jerauld County. Application 6827A-3 proposes to use 3.21 cfs (1,440 gpm) from one well approximately 69 feet deep located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 2 to irrigate 225 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 2 and the SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of section 3; all in T107N R67W. This application proposes to utilize one well to supply one center pivot instead of two wells to supply two pivots. This application, if approved, will result in a decrease in diversion rate and number of acres to be irrigated.

AQUIFER – CROW CREEK (CC)

The Crow Creek aquifer is under water table conditions at this site. The aquifer underlies 70 square miles of Jerauld County and contains an estimated 270,000 acre feet of water in storage (Hamilton, 1985). Hamilton also estimated a rate of recharge to be about 2.4 inches per year (about 9,000 acre feet) for the county. The aquifer extends into Buffalo County to the west and Brule County to the southwest. Ground water movement is from the northeast to the southwest in the area of this application (Hamilton, 1985). Water use from the aquifer has never exceeded the estimated recharge to the aquifer in Jerauld County.

Test drilling by the application indicates good potential at the requested site. The drill test well log indicates sand and gravel from a depth of about 12 feet to 69 feet below land surface. The static water level of about six feet below land surface and the test well was capable of producing 100 gpm with 2.4 feet of drawdown. This equates to a specific capacity of over 41 gpm/ft of drawdown. This test information indicates a well at this site should be capable of producing the requested rate of 1,440 gpm with a calculated drawdown of 34.6 feet. This would result in a pumping level of about 41 feet below land surface under the existing hydrologic conditions. In other words there would be about 28 feet of water in the well if this specific capacity held true.

The Water Rights Program does monitor four observation wells within three miles of this application. These are observation wells JE-77E, JE-77F, JE-79I and JE-78H. Hydrographs for

these wells are included with this report (Water Rights, 2011). In general these hydrographs indicate a period of high water levels exist at this time and that pumping in the area does not affect water levels to any great degree. What is noticeable however is that water levels will be 10 to 20 feet lower during drought conditions and this could affect the applicant's ability to produce this amount of water from one well.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water permit No. 6991-3 located about three miles southwest of this application and an existing Water Right No. 3395-3 located about four miles southwest of this application. Interference is not a concern. Drawdown should not be significant at the distance between production wells.

CONCLUSIONS

1. Water is available from the Crow Creek aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping is not expected to be significant and interference is not a concern.
3. This well must be constructed in accordance with SD Well Construction Standards.
4. Because the water levels are relatively high at this time based upon the historical record the applicant may want to consider putting in more than one well. The test well site looks very good under the present hydrologic conditions but under a drought scenario with water levels 10 to 20 feet lower the well may not produce the amount of water needed. With the oversized pivot the amount of water needed just to operate the pivot may be difficult to maintain. Either smaller pivots or additional wells may be necessary to continue to operate.



James A Goodman

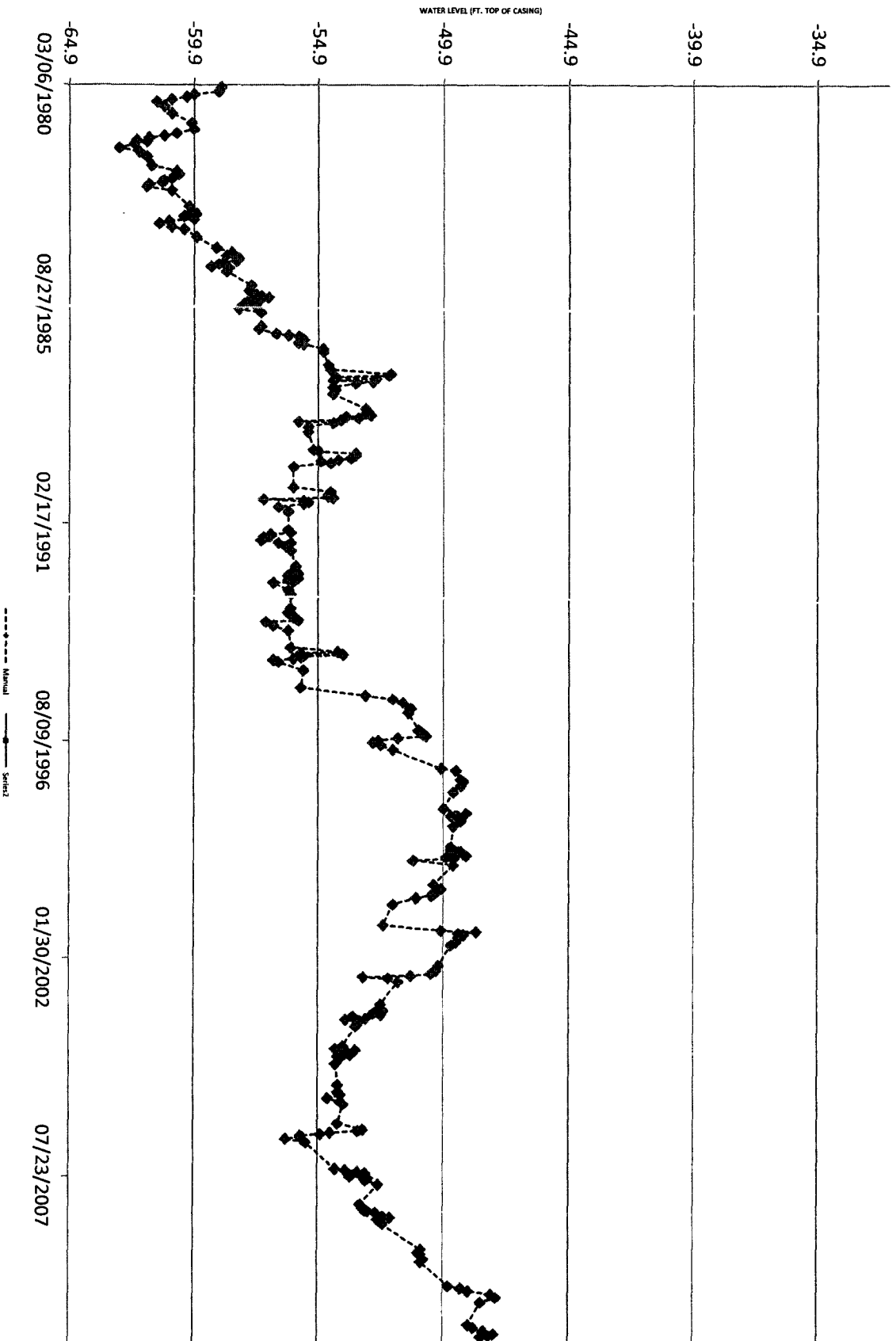
Natural Resources Engineer

BIBLIOGRAPHY

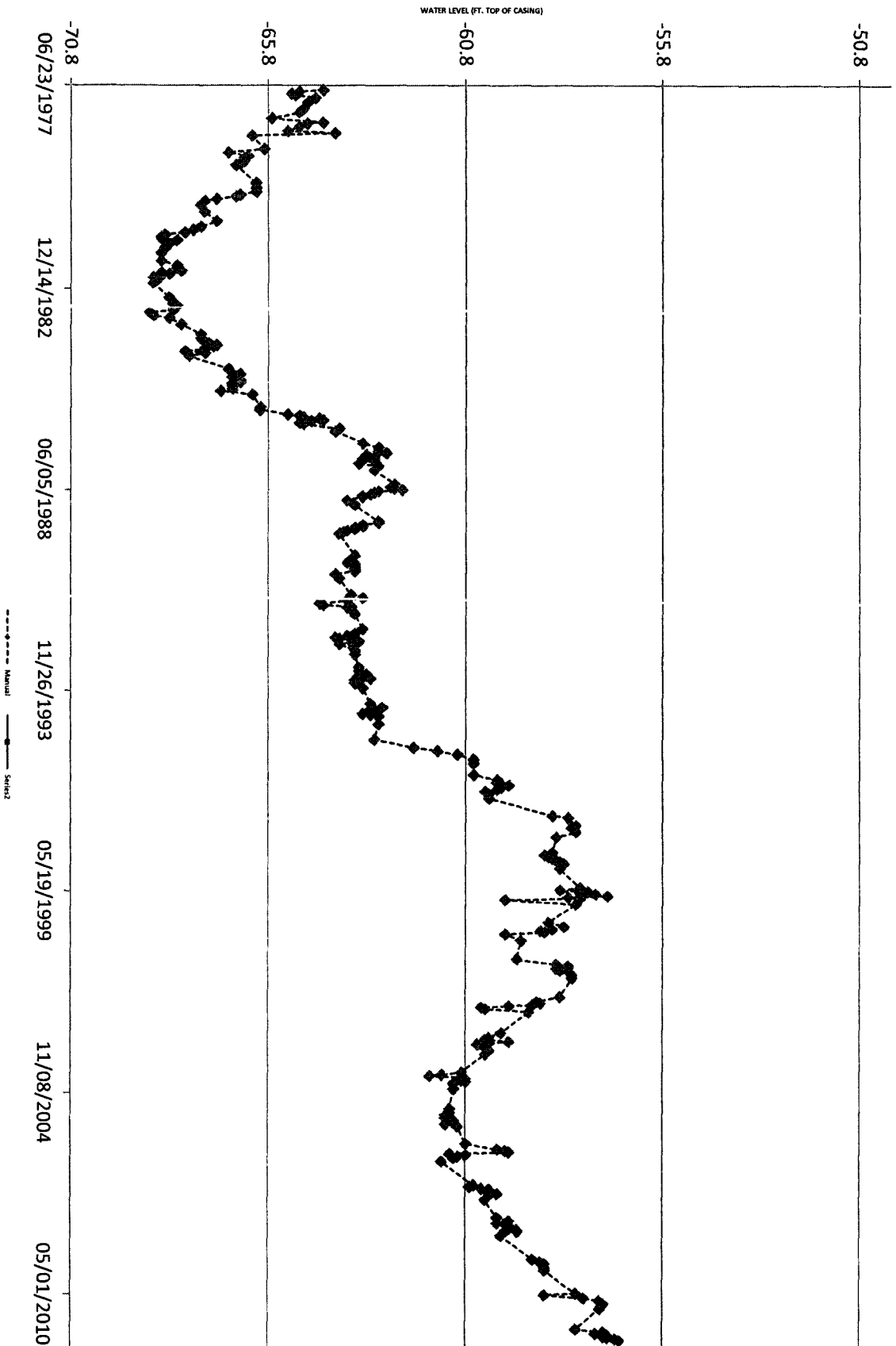
Hamilton, L.J., 1985, Water Resources of Aurora and Jerauld Counties, South Dakota, Water Resources Investigations Report 84-4030, USGS, Huron, S D, 57350.

Water Rights, 2011, Unpublished Observation Well Data for Jerauld County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

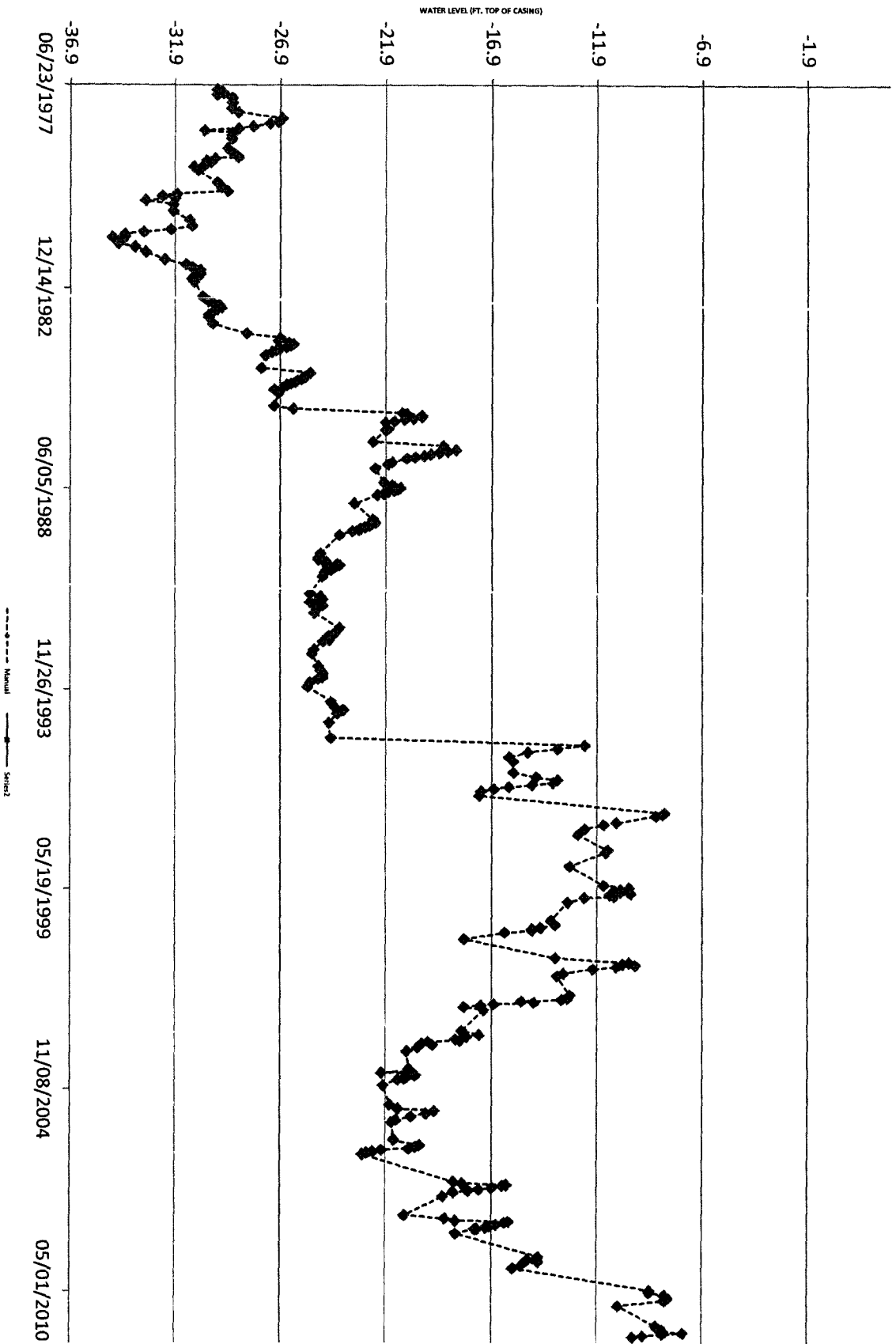
WATER RIGHTS' OBSERVATION WELL JE-79I



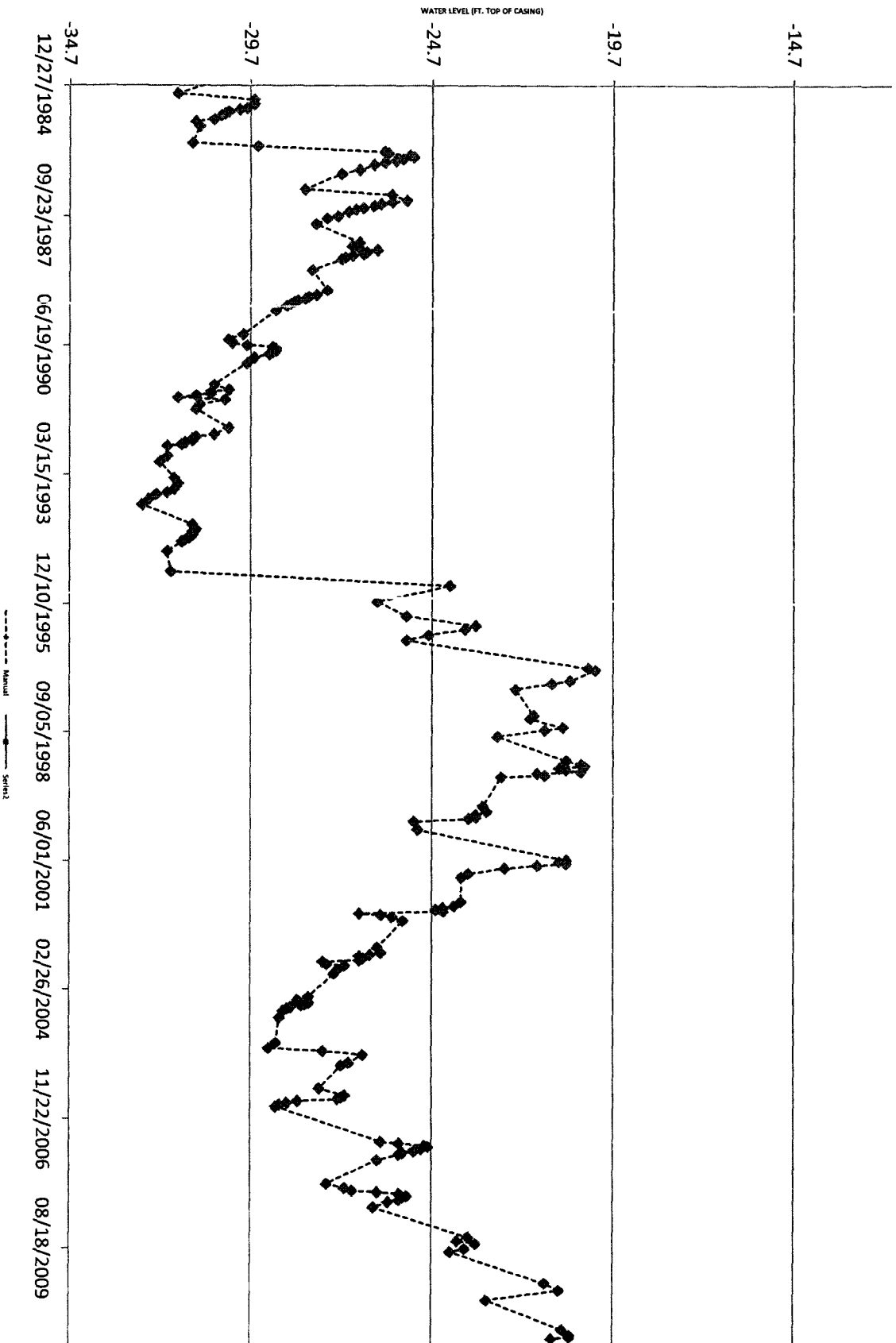
WATER RIGHTS' OBSERVATION WELL JE-77F



WATER RIGHTS' OBSERVATION WELL JE-77E



WATER RIGHTS' OBSERVATION WELL JE-78H



RECEIVED

Form 8

OCT 12 2011

WATER RIGHTS
PROGRAM

WESSINGTON SPRING

**NOTICE OF APPLICATION
NO. 6827A-3 to Amend Water
Permit No. 6827-3**

Notice is given that Myron Van Buskirk, 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108 has filed an application for a water permit to transfer a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6827-3 appropriates 3.56 cubic feet of water per second (cfs) from two wells to be completed into the Crow Creek Aquifer located in SW 1/4 SE 1/4 Section 3 and SE 1/4 NE 1/4 Section 2 to irrigate 260 acres located in the S 1/2 NE 1/4, SE 1/4 Section 3 and E 1/2 NW 1/4, NE 1/4 Section 2; all in T107N-R67W. Application No. 6827A-3 proposes to use 3.21 cfs from one well to be completed into the Crow Creek Aquifer (69 feet deep) located in the SE 1/4 NW 1/4 Section 2 to irrigate 225 acres located in the SW 1/4 NW 1/4 Section 2 and SE 1/4, S 1/2 NE 1/4 Section 3; all in T107N-R67W. This application proposes to utilize one well to supply one large center pivot instead of two wells to supply two pivots.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6827A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest in accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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 this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief 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 November 4, 2011.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Jessie) SS

I, Karen Wenzel

certify that the attached printed Notice was taken

from the Dept. of Environment and Natural Resources

printed and published in True Reporter

County of Jessie and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

10-11-11

10-12-11

Cost of Printing 59.87

Karen Wenzel
(Signature)

Bank Report
(Title)

10-11-11
(Date Signed)

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

or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information

pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published twice at the total approximate cost of \$59.87
c-2-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 7, 2011

True Dakotan
PO Box 358
Wessington SD 57382

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6827A-3 to Appropriate Water to be published twice. Please publish the first notice on October 18, 2011 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 Myron Van Buskirk, 5800 S Remington Pl., Suite 100, Sioux Falls SD 57108 (Ph # 605-361-8211).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6827A-3

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

Date _____

We are in receipt of your letter of October 7, 2011 enclosing Notice to Appropriate Water by Application No. 6827A-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.

October 7, 2011

Myron Van Buskirk
5800 S Remington Pl # 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Water Permit Application No. 6827A-3 for irrigation use has 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 True Dakotan printed at Wessington SD (Ph # 605-539-1281). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice 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
eric.gronlund@state.sd.us

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 October 18, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 6827A-3 to Amend Water Permit No. 6827-3

Notice is given that Myron Van Buskirk, 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108 has filed an application for a water permit to transfer a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6827-3 appropriates 3.56 cubic feet of water per second (cfs) from two wells to be completed into the Crow Creek Aquifer located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 to irrigate 260 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 3 and E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ Section 2; all in T107N-R67W. Application No. 6827A-3 proposes to use 3.21 cfs from one well to be completed into the Crow Creek Aquifer (69 feet deep) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 to irrigate 225 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 and SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 3; all in T107N-R67W. This application proposes to utilize one well to supply one large center pivot instead of two wells to supply two pivots.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6827A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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 this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief 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 November 4, 2011.

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

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 08 2011

Myron Van Buskirk
5800 S Remington Pl # 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Enclosed is Water Permit No. 6827A-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

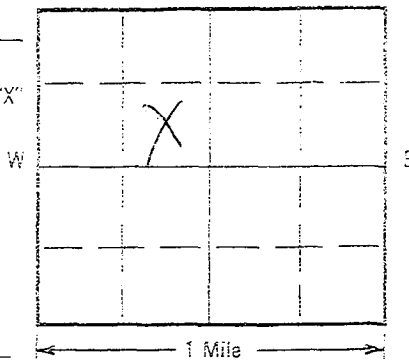
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6827A-3

07-92

Location SE 1/4 NW 1/4 Sec 2 Twp 107 Rg 67County Seraud

Please mark well location with an "X"



Well Completion Date

2-3-12

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NONE from _____ (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☐ Steel ☒ Plastic ☒ OtherIf other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5.5 LB/FT</u>	<u>12 IN</u>	<u>25 FT</u>	<u>65 FT</u>	<u>17 1/2 IN</u>
<u>PVC</u>	<u>12 IN</u>	<u>0 FT</u>	<u>25 FT</u>	<u>17 1/2 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Enviro Plug</u>	<u>5</u>	_____ lb./gal	<u>15</u> ft	<u>20</u> ft
<u>Portland</u>		_____ lb./gal	<u>0</u> ft	<u>10</u> ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 40 FEETMaterial Stainless SteelSlot Size .50 Set From 25 Feet to 65 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? Enviro PlugDescribe packer(s) and location? above Screen

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

Flushed With ChlorineWell Owner: Myron VanBuskirkBusiness Name: Whiskey CreekAddress: P.O. Box 89634
Sioux Falls SD 57109

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>6</u>
<u>Blue Clay</u>	<u>6</u>	<u>17</u>
<u>Sand Streaks & Clay</u>	<u>17</u>	<u>25</u>
<u>Good Sand</u>	<u>25</u>	<u>35</u>
<u>Course Sand</u>	<u>35</u>	<u>65</u>

STATIC WATER LEVEL 10' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

12.8' ft. After 5 Hrs. pumped 400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

FEB - 8 2012

WATER RIGHTS PROGRAM

This well was drilled under license # 722

And this report is true and accurate.

Drilling firm Stratton's Well Service Inc.

Signature of License Representative:

Core Bratton

Signature of Well Owner or Equitable Property Holder:

Date: _____



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

6827A-3

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

denr.sd.gov

February 10, 2017

6827A-3
7303-3

Myron Van Buskirk
5800 S Remington Pl, Suite 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Recently we sent out partially completed "Notice of Completion of Works" forms to you for Water Permit Nos. 6827A-3 and 7303-3. The forms were received back from you but were not completed or signed.

I am returning the forms to you for completion. I have highlighted the areas in yellow that need to be filled out. Once you have completed the forms, please sign and return them to our office.

I have included a postage paid envelope for you convenience. If you have any questions, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 4, 2025

6827A-3

7303-3

8279-3

Steve & Brian Roduner
22360 362nd Ave
Miller SD 57362

Dear Mr. Roduner:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters. I write to you today in response to the 2024 Irrigation Questionnaire information submitted for Water Permit Nos. 6827A-3, 7303-3, and 8279-3.

We've received your report that property authorized for irrigation under the above listed permits, previously owned by Myron Van Buskirk, had been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for Permit Nos. 6827A-3 & 7303-3 for you to complete and return in the pre-paid envelope.

Please return the forms with a check for \$100.00 (\$50.00/transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

Permit No. 8279-3 authorized the irrigation of an additional 40 acres, to be located in the N ½ NW ¼ Section 2-T107N-R67W, to what was already authorized by Permit Nos. 6827A-3 & 7303-3. Permit No. 8148-3 was approved on April 17, 2017, with all construction to be completed by July 7, 2022.

On this year's report, all previous reports, the selection of "System Not Constructed" was made. Unfortunately, with the date for construction completion having passed, this permit should be considered for cancellation due to non-construction.

Please contact me to discuss cancellation of this permit.

Sincerely,

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

enclosures

6827A-3

PAID

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

MAY 21 2025

Ck# 1730

Rec't#

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

Water Right/Permit No. PE 6827A-3

Date: 5-14-2025

I/We request that Water Right/Permit No. 6827A-3 formerly owned by:
Myron Van Buskirk

be transferred to:

New Owner Name: Steve / Brian Roduner

Address: 22360 362nd Ave mobile: 6053500314

City, State, Zip Miller SD 57362 email: rodunerfarms@gmail.com

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

225 acres located in the SW 1/4 NW 1/4 Section 2 and
SE 1/4, S1/2 NE 1/4 Section 3; all in T107N, R67W.
3.21 cfs from groundwater, one well (Crow Creek Aquifer)

RECEIVED

MAY 21 2025

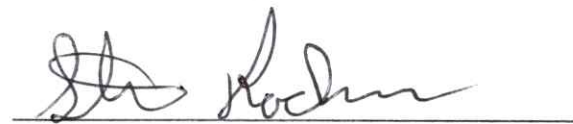
OFFICE OF
WATER

☒ I understand that the validity of Water Right/Permit No. 6827A-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, Steve Roduner, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date May 21st, 2025

RECEIVED OF Brian Roduner and Steve Roduner 22360 362nd Ave Miller SD 57362

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 #6827A-3, #7303-3, #8279-3	\$150.00
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	\$150.00

By Mark Maerz
Chief Engineer