

WATER PERMIT NO. 6922-3

Name of Applicant: **Paul Schubeck**

Address: **29341 468th Ave, Beresford SD 57014**

Phone: **605 957-1000**

Amount of Water Claimed: **1.78 cfs**

Total Acres: **122.3**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation**

County: **Clay**

Type of Waste Disposal System:

Location: **8 miles ~~east~~^{WEST} of Beresford**

PRIORITY

Date Received: **12-13-2007**

Application/License Fee: **\$300**

Corrected Application Received:

Period of Annual Use: **June 1 – August 31**

Remarks:

Diversion Point: **center SE ¼ Sec 1-T95N-R52W**

Land to be Irrigated: **SE ¼ Sec 1-T95N-R52W**

Depth of Well: **140 feet deep**

Well Driller:

Remarks:

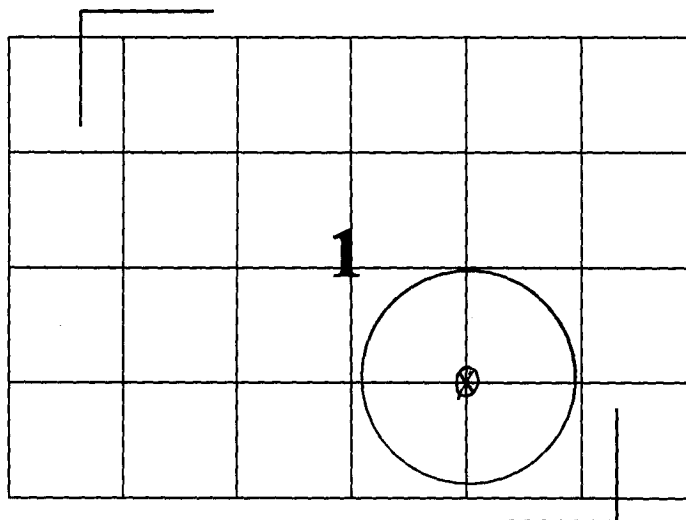
Type of Map: **aerial**

Prepared by: **Kyle S Hebener, Clay Co. NRCS**

Reviewed and the Number Assigned on: **12-13-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6922-3</u> (office use only)
	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Plain Talk</u> <u>PO Box 256</u> <u>605-624-2695</u> <u>Vermillion 57069</u>

RECEIVED
DEC 13 2007
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

- Name of Applicant Paul Shubeck Phone 605 957 1000
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 29341 468th Av Beresford State SD 57014
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.78*CFS or 200**GPM ***AF Total Acreage 122.3
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
1 well center of SE 1/4 sec 1 95N 52W
- County or counties where water will be used Clay
- Annual period during which water is to be used June 1st Aug 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
NE 1/4 SE 1/4 19552	30.6		
NW 1/4 SE 1/4 19552	30.6		
SE 1/4 SE 1/4 17552	30.6		
SW 1/4 SE 1/4 17552	30.6		

- Give a description of the project. (Attach sheet if more space is needed)
irrigating the quarter described above using a center pivot
with an end gun.
The land is tilled and water use will mainly be
supplemental

STATE OF SOUTH DAKOTA) SS

County of Turkey

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, Paul Shubeck, 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 [Signature]

Subscribed and sworn to before me this 11th day of Dec 20 07

Donald A. Miller 8/25/12
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6922-3

Date of first receipt of application December 13, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6922-3 to Paul Shubeck, 29341 468th Ave, Beresford 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. 6922-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion:Missouri Aquifer (approximately 140 feet deep) located in the center of the SE 1/4 Section 1 to irrigate 122.3 acres located in the SE 1/4 Section 1; all in T95N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: June 1 – August 31.
3. The date from which applicant may claim right is December 13, 2007.
4. The date of approval of Permit No. 6922-3 is February 11, 2008.
5. One-fifth of the construction is to be completed on or before August 11, 2010.
6. All construction is to be completed on or before February 11, 2013.
7. Water is to be put to beneficial use on or before February 11, 2017.
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. 6922-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so require, Permit No. 6922-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 122.3 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 02 2008

date



note: Dick Hammond will be the well driller
(type or print in ink) There is a SDDNR water right well on the south side of the location

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 140'
- b) Casing Type PVC Diameter 16" Thickness 3/4"
- c) Screen Type PVC Diameter 16" Thickness 3/4"
- d) Gravel Pack 1/16" - 1/4" pebbles Length of Gravel Pack 60'
- e) Depth to Top of Water Bearing Material 60'
- f) Depth to Water (ground surface to water level) 60'
- g) Distance to nearest existing domestic well: 3/4 mile
- On applicants property yes On property owned by others yes

2. Wastewater Disposal System Information

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

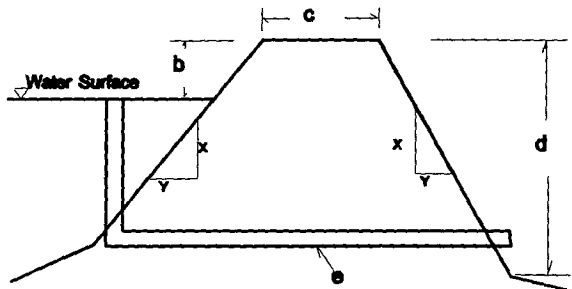
3. Dugout Information

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

4. Water Storage Dams

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

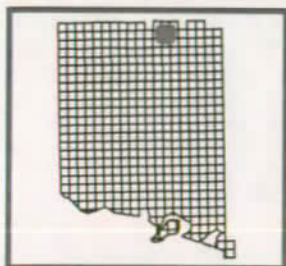
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



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



1:7,965



USDA - Farm Service Agency
Clay County, SD

1-95N-52W

May 18, 2007

Legend

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



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. 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-626 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

6922-3



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

August 11, 2022

6922-3
7128-3
7964-3

John Shubeck
29341 468TH Ave
Beresford SD 57004-6305

Dear Mr. Shubeck:

Enclosed is a letter sent August 3rd confirming transfer of Water Right No. 6922-3 and Water Permit Nos. 7128-3 & 7964-3.

Your address was left off the transfer forms when you submitted them and it seems I pulled an incorrect address for you off the receipts. The post office returned my correspondence with the correct address.

I will update our records accordingly.

Sincerely,

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

enclosures

Automatic Irrigation Inc.



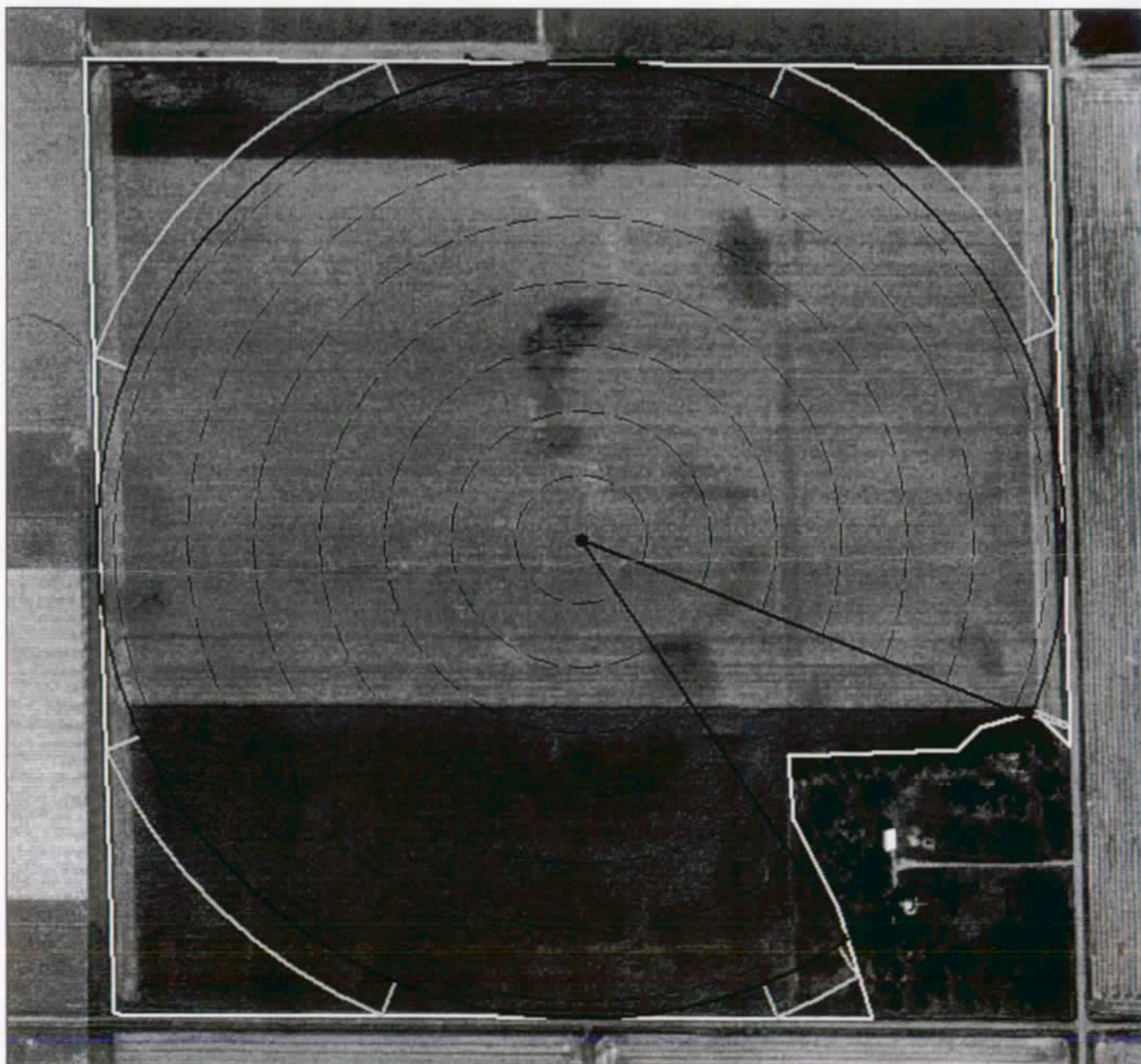
1111 Railway Street
Centerville, SD 57014
(605) 563-2649 office

Farm: Archies

Grower: Paul Shubeck

12/10/2007

Systems:	Length	Spans	Total area including endgun
● Pivot 2	1324.92 ft	7 spans + 44 ft o.h.	122.30 acres



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/13, 2007

RECEIVED OF Shubeck Farms Paul Shubeck 29341 468th Ave Beresford SD 57004

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

Fee for Application for Permit No. <u>6922-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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>6922-3</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	300 00

No.

03255

By

Garland Erbe

Chief Engineer

[Signature]



**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. 6922-3, Paul Shubeck**

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. 6922-3, 6922-3, Paul Shubeck, 29341 468th Avenue, Beresford SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 6922-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6922-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so require, Permit No. 6922-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 122.3 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 16, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6922-3
For Paul Shubeck
January 10, 2008

Application No. 6922-3 proposes to appropriate 1.78 cfs from one well approximately 140 feet deep located in the center of the SE ¼ of section 1 to irrigate 122.3 acres located in the SE ¼ of section 1; all in T95N R52W in Clay County. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

AQUIFER – UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri is a buried outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 11,200 acres and contains an estimated 168,000 acre-feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer extends into Turner County to the north, and blends into the Lower Vermillion Missouri aquifer within a few miles south of this application. The aquifer also blends into the overlying Parker Centerville aquifer a few miles to the south. The aquifers in this area are a huge system of layered outwashes that are hydraulically distinct in the area to the north but change to one system a few miles to the south. This permit application is located in that transition zone between aquifer management units and should be construed to indicate that the aquifer is small or isolated from the main portions of the aquifer system in any way.

No test wells have been drilled for this application. However, the county study (Stephens, 1967) indicates that the aquifer should be about 100 to 150 feet thick in this area. A test well drilled by Water Rights located within one-half mile of this proposed well penetrated sand and gravel from 62 to 110 feet below land surface. This test well did not penetrate the entire sequence of sand and gravel at this site. This data suggests the aquifer does underlie the area of this application but testing should be completed in order to evaluate the best potential site for development.

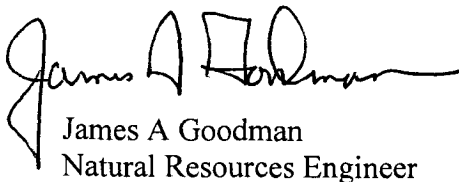
The Water Rights Program does monitor an observation well CL-80K located in this immediate area. Water levels for this well show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry periods. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights. The closest irrigation well to this proposed site is over one mile away. At this distance interference is not a concern. Drawdown created by pumping will not be significant and should not extend very far from the individual production well. This conclusion is supported by observation well water level records for other observation wells in the area and located near to existing wells that have been in use for many years.

CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. The aquifer is under water table conditions at this site. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The applicant is requesting slightly more of a diversion rate than can be authorized by statute. There is no explanation supplied for this increase. Because the pivot will probably not make a complete rotation this request can be authorized.

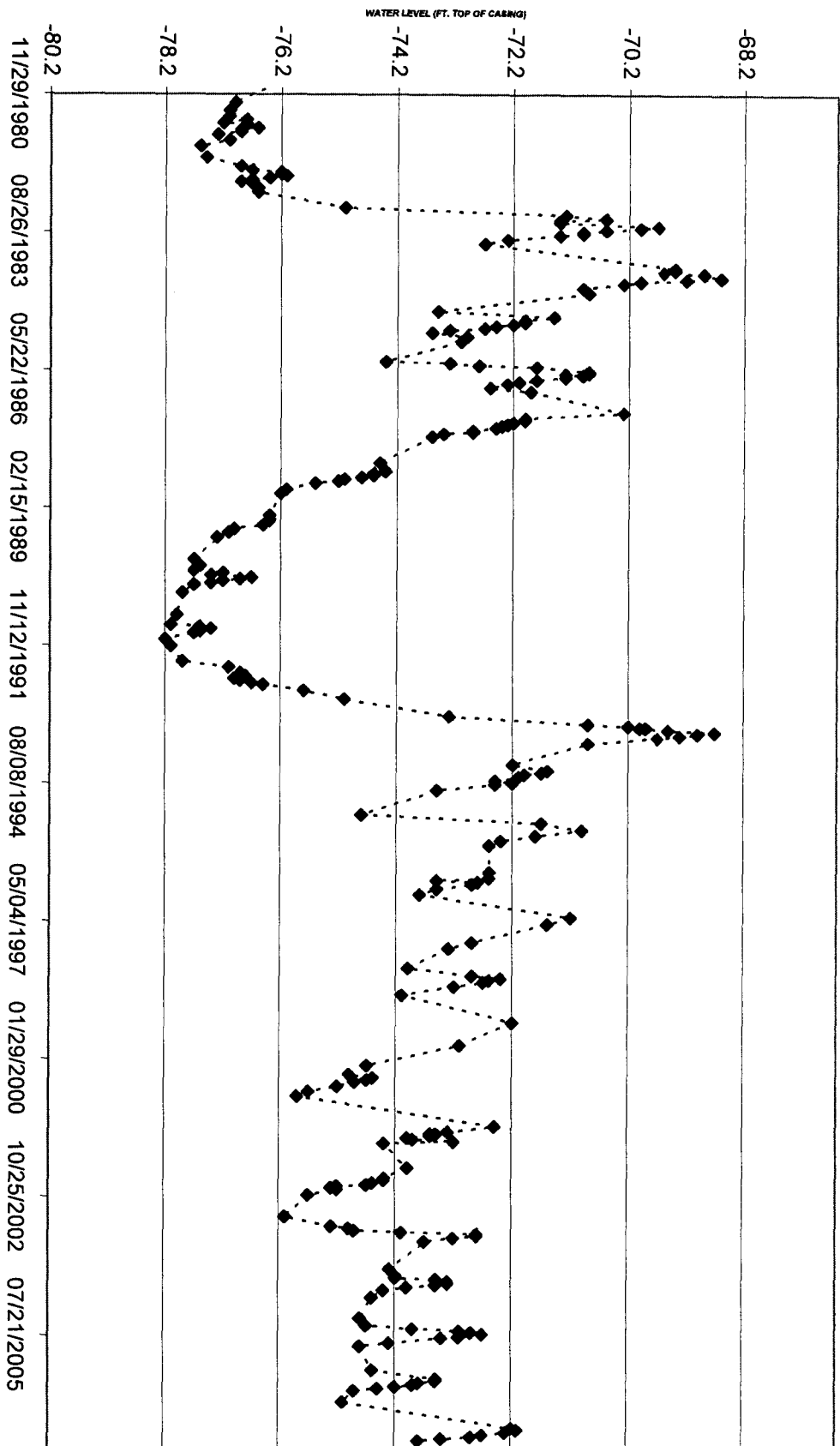


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- 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.
- Stephens, J.C., C.M. Christensen, 1967, Geology and Hydrology of Clay County, South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2008, Unpublished Observation Well Data for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

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 NO. 6922-3

to Appropriate Water

Paul Shubeck

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

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

was on Friday, the 25th day of January, 20 08, and that the succeeding publications were severally

on Friday, the 1st day of February, 20 08,

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

Forty-two dollars and 89 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 8th day of February, 20 08

Diane J. Savie
Exp. 9-5-2013

Notary Public

NOTICE OF APPLICATION NO. 6922-3

to Appropriate Water

Notice is given that Paul Shubeck, 29341 468th Ave., Beresford, SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion-Missouri Aquifer (approximately 140 feet deep) located in the center of the SE 1/4 Section 1 to irrigate 122.3 acres located in the SE 1/4 Section 1; 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 No. 6922-3 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 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 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 February 11, 2008.

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.

Publish: January 25 & February 1, 2008

RECEIVED

FEB 11 2008

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2008

Plain Talk
PO Box 256
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6922-3 to Appropriate Water to be published twice. Please publish the first notice on January 25, 2008 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 Paul Shubeck, 29341 468th Ave, Beresford SD 57014 (Ph # 605-957-1000).

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. 6922-3

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

Date _____

We are in receipt of your letter of January 17, 2008 enclosing Notice to Appropriate Water by Application No. 6922-3 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.

January 17, 2008

Paul Shubeck
29341 468th Ave
Beresford SD 57014

Dear Mr. Shubeck:

Water Permit Application No. 6922-3 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 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 recommendation of the Chief Engineer and report 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 Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on January 25, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6922-3 to Appropriate Water

Notice is given that Paul Shubeck, 29341 468th Ave, Beresford SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion:Missouri Aquifer (approximately 140 feet deep) located in the center of the SE ¼ Section 1 to irrigate 122.3 acres located in the SE ¼ Section 1; 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 No. 6922-3 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 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.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 02 2008

Paul Shubeck
29341 468th Ave
Beresford SD 57014

Dear Mr. Shubeck:

Enclosed is Water Permit No. 6922-3 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

RECEIVED

JUL 21 2008

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date

7/16/2008

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

FROM:

Paul Shubeck

(name)

29341468th AV

(address)

BeresfordSD 57004

(city, state, zip)

605 957 1000

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6922-3 states that the water use system is to be constructed by

2/11/13

(date)

, and water is to be put to beneficial use by

2/11/17

(date)

The water use system was completed on

5/1/08

(date)

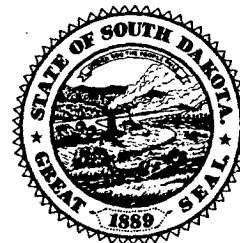
Applying the water to beneficial use was completed on

7/14/08

(date)

You may schedule an investigation so that the water license may be issued.

Paul Shubeck
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 2008

6922-3

Paul Shubeck
29341 468th Ave
Beresford SD 57004

Dear Mr. Shubeck:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

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

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6922-3

11-02

Location nw 1/4 se 1/4 Sec 1 Twp 95n Rg 52w

County

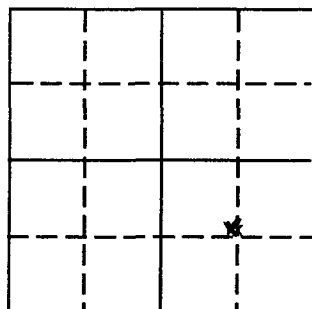
Clay

North

Please mark well location with an "X"

W

E



1 Mile

Well Completion Date

3/5/2008

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

1,700.0 ft. from septic system (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	100.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
port grt	38	9.5 Lb/gal	0.0 Ft	95.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 50.0 FeetMaterial pvcSlot Size 0.060 Set From 100.0 Feet to 150.0 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: Paul Shubeck

Business Name:

Address: 29341 468th AveCity, State, Zip: Beresford SD 57004

WELL LOG:

DEPTH

FORMATION	FROM	TO
Silt, brown, clayey; loess	0	3
Clay, brown, pebbly	3	71
gravel, medium to coarse	71	158

STATIC WATER LEVEL 81.0 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

92.0 Ft. After 3.0 Hrs. pumped 810.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 800.0 GPM

RECEIVED

FEB - 2 2009

WATER RIGHTS
PROGRAM

REMARKS

This well was drilled under license # 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:

12/4/08

Permit No. 6922-3
Missouri 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, 9/2/2009, made a thorough examination of the water use system constructed by Paul Schubeck of 29341 468th Avenue, Beresford, SD 57004 holder of Permit No. 6922-3, bearing the priority of 8/10/2005 authorizing the diversion of 1.78 cu. ft. per second of the waters of the Upper Vermillion Missouri aquifer for irrigation purposes, in Clay County.

Inspection contact & relationship **Paul Schubeck—Permit holder**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 158 feet
- 4) Well log is available Yes
- 5) Comment: well—log on file

Casing:

- 1) Diameter 16 inches
- 2) Length 100 feet
- 3) Type Plastic

Screen:

- 1) Type Manufactured
- 2) Length 50 feet
- 3) Static water level 81 feet

Pump:

- 1) Make American Marsh
- 2) Model Omni-Gear G-30Line Shaft-Turbine
- 3) Size 60 hp
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. Diesel
- 3) Horsepower rating 50 hp

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

- 1) Type cast iron
- 2) Size 10 inches
- 3) Length ~30 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Lindsay - Growsmart
- 2) Overall length ~1,325 feet
- 3) Number of towers 7
- 4) Distance between towers ~179 feet
- 5) End gun Yes
- 6) High or low pressure Low
- 7) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes
- 3) Exceptions to compliance are: list

The system is in good condition with the point of diversion located as follows: 1,350 feet east and 1,340 feet north of the SE corner of Section 1, Township 95 North, Range 52 West, lat/long N 42.072922 W -97.92897.

The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water of the Upper Vermillion Missouri aquifer which is to be used for crop irrigation. Water has been put to beneficial use to the maximum extent as follows:

Report of Examination of Works

Permit No. 6922-3

NW ¼ SE ¼ 32 acres
NE ¼ SE ¼ 32 acres
SW ¼ SE ¼ 32 acres
SE ¼ SE ¼ 26 acres

**All in Section 1, Township 95 North, Range 52
West**

comprising a total of **122** acres of land and the license should be issued for **1.78** cfs.

All structures, wells and lands on map **Yes**

Comments or other permit(s) associated with the project: **Acreage and map based on map by Automatic
Irrigation Inc. submitted with permit application.**



Hayes Haas
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: **4/9/2010**



Hayes Haas

Hayes Haas
Natural Resources Engineer
DENR Water Rights Program
September 2009

1,000
Feet

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 28 2010

6922-3

Paul Shubeck
29341 468th Ave
Beresford SD 57004

Dear Mr. Shubeck:

Enclosed is your Water License No. 6922-3. 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. 6922-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6922-3**

(1) Paul Shubeck, 29341 468th Ave, Beresford SD 57004 made Application No. 6922-3, December 13, 2007 for a water permit to divert 1.78 cubic feet of water per second from ground water – one well, Upper Vermillion Missouri Aquifer, Clay County, South Dakota for irrigation purposes. Permit No. 6922-3, with a priority date of December 13, 2007 was approved February 11, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 11, 2013 and for the application to beneficial use of said water on or before February 11, 2017.

(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 1,350 feet east and 1,340 feet north of the SE corner of Section 1, T95N, R52W (approximate center of the SE 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:

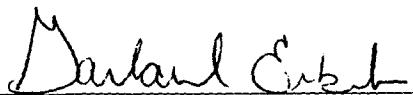
Section 1, T95N, R52W

NW ¼ SE ¼	32 acres	NE ¼ SE ¼	32 acres
SW ¼ SE ¼	32 acres	SE ¼ SE ¼	26 acres
Total 122 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Paul Shubeck, 29341 468th Ave, Beresford SD 57004 the holder and/or owner of Water Right No. 6922-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water – one well, Upper Vermillion Missouri Aquifer with a priority date of December 13, 2007 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6922-3 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. 6922-3 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 drilled in March, 2008 by Hammond-Wetmore Drilling; a copy of the log is on file with the Water Rights Program.)*
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so require, Permit No. 6922-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 122 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


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

APR 28 2010
date



6922-3



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: PAUL SHUBECK, 29341 468TH AVE, BERESFORD, SD 57004

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6922-3, 7128-3 & 7964-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 6922-3, 7128-3 & 7964-3 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) 6922-3, 7128-3 & 7964-3 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 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 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: <https://denr.sd.gov/iq> using this password: XFZEIZ**

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.

6922-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2021

6922-3

7128-3

7964-3

John Shubeck
29791 464th Ave
Centerville SD 57014

Dear Mr. Shubeck:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 6922-3 and Water Permit Nos. 7128-3 and 7964-3.

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing 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 \$150). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "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 20, 2022

NOTICE

TO: PAUL SHUBECK, 29341 468TH AVE, BERESFORD, SD 57004

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6922-3, 7128-3 & 7964-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 6922-3, 7128-3 & 7964-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 6922-3, 7128-3 & 7964-3 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 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional 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: <https://danr.sd.gov/iq> using this password: TUGKUX**

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.

6922-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2022

6922-3
7128-3
7964-3

John Shubeck
29791 464th Ave
Centerville SD 57014

Dear Mr. Shubeck:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 6922-3 and Water Permit Nos. 7128-3 & 7964-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change for each of the above listed permits. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

It is very important that ownership records be kept current to enable any correspondence sent from our office to reach the right person or entity. I have included copies of the water right and water permits for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures

6922-3



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

June 23, 2022

6922-3
7128-3
7964-3

John Shubeck
29791 464th Ave
Centerville SD 57014

Dear Mr. Shubeck:

I am writing regarding ownership of land described in Water Right No. 6922-3 and Water Permit Nos. 7128-3 & 7964-3. In February 2021 and January 2022, transfer forms were sent to you for changing ownership from Paul Shubeck to your name. To date we have not received anything back from you.

Enclosed are additional partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change for each of the above listed permits. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

It is very important that ownership records be kept current to enable any correspondence sent from our office to reach the right person. If you are no longer the owner or do not wish to maintain the water right/permits, please let me know.

Sincerely,

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

enclosures

6922-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate August 3, 2022RECEIVED OF John/Megan Shubeck 29791 464th Ave., Centerville SD 57014

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>6922-3</u>	<u>\$50.00</u>
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	<u>\$50.00</u>

By Eric Gronlund
Chief Engineervm

PAID

AUG 3 2022

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 841

Rec't# _____

RECEIVED

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

AUG 03 2022

OFFICE OF
WATER

No. 6922-3

Date: _____

I/We request that Water Right No. 6922-3

formerly owned by: Paul Shubeck

be transferred to: (name & address) _____

Telephone No. _____

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

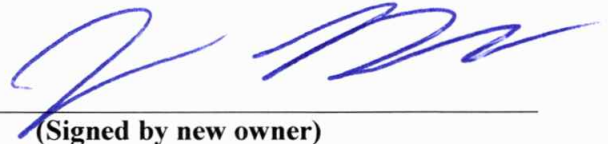
122 acres – SE ¼ Section 1, T95N, R52W

I/We understand that the validity of Water Right No. 6922-3 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 John Shubeck, 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.

6922-3



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

August 3, 2022

6922-3
7128-3
7964-3

John Shubeck
29791 464th Ave
Centerville SD 57014

Dear Mr. Shubeck:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right No. 6922-3 and Water Permit Nos. 7128-3 & 7964-3.

The ownership changes have been completed. Nos. 6922-3, 7128-3 and 7964-3 are now listed in your name.

Enclosed for your records are the receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
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

January 19, 2024

NOTICE

TO: JOHN SHUBECK, 29341 468TH AVE, BERESFORD, SD 57004 6305

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6922-3, 7128-3 & 7964-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 6922-3, 7128-3 & 7964-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 6922-3, 7128-3 & 7964-3 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 6, 2024** 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: VVPZJZ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 2, 2024

6922-3

7128-3

7964-3

John Shubeck
29341 468th Ave
Beresford SD 57004

Dear Mr. Shubeck:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 6922-3, 7128-3 & 7964-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

3994-3, 4204-3, 5319-3, 117-3A, 2268-3, 2372-3, 2941-3
5352-3, 5425-3, 5886-3, 2950-3, 3328-3, 3409-3, 3507-3
5898-3, 6810-3, 6922-3, 3646-3, 3737-3, 3918-3, 3948-3
7002-3, 7191-3, 7384-3, 6754-3, 7128-3

Page 1 of 4

Water Rights Program File Documentation

Date: June 16, 2025

Counties: Clay and Turner

Re: Aquifer management unit redesignation for selected water rights/permits on Clay and Turner Counties

COMMENTS:

Review of a request to change diversion point for Water Permit No. 8790-3, authorized to withdraw water from the Upper Vermillion Missouri: South aquifer (UVM:S), determined the well they wished to use is authorized under authorized by Water Right No. 7384-3 Water Right No. 7384-3 does not currently have a management unit designated for withdrawal from the Upper Vermillion Missouri aquifer (Water Rights, 2025). In reviewing the best information currently available for aquifer and management unit naming conventions, the best aquifer and management unit designation for Water Right No. 7384-3 is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) as shown in Figure 1. Furthermore, there are an additional 25 other water rights/permits, see Table 1, which should have the UVM:S management unit assigned (Water Rights, 2025).

This addition of the management unit 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 naming convention to reflect the currently best available information for aquifer and management unit extents. This update to the aquifer management unit name does not authorize any increase in the amount of water appropriated by any of these water rights/permits, change in diversion rate, relocation of existing wells, completion of additional wells into the aquifer, or change of acres permitted for irrigation. Going forward, issuance of any pertinent documents will reflect the updated aquifer and management unit designation.

Table 1- Water rights/permits requiring an aquifer management unit designation to the Upper Vermillion Missouri: South (Water Rights, 2025)

Water Rights							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
117-3A	GLYNDON KNUTSON	CL	04/14/1955	LC	IRR	0.95	66
2268-3	WILLIAM KNUTSON	CL	08/07/1975	LC	IRR	2	206
2372-3	LARRY ERICKSON	CL	10/07/1975	LC	IRR	1.76	123
2941-3	RUSSELL D AUSTIN	TU	08/16/1976	LC	IRR	1.11	140
2950-3	TERRY & ALBERTA SURPRENANT	CL	08/13/1976	LC	IRR	1.57	110
3328-3	TOM AUSTIN	CL	11/12/1976	LC	IRR	1.33	121
3409-3	STEVEN R NULL	TU	12/07/1976	LC	IRR	1.88	136
3507-3	W JERALD HANSEN	TU	12/28/1976	LC	IRR	0.99	69
3646-3	STEVEN R NULL	TU	02/04/1977	LC	IRR	2	144
3737-3	WILLIAM M JENTER	TU	09/16/1976	LC	IRR	4.57	320
3918-3	JBS HANSEN FARMS	TU	04/18/1977	LC	IRR	2.66	295.3
3948-3	JASON KNUTSON	CL	04/19/1977	LC	IRR	1.88	135
3994-3	GLYNDON KNUTSON	CL	07/07/1956	LC	IRR	4.94	332
4204-3	CITY OF CENTERVILLE	TU	01/01/1900	LC	MUN	0.22	n/a
5319-3	LARRY ERICKSON	CL	04/13/1989	LC	IRR	1.89	132
5352-3	BILL & SCOTT HANSEN	TU	09/13/1989	LC	IRR	2.15	151
5425-3	JOHNKE LAND TRUST	TU	03/23/1990	LC	IRR	1.88	132
5886-3	TIM OSTREM	CL	09/28/1995	LC	IRR	1.78	134
5898-3	CITY OF CENTERVILLE	TU	01/09/1996	LC	MUN	0.89	n/a
6810-3	JESSE & TANYA VANDESTROET	CL	02/20/2007	LC	IRR	1.56	65
6922-3	JOHN SHUBECK	CL	12/13/2007	LC	IRR	1.78	122
7002-3	JESSE & TANYA VANDESTROET	CL	03/14/2008	LC	IRR	1.39	123
7191-3	ROGER BLAKE	CL	02/01/2008	LC	IRR	1.56	255
7384-3	NICHOLAS & COURTNEY BLAKE	CL	07/20/2012	LC	IRR	1.67	67
Water Permits							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
6754-3	JBS HANSEN FARMS	TU	09/05/2006	PE	IRR	0	35
7128-3	JOHN SHUBECK	TU	04/13/2009	PE	IRR	1.78	207

CL= Clay; TU= Turner; LC= Water Right, PE= Water Permit; IRR= Irrigation; MUN= Municipal

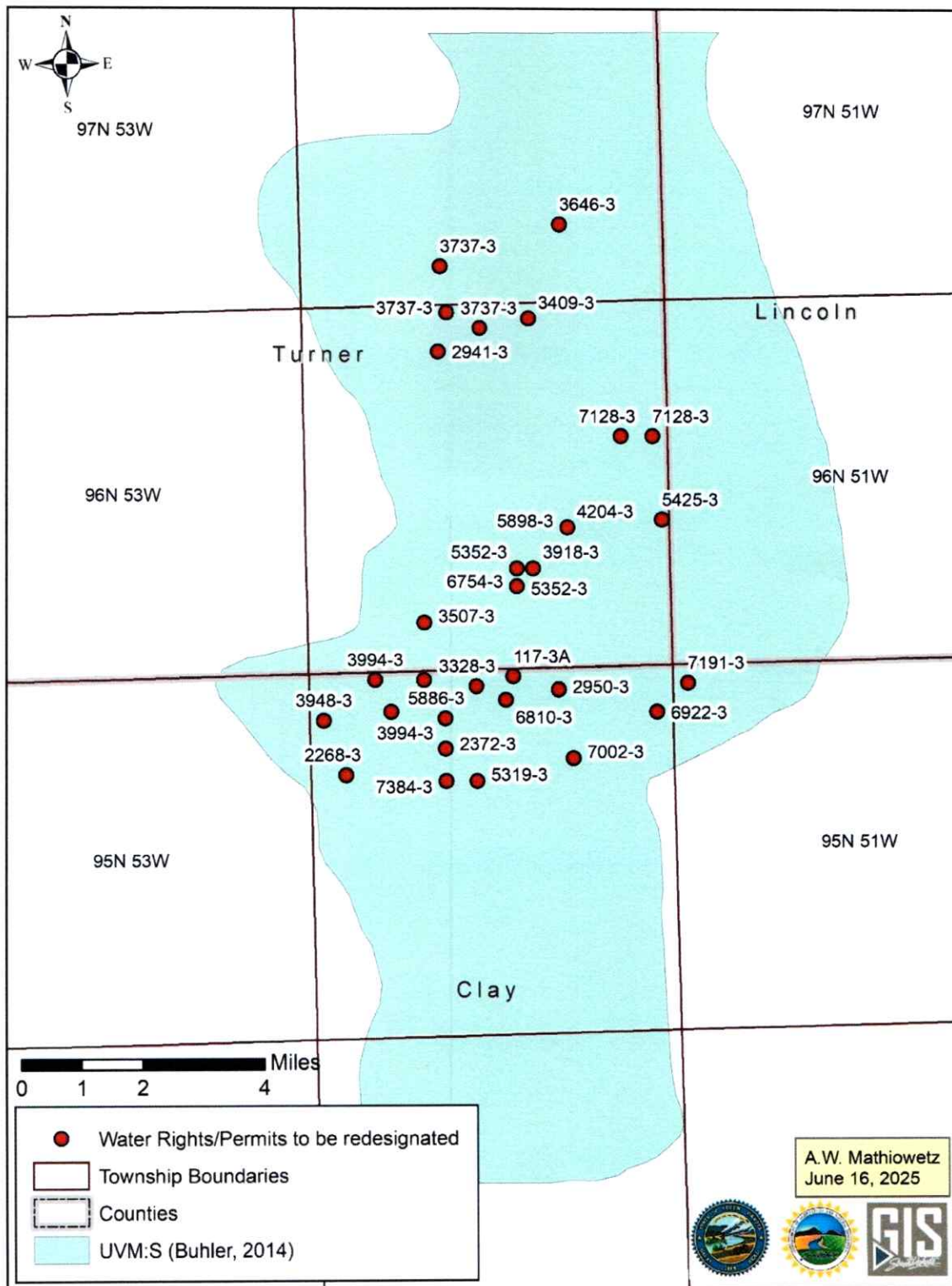


Figure 1- Map of approximate areal extent of the Upper Vermillion Missouri: South aquifer (Buhler, 2014) and water right/permits to be redesignated to include the South management unit designation (Water Rights, 2025)



Adam Mathiowetz
Natural Resources Engineer IV



Mark Mayer
Director of Office of Water

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.

Water Rights. 2025 Water Right/Permits Database. SD DANR-Water Rights Program. Pierre, South Dakota



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 23rd, 2025

6922-3

John Shubeck
29341 468th Ave
Beresford, SD 57004

Dear Mr. Shubeck:

I write to you today in response to the 2025 Irrigation Questionnaire information submitted online for John Shubeck Water Right No. 6922-3.

Water Right No. 6922-3 (copy enclosed) authorized diversion of 1.78 cubic feet of water per second (798.8 gpm) from ground water, one well Upper Vermillion Missouri Aquifer. For the use of irrigation purposes of 122 acres located in Section 1, T95N, R52W.

On this year's questionnaire you reported the irrigation of 220 acres. If an additional 98 acres has been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2025 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

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

enclosure