

WATER PERMIT NO. 7075-3

Name of Applicant: Calvin Hanson

Address: 31524 452nd Ave, Meckling SD 57069

Phone: 605 267-4140

Amount of Water Claimed: 1.78 cfs

Total Acres: 231.81

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System:

Location: 5 miles west of Meckling

PRIORITY

Date Received: 9-29-08

Application/License Fee: \$325

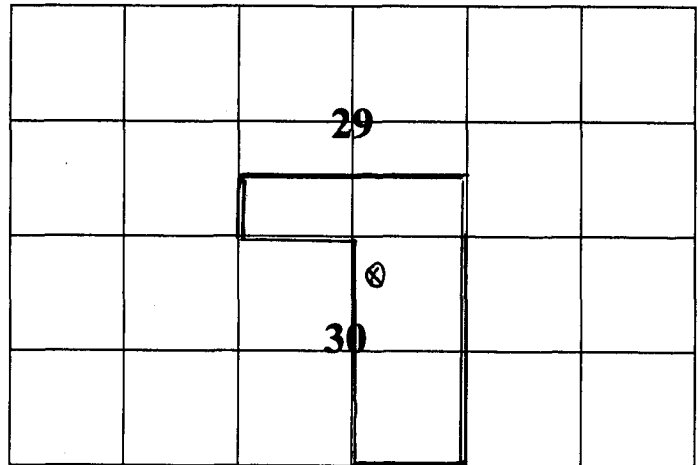
Corrected Application Received: 10-9-08

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 32-T93N-R53W

Land to be Irrigated: E ½ Sec 32 and S ½ SW ¼
& S ½ SE ¼ Sec 29; all in T93N-R53W



Depth of Well: 100 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Kelly Andersen, Clay Co FSA

Reviewed and the Number Assigned on: 10-9-08

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7075-3</u>	(office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plain Talk</u>	
	<u>Vermillion</u>	

RECEIVED
SEP 29 2008
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

1. Name of Applicant Calvin Hanson Phone 605-267-4140
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address 31524 45th Ave Meckling State SD 57069
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 231.81
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply under ground
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
1 well Section 32-93N-S3W NE 1/4
5. County or counties where water will be used Clay
6. Annual period during which water is to be used Summer
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)

E 1/2	Land Description	Acres	Land Description	Acres
SE 1/4 NE 1/4	Sec 32-93N-S3W	231.81	155.6	
SW 1/4 SE 1/4 SW 1/4 SE 1/4	Sec 29-93-S3	76.21		
S 1/2 SW 1/4 & S 1/2 SE 1/4				

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

Well for center pivot

STATE OF SOUTH DAKOTA) SS
County of Yankton

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, Calvin Hanson, 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 Calvin Hanson

Subscribed and sworn to before me this 25th day of September 20 08

Notary Public
Notary Public signature

My commission expires 11/21/12

**SOUTH DAKOTA
WATER PERMIT NO. 7075-3**

Date of first receipt of application September 29, 2008.

Date of return to applicant for corrections, amendments or changes September 30, 2008.

Date of receipt of corrected application October 9, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7075-3 to Calvin Hanson, 31524 452nd Ave, Meckling SD 57069 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. 7075-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in NW ¼ NE ¼ Section 32 to irrigate 232 acres located in the E ½ Section 32 and the S ½ SW ¼ and S ½ SE ¼ Section 29; all in T93N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is September 29, 2008.
4. The date of approval of Permit No. 7075-3 is January 12, 2009.
5. One-fifth of the construction is to be completed on or before July 12, 2011.
6. All construction is to be completed on or before January 12, 2014.
7. Water is to be put to beneficial use on or before January 12, 2018.
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. 7075-3 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.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

JAN 27 2009

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 100'
- b) Casing Type PVC Diameter 16" Thickness 616
- c) Screen Type PVC Diameter 16" Thickness 616
- d) Gravel Pack Round Length of Gravel Pack 20' to 100'
- e) Depth to Top of Water Bearing Material 25'
- f) Depth to Water (ground surface to water level) 25'
- g) Distance to nearest existing domestic well:
- On applicants property - On property owned by others 2 miles

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

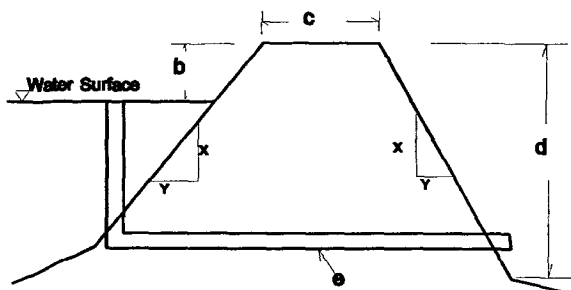
3. Dugout Information

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

4. Water Storage Dams

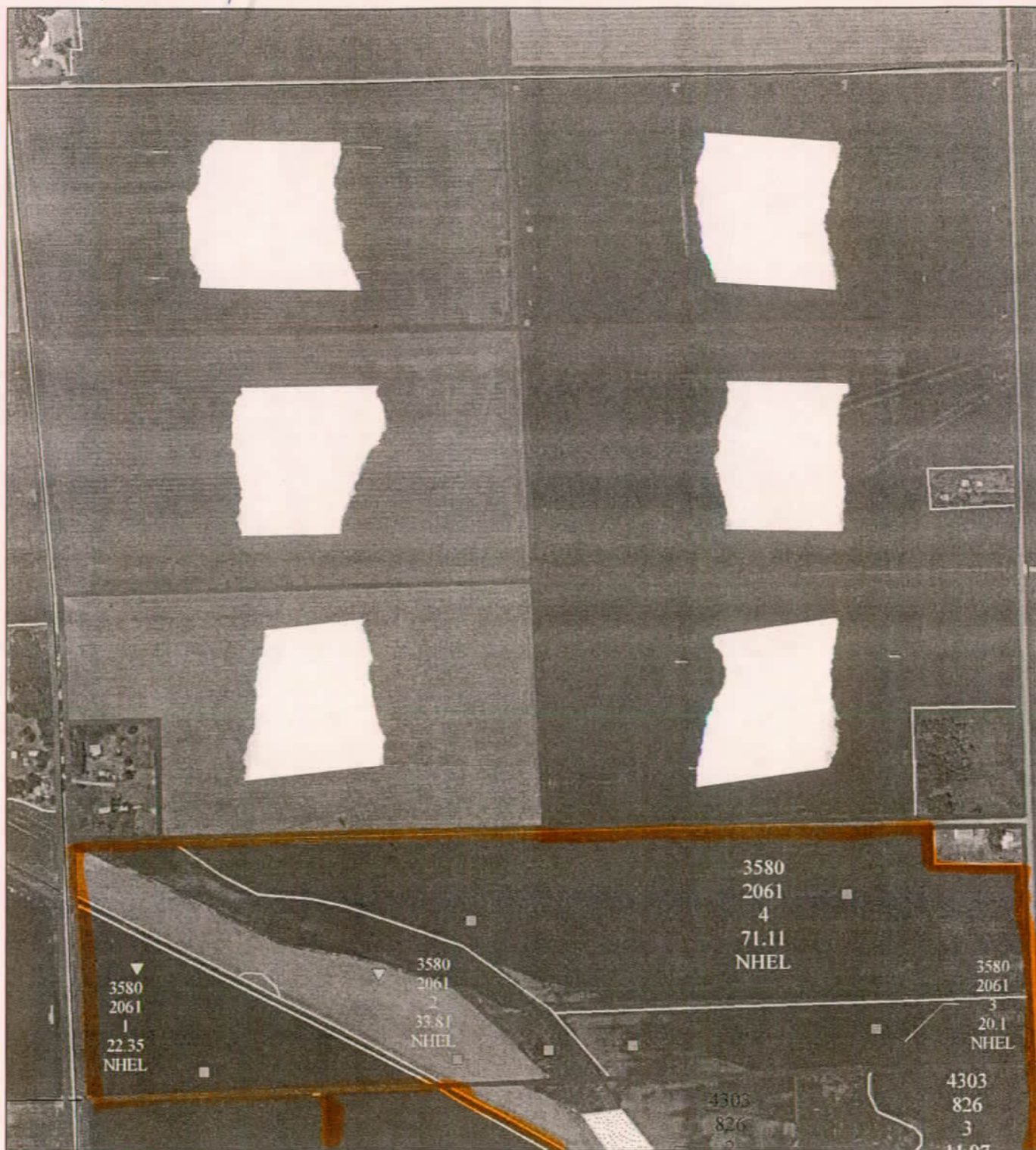
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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

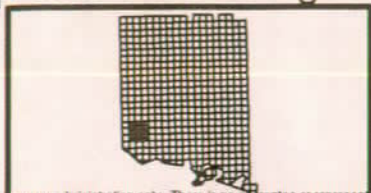


- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage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

Kelly Andersen
Clay County PT



USDA **USDA**
Farm Service Agency



South Dakota Clay County

29-93N-53W

September 04, 2008

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 -026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

1:8,786

Kelly Andersen, PT
Clay County FSA

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SEP 29 2008

WATER RIGHTS

PROG 500

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USDA USDA
Farm Service Agency

South Dakota
Clay County

32-93N-53W

September 24, 2008

Legend

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

Wetland Determination Identifiers

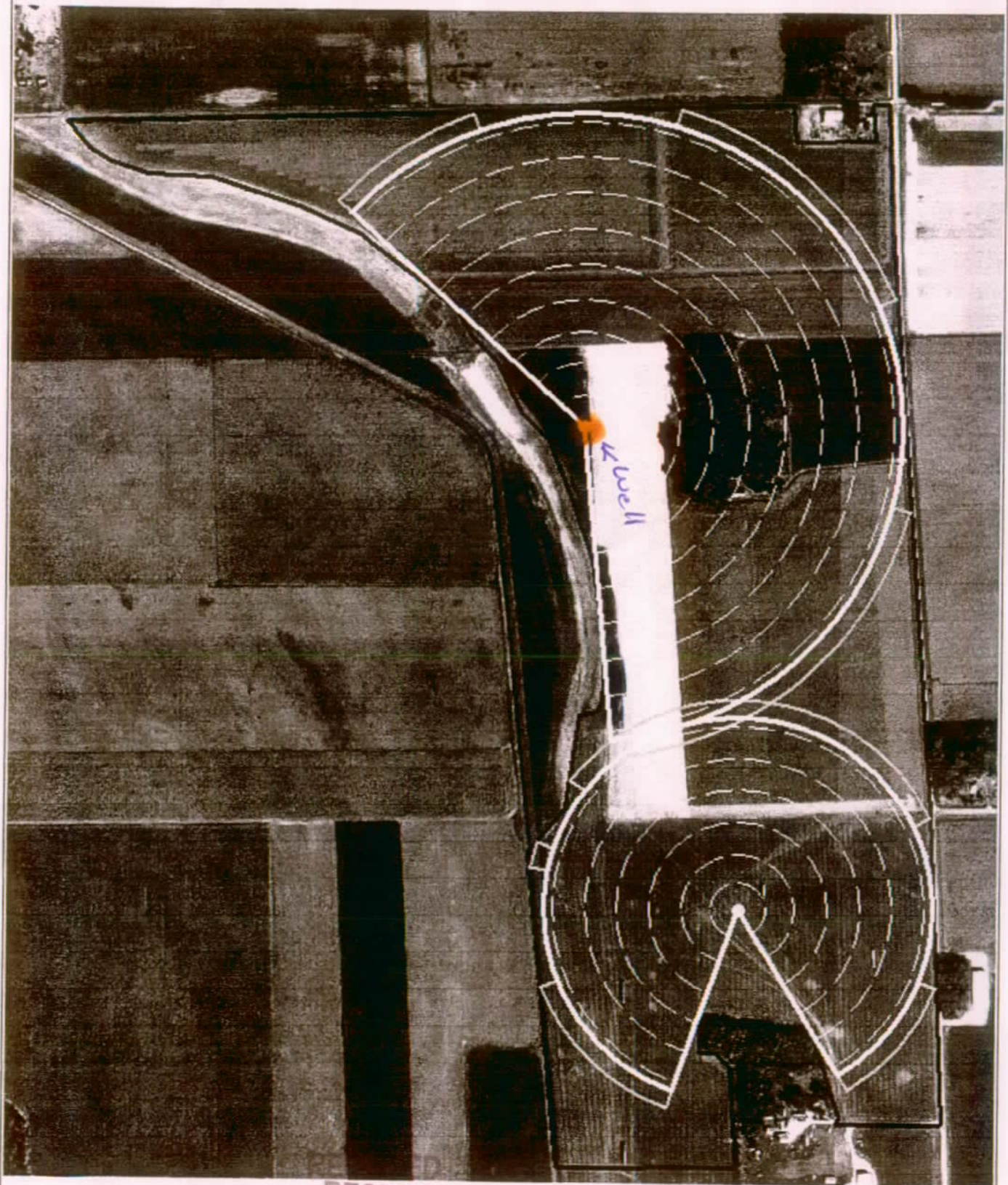
-  Restricted Use
-  Limited Restrictions
-  Exempt from Conservation Compliance Provisions



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Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and 1:8,694 attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Sec 32-93N-53W



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Automatic Irrigation Inc. Centerville, SD (605) 563-2649 office

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/30, 20 08

RECEIVED OF Hanson & Hanson 31524 452nd Ave Meckling SD 57069

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

Fee for Application for Permit No. <u>7075-3</u> to Appropriate Water, to construct and to put water to beneficial use	275	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7075-3</u> <u>partial</u>	25	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.

63725

By

[Signature]
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/9, 20 08

RECEIVED OF Hanson & Hanson 31524 452nd Ave Meckling SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	25	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>7075-2</u> <i>(partial)</i>		
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	25 00

No.

3770

By *[Signature]*
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

September 30, 2008

Calvin Hanson
31524 452nd Ave
Meckling SD 57069

Dear Mr. Hanson:

Thank you for submitting the two *Applications for a Permit to Appropriate Water* for irrigation. In order to complete the applications, the following is required.

Regarding the application for irrigation in Section 31:

- The application indicates irrigation of 161.25 acres. It appears from the aerial photo map submitted with the application that the proposed irrigation will include portions of the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30. On Item No. 7, of the application, please give a breakdown of the 40 acre division (quarter-quarter) and the number of acres in each.
- It appears the well will be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31. Do you agree with this location?

Regarding the application for irrigation in Section 32:

- The application indicates irrigation of 231.81 acres. It appears from the aerial photo map submitted with the application that the proposed irrigation will include portions of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 and the SE $\frac{1}{4}$ Section 32. On Item No. 7, of the application, please give a breakdown of the 40 acre division (quarter-quarter) and the number of acres in each.
- It appears the well will be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32. Do you agree with this location?

We have received the two checks for \$300.00 each. The fee is correct for the application to irrigate 161.25 acres, but the application to irrigate 231.81 acres will require an additional \$25.00.

If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure



**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. 7075-3, Calvin Hanson**

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. 7075-3, Calvin Hanson, 31524 452nd Avenue, Meckling SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 7075-3 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 wells authorized by Permit No. 7075-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 17, 2008

**Report on Water Permit Application No. 7075-3
for Calvin Hanson
October 17, 2008**

Application No. 7075-3 proposes to appropriate 800 gallons per minute (1.78 cfs) from one well approximately 100 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T93N R53W in Clay County. The water is to be used to irrigate approximately 232 acres located in the E $\frac{1}{2}$ Section 32 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29; all in T93N R53W. The annual period during which water will be used is May 1 through September 30.

AQUIFER: Missouri Elk Point

This report will address the availability of unappropriated water from the Elk Point management unit of the Missouri aquifer.

WATER AVAILABILITY

Aquifer Characteristics:

The Missouri Elk Point is a buried outwash (sand and gravel) that is under water table conditions in the area of this application. The aquifer underlies 74,500 acres and contains an estimated 1.1 million acre feet of recoverable water in storage in Clay County (Hedges, 1982). Christensen (1967) refers to this aquifer as the Lower Vermillion-Missouri aquifer and estimates the aquifer to hold 5 million acre-feet of water in transient storage in Clay County.

Observation Well Data:

The Water Rights Program monitors two observation wells, CL-80B and YA-80KA, located within four miles of this application location. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years due to natural discharge and to pumping. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008).

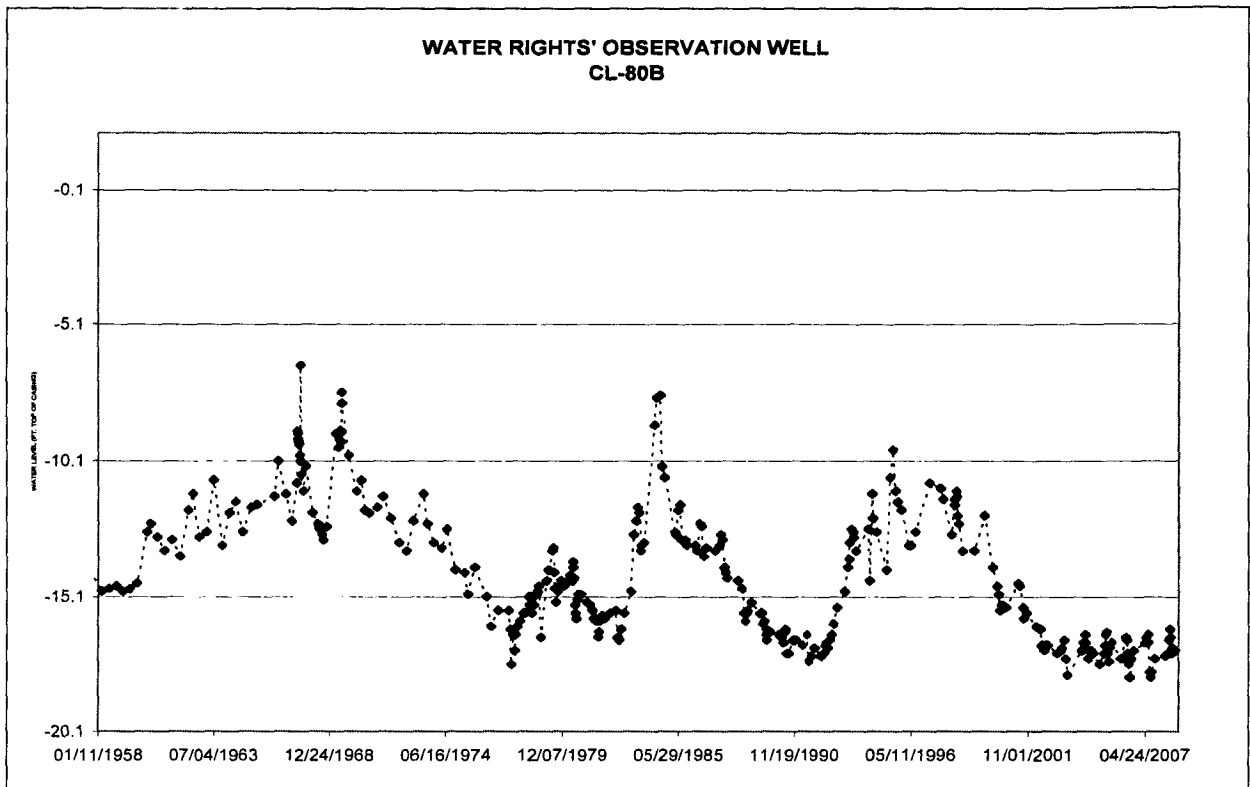


Figure 1. Hydrograph for Water Rights Observation Well CL-80B, completed into the Elk Point management unit of the Missouri Aquifer within four miles of 7075-3

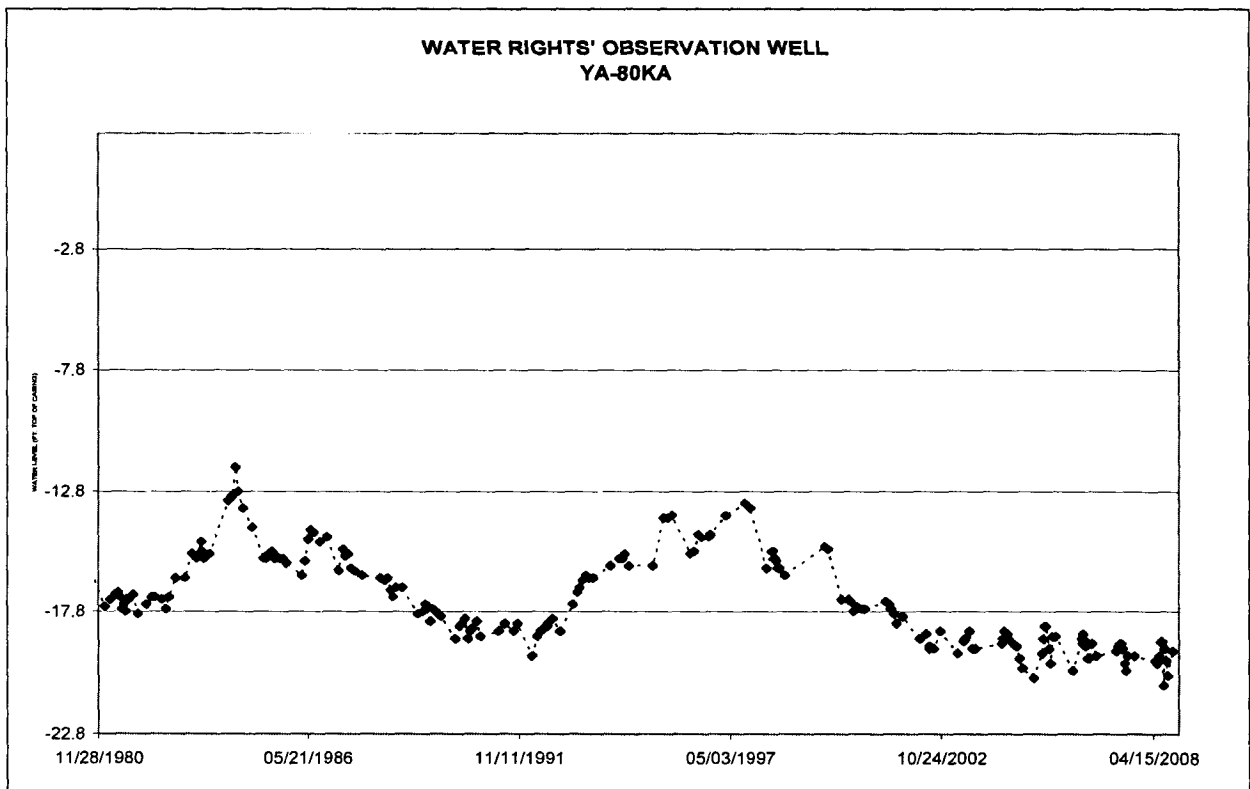


Figure 2. Hydrograph for Water Rights Observation Well YA-80KA, completed into the Elk Point management unit of the Missouri Aquifer within four miles of 7075-3

In general, the hydrographs shows that over the period of record, withdrawals have not exceeded recharge.

Review of Existing Water Permits/Rights/Water Use:

Records of irrigation use from the Missouri aquifer, which includes the Peoria management unit, the Pierre management unit, the Greenwood management unit and the Elk Point management unit date back to 1979. The Elk Point management unit typically includes the majority of irrigators; irrigators in the other management units typically total less than ten.

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped for each year. The average number of appropriations is just over 301, with the average appropriation being nearly 127,000 acre-feet and the average pumpage reported at over 17,000 acre-feet.

IRRIGATION USE (ac-ft/yr) M			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2007	368	140746.6	31052.03
2006	355	137411.6	28874.29
2005	337	130966.6	24176.62
2004	323	127635.8	24515.85
2003	315	126059.8	27161.56
2002	316	126235.8	24105.36
2001	314	126217.4	19451.93
2000	310	125532.2	27070.99
1999	308	125225.6	14748.02
1998	313	127862.6	11127.24
1997	305	126518.2	17182
1996	296	124606.2	9412.78
1995	292	121644.25	18320.24
1994	297	123656.75	10323.94
1993	299	125656.3	1475.2
1992	296	125336.68	1881.95
1991	301	126551.68	18798.6
1990	299	128458.33	19694.5
1989	294	126847.33	25941.9
1988	283	124014.13	28756.35
1987	282	124104.33	13439.7
1986	288	125842.47	6451.6
1985	284	125068.47	13983.5
1984	283	126743.35	9194.3
1983	274	121895.73	10834.04
1982	272	123559.28	18822.35
1981	302	136318	14233
1980	267	126362	15205
1979	265	124828	10377
AVERAGE	301.31	126962.26	17124.55
MAXIMUM	368	140746.6	31052.03
MINIMUM	265	121644.25	1475.2

Table 1. Irrigation usage from the Missouri aquifer (Water Rights, 1979-2008).

There are twelve existing water permits/rights for irrigation located within two miles of this application. Water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

Recharge:

The Missouri aquifer is recharged from several sources. Normal precipitation in Clay County is estimated to be 500,000 acre-feet (Christensen, 1967), a portion of which also contributes to aquifer recharge.

Conclusions:

1. Water is available from the Elk Point management unit of the Missouri aquifer.
2. The aquifer is under water table conditions at this location. Drawdown will result from pumping. Interference is not expected to be a problem.
3. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect these water supplies.
4. This well must be constructed in accordance with SD Well Construction Standards.



Hayes Haas
Natural Resources Engineer

Bibliography:

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

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

Water Rights, 2008, Unpublished Observation Well Records for Clay County, SD DENR, Division of Water Rights, Pierre, SD, 57501

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

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

THE PLAIN TALK

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

NOTICE OF APPLICATION NOS. 7074-3 AND 7075-3

TO APPROPRIATE WATER

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 26th day of December 20 08, and that the succeeding publications were severally

on Friday, the 2nd day of January, 20 09,

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

Fifty-one dollars and 25 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.

Penny Tucker

Subscribed and sworn to before me

this 5th day of JAN, 20 09

Ross A. Bremer

RECEIVED SD

JAN - 8 2009

WATER RIGHTS
PROGRAM

Notary Public

Exp 1/24/2010

NOTICE OF APPLICATION NOS. 7074-3 and 7075-3 to Appropriate Water

Notice is given that Calvin ~~Hansen, 31504 45th Ave,~~ Meckling SD 57069 has filed the following applications for a water permit.

Application No. 7074-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in NW 1/4 NW 1/4 Section 31 to irrigate 162 acres located in the NW 1/4 Section 31 and the S 1/2 SW 1/4 Section 30; all in T93N-R53W.

Application No. 7075-3 proposes to appropriate 1.78 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the NW 1/4 NE 1/4 Section 32 to irrigate 232 acres located in the E 1/2 Section 32 and the S 1/2 SW 1/4 and S 1/2 SE 1/4 Section 29; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7074-3 and 7075-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 12, 2009.

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

Publish: December 26, 2008 & January 2, 2009



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 18, 2008

Plain Talk
PO Box 256
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7074-3 & 7075-3 to Appropriate Water to be published twice. Please publish the first notice on December 26, 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 Calvin Hanson, 31524 452nd Ave., Meckling SD 57069 (Ph # 605-269-4140).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Nos. 7074-3 & 7075-3

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

Date _____

We are in receipt of your letter of December 18, 2008 enclosing Notice to Appropriate Water by Application Nos. 7074-3 & 7075-3 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.

December 18, 2008

Calvin Hanson
31524 452nd Ave
Meckling SD 57069

Dear Mr. Hanson:

Water Permit Application Nos. 7074-3 & 7075-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Plain Talk printed at Vermillion SD (Ph #605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your 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 recommendations, 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 December 26, 2008 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 NOS. 7074-3 and 7075-3 to Appropriate Water

Notice is given that Calvin Hanson, 31524 452nd Ave, Meckling SD 57069 has filed the following applications for a water permit.

Application No. 7074-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31 to irrigate 162 acres located in the NW $\frac{1}{4}$ Section 31 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30; all in T93N-R53W.

Application No. 7075-3 proposes to appropriate 1.78 cfs from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32 to irrigate 232 acres located in the E $\frac{1}{2}$ Section 32 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7074-3 and 7075-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 12, 2009.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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www.state.sd.us/denr

JAN 27 2009

Calvin Hanson
31524 452nd Ave
Meckling SD 57069

Dear Mr. Hanson:

Enclosed are Water Permit Nos. 7074-3 and 7075-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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

File No. 7075-3
7414-3

Water Rights Program - File Documentation

NAME: Calvin Hanson

ADDRESS: Meckling SD

DATE: 8-22-12 **COUNTY:** Clay **TELEPHONE:** 605 661-6393

RE: Application No. 7414-3

COMMENTS:

Water Permit No. 7075-3 authorized irrigation of some of the same acreage as requested by application No. 7414-3.

Calvin Hanson indicated regarding No. 7075-3, the larger pivot was developed to make a complete circle of approximately 203 acres. They did not develop the acreage that was going to be irrigated by the smaller pivot.

Eric Gronlund indicated No. 7075-3 will be reduced at the time of inspection.

Karen Schlaak

Karen Schlaak
Water Rights Program



7075-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JAN 26 2017

8237-3
7075-3

Calvin Hanson
31524 452nd Ave
Meckling SD 57069

Dear Mr. Hanson:

Enclosed are Water Permit and Water License No. 8237-3. These documents complete your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 8237-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

Note: The applicable portions of No. 7075-3 are incorporated into Water License No. 8237-3.

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