

WATER PERMIT NO. 7111-3

Name of Applicant: **Paul M Buckneberg**

Address: **45886 294th St, Centerville SD 57014**

Phone: **605 563-2434**

Amount of Water Claimed: **1.78**

Total Acres: **160**

Source of Water Supply: **groundwater (1 well)**

Water to be used for: **irrigation**

County: **Clay**

Type of Waste Disposal System: **NA**

Location: **6 miles southwest of Centerville**

PRIORITY

Date Received: **3-18-09**

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

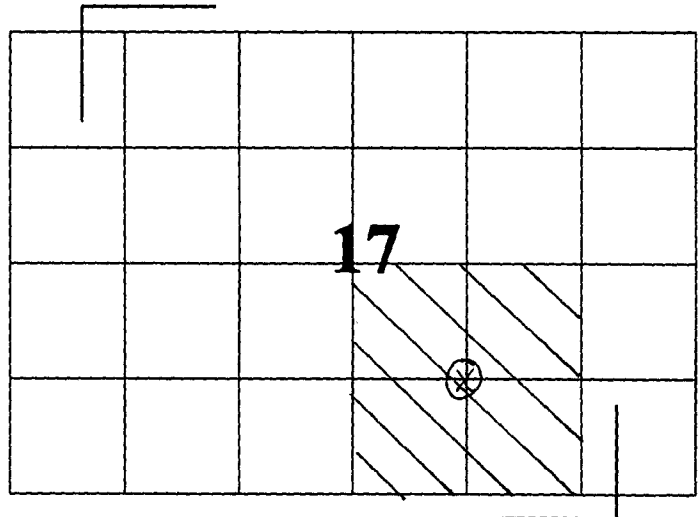
Corrected Application Received: **3-23-09**

Period of Annual Use: **April 1 – October 31**

Remarks:

Diversion Point: **approximate center SE ¼ Sec 17-T95N-R52W**

Land to be Irrigated: **SE ¼ Sec 17-T95N-R52W**



Depth of Well: **150 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Kelly Andersen, Clay Co. FSA**

Reviewed and the Number Assigned on: **3-23-09**

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>7111-3</u>	(office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plain Talk</u>	<u>PO Box 357</u>
	<u>605-624-2695</u>	<u>Vermillion 57069</u>

RECEIVED
MAR 18 2009
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 PAUL M. Buckneberg Phone 605-563-2434
 (check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 45884 294th St. Centerville State S.D. 57014-6732
 (Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.78*CFS or 800**GPM ***AF Total Acreage 160
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply 1 well ground water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County CLAY
1 well SE 1/4 SE 1/4 sec. 17 T-95-N R-52-W
approximate Center
5. County or counties where water will be used clay
6. Annual period during which water is to be used April 1st - Oct. 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>SE 1/4 sec. 17 T-95-N R-52-W</u>	<u>160</u>		

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

A well to be put in SE 1/4 SE 1/4 sec. 17 with a low pres. pivot.

MAPS enclosed

STATE OF SOUTH DAKOTA) SS

County of Turner

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 Buckneberg, 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

Paul Buckneberg

 Subscribed and sworn to before me this 16th day of March 2009

Donald A. Miller

 Notary Public signature 8/25/12

**SOUTH DAKOTA
WATER PERMIT NO. 7111-3**

Date of first receipt of application March 18, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7111-3 to Paul M Buckneberg, 45886 294th St, Centerville SD 57014 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7111-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 150 feet deep) located in approximate center of the SE 1/4 Section 17 to irrigate 160 acres located in the SE 1/4 Section 17; all in T95N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 18, 2009.
4. The date of approval of Permit No. 7111-3 is June 1, 2009.
5. One-fifth of the construction is to be completed on or before December 1, 2011.
6. All construction is to be completed on or before June 1, 2014.
7. Water is to be put to beneficial use on or before June 1, 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. 7111-3 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.

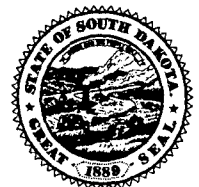
WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 14 2009

date



Supplemental Information

Form 2A

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 150'
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

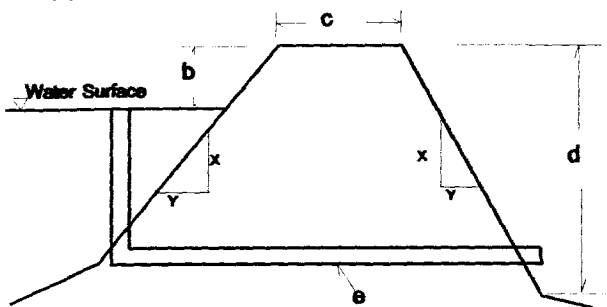
3. Dugout Information

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

4. Water Storage Dams

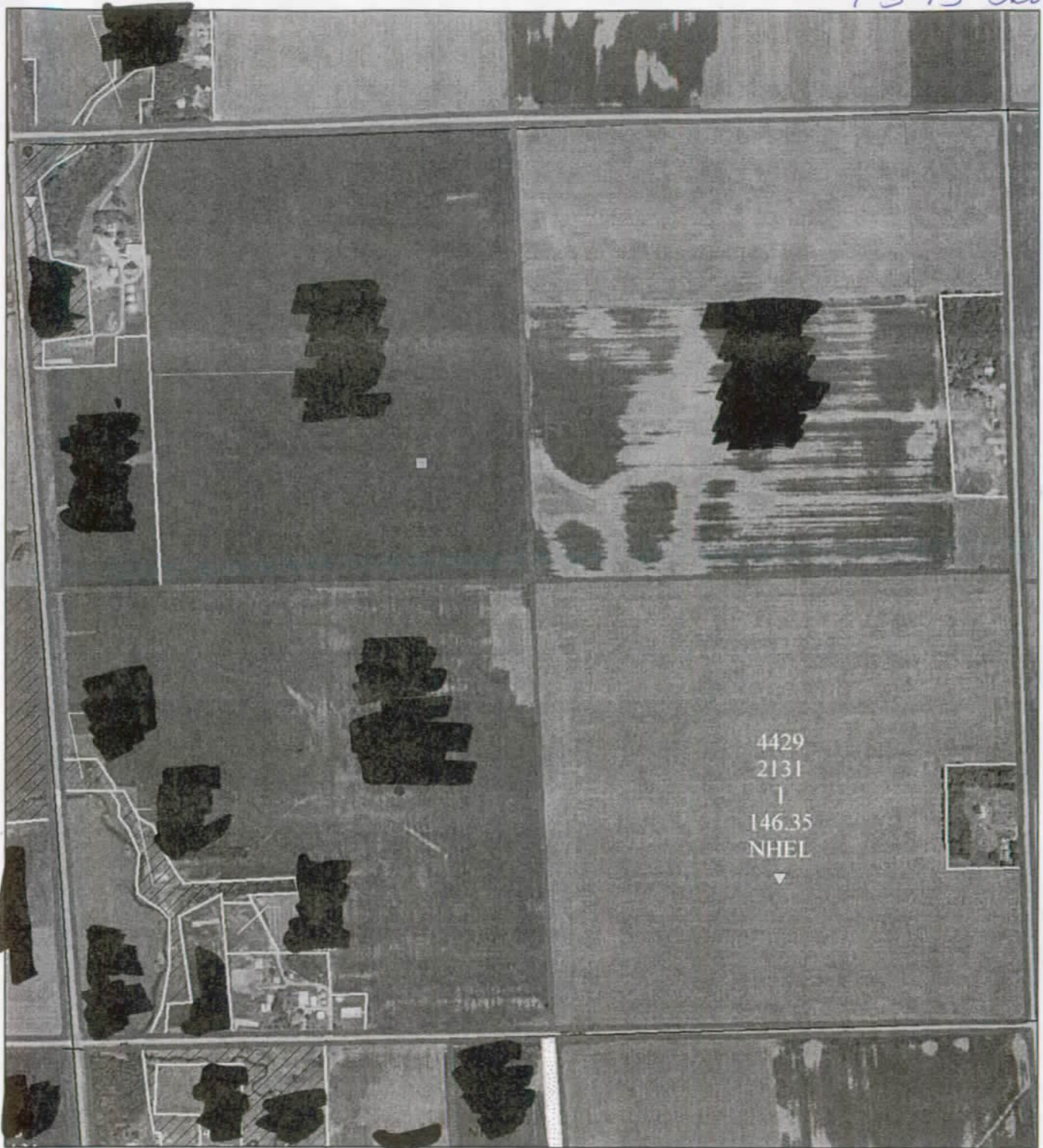
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

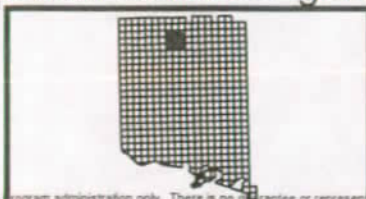
Leely Andersen PT
Clay County FSA
3-13-2009



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USDA **USDA**
Farm Service Agency

South Dakota
Clay County



RECEIVED
MAR 18 2009
WATER RIGHTS PROGRAM
17-95N-52W
March 13, 2009

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.

1:9,159

Automatic Irrigation Inc.



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

RECEIVED

MAR 18 2009

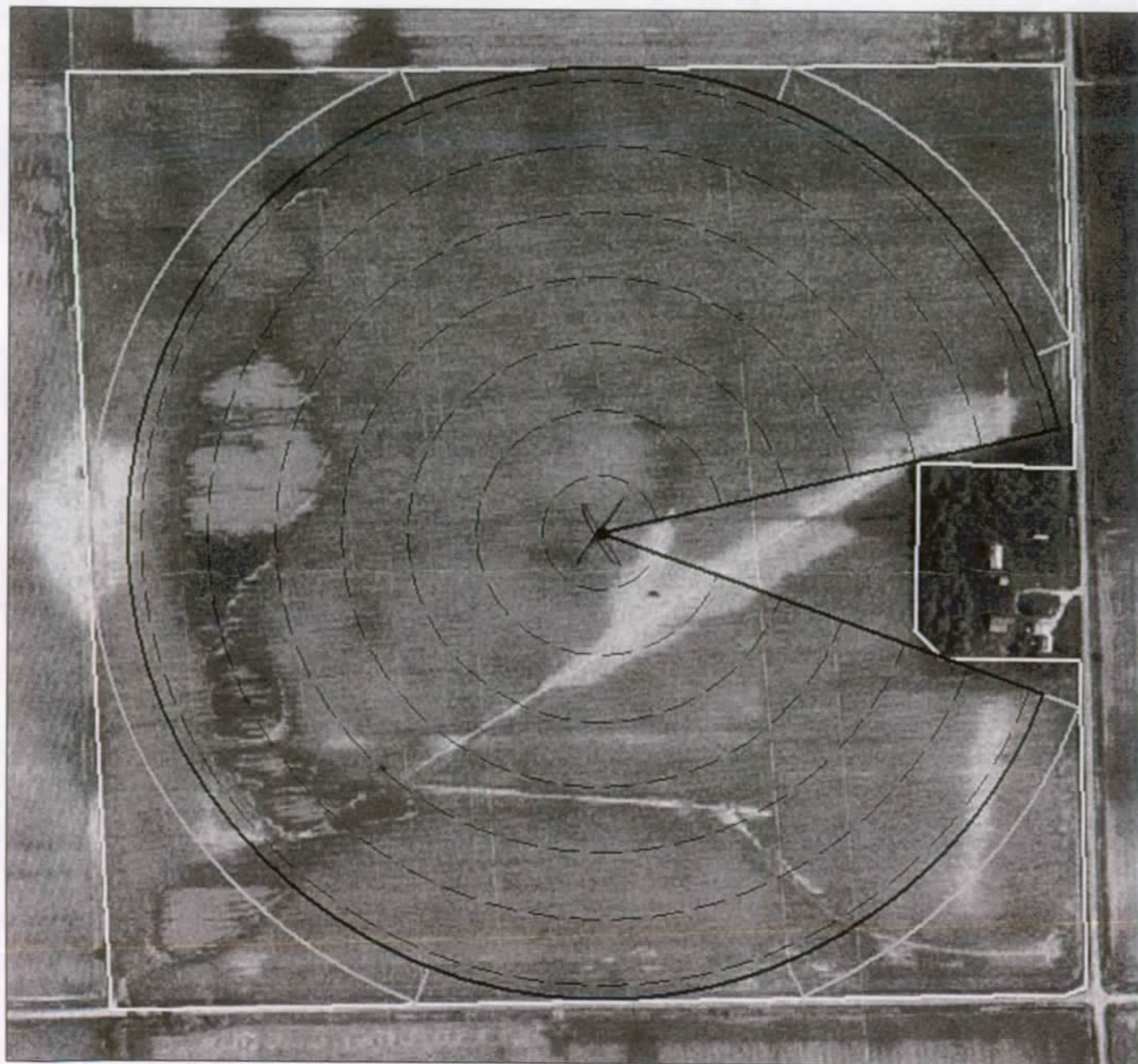
WATER RIGHTS
PROGRAM

Farm: Riverside

Grower: Paul Buckneberg

1/30/2008

Systems:	Length	Spans	Total area including endgun
● Riverside	1270.58 ft	7 spans + 33 ft o.h.	117.62 acres



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/18, 20 09

RECEIVED OF Paul Buckneberg 45886 294th St Centerville SD 57014

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

Fee for Application for Permit No. <u>7111-3</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>7111-3</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.

04079

By

Garland Erbe
Chief Engineer

Water Rights Program - File Documentation

NAME: Paul M Buckneberg

ADDRESS: Centerville SD

DATE: 3-23-09 **COUNTY:** Clay and Turner **TELEPHONE:** 605 563-2434

RE: Pending applications

COMMENTS:

I called Paul Buckneberg about the proposed well depths on two of his three pending applications. Regarding the application in Clay County Section 17, Mr. Buckneberg indicated the proposed well depth would be 150 feet deep. This is information he received from Dick Hammond. Also, the well will be located in the approximate center of the SE ¼ Section 17.

Regarding the application in Turner County, Section 13, he indicated the proposed well depth will be 100 – 120 feet deep. Dick Hammond stated if they did not find water at this depth in this location, they could go to Dakota Formation. Based on economics, Mr. Buckneberg stated he wanted to go with the shallower well if possible.

I explained that if we advertise for the shallower formation and then the well is drilled into a deeper formation, he would have to make application for the deeper formation. Mr. Buckneberg indicated he understood this. He was hoping Dick Hammond could get there soon to drill the test holes.



Karen Schlaak
Environmental Scientist



**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. 7111-3, Paul M. Buckneberg**

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. 7111-3, Paul M Buckneberg, 45886 294th Street, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7111-3 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. 7111-3 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
April 9, 2009

**Report on Water Permit Application No. 7111-3
for Paul Buckneberg
March 30, 2009**

Application No. 7111-3 proposes to appropriate 800 gallons per minute (1.78 cfs) from one well approximately 150 feet deep located in the center of the SE ¼ of Section 17 to irrigate 160 acres located in the SE ¼ Section 17; all in T95N R52W in Clay County. The annual period during which water will be used is April 1 through October 31.

AQUIFER: Lower Vermillion Missouri

This report will address the availability of unappropriated water from the Lower Vermillion Missouri aquifer.

WATER AVAILABILITY

Aquifer Characteristics:

The Lower Vermillion Missouri aquifer is a buried outwash (sand and gravel) that may be under confined conditions in the area of this application. The aquifer holds an estimated 5 million acre-feet in transient storage in Clay County (Christensen, 1967). According to Hedges, the aquifer underlies 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges, 1982). To the north, the aquifer blends into the Upper Vermillion Missouri aquifer, while to the south, the aquifer blends with the Missouri Elk Point aquifer while to the southeast the aquifer extends into Union County. The general direction of water movement in the aquifer is toward the east-southeast (Christensen, 1967). This application location appears to be near the boundary of the Upper and Lower Vermillion aquifers.

Observation Well Data:

The Water Rights Program monitors two observation wells, CL-66A and CL-80K, located within two miles of this application location. CL-66A is just over a mile to the east-southeast and is a Lower Vermillion Missouri well. CL-80K is over four and half miles to the northwest and is known as an Upper Vermillion Missouri well. 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). Hydrographs for these observation wells are included with this report.

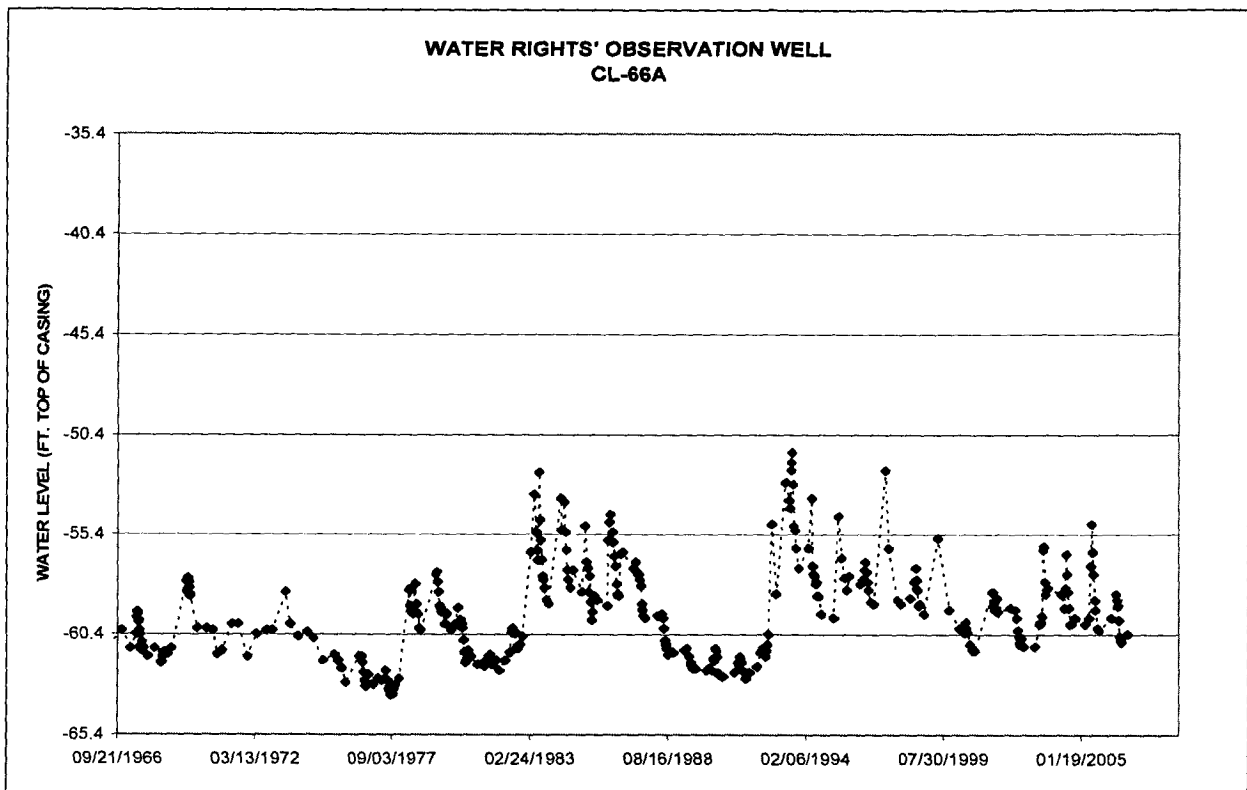


Figure 1. Hydrograph for Water Rights Observation Well CL-66A, completed into the Lower Vermillion Missouri Aquifer within two miles of 7111-3

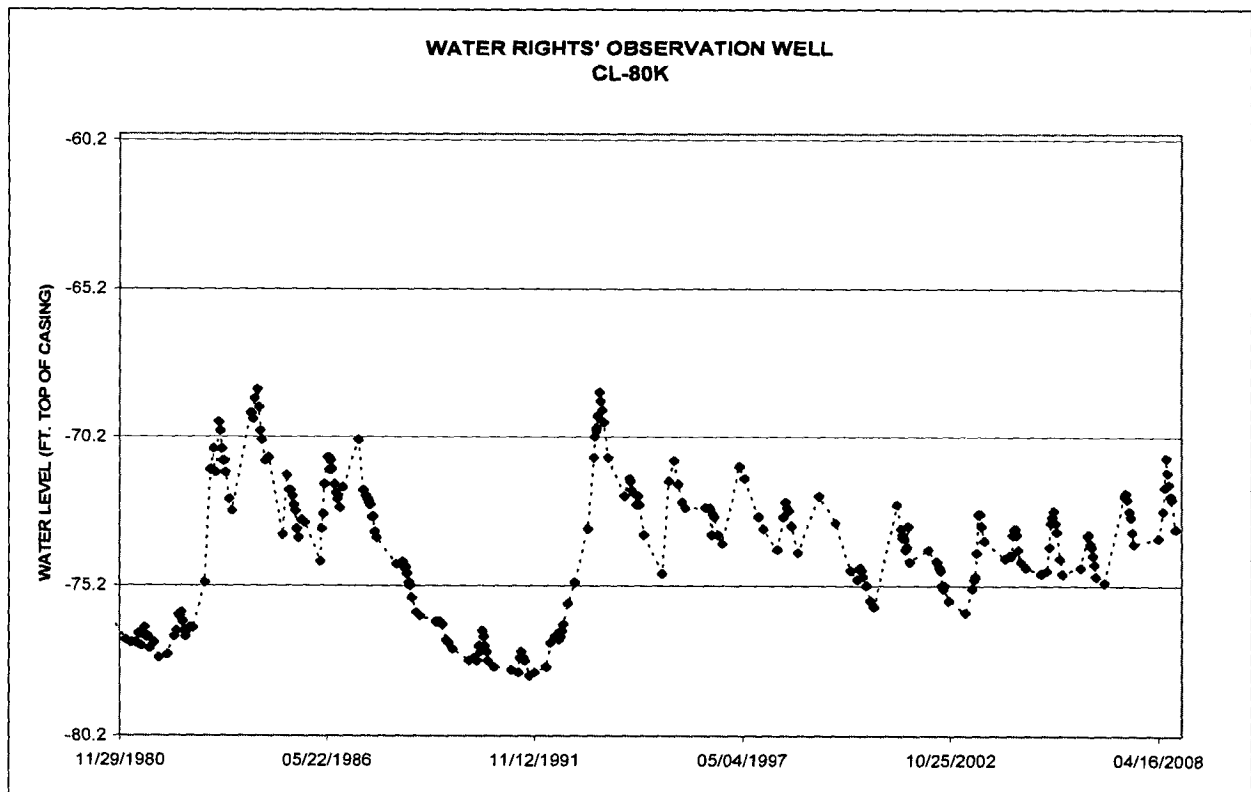


Figure 2. Hydrograph for Water Rights Observation Well CL-80K, completed into the Upper Vermillion Missouri Aquifer within three miles of 7111-3

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 Lower Vermillion Missouri aquifer date back to 1979.

Table 1 shows the number of appropriations, the total amount of water appropriated, and the reported amount of water pumped each year. The average number of appropriations is just over 40, with the average annual appropriation being about 16,500 acre-feet and the average annual pumpage reported at over 1,400 acre-feet.

IRRIGATION USE (ac-ft/yr) LVM			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
2007	50	16655.45	2909.12
2006	43	15254.45	2674.51
2005	45	15844.45	1410.24
2004	39	15013.45	1747.48
2003	40	15199.45	1800.56
2002	40	15199.45	1762.32
2001	38	14879.45	2036.96
2000	38	14879.45	2041.72
1999	38	14879.45	900.63
1998	36	14150.45	1032.91
1997	36	13656.14	1085
1996	36	14096.04	997.6
1995	37	14309.24	506.61
1994	39	14673.74	517.28
1993	39	15308	0
1992	39	15308.24	168.8
1991	39	15308.24	1670.1
1990	38	15657.34	2113.2
1989	38	15657.34	2301.2
1988	38	15657.34	2083.8
1987	37	15435.34	1115.4
1986	45	20477.34	1047.5
1985	46	20661.34	1328.2
1984	47	20754.3	691
1983	38	15480.34	716.3
1982	37	15862.84	870.04
1981	49	23003	1543
1980	47	22683	2417
1979	49	22683	1163
AVERAGE	40.72	16504.40	1401.78
MAXIMUM	50	23003	2909.12
MINIMUM	36	13656.14	0

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

There are four existing water permits/rights for irrigation located within one mile 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 Lower Vermillion Missouri in Clay County receives recharge from direct penetration of precipitation, influent seepage from streams, and subsurface inflow from adjacent areas (Christensen, 1967).

Conclusions:

1. Water is available from the Lower Vermillion Missouri aquifer.
2. The aquifer appears to be under confined 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., and others, 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD 57069

Water Rights, 2009, 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 NO. 7111-3

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 15th day of May, 20 09, and that the succeeding publications were severally

on Friday, the 22nd day of May, 20 09,

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

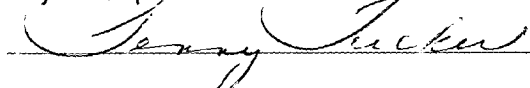
on Friday, the _____ day of _____, 20 _____,

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

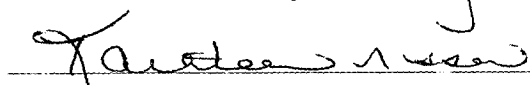
Twenty-eight dollars and 60 cents

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 22 day of May, 20 09



Notary Public

My Commission Expires 8-27-2011

RECEIVED

MAY 26 2009

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO. 7111-3 to Appropriate Water

Notice is given that Paul M Buckneberg, 45886 294th St, Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 150 feet deep) located in approximate center of the SE 1/4 Section 17 to irrigate 160 acres located in the SE 1/4 Section 17; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7111-3 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 recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 1, 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 this application. Steven M. Pirner, Secretary, Department of Environment and

Natural Resources.

Publish: May 15 & 22, 2009

Published twice at the total approximate cost of \$28.60.

Estimated publishing cost per circulated copy, \$1.01



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 7, 2009

Plain Talk
PO Box 357
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7111-3 to Appropriate Water to be published twice. Please publish the first notice on May 15, 2009 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 Buckneberg, 45886 294th St., Centerville SD 57014 (Ph # 605-563-2434).

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. 7111-3

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

Date _____

We are in receipt of your letter of May 7, 2009 enclosing Notice to Appropriate Water by Application No. 7111-3 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 NEWSPAPERS RIGHT AWAY.

May 7, 2009

Paul Buckneberg
45886 294th St
Centerville SD 57014

Dear Mr. Buckneberg:

Water Permit Application Nos. 7111-3, 7112-3, and 7113-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice for 7111-3 has been sent to the Publisher of the Plain Talk printed at Vermillion SD (Ph #605-624-2695). A notice for 7112-3 and 7113-3 has been sent to the Centerville Journal printed at Centerville SD (Ph #605-563-2351). You will need to contact the newspapers and authorize publication of these notices. For your information, a copy of the notices, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notices prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notices and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization, the publishers have been instructed to publish your notices once each week for two consecutive weeks. The newspapers have 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 May 15, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7111-3 to Appropriate Water

Notice is given that Paul M Buckneberg, 45886 294th St, Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 150 feet deep) located in approximate center of the SE ¼ Section 17 to irrigate 160 acres located in the SE ¼ Section 17; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7111-3 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 recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 1, 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 this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 14 2009

Paul M Buckneberg
45886 294th St
Centerville SD 57014

Dear Mr. Buckneberg:

Enclosed are Water Permit Nos. 7111-3, 7112-3 and 7113-3 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

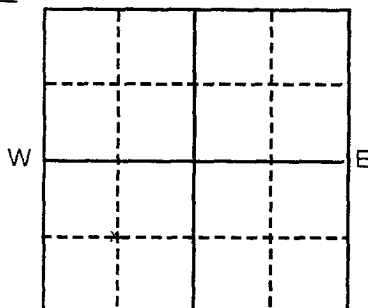
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw 1/4 se 1/4 Sec 17 Twp 95n Rg 52wCounty Clay

North

Please mark well
location with an "X"

Well Completion Date

August 3, 2011

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,300.0 ft. from abandoned septic tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ 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	106.0 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
bentonite	20	Lb/gal	0.0 Ft	100.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 50.0 FeetMaterial PVCSlot Size .060 Set From 106.0 Feet to 156.0 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 pellets
☐ No, Why Not?
Lab to which water
quality sample sent for analysisWell Owner: Paul Buchmeberg7111-3

Business Name:

Address: 45866 294th StreetCity, State, Zip: Centerville SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Clay, yellow brown, pebbly (Till)	0	25
Clay, gray-brown, pebbly, (Till)	25	101
Sand, green, coarse to med grained	101	160

STATIC WATER LEVEL 82.0 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: pumped with submersible
☐ Bailed

☐ Other

Pumping Level Below Land Surface

92.0 Ft. After 3.0 Hrs. pumped 950.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: 800.0 GPM

REMARKS

RECEIVED

FEB - 1 2012

WATER RIGHTS
PROGRAMThis well was drilled under license # 666 and this
report is true and accurate.Drilling firm: Hammond Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: Sept 17, 2011

**Permit No. 7111-3
Clay County**

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, June 23, 2015 made a thorough examination of the water system used by the Paul Buckneburg, 45886 294th St., Certerville, SD 57014, holder of Water Permit No. 7111-3, bearing the priority date of March 18, 2009. Water Permit No. 7111-3 authorizes the diversion of 1.78 cubic feet per second (cfs) or 800 gallons per minute (gpm) from one well completed into the Lower Vermillion Missouri aquifer for the purpose of irrigating 160 acres in Clay County as follows: 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, 40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, 40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, and 40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, all in T95N-R52W.

I have the following conditions to report for the system in question:

- 1) Works used to divert water:
One submersible pump, manufacturer unknown.
- 2) Works used to transport water to a place of use:
Underground and above ground pipes, 8 inch diameter.
- 3) Works used to apply water to beneficial use:
One Growsmart Pivot

The system is in the following condition: well maintained. The well associated with Water Permit No. 7111-3 is located in the approximate center of the SE $\frac{1}{4}$ of Section 17, T95N-R52W. The exact location the pump is as follows:

- 1) **1,300 feet north and 1,300 feet west of the southeast corner of Section 17, T95N-R52 W.
Lat 43.04325N Lon 97.00817W.**

The lands irrigated by the fore mentioned well are as follows:

- 1) 35 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T95N-R52W.
 - 2) 30 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T95N-R52W.
 - 3) 30 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T95N-R52W.
 - 4) 35 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T95N-R52W.
- For a total of 130 acres.**

License should be issued for the developed diversion rates of: **1.78 cfs or 800 gpm.**

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **None**

Date Report Completed: **June 30, 2015**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 7111-3

DATE OF INVESTIGATION:	June 23, 2015
NAME & ADDRESS OF PERMIT HOLDER	Paul Buckneburg 45886 294th St. Certerville, SD 57014
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Paul Buckneburg
DIVERSION POINT LEGAL LOCATIONS	1,300 feet north and 1,300 feet west of the southeast corner of Section 17, T95N-R52 W. Lat 43.04325N Lon 97.00817W.

WELL INFORMATION:

- 1) Well Drilling Firm:
Hammond Wetmore Drilling
- 2) Number of Wells: **1**
- 3) Depth: **156 feet**
- 4) Well Logs Available: **Yes**
- 5) Comment:

Pumps

- 1) Make:
- 2) Model:
- 3) Size:
- 4) Capacity: **800 gpm (1.78 cfs)**

Casing

- 1) Diameter: **16 inches**
- 2) Length: **106 feet**
- 3) Type: **Plastic**

Screen

- 1) Type: **Manufactured**
- 2) Length: **50 feet**
- 3) Static Water Level: **82 feet**

Motor

- 1) Make:
- 2) Model No:
- 3) Power: **50 hp**

System Type

- 1) Make: **Growsmart Pivot**
- 2) Overall length: **1,300 feet**
- 3) Number of Towers: **7 towers**
- 4) Distance Between Towers:
- 5) End Gun: **Yes**
- 6) Pressure:
- 7) Capacity: **800 gpm**

CHEMIGATION EQUIPMENT: No

- 1) Mainline Check Valve:
- 2) Low Pressure Drain:
- 3) Inspection Port/Air Relief:
- 4) Discharge 20 Feet Away:
- 5) Injection Line Check Valve or Positive
Displacement Pump:
- 6) Injection Check Valve:
- 7) Properly Installed:

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **N/A**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **Yes, irrigated from 2011 to present.**

COMMENTS:



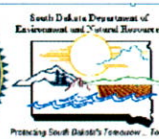
Legend

-  Irrigated_Acres
-  Section Boundaries - PLSS
-  Well Location



0 0.0425 0.085 0.17 Miles

Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 01 2015

7111-3

Paul Buckneburg
45886 294th St
Centerville SD 57014

Dear Mr. Buckneburg:

Enclosed is Water License No. 7111-3. 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. 7111-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7111-3**

(1) Paul Buckneburg, 45886 294th St, Centerville SD 57014 made Application No. 7111-3, March 18, 2009 for a water permit to divert 1.78 cubic feet of water per second from ground water (one well, Lower Vermillion Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7111-3, with a priority date of March 18, 2009 was approved June 1, 2009 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 1, 2014 and for the application to beneficial use of said water on or before June 1, 2018.

(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 1,300 feet north and 1,300 feet west of the SE corner of Section 17, 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 17, T95N, R52W	NW ¼ SE ¼	35 acres
	NE ¼ SE ¼	30 acres
	SE ¼ SE ¼	30 acres
	SW ¼ SE ¼	35 acres
	Total	130 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Paul Buckneburg, 45886 294th St, Centerville SD 57014 the holder and/or owner of Water Right No. 7111-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well, Lower Vermillion Missouri Aquifer) with a priority date of March 18, 2009 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7111-3 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. 7111-3 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. *Well drilled in August, 2011 by Hammond Wetmore Drilling LLC. A copy of the log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

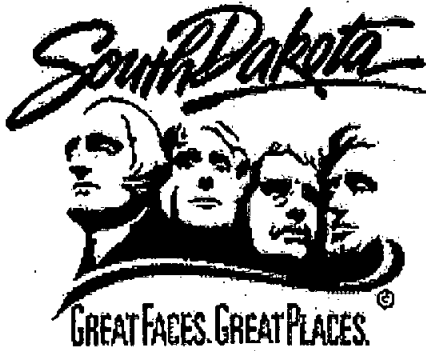


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 30 2015

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 30, 2019

7111-3

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

Thank you for contact us regarding the need for an ownership change on land described in Water Right No. 7111-3.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form, make any necessary corrections and complete as needed. Upon completion, please return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water license and map for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures

7111-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 1, 2019

7111-3

Tim Ostrem
45924 300th St
Centerville SD 57014

Dear Mr. Ostrem:

On April 30, 2019, you contacted us regarding an ownership change on land described in Water Right No. 7111-3 held by Paul Buckneberg. A partially completed transfer form was sent to you for the purpose of filing the ownership change. To date, we have not received anything back from you.

In the event you do not have the original form, I am sending another partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form, make any necessary corrections and complete as needed. Upon completion, please return it to our office with a required filing fee of \$50.00. 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,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 8, 2019

7111-3

Kari Ostrem
45924 300th St
Centerville SD 57014

Dear Ms. Ostrem:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 7111-3.

The ownership change has been completed. Water Right No. 7111-3 formerly held by Paul Buckneberg is now listed under your name.

Enclosed for your records is Receipt No. 09165 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

PAID
JUL 08 2019
Ck# 1259

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

JUL 08 2019

WATER RIGHTS
PROGRAM

No. 7111-3

Date: 6-19

I/We request that Water Right No. 7111-3

formerly owned by: Paul Buckneburg

be transferred to: (name & address) Kari Ostrem

45924 300 st

Centerville S.D. 57014

Telephone No. 605 530 1510 Kari
605 530 1505 Tim

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

130 acres – SE ¼ Section 17, T95N, R52W

I/We understand that the validity of Water Right No. 7111-3 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 Kari Ostrem, the new owner, certify that the above information is true and correct.

Kari Ostrem

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Kari Ostrem 45924 300th St Wakonda SD 57073 Centerville Date July 8, 2019
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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>7111-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **09165**

By Janne Goodman
Chief Engineer
VM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 8, 2019

7111-3

Kari Ostrem
45924 300th St
Centerville SD 57014

Dear Ms. Ostrem:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 7111-3.

The ownership change has been completed. Water Right No. 7111-3 formerly held by Paul Buckneberg is now listed under your name.

Enclosed for your records is Receipt No. 09165 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure