

**WATER PERMIT NO. 7159-3**

Name of Applicant: **Dan & Scott Hanson**

Address: **47644 327<sup>th</sup> St, Elk Point SD 57025**

Phone: **605 356-2512**

Amount of Water Claimed: **1.67 cfs**

Total Acres: **90 acres**

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

Water to be used for: **irrigation**

County: **Union**

Type of Waste Disposal System: **NA**

Location: **3 miles south of Elk Point**

**PRIORITY**

Date Received: **9-21-09**

Application/License Fee: **\$900**

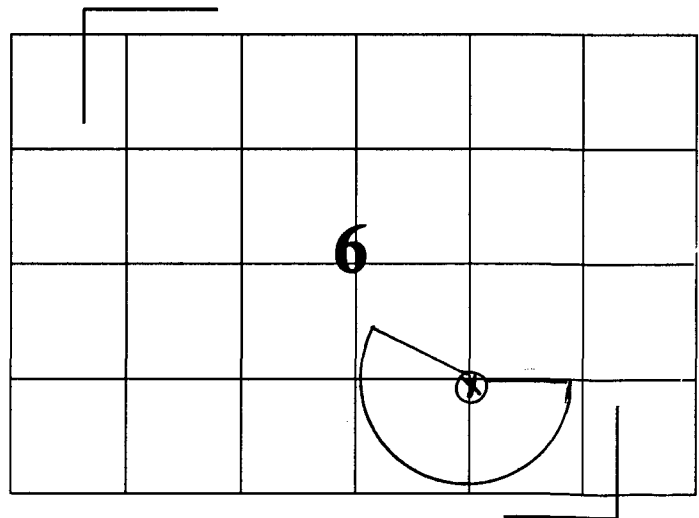
Corrected Application Received:

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

Remarks: **requesting a diversion rate greater than 1 cfs per 70 acres**

Diversion Point: **Center of SE ¼ Sec 6-T90N-R49W**

Land to be Irrigated: **S ½ SE 1/4, NW ¼ SE ¼ Sec 6-T90N-R49W**



Depth of Well: **145 feet deep**

Well Driller: **Dakota Drilling & Backhoe Inc.**

Remarks:

Type of Map: **aerial**

Prepared by: **Racheal Kinkelac, Union Co FSA**

Reviewed and the Number Assigned on: **9-21-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_

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

|                                                                                                                    |                                                                     |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>7159-3</u> (office use only) Hydrologic Unit <u>10170101</u> |
|                                                                                                                    | Basin <u>Missouri River</u>                                         |
|                                                                                                                    | Newspaper <u>Southern Union Co Leader-Courier</u>                   |
|                                                                                                                    | <u>605-356-2632 P O Box 310 Elk Point 57025</u>                     |

**RECEIVED**  
**SEP 21 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 Dan + Scott Hanson Phone 605-356-2512  
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 47644 3275 St. Elk Point State SD 57025  
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.67\*CFS or 750 \*\*GPM \*\*\*AF Total Acreage 90  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County UNION  
Center of SE 1/4 Sect. 6 - 1 well
5. County or counties where water will be used UNION
6. Annual period during which water is to be used MAY - AUGUST 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 |
|----------------------------|-------|------------------|-------|
| 6-90-49 SW 1/4 SE 1/4      | 33    |                  |       |
| 6-90-49 SE 1/4 SE 1/4      | 33    |                  |       |
| 6-90-49 NW 1/4 SE 1/4      | 24    |                  |       |
| land owner - all Tom Burns |       |                  |       |

8. Give a description of the project. (Attach sheet if more space is needed) 225+50 = 275  
Irrigation system partial swing next to low area that covers 90 @.  
Low pressure

STATE OF SOUTH DAKOTA) SS  
County of UNION

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, Scott 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

Scott J. Hanson

Subscribed and sworn to before me this

20 day of March 2008

Bruce Rubin

Notary Public signature

My Commission Expires 9-27-2013

**SOUTH DAKOTA  
WATER PERMIT NO. 7159-3**

Date of first receipt of application September 21, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7159-3 to Dan and Scott Hanson, 47644 327<sup>th</sup> St, Elk Point SD 57025 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. 7159-3 appropriates 1.67 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (145 feet deep) located in center of the SE  $\frac{1}{4}$  Section 6 to irrigate 90 acres located in the S  $\frac{1}{2}$  SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 6; all in T90N-R49W.
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 – August 31.
3. The date from which applicant may claim right is September 21, 2009.
4. The date of approval of Permit No. 7159-3 is December 21, 2009.
5. One-fifth of the construction is to be completed on or before June 21, 2012.
6. All construction is to be completed on or before December 21, 2014.
7. Water is to be put to beneficial use on or before December 21, 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7159-3 authorizes a maximum diversion rate of 1.67 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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

APR 09 2010

date



## Supplemental Information

(type or print in ink)

### ① Well Information - Proposed Construction

*See attached*

- a) Drill Hole Diameter \_\_\_\_\_ Depth \_\_\_\_\_
- 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

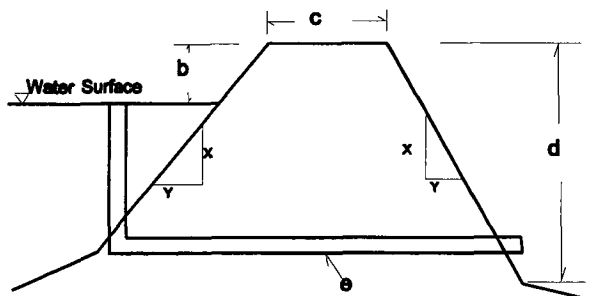
### 3. Dugout Information

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

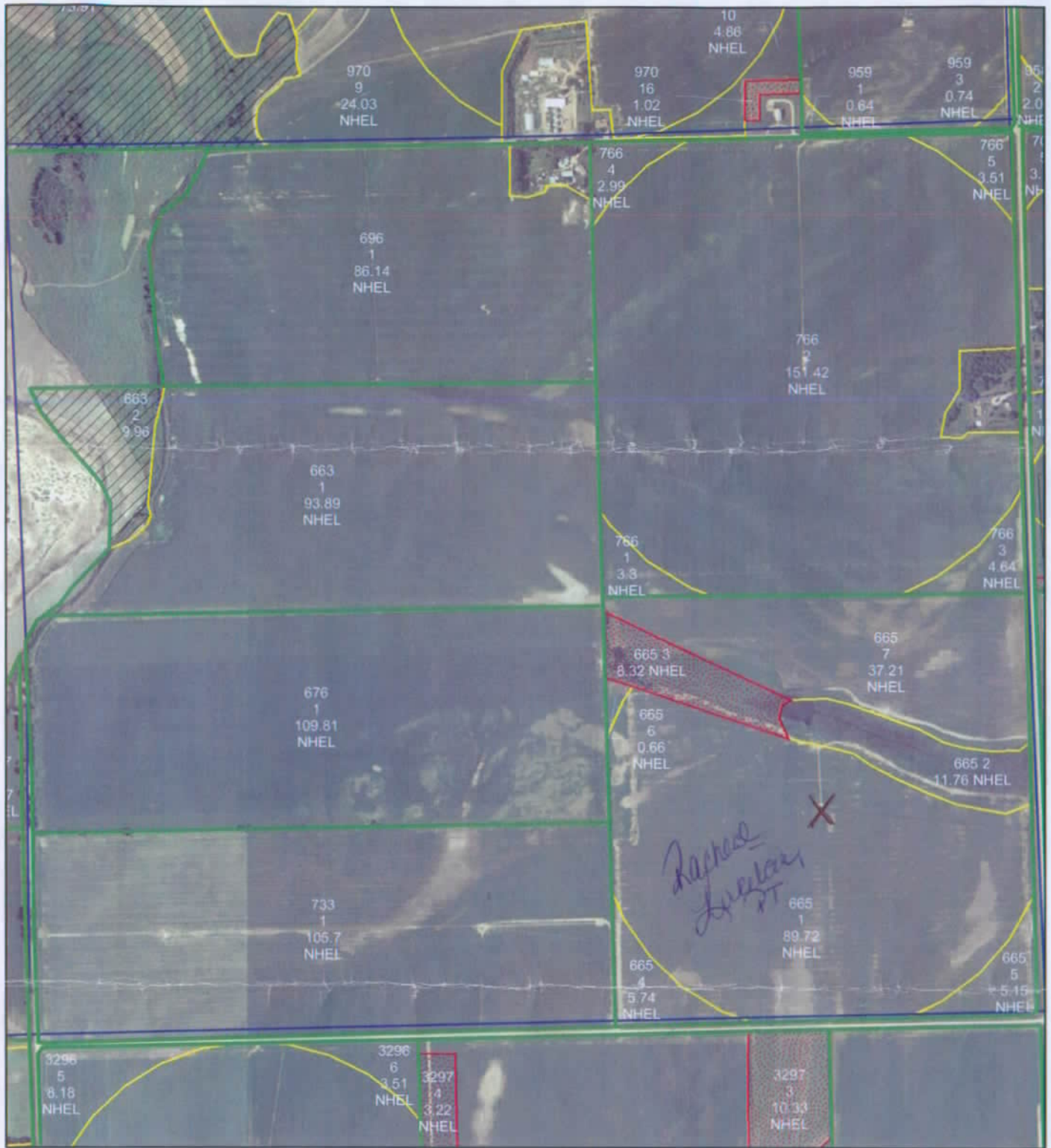
### 4. Water Storage Dams

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



# USDA - Farm Service Agency **Union County, SD**

6-90N-49W  
 1:10,260  
 May 22, 2007

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- 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 of the data. 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.

NHEL

700  
1  
1.04  
NHEL

766  
1  
3.3  
NHEL

766  
3  
4.64  
NHEL

665 3  
8.32 NHEL

665  
7  
37.21  
NHEL

665  
6  
0.66  
NHEL

665 2  
11.76 NHEL

*Revised  
Survey  
PT*

665  
1  
89.72  
NHEL

665  
4  
5.74  
NHEL

665  
5  
5.15  
NHEL

3297  
3  
10.33  
NHEL

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Sec 31  
T091N  
R49W

Sec 31  
T091N  
R49W

Sec  
T091N  
R49W

Sec 6  
T090N  
R49W

Sec 1  
T090N  
R50W

Sec  
T091N  
R49W

Sec 7  
T090N  
R49W

Sec 12  
T090N  
R50W

2015-3

6072-3

Union Co

6503-3

Whose is this?

Sec 6  
A Hatched log

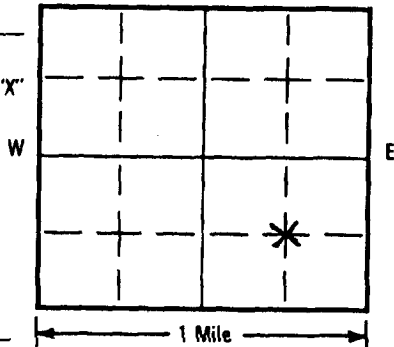
Tom Barnes owner

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 6 90 49  
County Union North

Please mark well location with an "X"



Well Completion Date

2-12-02

## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 600 ft. from Wet lands (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Mud rotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT       | DIAMETER     | FROM        | TO           | HOLE DIAMETER |
|------------------|--------------|-------------|--------------|---------------|
| <u>160</u> LB/FT | <u>10</u> IN | <u>0</u> FT | <u>85</u> FT | <u>15</u> IN  |
| _____ LB/FT      | _____ IN     | _____ FT    | _____ FT     | _____ IN      |
| _____ LB/FT      | _____ IN     | _____ FT    | _____ FT     | _____ IN      |

## GROUTING DATA

| Grout Type      | No. of Sacks | Grout Weight  | From         | To          |
|-----------------|--------------|---------------|--------------|-------------|
| <u>Concrete</u> | _____        | _____ lb./gal | <u>30</u> ft | <u>5</u> ft |
| _____           | _____        | _____ lb./gal | _____ ft     | _____ ft    |

Describe grouting procedure Pumped from bottom upSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 8 IN Length 60 FEETMaterial PVCSlot Size 50 Set From 85 Feet to 145 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?

X YES, How: Water from\_\_\_\_\_ NO, Why Not?  tanker

Laboratory sent to for water quality analysis \_\_\_\_\_

Well Owner: Dan Hanson

Business Name: \_\_\_\_\_

Address: 47644 327th St.  
EIK Point, SD 57025

## WELL LOG:

| FORMATION                         | DEPTH       |             |
|-----------------------------------|-------------|-------------|
|                                   | FROM        | TO          |
| <u>Top soil</u>                   | <u>0</u>    | <u>2'</u>   |
| <u>Sandy silt</u>                 | <u>2'</u>   | <u>15'</u>  |
| <u>Sandy clay</u>                 | <u>15'</u>  | <u>67'</u>  |
| <u>Sand</u>                       | <u>67'</u>  | <u>84'</u>  |
| <u>Med. gravel</u>                | <u>84'</u>  | <u>108'</u> |
| <u>Med. gravel w/ large rocks</u> | <u>108'</u> | <u>114'</u> |
| <u>Med. gravel</u>                | <u>114'</u> | <u>148'</u> |
|                                   |             |             |
|                                   |             |             |

STATIC WATER LEVEL 21 Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☐ Pumped Describe: Air lift☐ Bailed \_\_\_\_\_☒ Other \_\_\_\_\_

Pumping Level Below Land Surface

\_\_\_\_\_ ft. After 1 Hrs. pumped 400 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate 700 GPM

## REMARKS

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This well was drilled under license # 667

And this report is true and accurate.

Drilling firm Dakota Drilling & Backhoe, Inc.Signature of License Representative: Vernon E. BackhoeSignature of Well Owner or Equitable Property Holder: x Dan HansonDate: 2-22-02

4-12-02

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/21, 20 09

RECEIVED OF Danile J Hanson 47644 327th St Elk Point SD 57025

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>7159-3</u> to Appropriate Water, to construct and to put water to beneficial use | 375   | 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>7159-3</u>            | 100   | 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 | 475 00 |

No. 04211

By

Donald Erbe  
Chief Engineer

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/21, 20 09

RECEIVED OF Scott J hanson 47674 327th St Elk Point SD 57025

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

|                                                                                                                        |       |        |
|------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>7159-3</u> to Appropriate Water, to construct and to put water to beneficial use | 375   | 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>7159-3</u>            | 100   | 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 | 475 00 |

No. 04212

By Harland Erbe  
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](http://www.state.sd.us/denr)

August 11, 2009

Dan Hanson  
47644 327<sup>th</sup> Street  
Elk Point SD 57025

Dear Mr. Hanson:

A routine review of water rights records found that an irrigation system is in place in the SE ¼ Section 6, T90N, R49W. The Water Rights Program is unable to find that a water right permit was obtained to irrigate this piece of property. I am writing to make you aware of this issue so that if you are still the owner or operator of this property you can begin the steps necessary to obtain the permit.

A well completion report filed by Dakota Drilling & Backhoe indicates they drilled an irrigation well for you in 2002. The well is located in the approximate center of the SE ¼ Section 6, T90N, R49W. Further review of a Farm Service Agency aerial map show a pivot capable of making a little more than ½ rotation is on this property. A copy of the completion report and aerial map is enclosed.

Enclosed are application forms and an instruction sheet for filing for a water right permit on this property.

The 2002 well completion report list you as the well owner and the 2007 Farm & Home Plat Directory lists Thomas Burns at the landowner. If you farm the ground but Mr. Burn's is the actual owner, either of you may file for the water right permit. If you sold the property, please let me know.

To have a legal right to divert water for irrigation, a water right permit must be in place. Please feel free to contact me if you believe that a permit is in place or if you have questions regarding completion of the application.

Sincerely,

Eric Gronlund  
Water Rights Program, DENR  
605 773-3352  
[eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us)

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 7159-3, Dan and Scott 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. 7159-3, Dan and Scott Hanson, 47644 327<sup>th</sup> Street, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 7159-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7159-3 authorizes a maximum diversion rate of 1.67 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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  
October 27, 2009

**Report on Water Permit Application No. 7159-3  
for Dan & Scott Hanson  
September 28, 2009**

Application No. 7159-3 proposes to appropriate 750 gallons per minute (1.67 cfs) from one well approximately 145 feet deep located in the SE  $\frac{1}{4}$  of Section 6, T90N R49W in Union County. The water is to be used to irrigate approximately 90 acres located in the S  $\frac{1}{2}$  SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 6 in T90N R49W. The annual period during which water will be used is May 1 through August 31.

**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 115,200 acres and contains an estimated 1.5 million acre feet of recoverable water in storage in Union County (Niehus, 1994). The aquifer underlies the flood plains of the Missouri and Big Sioux Rivers in southern Union County (Niehus, 1994). Groundwater movement is basically from northwest to southeast in the area of this application (Niehus, 1994).

The well appears to have been constructed in accordance with SD Well Construction Standards.

**Observation Well Data:**

The Water Rights Program monitors three observation wells, UN-77O, UN-78A and UN-80E which are located within two and a half 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).

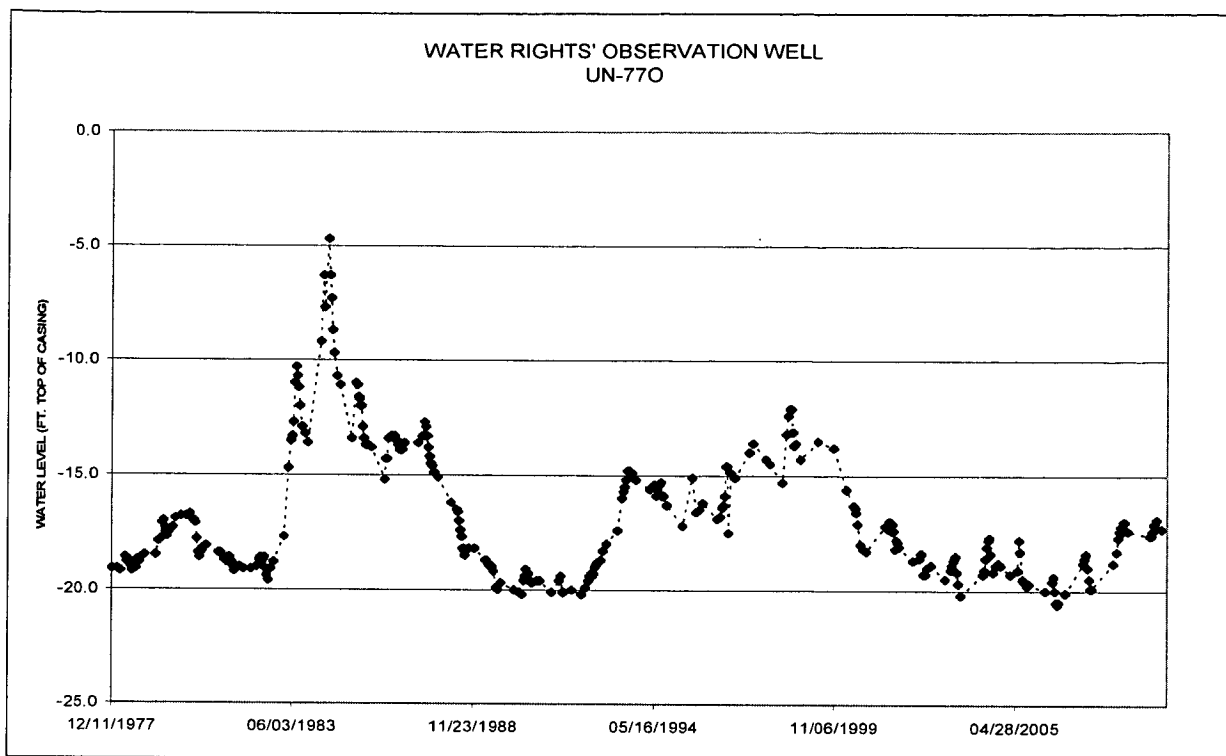


Figure 1. Hydrograph for Water Rights Observation Well UN-770 completed into the Elk Point management unit within two and a half miles of 7159-3

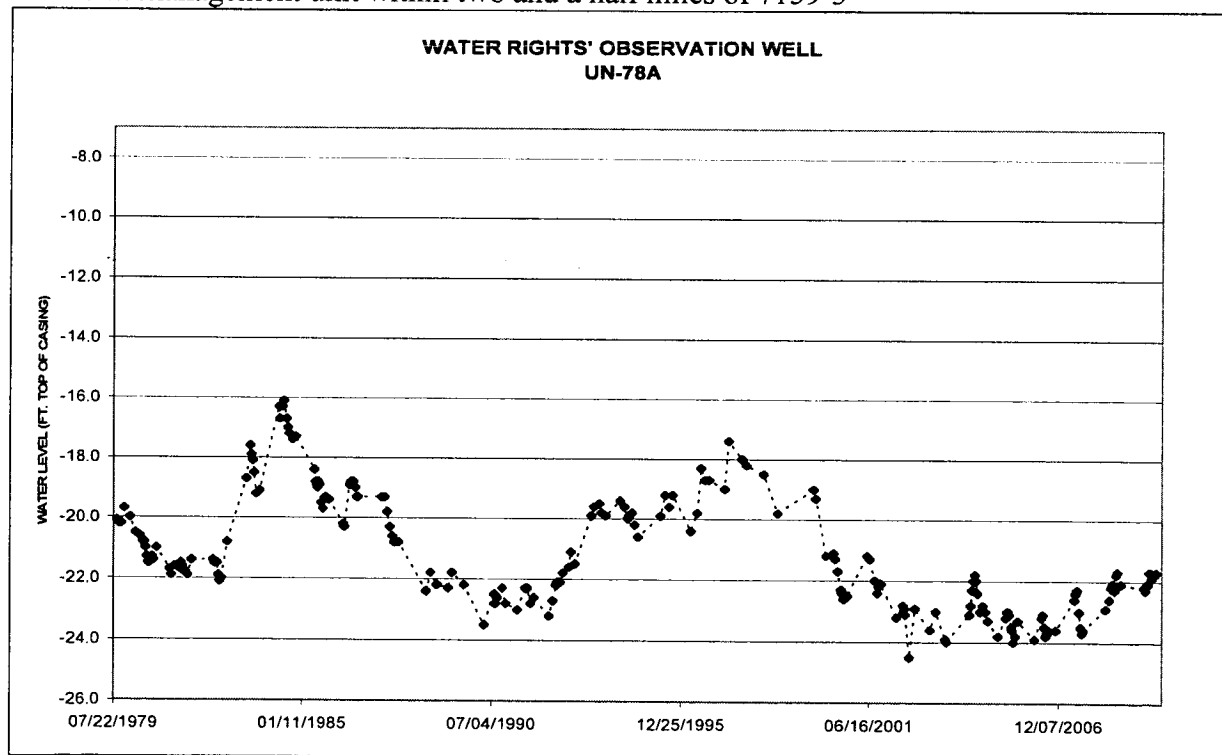


Figure 2. Hydrograph for Water Rights Observation Well UN-78A completed into the Elk Point management unit within two and a half miles of 7159-3

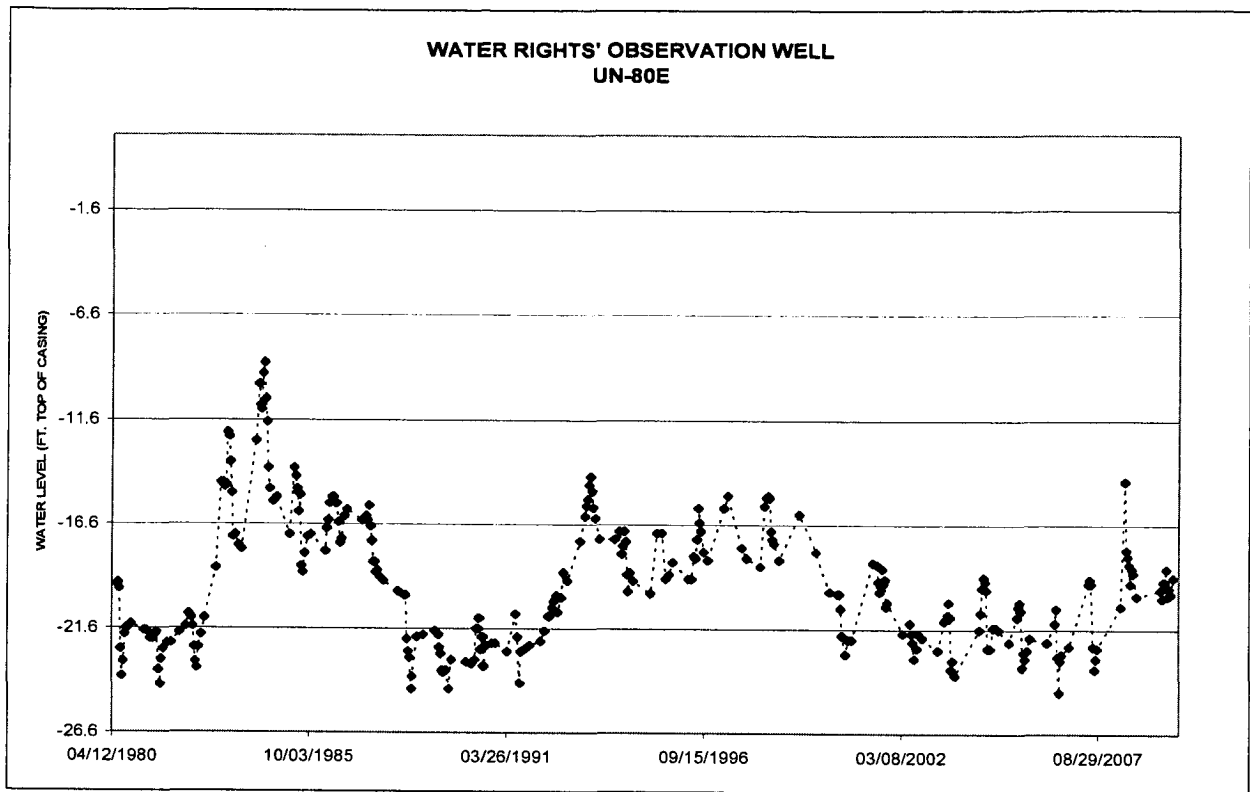


Figure 3. Hydrograph for Water Rights Observation Well UN-80E completed into the Elk Point management unit within two and a half miles of 7159-3

In general, the hydrographs show 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 304, with the average annual appropriation being nearly 128,000 acre-feet and the average annual pumpage reported at over 17,000 acre-feet.

| <b>IRRIGATION USE (ac-ft/yr) M:EP</b> |                          |                          |                             |
|---------------------------------------|--------------------------|--------------------------|-----------------------------|
| Year                                  | Number of Appropriations | Appropriation (ac-ft/yr) | Pumpage Reported (ac-ft/yr) |
| 2008                                  | 396                      | 151130.4                 | 16261.88                    |
| 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                       |
| <b>AVERAGE</b>                        | <b>304.47</b>            | <b>127767.86</b>         | <b>17095.79</b>             |
| <b>MAXIMUM</b>                        | <b>396</b>               | <b>151130.4</b>          | <b>31052.03</b>             |
| <b>MINIMUM</b>                        | <b>265</b>               | <b>121644.25</b>         | <b>1475.2</b>               |

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

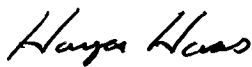
There are nine existing water permits/rights for irrigation located within one mile of this application. The nearest being approximately 2,200 feet to the west-southwest. Water levels do fluctuate as a result of area pumping but this does not affect the availability of water from the aquifer.

**Recharge:**

The Missouri aquifer is recharged from several sources. Recharge to the Missouri aquifer occurs through infiltration and subsequent percolation of precipitation in areas where the aquifer is near land surface (Niehus, 1994). Recharge to the aquifer also occurs from the Lower Vermillion-Missouri aquifer at the northern boundary and from the Big Sioux aquifer at the extreme northeastern boundary of the Missouri aquifer (Niehus, 1994). The aquifer is also recharged from the underlying Dakota aquifer and some recharge also is from the Missouri River during periods of high flow and stage (Niehus, 1994).

**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. It appears that this well has been constructed in accordance with SD Well Construction Standards.



Hayes Haas  
Natural Resources Engineer

**Bibliography:**

Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, USGS WRI Report 93-44195, United States Geological Survey, Rapid City, SD 57702

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

RECEIVED

DEC 14 2009

Form 8

WATER RIGHTS  
PROGRAM

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
 ) SS  
County of Union )

I, Susan Odson

certify that the attached printed Notice was  
taken

from the Southern Union County

Leader-Courier

printed and published in Elk Point

County of Union and

state of South Dakota. The notice was  
published

in the newspaper on the following two dates:

December 3, 2009

December 10, 2009

Cost of Printing \$48.21



(Signature)

Affidavits Coordinator

(Title)

December 10, 2009

(Date Signed)

## NOTICE OF APPLICATION NO. 7159-3 TO APPROPRIATE WATER

Notice is given that Dan and Scott Hanson, 47644 327th St., Elk Point, SD 57025 have filed an application for a water permit to appropriate 1.67 cubic feet of water per second (cfs) from one well completed into the Missouri: Elk Point Aquifer (145 feet deep) located in the center of the SE 1/4, Section 6 to irrigate 90 acres located in the S 1/2 SE 1/4, NW 1/4 SE 1/4 Section 6; all in T90N-R49W. The applicant is requesting a diversion rate greater than the statutory limit of 1cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7159-3 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 December 21, 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'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 December 3 and 10, 2009  
Published twice at the total approximate cost of \$48.21  
49-9-72



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 23, 2009

Southern Union Co Leader-Courier  
PO Box 310  
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7159-3 to Appropriate Water to be published twice. Please publish the first notice on December 3, 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 Dan & Scott Hanson, 47644 327<sup>th</sup> St., Elk Point SD 57025 (Ph # 605-356-2512).

**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. 7159-3

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

Date \_\_\_\_\_

We are in receipt of your letter of November 23, 2009 enclosing Notice to Appropriate Water by Application No. 7159-3 which was first published in our issue of \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

NOTE: TO BE SURE OF PUBLICATION ON  
THE CORRECT DATES, CONTACT  
THE NEWSPAPER RIGHT AWAY.

November 23, 2009

Dan & Scott Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

Dear Sirs:

Water Permit Application No. 7159-3 for irrigation use was sent to the Publisher of the Southern Union Co. Leader-Courier to be published on November 5 and 12, 2009. The Leader-Courier indicated that you did not contact them to authorize publication and arrange for payment. Consequently, the notice is being resent to the paper to be published December 3 and 10, 2009.

**As stated in our previous letter dated October 28, 2009, be sure to contact the Leader-Courier at (605 356-2632) 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 applications.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352  
[eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us)

enclosures

Instruction to Newspaper - Publish first Notice on December 3, 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. 7159-3 to Appropriate Water

Notice is given that Dan and Scott Hanson, 47644 327<sup>th</sup> St, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second (cfs) from one well completed into the Missouri:Ek Point Aquifer (145 feet deep) located in center of the SE ¼ Section 6 to irrigate 90 acres located in the S ½ SE ¼, NW ¼ SE ¼ Section 6; all in T90N-R49W. 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. 7159-3 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 December 21, 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.  
Published twice at the total approximate cost of \_\_\_\_\_.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

APR 09 2010

Dan & Scott Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

Dear Sirs:

Enclosed are Water Permit Nos. 7159-3 and 7172-3 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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
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523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2012

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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 on/or before **March 2, 2012**, 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

7159-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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[www.denr.sd.gov](http://www.denr.sd.gov)

March 6, 2012

Dan Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

RE: Water Right/Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in 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](mailto:genny.mcmath@state.sd.us)



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 16, 2015

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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 Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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 4, 2015** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



7159-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182

January 26, 2015

Dan Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

RE: 2014 irrigation questionnaires for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 15, 2016

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025  
FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

February 10, 2016

Dan Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

RE: Water Permit or Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3,  
7159-3 & 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for the above listed water permits and water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
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PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 20, 2017

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3 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 1, 2017** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

February 7, 2017

Dan Hanson  
47644 327th St  
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3  
& 7172-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3 & 7172-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

## Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7159-3

I have this day, November 3, 2016, made a thorough examination of the water use system constructed by Dan and Scott Hanson, 47644 327<sup>th</sup> St, Elk Point SD 57025 of Permit No. 7159-3, bearing the priority of September 21, 2009 authorizing the diversion of 1.67 cu. ft. per second of the waters of Missouri:Elk Point Aquifer for irrigation purposes, of 90 acres, in Union County.

Inspection contact & relationship     **Dan Hanson, permit holder & tenant**  
to permit holder, if applicable:

### A. Works used to divert the water:

#### Well Information:

- 1) Well Drilling Firm: Dakota Drilling & Backhoe, Inc.
- 2) No. of Wells 1
- 3) Depth(s) 145 feet
- 4) Well log is available Yes

Comments: Well Driller is retired and has moved from the area.

#### Casing:

- 1) Diameter 10 inches
- 2) Length 85 feet
- 3) Type PVC

#### Screen:

- 1) Type PVC Perforated
- 2) Length 60 feet
- 3) Static water level 21 feet

#### Pump:

- 1) Make Unknown
- 2) Model Submersible
- 3) Capacity 750 GPM

#### Motor:

- 1) Make Unknown
- 2) Model No. Submersible
- 3) Horsepower rating \_\_\_\_\_ hp

**C. Works used to apply water to beneficial use:**

**Center pivot:**

- 1) Make Valley
- 2) Overall length 1305 feet
- 3) Number of towers 9
- 4) End gun Yes
- 5) Capacity 750 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, began irrigating in 2010.

List any extended period of nonuse: None

- 3) Exceptions to compliance are: None

**E. Condition and Location:**

1. The system is in good condition with the point(s) of diversion located as follows: West 1340', North 1360' from SE Corner of Sec 6-T90N-R49W; Lat 42.67064/Long -96.68371; approximate center of SE ¼ Sec 6-T90N-R49W.

2. The works are capable of diverting and conveying to the place of use 1.67 cfs or 750 gpm of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land is located in Sec 6-T90N-R49W.

NW ¼ SE ¼ - 17 ac

SW ¼ SE ¼ - 33 ac

NE ¼ SE ¼ - 2 ac

SE ¼ SE ¼ - 32 ac

comprising a total of 84 acres of land and the license should be issued for 1.67 cfs or 750 gpm.

3. All structures, wells and lands on map Yes

**F. Comments or other permit(s) associated with the project:**

Provide detailed explanation when multiple permits are involved or any discrepancy between what the permit was issued for and what was developed.

Water Permit No. 7159-3 appropriates a diversion rate greater than the statutory limit of 1 cfs per 70 acres irrigated.

Permit holder stated that as tenant they have an agreement to irrigate with the property owner, Burns Family Farm.

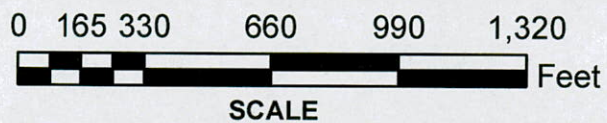
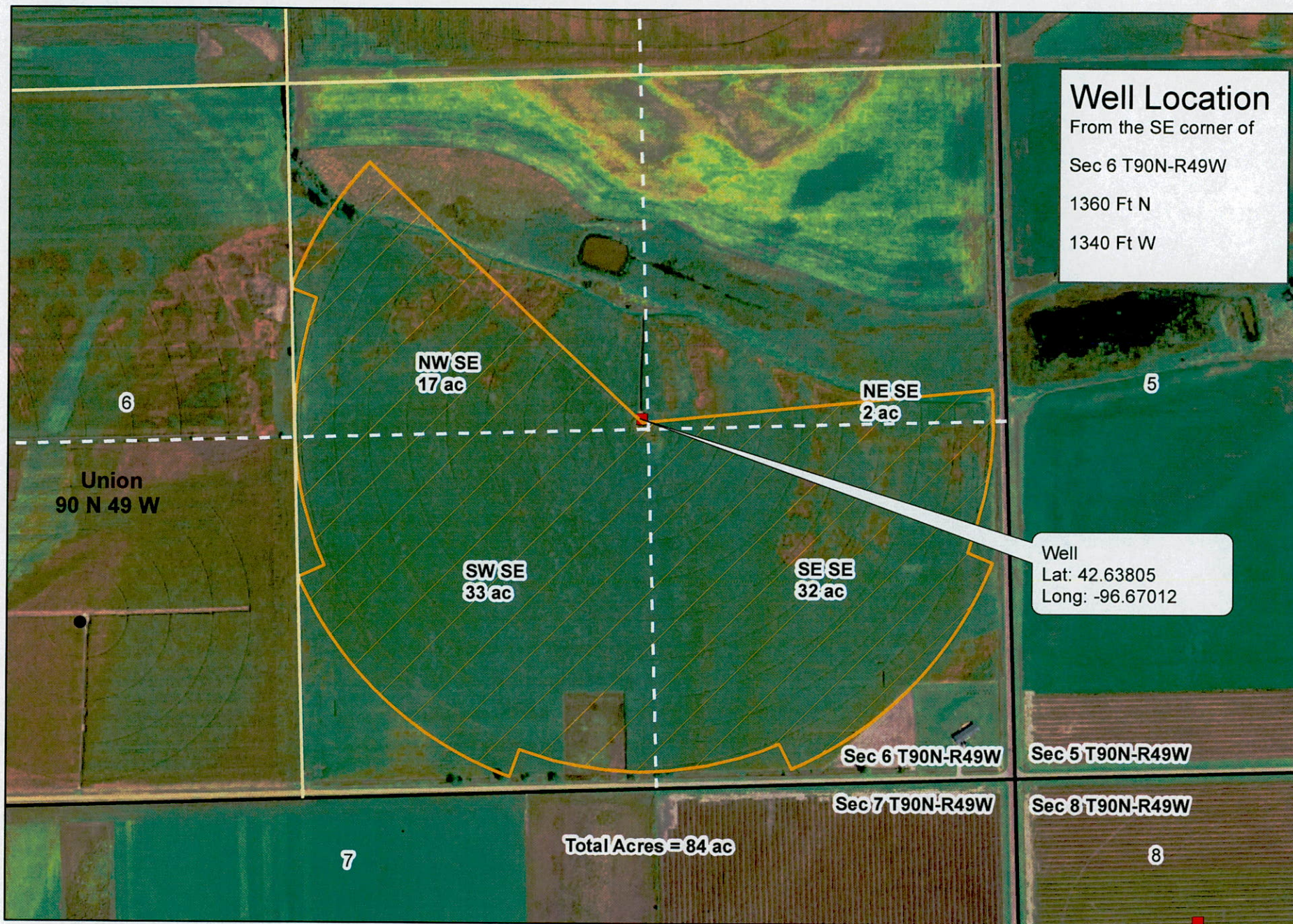


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Harold Holoch, PE  
Staff Engineer  
DENR, Water Rights Program

Date report completed: May 2, 2017

7159-3



*Harold Holoch*  
Harold Holoch, PE  
Staff Engineer  
March 22, 2017

## Licensing of Acreage Outside of Permitted Area

---

**NAME:** Dan and Scott Hanson

**ADDRESS:** 47644 327<sup>th</sup> Street, Elk Point SD 57025

**DATE:** May 3, 2017      **COUNTY:** Union      **TELEPHONE:** 605.356.2512

### AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

#### **NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:**

The acreage developed for irrigation is 84 acres as compared to 90 acres authorized by the permit. Licensing of the permit will result in no increase in the amount of water appropriated.

#### **UNPERMITTED ACREAGE:**

- **Contiguous to Permitted Acreage**  
2 acres located in the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 6-T90N-R59W.
- **Owned by Same Property Owner**  
Yes
- **Developed Prior to Expiration of Construction Period**  
Yes

### RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 2 acre area be included in the water license.

  
\_\_\_\_\_  
Lynn Beck  
Natural Resources Engineer III  
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

  
\_\_\_\_\_  
Jeanne Goodman, Chief Engineer  
Water Rights Program

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 7159-3**

---

(1) Dan & Scott Hanson, 47644 327<sup>th</sup> St, Elk Point SD 57025 made Application No. 7159-3, September 21, 2009 for a water permit to divert 1.67 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Union County, South Dakota for irrigation purposes. Permit No. 7159-3, with a priority date of September 21, 2009 was approved December 21, 2009 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before December 21, 2014 and for the application to beneficial use of water on or before December 21, 2018.

An investigation of the water use system found 2 acres located in the NE ¼ SE ¼ Section 6, T90N, R49W developed outside of the permitted area. Upon review, the chief engineer made a finding pursuant to SDCL 46-5-30.5 that the acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1,340'W and 1,360'N of the SE corner of Section 6, T90N, R49W (approximate center of the SE ¼).

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

|                       |           |          |
|-----------------------|-----------|----------|
| Section 6, T90N, R49W | NW ¼ SE ¼ | 17 acres |
|                       | SW ¼ SE ¼ | 33 acres |
|                       | NE ¼ SE ¼ | 2 acres  |
|                       | SE ¼ SE ¼ | 32 acres |
| Total                 |           | 84 acres |

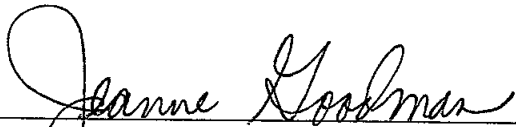
(4) Pursuant to South Dakota Water Law 46-5-30.1 Dan & Scott Hanson, 47644 327<sup>th</sup> St, Elk Point SD 57025 the holders and/or owners of Water Right No. 7159-3 are issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of September 21, 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. 7159-3 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.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints or type of soils so requires, Permit No. 7159-3 authorizes a maximum diversion rate of 1.67 cfs for irrigation of 84 acres with an annual volume not to exceed 2 acre feet of water per acre per year.  
***Permit originally specified irrigation of 90 acres; qualification has been modified based on the total acres actually developed.***

continued

- 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 20 2017

date





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

JUN 20 2017

7159-3

Dan & Scott Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

Dear Sirs:

Enclosed is Water License No. 7159-3. 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. 7159-3, 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



7159-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 26, 2018

**NOTICE**

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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 7, 2018** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

March 2, 2018

Dan Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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



7159-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 25, 2019

NOTICE

TO: DAN HANSON, 47644 327th St, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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, 2019 at 10:30 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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, 2019** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

7159-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 7, 2019

Dan Hanson  
47644 327<sup>th</sup> St  
Elk Point SD 57025

RE: Water Permit/Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3,  
7159-3, 7172-3 & 8287-3

Dear Mr. Hanson:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, which appears to read "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto: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 19, 2024

## NOTICE

TO: DAN HANSON, 47644 327TH ST, ELK POINT, SD 57025

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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3. 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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) 2895-3, 2935-3, 2936-3, 3005-3, 4255-3, 4702-3, 6190-3, 7159-3, 7172-3 & 8287-3 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](mailto: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: EYZKZF**

**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

January 30, 2024

2935-3, 2936-3, 2895-3,  
3005-3, 4255-3, 4702-3,  
6190-3, 7159-3, 7172-3 & 8287-3

Scott Hanson, Op  
47674 327<sup>th</sup> St  
Elk Point SD 57025

Dear Mr. Hanson:

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). 2935-3, 2936-3, 2895-3, 3005-3, 4702-3, 4255-3, 6190-3, 7159-3, 7172-3 & 8287-3. 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

cc: DAN HANSON, 47644 327<sup>TH</sup> ST, ELK POINT SD 57025  
KELLY GEORGE, 32722 477<sup>TH</sup> AVE, ELK POINT SD 57025