

WATER PERMIT NO. 7233-3

Name of Applicant: Norman Kramer

Address: 31105 436th Ave, Yankton SD 57078 Phone: _____

Amount of Water Claimed: 1.55 cfs Total Acres: 136

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System: NA

Location: 9 miles northeast of Vermillion

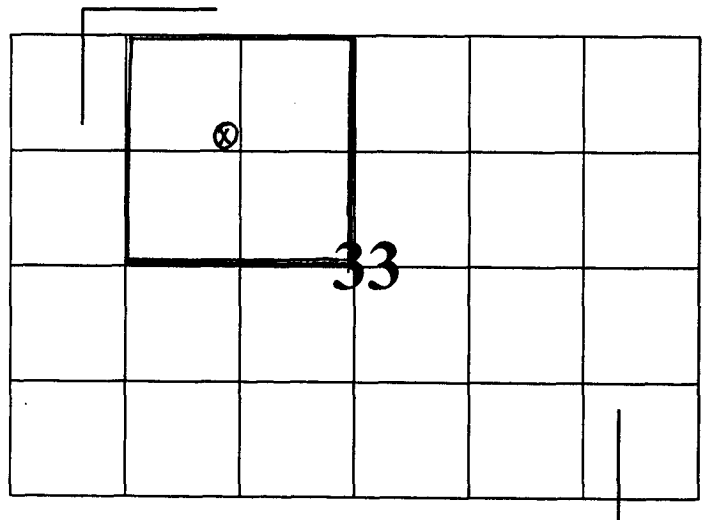
PRIORITY Date Received: 2-28-2011 Application/License Fee: \$1,050

Corrected Application Received: Period of Annual Use: May 1 – September 30

Remarks: _____

Diversion Point: NW ¼ NW ¼ Sec 33-T94N-R51W

Land to be Irrigated: NW ¼ Sec 33-T94N-R51W



Depth of Well: 160 feet deep

Well Driller: _____

Remarks: _____

Type of Map: aerial

Prepared by: Kelly Anderson, Clay Co, PT

Reviewed and the Number Assigned on: 3-1-2011

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7233-3</u> (office use only)	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plam Talk</u>	<u>201W Cherry</u>
	<u>605-624-2695</u>	<u>Vermillion 57069</u>

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FEB 28 2011
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

- Name of Applicant Norman Kramer Phone 605-689-0349
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 31105 436th Ave, Yankton State SD
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.56*CFS or 700**GPM ***AF Total Acreage 133
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply 1 well to Lower Vermillion - Missouri Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in NW 1/4 of NW 1/4 of T94N, R51W Section 33
County Clay
- County or counties where water will be used Clay
- Annual period during which water is to be used Max - Sept 30
- 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
941		NW 1/4 of NW 1/4 S33 94N 51W	34
		NE 1/4 of NW 1/4 sec 33 94N 51W	34
		SW 1/4 of NW 1/4 sec 33 94N 51W	34
		SE 1/4 of NW 1/4 sec 33 94N 51W	34

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

drill well to irrigate crops with center pivot

STATE OF SOUTH DAKOTA)
County of Clay SS

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, Norman Kramer, 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 Norman Kramer

Subscribed and sworn to before me this 25th day of February 20 11

My commission expires:
6/26/2016

Cheryl A. Oster
Notary Public signature
CHERYL A. OSTER

**SOUTH DAKOTA
WATER PERMIT NO. 7233-3**

Date of first receipt of application February 28, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7233-3 to Norman Kramer, 31105 436th Ave, Yankton SD 57078 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. 7233-3 appropriates 1.56 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 160 feet deep) located in NW 1/4 NW 1/4 Section 33 for irrigation of 133 acres located in the NW 1/4 Section 33; all in T94N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is February 28, 2011.
4. The date of approval of Permit No. 7233-3 is May 2, 2011.
5. One-fifth of the construction is to be completed on or before November 2, 2013.
6. All construction is to be completed on or before May 2, 2016.
7. Water is to be put to beneficial use on or before May 2, 2020.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7233-3 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 22 2011

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 160'
- b) Casing Type PVC Diameter 16" Thickness 3/4"
- c) Screen Type PVC Diameter 16" Thickness 3/4"
- d) Gravel Pack Pea rock Length of Gravel Pack 65'
- e) Depth to Top of Water Bearing Material 70'
- f) Depth to Water (ground surface to water level) 80'
- g) Distance to nearest existing domestic well: >3500'
- On applicants property NA On property owned by others >3500'

2. Wastewater Disposal System Information

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

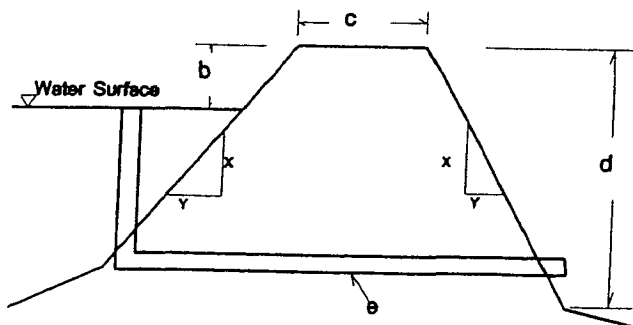
3. Dugout Information

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

4. Water Storage Dams

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

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



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

Kelly Andersen Clay County PT



United States Department of Agriculture
Farm Service Agency

March 10, 2010

PLSS: 33_94N_51W
Farm: 1841

Clay County, SD

1:8,385



Wetland Determination Identifiers

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

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Common Land Units

WATER RIGHTS
PROGRAM

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.

2008 Ortho-Photography - Not to Scale

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/1, 20 11

RECEIVED OF Norman Kramer 31105 436th Ave Yankton SD 57078

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

Fee for Application for Permit No. <u>7233-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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>7233-3</u>	200	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	1050 00

No. **04938**

By Leland 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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7233-3, Norman Kramer**

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. 7233-3, Norman Kramer, 31105 436th Avenue, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 7233-3 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. 7233-3 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 5, 2011

**Report on Water Permit Application No. 7233-3
for Norman Kramer
March 3, 2011**

Application No. 7233-3 proposes to appropriate 700 gallons per minute (1.56 cfs) from a single well, approximately 160 feet deep completed into the Lower Vermillion Missouri aquifer located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 to irrigate 136 acres located in the NW $\frac{1}{4}$ Section 33; in T94N-R51W in Clay County. The annual period during which water will be used is May 1 through September 30.

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 is under slightly confined conditions in the area of this application. The aquifer underlies 100,800 acres and holds an estimated 1.512 million acre-feet of recoverable water in Clay County (Hedges, 1982). To the south, the aquifer blends with the Missouri Elk Point aquifer. The general direction of water movement in the aquifer is toward the east-southeast (Christensen, 1967).

No test well report was included with this application.

Observation Well Data:

The Water Rights Program monitors an observation well, CL-80H, located within one mile of this application location. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years due to natural discharge and to pumping. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2011). The hydrograph for this observation well is included with this report.

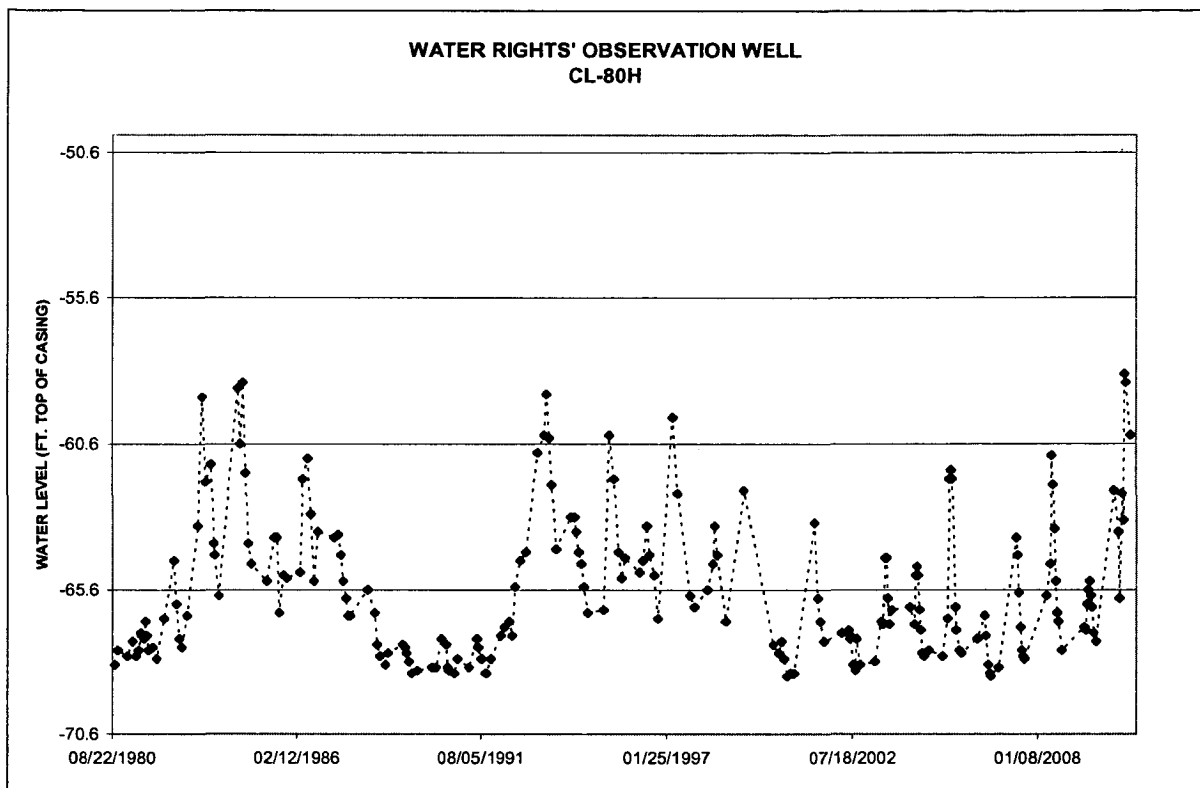


Figure 1. Hydrograph for Water Rights Observation Well CL-80H, completed into the Lower Vermillion Missouri Aquifer within one mile of 7233-3

In general, the hydrograph 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 for each year. The average number of appropriations is over 41, with the average annual appropriation being about 16,600 acre-feet and the average annual pumpage reported at over 1,480 acre-feet.

IRRIGATION USE (ac-ft/yr) LVM			
Year	Number of Appropriations	Appropriation (ac-ft/yr)	Pumpage Reported (ac-ft/yr)
1979	49	22683.00	1163.00
1980	47	22683.00	2417.00
1981	49	23003.00	1543.00
1982	37	15862.84	870.04
1983	38	15480.34	716.30
1984	47	20754.30	691.00
1985	46	20661.34	1328.20
1986	45	20477.34	1047.50
1987	37	15435.34	1115.40
1988	38	15657.34	2083.80
1989	38	15657.34	2301.20
1990	38	15657.34	2113.20
1991	39	15308.24	1670.10
1992	39	15308.24	168.80
1993	39	15308.00	506.61
1994	39	14673.74	517.28
1995	37	14309.24	506.61
1996	36	14096.04	997.60
1997	36	13656.14	1085.00
1998	36	14150.45	1032.91
1999	38	14879.45	900.63
2000	38	14879.45	2041.72
2001	38	14879.45	2036.96
2002	40	15199.45	1762.32
2003	40	15199.45	1800.56
2004	39	15013.45	1747.48
2005	45	15844.45	1410.24
2006	43	15254.45	2647.51
2007	50	16655.45	2909.12
2008	55	17587.45	4301.25
2009	58	18961.70	482.64
AVERAGE	41.74	16618.61	1481.13
MAXIMUM	58	23003.00	4301.25
MINIMUM	36	13656.14	168.80

Table 1. Irrigation usage from the Lower Vermillion Missouri aquifer (Water Rights, 1979-2009).

There are five existing water permits/rights for irrigation located within two miles of this application; all five divert water from the Lower Vermillion Missouri aquifer. 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 slightly 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 or other arrangements may be required to protect these water supplies.
4. This well must be constructed in accordance with SD Well Construction Standards.



Hayes Haas
Natural Resources Engineer

Bibliography:

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

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

Water Rights, 2011, Unpublished Observation Well Records for Clay County and Irrigation Records, SD DENR, Division of Water Rights, Pierre, SD, 57501

RECEIVED

MAY - 2 2011

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

Norman Kramer
31105 436th Ave
Yankton, SD 57078

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

HEATHER HEIMES BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE CLASSIFIED MANAGER OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE PLAIN TALK, A LEGAL
WEEKLY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED NOTICE OF APPLICATION 7233-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 22 DAY OF APRIL 2011
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$47.97 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND 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 PERSON WHOMSOEVER.

PUBLISHED ON: 04/15/2011, 04/22/2011

FILED ON: 4/22/11

Heather Heim

SUBSCRIBED AND SWORN TO BEFORE ME THIS

25th

DAY OF

APRIL

Tommy M. Schell

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

NOTICE OF APPLICATION
NO. 7233-3 to Appropriate

Water

Notice is given that Norman Kramer, 31105 436th Ave Yankton SD 57078 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 160 feet deep) located in NW 1/4 NW 1/4 Section 33 for irrigation of 133 acres located in the NW 1/4 Section 33; all in T94N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7233-3 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 May 2, 2011.

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

Published twice at the total approximate cost of \$47.97

Estimated publishing cost per published copy



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 7, 2011

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7233-3 to Appropriate Water to be published twice. Please publish the first notice on April 15, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Norman Kramer, 31105 436th Ave., Yankton SD 57078 (Ph # 605-689-0349).

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. 7233-3

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

Date _____

We are in receipt of your letter of April 7, 2011 enclosing Notice to Appropriate Water by Application No. 7233-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 7, 2011

Norman Kramer
31105 436th Ave
Yankton SD 57078

Dear Mr. Kramer:

Water Permit Application No. 7233-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Plain Talk printed at Vermillion SD (Ph # 605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

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

enclosures

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

Instruction to Newspaper - Publish first Notice on April 15, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7233-3 to Appropriate Water

Notice is given that Norman Kramer, 31105 436th Ave Yankton SD 57078 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from one well to be completed into the Lower Vermillion:Missouri Aquifer (approximately 160 feet deep) located in NW ¼ NW ¼ Section 33 for irrigation of 133 acres located in the NW ¼ Section 33; all in T94N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7233-3 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 May 2, 2011.

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

Published twice at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 22 2011

Norman Kramer
31105 436th Ave
Yankton SD 57078

Dear Mr. Kramer:

Enclosed is Water Permit No. 7233-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

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AUG 31 2011

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 8-26-11TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Norman Kramer
(name)
3110 S 436 ave
(address)
Yankton SD. 57078
(city, state, zip) (phone)

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

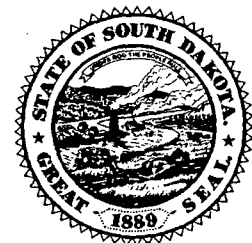
Water Permit No. 7233-3 states that the water use system is to be constructed by May 2, 2016, and water is to be put to beneficial use by May 2, 2020.
(date) (date)

The water use system was completed on July 15, 2011.
(date)

Applying the water to beneficial use was completed on July 18, 2011.
(date)

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

Norman Kramer
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

August 31, 2011

7233-3

Norman Kramer
31105 436th Ave
Yankton SD 57078

Dear Mr. Kramer:

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

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

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

Sincerely,

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

Sys 17.2011



7233-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: NORMAN KRAMER, 31105 436TH AVE, YANKTON, SD 57078
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) 6961-3, 6962-3, 6963-3 & 7233-3. 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) 6961-3, 6962-3, 6963-3 & 7233-3 qualification:

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

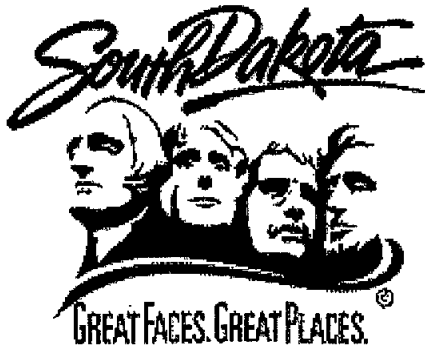
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 6961-3, 6962-3, 6963-3 & 7233-3 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. 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.



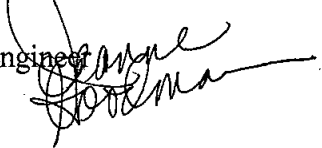
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2018

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER PERMITS

TO: Norman Kramer, 31105 436th Ave., Yankton SD 57078

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3

On March 7, 2018, the Water Management Board ordered:

Effective April 7, 2018, Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3 be suspended for the 2018 irrigation season for failure to submit the 2017 irrigation questionnaires.

If the 2017 irrigation questionnaires are received prior to April 7, 2018, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2018 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2018 unless the 2017 irrigation questionnaires are submitted by April 7th.

After April 7th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2017 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 2-3, 2018, in Pierre, SD. The letter should include your reasons for not completing the 2017 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

7233-3

I hereby certify that on March 8, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2018 regarding Water Management Board action taken March 7, 2018 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

Water Right No. 410-2: John Anthony DeRungs, 11684 Indian Canyon Rd, Edgemont SD 57735

Water Right No. 4309B-3: Ronald J Gorder, PO Box 185, Estelline SD 57234-0185

Water Right No. 394-1: Larry B Reinhold, Lonetree Ranch, 14666 Lonetree, Sturgis SD 57785

Water Right No. 2350-3: Bill Boyer, River Valley Farms, PO Box 486, Alcester SD 57001

One Year Suspensions:

Water Right No. 4472-3: Darrell Biddle, 37461 287th St, Geddes SD 57342

Water Right No. 635-2: Tom Lauing, Dakota Hills Inc., 14129 Ringneck Rd, Oral SD 57766

Water Permit No. 8019-3: Mark Hohn 40455 266th St, Ethan SD 57334

Water Right No. 1213B-1: Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788

Water Right No. 1233-1: Ed & Kathy Kling, 12345 Vallery Rd, Nisland SD 57762-9717

Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3, Norman Kramer, 31105 436th Ave., Yankton SD 57078

Water Permit Nos. 7265-3 & 7265A-3: Leigh Leesman, Leesman Ranch, 30729 206th St, Pierre SD 57501

Water Right No. 5441-3, Water Permit Nos. 6408A-3 & 7118-3: Barry Little, 45696 SD Hwy 22, Castlewood SD 57223-5220

Water Right No. 5735-3: Mark McCloud, 33670 183rd St, Highmore SD 57345

Water Permit No. 1923-1: Jim Montieth, PO Box 1238, Spearfish SD 57783 8502

Water Right No. 962B-1: Steve Olinger, 12241 Vallery Rd, Nisland SD 57762-7600

Water Right No. 2074-2: Tamara Rogers, Prairie Gardens Inc., 13979 Cobb Rd, Hermosa SD 57744-5415

Water Right Nos. 1612-3 & 1997-3: Brandon Vostad, Prairie Winds Golf Club, 555 S Lake Dr, Watertown SD 57201

Water Right No. 2106-2: Stuart Rice, 2300 Skyline Ranch Rd., Rapid City SD 57701

Water Right No. 2696-3A: Danny Schmidt, 18684 421st Ave., Willow Lake SD 57278

Helen M Schmidt, 19053 427th Ave., Willow Lake SD 57278

Water Right No. 4292-3: Stanley S Schulz, 41300 SD Hwy 20, Conde SD 57434

Water Right No. 1554A-1/Water Permit No. 1935-1: Donald J Stange, 2807 Gamble Ct, Mitchell SD 57301-6411

Water Permit Nos. 8164-3, 8165-3 & 8166-3: Todd Swenson, 38770 235th St., Wessington Springs SD 57382

Water Right No. 2954-3: Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

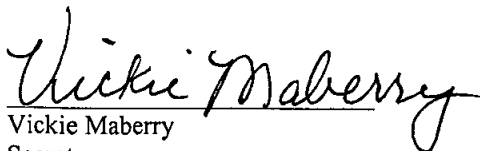
Second violation - Three year suspensions:

Water Right No. 495-2: Harlan Eisenbraun, 21362 Creighton Rd, Wall SD 57790

Water Right No. 1530-2, Viola Keszler, 30317 289th St, Clearfield SD 57580

Third violation - Cancellation:

Water Right No. 3937-3: Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231



Vickie Maberry

Secretary

Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

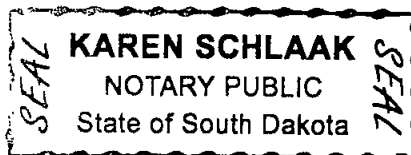
Sworn to, before me, this 8th day of March, 2018.

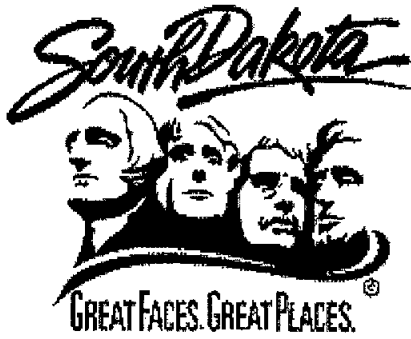


Karen Schlaak

Notary Public

My Commission expires April 1, 2019





7233-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 19, 2018

Norman Kramer
31105 436th Ave
Yankton SD 57078

RE: Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3

Dear Mr. Kramer:

On March 7th the Water Management Board ordered Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3 suspended if the 2017 irrigation questionnaires were not received prior to April 7, 2018. The questionnaire information for your water permits was received March 16, 2018.

Since the irrigation questionnaires are on file, no violations have occurred and no suspensions will take place. You may irrigate during the 2018 irrigation season.

If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program

7233-3

RECEIPT

WATER RIGHTS PROGRAM
 South Dakota Department of Agriculture and Natural Resources

Date March 28, 2022RECEIVED OF Sioux Falls Retail Office PO Box 88737 Sioux Falls, SD 57109

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>7233-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>50.00</u>

By *Eric Gronlund*
 Chief Engineer

um

PAID

MAR 28 2022

Ck# 51130

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAR 28 2022

WATER RIGHTS
PROGRAM

No. 7233-3

Date: 3-22-2022

I/We request that Water Permit No. 7233-3

formerly owned by: Norman Kramer

be transferred to: (name & address) Jerry Lange
4213 S. Dubuque Ave, Sioux Falls
SD 57110 Telephone No. 605-360-5372

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

The NW 1/4 of Section 33 Twp 94N Range 51W
Clay County, SD

I/We understand that the validity of Water Permit No. 7233-3 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 Jerry Lange, the new owner, certify that the above information is true and correct.

Jerry Lange
(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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 5, 2022

7233-3

Jerry Lange
4213 S Dubuque Ave
Sioux Falls SD 57110

Dear Mr. Lange:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Permit No. 7233-3.

The ownership change has been completed. Water Right No. 7233-3 formerly held by Norman Kramer is now listed in your name.

Each year we mail irrigators in South Dakota an irrigation questionnaire for reporting how much water they pumped during that specific crop season. I am enclosing a copy of the form submitted in 2021 to give you an idea of what type of information to keep track of during the growing season. The actual form that will need to be completed and returned to us will be mailed to you in October.

Also enclosed is a copy of the water permit for your files. The receipt for the filing fee is being sent by copy of this letter to the Sioux Falls Retail Office.

Sincerely,

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

enclosures

c: Sioux Falls Retail Office, PO Box 88737, Sioux Falls SD 57109



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: NORMAN KRAMER, 31105 436TH AVE, YANKTON, SD 57078

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) 7233-3. 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) 7233-3 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) 7233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: RNQXVI**

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

7233-3

January 23, 2024

7233-3

Norman Kramer, Operator
31105 436th Ave
Yankton SD 57078

Dear Mr. Kramer:

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). 7233-3. The information was received prior to the March 6, 2024, Water Management Board meeting and your name has 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: Jerry Lange, 7213 Dubuque Ave, Sioux Falls SD 57110

7233-4

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7233-3**

I have this day, September 11, 2024, made a thorough examination of the water use systems owned by Jerry Lange, 4213 S. Dubuque Ave., Sioux Falls, SD 57110, holder of Permit No. 7233-3, bearing the priority date of February 28, 2011. This permit authorizes the diversion of 1.56 cu. ft. per second of the waters of groundwater (Lower Vermillion Missouri Aquifer) authorizing the irrigation of 136 acres located in Clay County.

Inspection contacts: Jerry Lange and Norman Kramer

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells: 1
- 3) Depth(s): 189 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 129 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 60 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 625S500-2
- 3) Capacity: 700 gpm

Motor:

- 1) Make: Grundfos
- 2) Model No.: Unknown
- 3) Horsepower rating: 50 hp

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

- 1) Type: PVC Size: 8 inches Length: 130 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Valley
- 2) Overall length: 1,299 feet
- 3) Number of towers: 7
- 4) End gun: Yes Range: 95 feet
- 5) Capacity: 700 gpm

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
3) Exceptions to compliance are: None

E. Condition and Location:

- 1) The system is in good condition with the point(s) of diversion located as follows:
The well is 1,200 feet south and 1,318 feet east of the northwest corner of Section 33-T94N-R51W (Latitude 42.92118, Longitude -96.87981 – NW1/4 of the NW1/4).
2) The works are capable of diverting and conveying to the places of use 1.56 cu. ft. per second of water from the well which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 33-T94N-R51W

<u>NW1/4NW1/4</u>	<u>33 acres</u>
<u>NE1/4NW1/4</u>	<u>33 acres</u>
<u>SW1/4NW1/4</u>	<u>33 acres</u>
<u>SE1/4NW1/4</u>	<u>34 acres</u>

comprising a total of 133 acres of land and the license should be issued for 1.56 cfs.

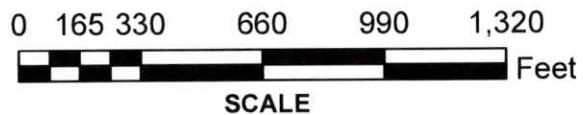
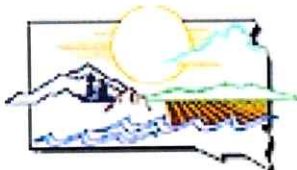
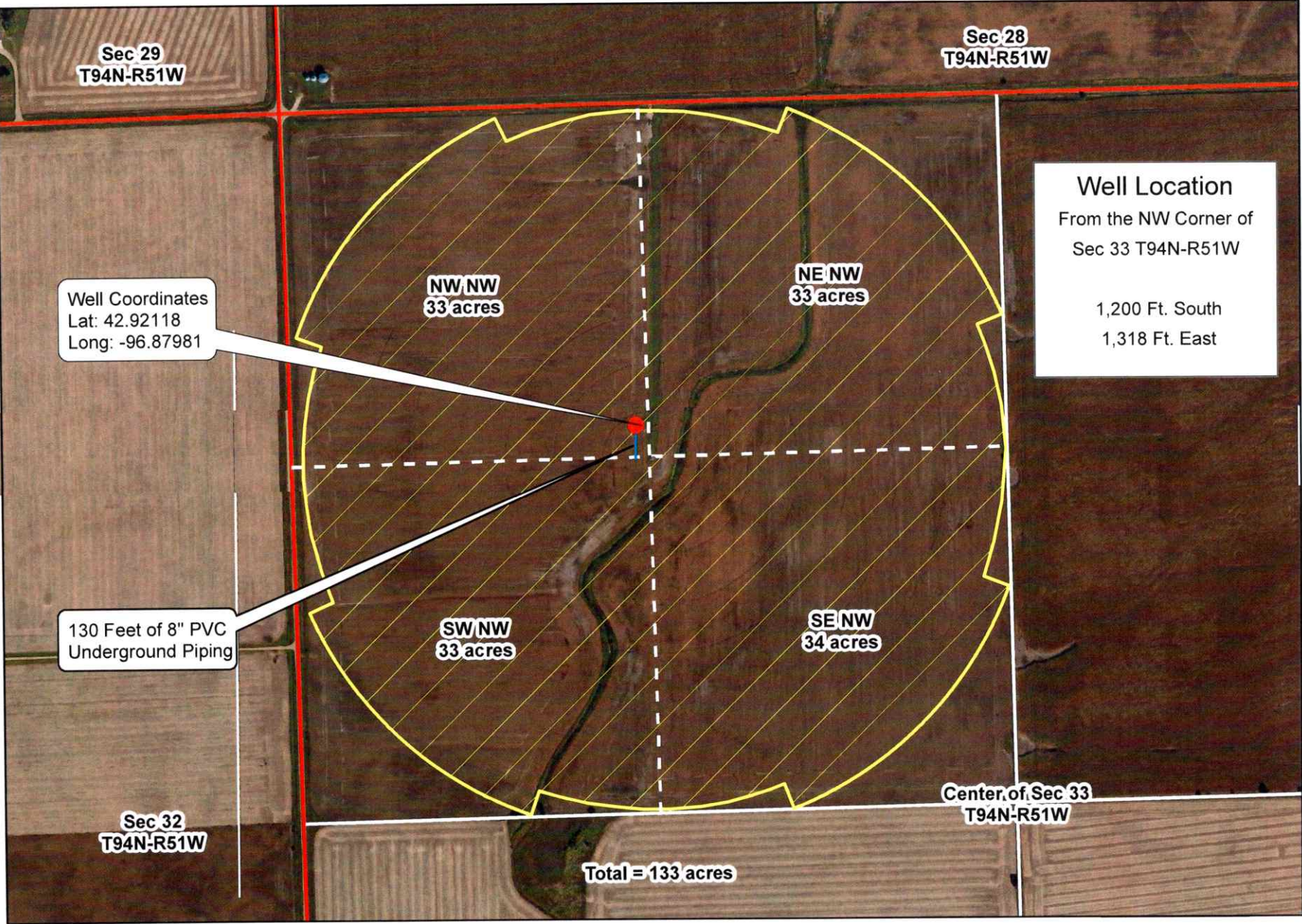
- 3) All structures, wells and lands on map: Yes

F. Comments or other permit(s) associated with the project: The pump and motor information was obtained from Heine Electric and Irrigation, Inc.

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

Date report completed: September 12, 2024

Water Permit No. 7233-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
September 12, 2024



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

MAR 07 2025

Jerry Lange
4213 S Dubuque Ave
Sioux Falls, SD 57110

No. 7233-3

Dear Mr. Lange:

Enclosed is Water License No. 7233-3. 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 in the future, the owner of an existing well, 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.

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

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7233-3**

(1) Norman Kramer made Application No. 7233-3, February 28, 2011, for a water permit to divert 1.56 cubic feet of water per second from groundwater, one well (Lower Vermillion: Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7233-3, with a priority date of February 28, 2011, was approved May 2, 2011, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 2, 2016, and for the application to beneficial use of water on or before May 2, 2020.

Ownership of Permit No. 7233-3 was transferred to Jerry Lange, 4213 S Dubuque Ave, Sioux Falls, SD 57110 March 28, 2022.

(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 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,200 feet S and 1,318 feet E of the NW corner of Section 33, T94N, R51W (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 42.92118 Longitude -96.87981)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.

(4) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 33, T94N, R51W
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres
Total – 133 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Jerry Lange, the holder and/or owner of Water Right No. 7233-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from groundwater, one well (Lower Vermillion: Missouri Aquifer), with a priority date of February 28, 2011, 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. 7233-3 and subject to 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. 7233-3 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.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

MAR 07 2025
date

