

WATER PERMIT NO. 7303-3

Name of Applicant: Myron Van Buskirk

Address: 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108

Phone: 605-361-8211

Amount of Water Claimed: 1.0 cfs

Total Acres: 75 acres

Source of Water Supply: groundwater (one existing well)

Water to be used for: irrigation

County: Jerauld

Type of Waste Disposal System:

Location: 12 miles west of Wessington Springs

PRIORITY

Date Received: 1-3-12

Application/License Fee: \$ 950

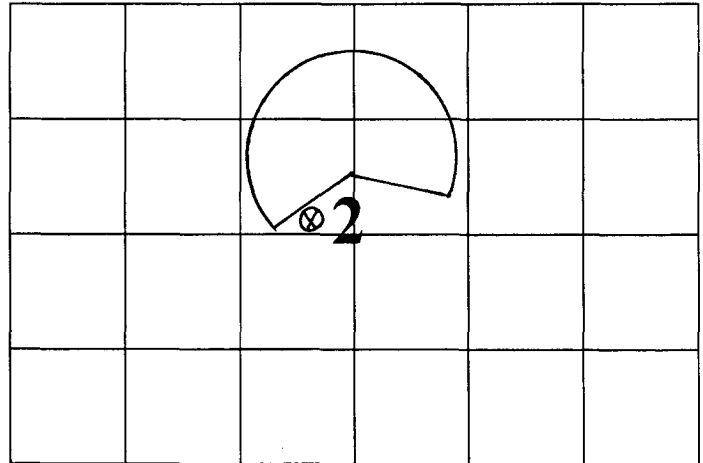
Corrected Application Received:

Period of Annual Use: May 1 – October 31

Remarks: Utilizing the same well as authorized by Water Permit No. 6827A-3

Diversion Point: SE ¼ NW ¼ Sec 2-T107N-R67W

Land to be Irrigated: W ½ NE ¼, E ½ NW ¼ Sec 2-T107N-R67W



Depth of Well: 69 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Perry L Kolb, PE

Reviewed and the Number Assigned on: 1-3-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7303-3</u> (office use only) Hydrologic Unit <u>10140105</u>
	Basin <u>Missouri River</u>
	Newspaper <u>True Dakota P.O. Box 358</u> <u>605-539-1281</u> <u>Washington 57382</u>

RECEIVED
JAN - 3 2012
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 Myron Van Buskirk Phone 605-361-8211
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 5800 S. Remington Pl, Suite: 100 Sioux Falls SD 57108
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 1.0 *CFS or **GPM ***AF Total Acreage 75
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Existing well as listed in Permit No. 6827-3

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Jerauld
SE 1/4 - NW 1/4, Section 2 - 107N - 67W

5. County or counties where water will be used Jerauld

6. Annual period during which water is to be used May 1st through October 31st

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
SW 1/4 NE 1/4 Sec 2 - 107N - 67W	21		
NW 1/4 NE 1/4 "	13		
SE 1/4 NW 1/4 "	31		
NE 1/4 NW 1/4 "	10		

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

Well information on file under Permit No. 6827A-3

STATE OF SOUTH DAKOTA)
County of Lincoln) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Myron Van Buskirk, 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 Myron Van Buskirk

Subscribed and sworn to before me this 29th day of Dec 20 11

J. M. Matheson
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 7303-3

Date of first receipt of application January 3, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7303-3 to Myron Van Buskirk, 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108 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. 7303-3 appropriates 1.0 cubic feet of water per second from one well completed into the Crow Creek Aquifer (69 feet deep) located in SE 1/4 NW 1/4 Section 2 for irrigation of 75 acres located in the W 1/2 NE 1/4 and the E 1/2 NW 1/4 Section 2; all in T107N-R67W. Water Permit No. 6827A-3 authorizes irrigation of other land from this well.
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 – October 31.
3. The date from which applicant may claim right is January 3, 2012.
4. The date of approval of Permit No. 7303-3 is March 5, 2012.
5. One-fifth of the construction is to be completed on or before September 5, 2014.
6. All construction is to be completed on or before March 5, 2017.
7. Water is to be put to beneficial use on or before March 5, 2021.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

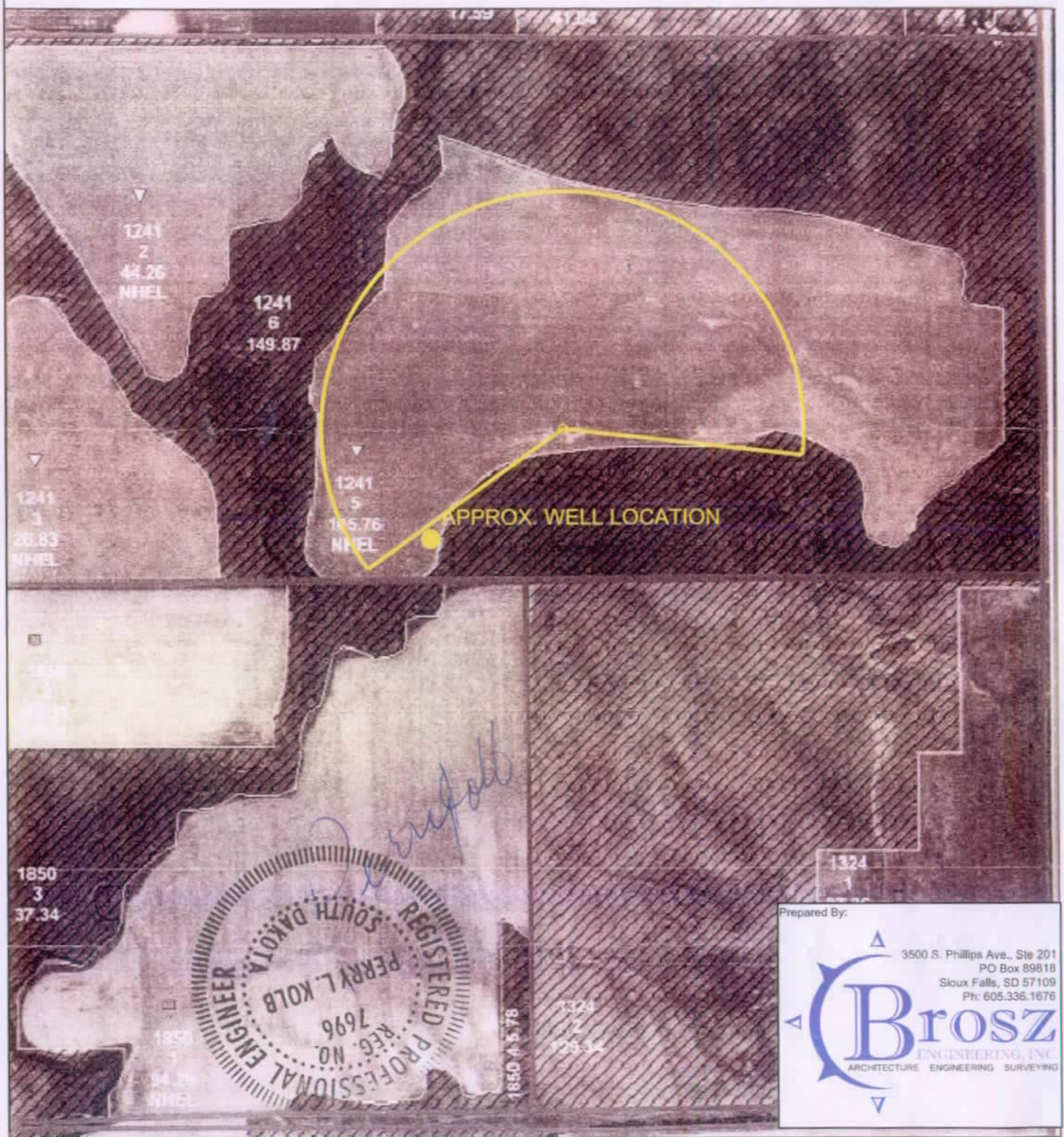
1. The well approved under Permit Nos. 6827A-3 and 7303-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit Nos 6827A-3 and 7303-3 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

MAR 28 2012
date





USDA - Farm Service Agency

RECEIVED
JAN - 3 2012

Gerauld County, SD

2-107N-67W

April 03, 2009

WATER RIGHTS
PROGRAM

Legend

- Tract Boundaries
- Common Land Units
- Rangeland
- CRP
- Easements

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions



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 maps. FSA maps DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data as is and agrees to hold FSA harmless. Wetland determinations are based on 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-02) and actual survey for exact wetland boundaries and determinations, or contact NRCS.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/3, 2012

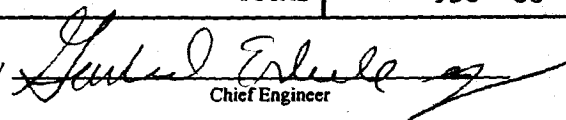
RECEIVED OF Van Buskirk Real Estate PO Box 89634 Sioux Falls SD 57109

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

Fee for Application for Permit No. <u>7303-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>7303-3</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	950 00

No. **05192**

By


Chief Engineer



**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. 7303-3, Myron VanBuskirk**

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. 7303-3, Myron VanBuskirk, 5800 S. Remington Pl, Suite 100, Sioux Falls SD 57108.

The Chief Engineer is recommending APPROVAL of Application No. 7303-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The well approved under Permit Nos. 6827A-3 and 7303-3 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 Nos 6827A-3 and 7303-3 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
February 1, 2012

REPORT ON WATER PERMIT NO. 7303-3

For Myron VanBuskirk

January 30, 2012

Application No. 7303-3 proposes to appropriate 1.0 cfs from one permitted well approximately 69 feet deep located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 2 for irrigation of 75 acres located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of section 2; all in T107N R67W in Jerauld County. Water Permit No. 6827A-3 authorizes 3.21 cfs from this well for irrigation of 225 acres.

AQUIFER – CROW CREEK (CC)

The Crow Creek aquifer is under predominantly water table conditions in this area but at this site is under slight artesian conditions. The aquifer underlies 70 square miles and contains an estimated 270,000 acre-feet of water in storage in Jerauld County (Hamilton, 1985). Hamilton also estimated a recharge rate of about 2.4 inches per year (about 9,000 acre-feet) for the aquifer in Jerauld County. The aquifer also extends into Hand County to the north and into Buffalo and Brule Counties to the south and west. Ground water movement is from the northeast to the southwest in the area of this application (Hamilton, 1985). Water use from the Crow Creek aquifer has never come close to the estimated recharge to the aquifer in Jerauld County based upon the irrigation questionnaire reports.

Test drilling by the applicant indicates good potential water development at this site. The drill test indicates sand and gravel from a depth of about 12 feet to 69 feet below land surface. The static water level was about 6.3 feet below the surface and the well was capable of producing 100 gpm with 2.4 feet of drawdown. This would equate to a specific capacity of about 41.6 gpm/ft of drawdown. A production well at this site should be capable of producing the requested rate of 450 gpm with a drawdown about 10.8 feet or a pumping level of 17.1 feet below land surface. But since this well is already authorized a pumping rate of 1,440 gpm which would cause about 34.6 feet of drawdown and result in a pumping level of about 40.9 feet below land surface. In other words combining these two diversions would result in a potential pumping rate of 1,890 gpm creating a drawdown of about 45.4 feet or a pumping level of about 51.7 feet below land surface. This scenario would leave about 17 feet of water in the well if the specific capacity remained true. In other words it is possible a production well at this could produce the amount of water requested to operate both systems at the same time.

The Water Rights Program monitors four observation wells in this area all completed into the Crow Creek aquifer and within four miles of this site. These are observation wells JE-77E, JE-77F, JE-79I and JE-78H. Observation wells JE-77E and JE-78H are the nearest monitoring wells to this well location and would be located about two miles west or south respectively. Hydrographs for these observation wells are included with this report (Water Rights, 2012). In general the water level record indicates the aquifer does recharge and does respond well to climatic conditions. The effects of pumping are not overtly evident. However, it should be

noted that water levels in general are much higher (10 feet or more) at this time than during earlier drought periods. The point here is that the applicant should expect water levels to normally be lower and this would impact the potential capacity of the irrigation well. The applicant should consider this fact when designing the irrigation system. Another well may be required during drought years to maintain production.

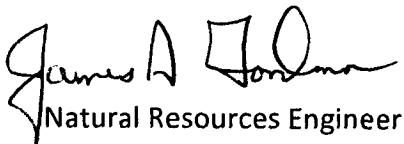
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit is No. 6991-3 and is located about three miles to the southwest of this application. Interference is not a concern. At this distance between production wells drawdown should not be significant.

CONCLUSIONS

1. Water is available from the Crow Creek aquifer.
2. The aquifer is under slight artesian conditions at this site. However, it appears the well will behave like a water table situation. Pumping is not expected to create significant drawdown very far from the production well and interference is not a concern.
3. The well for this application is authorized by Water Permit No. 6827A-3 and must be constructed in accordance with SD Well Construction Standards.
4. Until this well is completed and tested under drought conditions it is not apparent that a well at this site will be capable of sustaining the total requested diversion rate of 4.21 cfs. However, that rate would only be needed when or if both permitted systems would be operated at the same time. That is probably unlikely.

James A Goodman



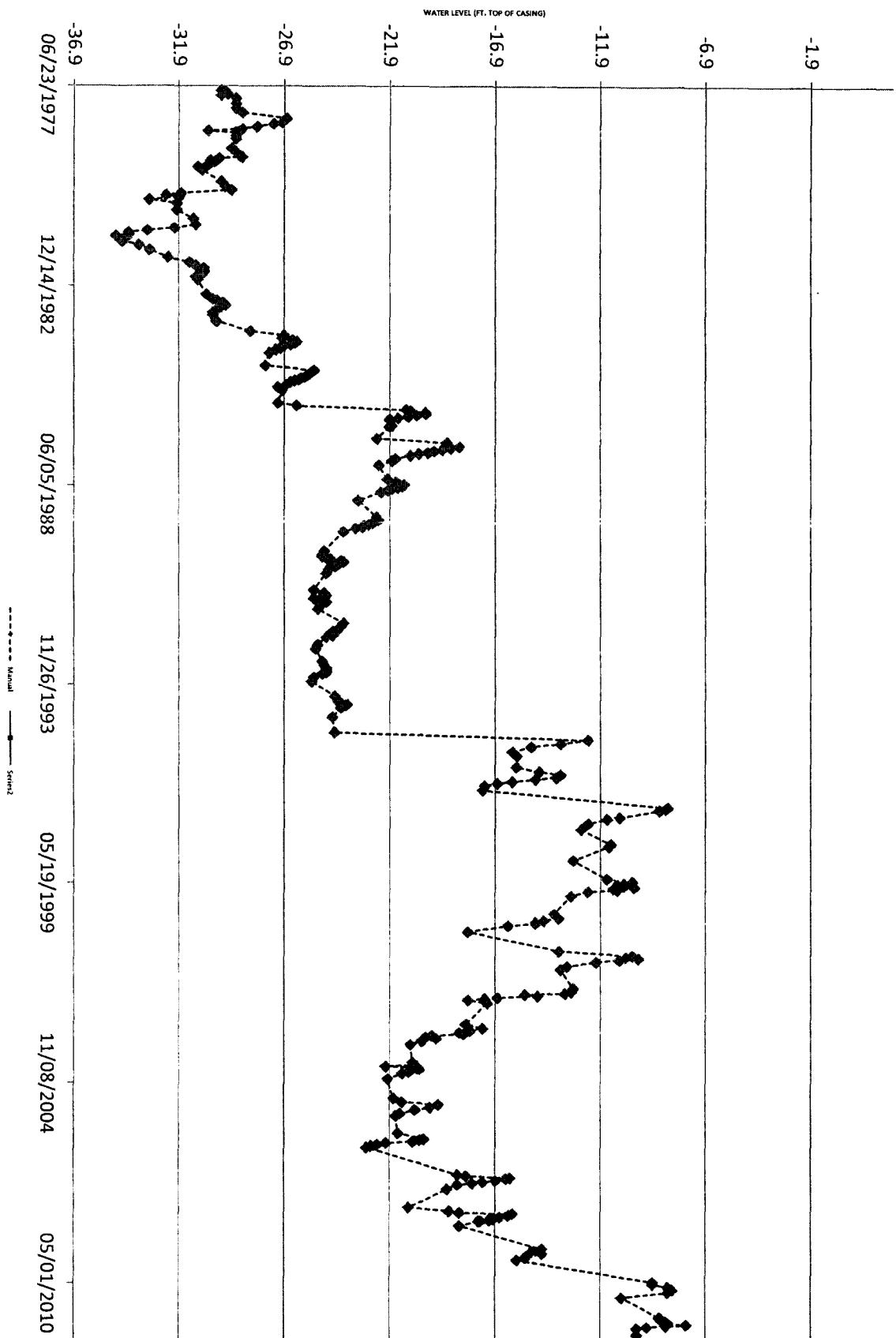
Natural Resources Engineer

BIBLIOGRAPHY

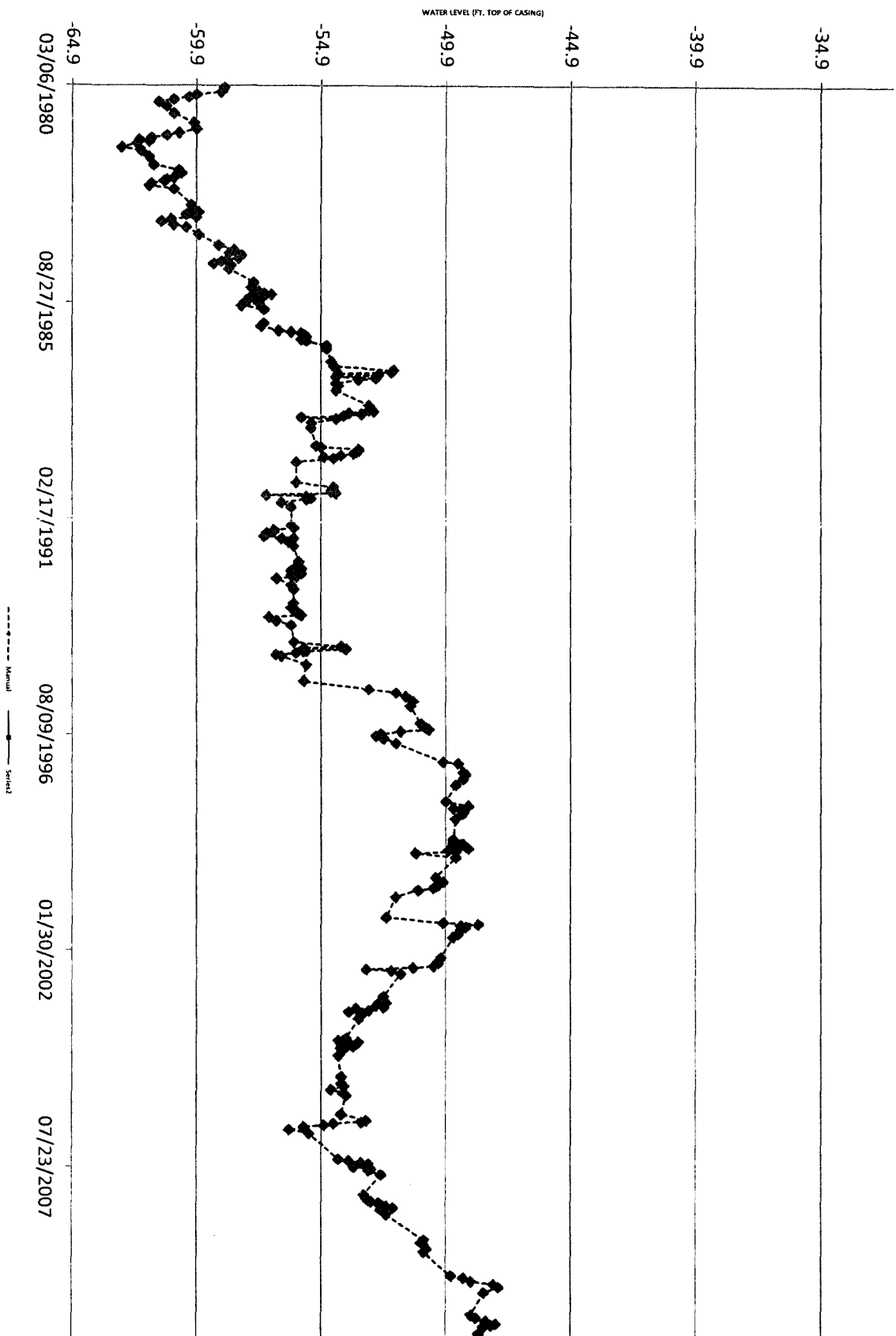
Hamilton, L.J., 1985, Water Resources of Aurora and Jerauld Counties, South Dakota, Water Resources Investigations Report 84-4030, USGS, Huron, SD, 57350.

Water Rights, 2012, Unpublished Observation Well Data for Jerauld County, SD, DENR, DES, Water Rights Program, Pierre, SD, 57501.

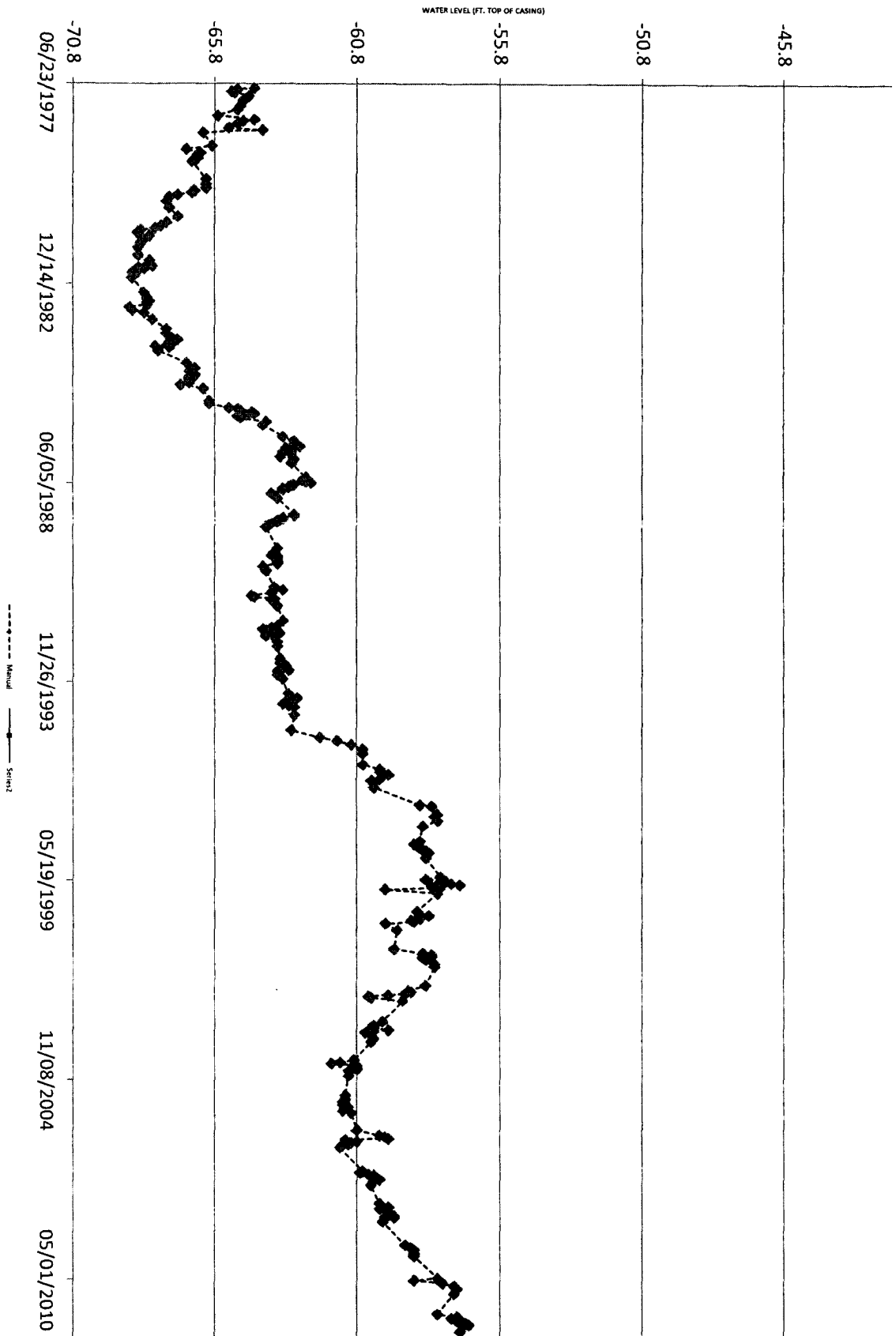
WATER RIGHTS' OBSERVATION WELL JE-77E



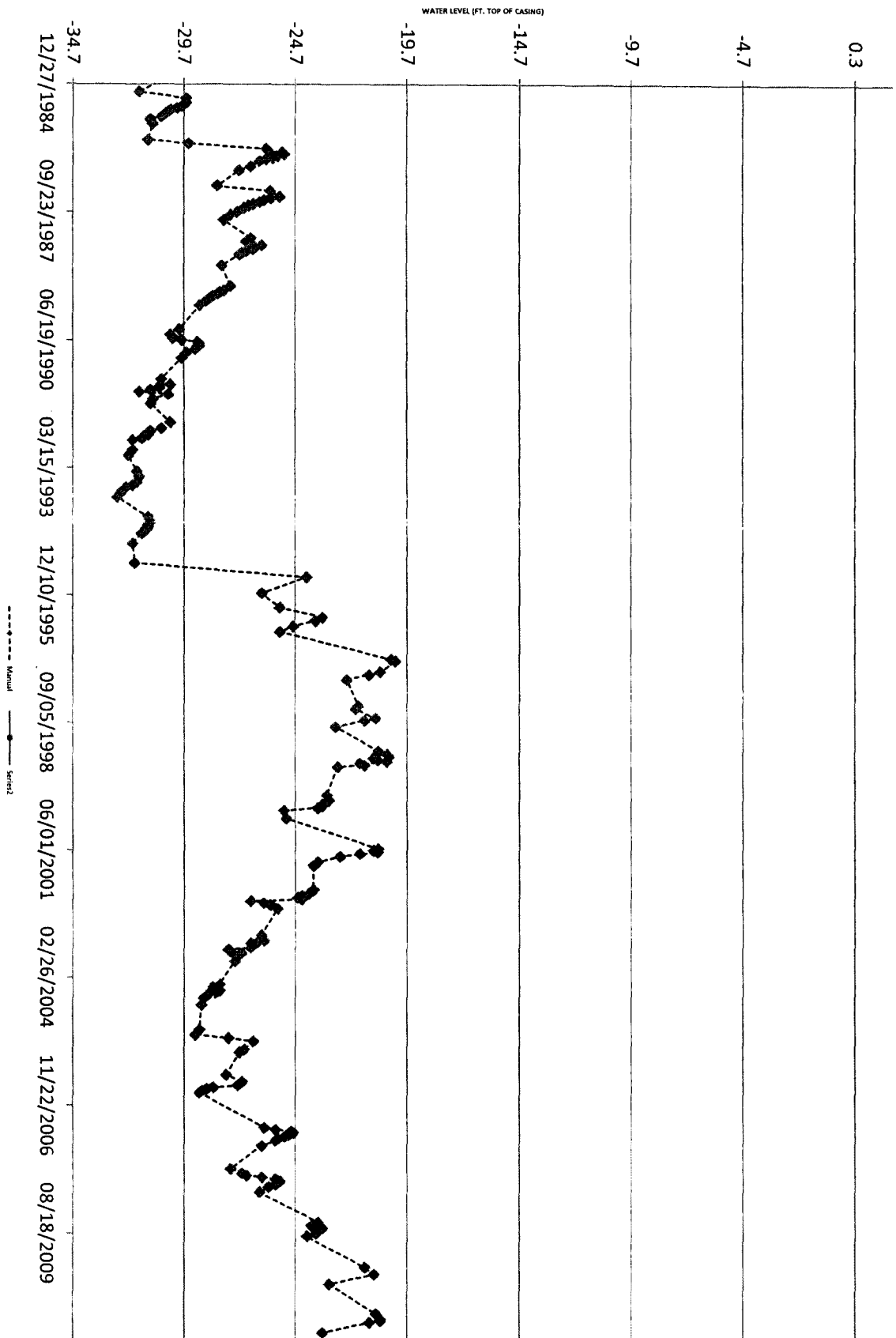
WATER RIGHTS' OBSERVATION WELL JE-791



WATER RIGHTS' OBSERVATION WELL JE-77F



WATER RIGHTS' OBSERVATION WELL JE-78H



RECEIVED

MAR 23 2012

MINERALS & MINING PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA, COUNTY OF JERAULD, SS.

Karen Wenzel

being first duly sworn, deposes and says: that he/she is a resident of the County of Jerauld and State of South Dakota; and the True Dakotan is a weekly newspaper of general circulation, published in Wessington Springs, in said county, by I. Craig and Dennis P. Wenzel; and is now and has been such newspaper content all the times hereafter mentioned; that the affiant is, and was during hereafter mentioned, the business manager of said newspaper, in the advertising department thereof; and has personal knowledge of all facts and circumstances of the foregoing affidavit:

And that the notice and advertisement headed

Notice of Application to Appropriate

a printed copy of which is hereunto attached and made a part hereof and published in said newspaper in 2 successive issues. That notice of said notice in said newspaper aforesaid was on Tuesday, Feb 20 2012; and that the succeeding publications were:

On Tuesday, the 21 day of Feb, 2012

On Tuesday, the _____ day of _____, 20____

On Tuesday, the _____ day of _____, 20____

That the fee charged for the printing and publishing of said notice in said newspaper aforesaid, was _____ dollars and _____ cents; and that said fee for printing and publishing said notice in said newspaper has been full paid; that the full amount of the publishing of the said attached and annexed notice and advertisement for the benefit of the publisher of the said True Dakotan; and no agreement for the division thereof has been made with any person; and that the said newspaper is a legal newspaper as provided by law.

Signed: Karen Wenzel

Subscribed and sworn to before me, this 22 day of Mar

Cindy Hine Notary
Jerauld County

my Comm. Expires 4-8-14

AFFIDAVIT EX REL PUBLIC
STATE OF SOUTH DAKOTA, COUNTY OF JERAULD

being first duly sworn on his oath, deposes and says: that he is one of the authorized attorneys of the State of South Dakota; and that he has read the action mentioned and described in the annexed notice; that he has rected the publication of the annexed notice; that no agreement or understanding for any division of the fees therefore has been made with any person whomsoever; and that no part thereof has been refunded or rebated by the party publishing said notice.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public, Jerauld County, South Dakota

NOTICE OF APPLICATION NO. 7303-3 to Appropriate Water

Notice is given that Myron Van Buskirk, 5800 S Remington Pl, Suite 100, Sioux Falls SD 57108 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from one well completed into the Crow Creek Aquifer (69 feet deep) located in SE 1/4 NW 1/4 Section 2 for irrigation of 75 acres located in the W 1/2 NE 1/4 and the E 1/2 NW 1/4 Section 2; all in T107N-R67W. Water Permit No. 6827A-3 authorizes irrigation of other land from this well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7303-3 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 March 5, 2012.

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 \$52.40.
c-20-21



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 2012

True Dakotan
PO Box 358
Wessington Springs SD 57382

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7303-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2012 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 Myron Van Buskirk, 5800 S Remington Pl., Ste. 100, Sioux Falls SD 57108 (Ph # 605-361-8211).

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. 7303-3

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

Date _____

We are in receipt of your letter of February 2, 2012 enclosing Notice to Appropriate Water by Application No. 7303-3 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
denr.sd.gov

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

February 2, 2012

Myron Van Buskirk
5800 S Remington Place # 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Water Permit Application No. 7303-3 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 True Dakotan printed at Wessington Springs SD (Ph # 605-539-1281). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notices 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,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on February 14, 2012 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. 7303-3 to Appropriate Water

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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 March 5, 2012.

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

MAR 28 2012

Myron Van Buskirk
5800 S Remington Place # 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Enclosed is Water Permit No. 7303-3 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



7303-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 10, 2017

6827A-3
7303-3

Myron Van Buskirk
5800 S Remington Pl, Suite 100
Sioux Falls SD 57108

Dear Mr. Van Buskirk:

Recently we sent out partially completed "Notice of Completion of Works" forms to you for Water Permit Nos. 6827A-3 and 7303-3. The forms were received back from you but were not completed or signed.

I am returning the forms to you for completion. I have highlighted the areas in yellow that need to be filled out. Once you have completed the forms, please sign and return them to our office.

I have included a postage paid envelope for you convenience. If you have any questions, please let me know.

Sincerely,

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

enclosures

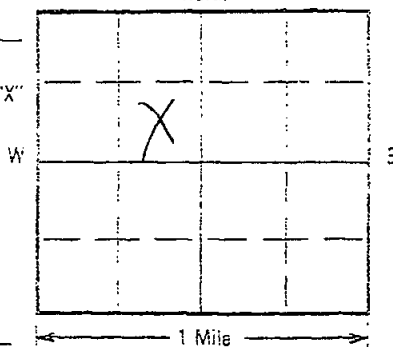
7303-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NW 1/4 Sec 2 Twp 107 Rg 67
 County Serauld

Please mark well location with an "X"



Well Completion Date

2-3-12

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NONE from _____ (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 Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>9.5 LB/FT</u>	<u>12 IN</u>	<u>25 FT</u>	<u>65 FT</u>	<u>17 1/2 IN</u>
<u>PVC LB/FT</u>	<u>12 IN</u>	<u>0 FT</u>	<u>25 FT</u>	<u>17 1/2 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Enviro Plug</u>	<u>5</u>	_____ lb./gal	<u>15 ft</u>	<u>20 ft</u>
<u>Portland</u>		_____ lb./gal	<u>0 ft</u>	<u>10 ft</u>

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 40 FEETMaterial: Stainless SteelSlot Size 1/20 Set From 25 Feet to 65 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? Enviro PlugDescribe packer(s) and location? above Screen

DISINFECTED: Was well disinfected upon completion?

☒ YES, How: _____

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis

Flushed with ChlorineWell Owner: Muron VanBuskirkBusiness Name: Whiskey CreekAddress: P.O. Box 89634Sioux Falls SD 57109

WELL LOG:

DEPTH:

FORMATION	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>6</u>
<u>Blue Clay</u>	<u>6</u>	<u>17</u>
<u>Sand Streaks & Clay</u>	<u>17</u>	<u>25</u>
<u>Good Sand</u>	<u>25</u>	<u>35</u>
<u>Course Sand</u>	<u>35</u>	<u>65</u>

STATIC WATER LEVEL 10' 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: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

12.8' ft. After 5 Hrs. pumped 400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

FEB - 8 2012

WATER RIGHTS PROGRAM

This well was drilled under license # 722

And this report is true and accurate.

Drilling firm Stuctel's Well Service Inc.

Signature of License Representative:

Tore Brathen

Signature of Well Owner or Equitable Property Holder:

Date: _____



7303-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 23, 2023

Myron Van Buskirk
2571 S Westlake Dr
Sioux Falls SD 57106

7303-3

Dear Mr. Van Buskirk

I am writing in regard to your Water Permit No. 7303-3. The water permit authorizes diversion of water from groundwater, one well, completed into the Crow Creek Aquifer, for the irrigation of 75.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 2, T107N, R67W.

In reviewing your 2022 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Permit No. 7303-3 allows you to use up to two acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 75 acres irrigated
- Reported water use – 430.14 ac-ft of water (approximately 69 inches)
- Authorized water use – 150.0 acre-feet (75 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water permit and will have to reduce your pumping to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me at 605-773-3352.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 4, 2025

6827A-3
7303-3
8279-3

Steve & Brian Roduner
22360 362nd Ave
Miller SD 57362

Dear Mr. Roduner:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters. I write to you today in response to the 2024 Irrigation Questionnaire information submitted for Water Permit Nos. 6827A-3, 7303-3, and 8279-3.

We've received your report that property authorized for irrigation under the above listed permits, previously owned by Myron Van Buskirk, had been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for Permit Nos. 6827A-3 & 7303-3 for you to complete and return in the pre-paid envelope.

Please return the forms with a check for \$100.00 (\$50.00/transfer) made payable to "SD Water Rights Program" to cover the transfer fees. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. These forms will still need to be returned even if you are submitting payment over the phone.

Permit No. 8279-3 authorized the irrigation of an additional 40 acres, to be located in the N ½ NW ¼ Section 2-T107N-R67W, to what was already authorized by Permit Nos. 6827A-3 & 7303-3. Permit No. 8148-3 was approved on April 17, 2017, with all construction to be completed by July 7, 2022.

On this year's report, all previous reports, the selection of "System Not Constructed" was made. Unfortunately, with the date for construction completion having passed, this permit should be considered for cancellation due to non-construction.

Please contact me to discuss cancellation of this permit.

Sincerely,

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

enclosures

7303-3

PAID

MAY 21 2025

Ck# 1730

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. PE 7303-3

Date: 5-14-2025

I/We request that Water Right/Permit No. 7303-3 formerly owned by:
Myron Van Buskirk

be transferred to:

New Owner Name: Steve/Brian Roduner

Address: 22360 362nd Ave mobile: 6053500314

City, State, Zip Miller, SD 57362 email: rodunerfarms@gmail.com

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

75 acres located in the W 1/2 NE 1/4 and E 1/2 NW 1/4 Section 2; all in T107N, R67W.
Appropriate an additional 1.0 cfs from the well authorized by 6827A-3.

RECEIVED

MAY 21 2025

OFFICE OF
WATER

- ☒ I understand that the validity of Water Right/Permit No. 7303-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Steve Roduner, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 21st, 2025

RECEIVED OF Brian Roduner and Steve Roduner 22360 362nd Ave Miller SD 57362

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>#6827A-3, #7303-3, #8279-3</u>	<u>\$150.00</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>\$150.00</u>

By Mark Maerz
Chief Engineer