

WATER PERMIT NO. 7383-3

Name of Applicant: Roger A Hansen bda Hansen Properties

Address: PO Box B, Centerville SD 57014 Phone: 605 563-2212

Amount of Water Claimed: 0.56 cfs Total Acres: 25 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 5 miles south of Centerville

PRIORITY Date Received: 7-20-2012 Application/License Fee: \$ 700

Corrected Application Received: Period of Annual Use: April 1 – August 31

Remarks:

E
Diversion Point: NW ¼ NW ¼ Sec 22-T95N-
R52W

E
Land to be Irrigated: NW ¼ NW ¼ Sec 22-T95N-
R52W

			+		
			22		

Depth of Well: XX

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Sheree Christensen, Clay Co FSA

Reviewed and the Number Assigned on: 7-23-12

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	(office use only)	
	No. <u>7383-3</u>	Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Plain Talk 201 W Cherry St. Vermillion</u>	
	<u>Oress & Dakotan 319 Walnut Yankton</u>	

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JUL 20 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 Roger A. Hansen, dba Hansen Properties Phone 605-563-2212

(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address PO BOX B CENTERVILLE SD 57014
 (Address) (City) (State) (Zip Code)

2. Amount of water claimed 0.56*CFS or 250 **GPM ***AF Total Acreage 25
 (*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply One well to the Lower Vermillion-Missouri aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County CLAY
NW 1/4 OF NE1/4, SEC 22, TOWNSHIP 95 NORTH, RANGE 52 WEST

5. County or counties where water will be used CLAY

6. Annual period during which water is to be used APRIL THRU AUGUST ANNUALLY

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
NW 1/4 OF NE1/4, SEC 22,	25		
TOWNSHIP 95 NORTH, RANGE 52 WEST			

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

CROP IRRIGATION OF ABOVE LISTED PROPERTY

MACHINE OPERATES AT 250 GPM

PIVOT #34 - 4 SPANS, 450 FT., END GUN 100 FT.

Applicant is requesting diversion Rate greater than Statutory limit

STATE OF SOUTH DAKOTA)

County of Turner) 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, ROGER A. HANSEN, 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 Roger Hansen

Subscribed and sworn to before me this 18th day of July 20 12

BRAD PREHEIM

NOTARY PUBLIC
SOUTH DAKOTA

Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 7383-3

Date of first receipt of application July 20, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7383-3 to Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7383-3 appropriates 0.56 cubic feet of water per second (cfs) from one well to be completed into the Lower Vermillion Missouri Aquifer (157 feet deep) located in NW 1/4 NE 1/4 Section 22 for irrigation of 25 acres located in the NW 1/4 NE 1/4 Section 22; all in T95N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – August 31.
3. The date from which applicant may claim right is July 20 2012.
4. The date of approval of Permit No. 7383-3 is October 9, 2012.
5. One-fifth of the construction is to be completed on or before April 9, 2015.
6. All construction is to be completed on or before October 9, 2017.
7. Water is to be put to beneficial use on or before October 9, 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 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. 7383-3 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.
4. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7383-3 authorizes a maximum diversion rate of 0.56 cfs for the irrigation of 25 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

WATER MANAGEMENT BOARD

By: Garland Erbe
Garland Erbe, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 29 2012
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 15" Depth 157'
- b) Casing Type PVC Diameter 8" Thickness SCH 40
- c) Screen Type PVC Diameter 8" Thickness SCH 40
- d) Gravel Pack 1/8"-3/8"pearock Length of Gravel Pack 55'
- e) Depth to Top of Water Bearing Material 90'
- f) Depth to Water (ground surface to water level) 42'
- g) Distance to nearest existing domestic well:
- On applicant's property N/A On property owned by others GREATER THAN 2500'

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

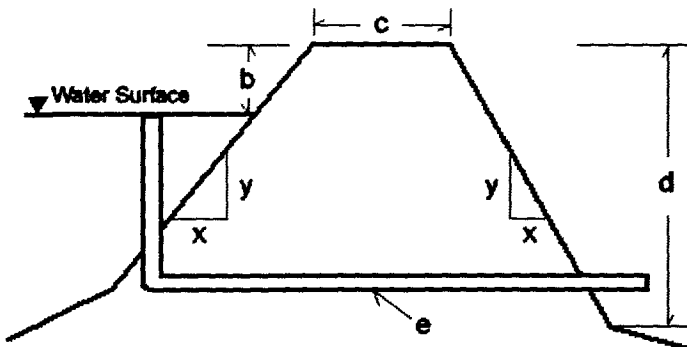
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres





United States Department of Agriculture
Farm Service Agency

PLSS: 22_95_52
Farm: 4691

Clay County, SD

1:8,189

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JUL 20 2012

WATER RIGHTS
PROGRAM

March 29, 2010

Sheree Christensen
PT

Wetland Determination Identifiers

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

Common Land Units

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

7-18-12

RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date 7/20, 20 12

RECEIVED OF Roger A Hansen PO Box B Centerville SD 57042

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

Fee for Application for Permit No. <u>7383-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7383-3</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	700 00

No. **05496**

By *Harold E. Erickson*
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. 7383-3, Hansen Properties**

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. 7383-3, Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7383-3 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. 7383-3 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.
4. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7383-3 authorizes a maximum diversion rate of 0.56 cfs for the irrigation of 25 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 18, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7383-3
ROGER A. HANSEN,
dba HANSEN PROPERTIES
SEPTEMBER 18, 2012

Water Permit Application No. 7383-3 proposes to appropriate up to 50 acre-feet annually at a maximum diversion rate of 0.56 cubic feet of water per second (cfs) from one well to be completed into the Lower Vermillion Missouri aquifer. The well is expected to be approximately 157 feet deep and is to be located in the NW ¼ NE ¼ of Section 22, T95N-R52W. This permit application proposes to irrigate 25 acres located in the NW ¼ NE ¼ of Section 22, T95N-R52W in Clay County.

AQUIFER: Lower Vermillion Missouri (LVM)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Lower Vermillion Missouri aquifer is a buried outwash (sand and gravel) aquifer that is under unconfined conditions in the area of this application, but also has portions under artesian conditions (Stephens and Christensen, 1967). The aquifer underlies approximately 100,800 acres and contains an estimated 1.5 million acre-feet of recoverable water in storage in Clay County (Hedges et.al, 1982). The aquifer blends into the Missouri: Elk Point aquifer to the south and into the Upper Vermillion Missouri aquifer to the north. This aquifer is also hydraulically connected to the Vermillion River and the Parker-Centerville aquifer.

SDCL 46-2A-9:

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer.

WATER AVAILABILITY:

This application proposes to appropriate 50 acre-feet annually from the Lower Vermillion Missouri aquifer. Although the actual water use if this application is approved will most likely be less than 50 acre-feet/year. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that "the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer."

The DENR-Water Rights Program monitors 12 observation wells completed into the Lower Vermillion Missouri aquifer (Water Rights, 2012a). The nearest well, CL-66AR, is 0.70 miles west of the proposed well location. Water levels in the observation well show good response to climatic conditions. The water levels rise (recharge) during wet years and gradually decline during dry years. Observation well CL-66AR does show pumping effects, but it does not appear to be adverse over the period of record. The water level has held fairly constant across the period of record. The climatic effects on the water level greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Lower Vermillion Missouri aquifer significantly exceeds pumping. Considering the observation well data, there is a reasonable probability that there is unappropriated water available from the Lower Vermillion Missouri aquifer. Figure 1 is the hydrograph for observation well CL-66AR.

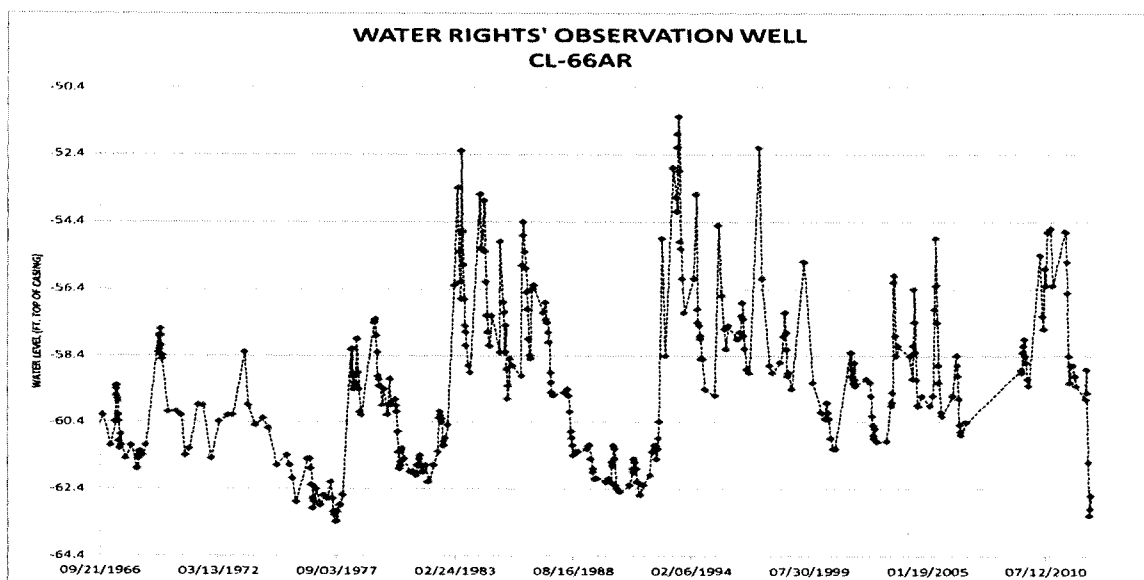


Figure 1- Hydrograph of DENR-Water Rights' observation well CL-66AR, located approximately 0.70 miles west of the proposed well location (Water Rights, 2012a)

Recharge versus Withdrawals:

Recharge:

Recharge to the Lower Vermillion Missouri is from infiltration of precipitation, influent seepage from streams, and subsurface inflow from adjacent areas (Stephens and Christensen, 1967). The aquifer also receives recharge from the Vermillion River during periods of high flow (Stephens and Christensen, 1967), and from the Niobrara Marl where the two aquifers come in contact with each other (Lithologic Logs Database, 2012). Hedges and others (1985) estimated the recharge rate to the unconfined portion of the aquifer to be 3.8 in/yr.

Withdrawals:

There are 65 water rights/permits appropriating water from the Lower Vermillion Missouri aquifer on record with the SD-DENR Water Rights Program. The non-irrigation appropriations consist of two rural water system appropriations and two appropriations for institutional use. The estimated annual withdrawal by institutional appropriations is 27.4 acre-feet. This estimation assumes water is being withdrawn from the aquifer 60 percent of time at maximum diversion rate. The average annual withdrawal from the aquifer as reported to the SD DENR-

Water Rights Program (1998-2011) by Clay Rural Water System Inc., the two rural water system appropriations, is 569.9 ac-ft. Water withdrawal from the Lower Vermillion Missouri aquifer for irrigation, as reported to the DENR- Water Rights Program through annual irrigation questionnaires, is shown in table 1.

YEAR	NO. OF PERMITS REPORTING	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	62	19987.00	2195.06
2010	59	19561.70	144.56
2009	58	18961.70	482.64
2008	55	17587.45	4301.25
2007	50	16655.45	2909.12
2006	43	15254.45	2674.51
2005	45	15844.45	1410.24
2004	39	15013.45	1747.48
2003	40	15199.45	1800.56
2002	40	15199.45	1762.32
2001	38	14879.45	2036.96
2000	38	14879.45	2041.72
1999	38	14879.45	900.63
1998	36	14150.45	1032.91
1997	36	13656.14	1085.00
1996	36	14096.04	997.60
1995	37	14309.24	506.61
1994	39	14673.74	517.28
1993	39	15308.00	0.00
1992	39	15308.24	168.80
1991	39	15308.24	1670.10
1990	38	15657.34	2113.20
1989	38	15657.34	2301.20
1988	38	15657.34	2083.80
1987	37	15435.34	1115.40
1986	45	20477.34	1047.50
1985	46	20661.34	1328.20
1984	47	20754.30	691.00
1983	38	15480.34	716.30
1982	37	15862.84	870.04
1981	49	23003	1543
1980	47	22683	2417
1979	49	22683	1163
Min	36	13656.14	0
Max	62	23003	4301.25
Avg.	42.88	16809.86	1447.73

Table 1- Irrigation water use from the Lower Vermillion Missouri aquifer (Water Rights 1990-2011).

Total average annual withdrawal, including non-irrigation use, is 2,045.03 acre-feet per year from the Lower Vermillion Missouri aquifer. The observation well hydrograph shows that the

water level in the aquifer has remained relatively constant despite changes in annual water use and appropriations. Therefore, the observation well data supports Hedges' recharge estimate and there is a reasonable probability that unappropriated water is available from in the Upper Vermillion Missouri aquifer.

EXISTING WATER RIGHTS:

There are 17 wells authorized by water rights/permits appropriating water from the Lower Vermillion Missouri aquifer within one mile of the proposed well location. All of the water rights/permits belong to the applicant of this permit, except Water Right No. 1916-3 (Water Rights, 2012b). There are no domestic wells on file with the SD-DENR Water Rights Program within one mile of the proposed well location. There should be no interference issues if this application is approved.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cubic foot of water per second for every seventy acres, or "the equivalent thereof". The statute does provide that the Water Management Board may allow a greater diversion if the method of irrigation so requires. Water Permit Application No. 7383-3 proposes to divert at a rate of 0.56 cfs to irrigate 25 acres, or the equivalent to 1.57 cfs per 70 acres. The applicant proposes to drill a new well that will be pumped at 250 gallons per minute to supply a short, approximately 330 feet long, center pivot system. This diversion rate is required to properly operate the center pivot irrigation system and is reasonable for the proposed use.

CONCLUSIONS:

1. This application proposes to appropriate 50 acre-feet annually for the irrigation of 25 acres, but the amount of water that actually will be used is expected to be less than 50 acre-feet annually.
2. There is a reasonable probability that unappropriated water is available from the Lower Vermillion Missouri aquifer to supply this proposed diversion
3. There is a reasonable probability that the diversion rate requested by this application can be made without adversely affecting existing water rights.
4. The diversion rate requested exceeds the statutory limit, but is required to properly operate the center pivot and is therefore reasonable for this proposed appropriation.



Adam Mathiowetz
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., J. Allen, and D.E. Holly. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge, Final Report. U.S. Army Corps of Engineers. Omaha, Nebraska. Contract DACW 45-80-C-0185.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- SD-DENR Geologic Survey. "Lithologic Logs Database. <<http://sddenr.net/lithdb/>>. Accessed Aug 29, 2012.
- Stephens, J.C. and C.M. Christensen. 1967. Geology and Water Resources of Clay County, South Dakota Part II. Bulletin 19. SD-DENR Geological Survey. Vermillion, South Dakota
- Water Rights. 1991-2011. "1990-2011 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 1998-2011. Non-irrigation Yearly Reports. SD DENR-Water Rights Program. Joe Foss Building, Pierre, SD.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
PMB 2020 - Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED 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 No. 7383-3 and 7384-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 28th DAY OF September 2012
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$32.79 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: 9/28/2012

FILED ON: 9/28/2012

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th DAY OF September 2012

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$30.47.

9+28

NOTICE OF APPLICATION
NOS. 7383-3 and 7384-3
to Appropriate Water

Notice is given that Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014 has filed the following applications for a water permit.

Application No. 7383-3 proposes to appropriate 0.56 cubic feet of water per second (cfs) from one well to be completed into the Lower Vermillion Missouri Aquifer (157 feet deep) located in NW 1/4 NE 1/4 Section 22 for irrigation of 25 acres located in the NW 1/4 NE 1/4 Section 22; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 7384-3 proposes to appropriate 1.67 cfs from one well to be completed into the Upper Vermillion Missouri Aquifer (166 feet deep) located in S 1/2 SW 1/4 Section 9 for irrigation of 80 acres located in the S 1/2 SW 1/4 Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7383-3 and 7384-3 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the

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WATER RIGHTS
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AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR

Division of Environmental Services

PMB 2020

Joe Foss Building, 523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, 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 NOS. 7383-3 AND 7384-3 TO APPROXPRIATE WATER

ROGER A HANSEN - dba HANSEN PROPERTIES

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 28 DAY OF SEPTEMBER 2012
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$34.16 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
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HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 9/28/12

FILED ON: 9/28/12

NOTICE OF APPLICATION

**NOS. 7383-3 and 7384-3 to
Appropriate Water**

Notice is given that Roger A
Hansen, dba Hansen Properties,
PO Box B, Centerville SD 57014
has filed the following applica-
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Application No. 7383-3 pro-

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of 1 cfs per 70 acres.

Application No. 7384-3 pro-
poses to appropriate 1.67 cfs from
one well to be completed into the
Upper Vermillion Missouri Aqi-
fer (166 feet deep) located in S
1/2 SW 1/4 Section 9 for irriga-
tion of 80 acres located in the S
1/2 SW 1/4 Section 9; all in
T95N-R52W. The applicant is re-
questing a diversion rate greater
than the statutory limit of 1 cfs per
70 acres.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application Nos.
7383-3 and 7384-3 because 1) un-
appropriated water is available, 2)
existing rights will not be unlaw-
fully 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 Engi-
neer will act on these applications,
as recommended, unless a petition
is filed opposing the applications
or the applicant files a petition
contesting the Chief Engineer's
recommendations. If a petition op-
posing the applications or contest-
ing the recommendations is filed,
then a hearing will be scheduled
and the Water Management Board
will consider these applications.
Notice of the hearing will be
given to the applicant and any
person filing a petition.

Tera A. Schmidt
SUBSCRIBED AND SWORN TO BEFORE ME THIS

28th DAY OF

October

[Signature]
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES

8/19/2015

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

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

Published once at the total approximate cost of \$34.16

Estimated publishing cost per published copy
\$.0183

Published: September 28, 2012



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 19, 2012

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7383-3 and 7384-3 to Appropriate Water. Please publish the notice once on September 28, 2012. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Roger A Hansen dba Hansen Properties, PO Box B, Centerville SD 57014 (Ph # 605-563-2212).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 19, 2012

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7383-3 and 7384-3 to Appropriate Water. Please publish the notice once on September 28, 2012. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Roger A Hansen dba Hansen Properties, PO Box B, Centerville SD 57014 (Ph # 605-563-2212).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



**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 DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

September 19, 2012

Roger A Hansen
dba Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Water Permit Application Nos. 7383-3 and 7384-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Plain Talk printed at Vermillion SD (Ph # 605-624-2695) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper(s) 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 applications.

Instruction to Newspaper - Publish the Notice on September 28, 2012. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NOS. 7383-3 and 7384-3 to Appropriate Water

Notice is given that Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014 has filed the following applications for a water permit.

Application No. 7383-3 proposes to appropriate 0.56 cubic feet of water per second (cfs) from one well to be completed into the Lower:Vermillion Missouri Aquifer (157 feet deep) located in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 for irrigation of 25 acres located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Application No. 7384-3 proposes to appropriate 1.67 cfs from one well to be completed into the Upper:Vermillion Missouri Aquifer (166 feet deep) located in S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9 for irrigation of 80 acres located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7383-3 and 7384-3 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications.

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

Published once 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

OCT 29 2012

Roger A Hansen
dba Hansen Properties
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed are Water Permit Nos. 7383-3 and 7384-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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

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

Sincerely,

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

enclosures



7383-3
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 15, 2016

NOTICE

TO: HANSEN PROPERTIES, ROGER A HANSEN, PO BOX B, CENTERVILLE, SD 57014
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 973-3, 974-3 & 1813-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 973-3, 974-3 & 1813-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. 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.



7383-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 25, 2016

Roger A Hansen
Hansen Properties
PO Box B
Centerville SD 57014

RE: Water Right or Permit Nos. 973-3, 974-3, 1813-3, 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6819-3, 6820A-3, 6821-3, 6822-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3 & 7995-3 for Hansen Properties and Water Permit Nos. 8070-3, 8071-3 & 8072-3 for Hanson Irrigated Farms LLC

Dear Mr. Hansen:

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

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

If you have any questions, please contact me.

Sincerely,

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

7383-3



121 E. 5th St. / P.O. Box 1307 / Storm Lake, IA 50588

Phone: 712.732.4117 / Fax: 712.749.7502

www.metabank.com

March 6, 2019

RECEIVED

Member FDIC

MAR 11 2019

WATER RIGHTS
PROGRAM

PAID

MAR 11 2019

Ck# 66142870

Ms. Genny McMath
DENR – Water Rights Program
Joe Foss Building
523 E Capital
Pierre, South Dakota 57501

Dear Ms. McMath,

Please find enclosed the signed transfer agreements of the water rights previously owned by Hansen Properties. Also, please find enclosed a check in the amount of \$1,750 for the fees for the transfers. Please contact me at 712-749-7545 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron W. Wilcke".

Ron W. Wilcke
Market President

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call 605-763-3332

PAID

MAR 11 2019

Ck# 6042870

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

MAR 11 2019

WATER RIGHTS
PROGRAMWater Right/Permit No. 7383-3Date: 2-21-19

I/We request that Water Right/Permit No. 7383-3 formerly owned by:
Hansen Properties be transferred to:

New Owner Name: MetaBankAddress: 5501 Broadband LaneCity, State, Zip Sioux Falls SD 57108 Telephone No. 605-361-4347

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

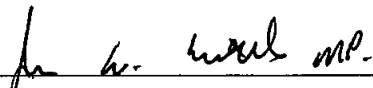
irrigate 25 acres located in the NW 1/4 NE 1/4 Section 22-T95N-R52W

☒ I understand that the validity of Water Right/Permit No. 7383-3 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, Jon W. Wilcke, Market President, MetaBank, 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 and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 11

, 20 19

MetaBank 5501 Broadband Lane Sioux Falls SD 57108

RECEIVED OF _____

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>7383-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **09090**

By

Jeane Goodman
Chief Engineer
Jm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 2019

Jon W Wilcke
MetaBank
PO Box 1307
Storm Lake IA 50588

RE: Ownership changes for Hansen Properties – MetaBank transfers

Dear Mr. Wilcke:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted by MetaBank for transferring water permits/rights from Hansen Properties to MetaBank. The ownership changes have been completed.

Water Permit/Right Nos. 973-3, 974-3, 1813-3, 6563-3, 6565-3, 6566-3, 6568-3, 6569-3, 6571-3, 6572-3, 6810-3, 6811A-3, 6812-3, 6813-3, 6815A-3, 6816-3, 6817-3, 6818-3, 6818-3 6819-3, 6820A-3, 6821-3, 7001-3, 7002-3, 7003-3, 7383-3, 7384-3, 7693-3, 7947-3, 7948-3, 7949-3, 7993-3, 7994-3, 7995-3, 8070-3, 8071-3, 8072-3 once held by Hansen Properties are now listed under “MetaBank” 5501 Broadband Lane, Sioux Falls SD 57108.

Please keep in mind the annual irrigation questionnaires will be mailed out in October, 2019 and any water use will need to be reported. If the bank has the land managed by someone, please let them know to keep track of water use during the irrigation season.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures: Receipts for the filing fees



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: HANSEN VENTURES LLC, MGR, ROGER A HANSEN, 700 BROADWAY, CENTERVILLE, SD 57014

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 974-3 & 1813-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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) 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 974-3 & 1813-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://denr.sd.gov/iq> using this password: XPXKQF**

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.

7383-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



DENR
SOUTH DAKOTA

March 4, 2021

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION AND/OR AMENDMENT OF
WATER RIGHTS AND WATER PERMITS

TO: Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Right or Permit Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 and Amendment of Water Right Nos. 974-3 & 1813-3

On March 3, 2021, the Water Management Board ordered:

Effective April 3, 2021, Water Right or Permit Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 be suspended for the 2021 irrigation season for failure to submit the 2020 irrigation questionnaires.

If the 2020 irrigation questionnaires are received prior to April 3, 2021, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2021 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2021 unless the 2020 irrigation questionnaires are submitted by April 3, 2021.

After April 3rd, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2020 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 5-6, 2021 in Pierre, SD. The letter should include your reasons for not completing the 2020 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The Water Management Board also amended Water Right Nos. 974-3 & 1813-3 to include the following qualification:

- "This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

March 4th
Roger Hansen
Hansen Ventures LLC
Page 2

The addition of this qualification to your water right means that failure to submit the required irrigation questionnaires in the future could result in suspension of the water rights with no use of water for up to one year for the first violation.

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.

7383-3

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
 No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
 Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
 No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
 No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
 No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
 No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
 No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
 Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
 No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
 Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
 Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
 No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
 No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
 No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

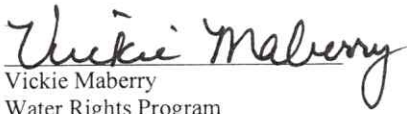
Suspend/Amend

Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:

- Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014

Nos. 4705-3, 7924-3, 3803-3 & 4448-3A

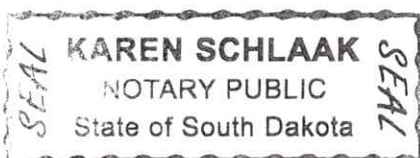
- Brandon Ritter, 30489 115th St, Mound City SD 57646
- Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646


 Vickie Maberry
 Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2025



7383-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 6, 2021

Roger Hansen
Hansen Ventures LLC
PO Box B
Centerville SD 57014

RE: Water Permit/Right Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 6822-3, 7003-3, 7383-3, 7693-3, 7994-3, 8070-3 and 8071-3

Dear Mr. Hansen:

On March 3, 2021, the Water Management Board ordered Water Permit/Right Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 6822-3, 7003-3, 7383-3, 7693-3, 7994-3, 8070-3 and 8071-3 suspended if the 2020 irrigation questionnaires were not received prior to April 3, 2021.

The questionnaire information for the above listed permits and rights was received on April 1st. Since the irrigation questionnaires are on file, no violations have occurred, and no suspensions will take place. You may irrigate during the 2021 irrigation season.

In the future, the Board may not grant the additional 30-day grace period after the hearing is held. I would caution you against waiting so long to get the forms in.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath'.

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



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

January 20, 2022

NOTICE

TO: HANSEN VENTURES LLC, MGR, ROGER A HANSEN, 700 BROADWAY,
CENTERVILLE, SD 57014

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 974-3, 1813-3, 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 974-3, 1813-3, 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 974-3, 1813-3, 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 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 2, 2022** 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: <https://danr.sd.gov/iq> using this password: QPLNHE**

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.

7383-3



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

February 16, 2022

Roger A Hansen
700 Broadway
Centerville SD 57014

RE: Water Right/Permit Nos. 974-3, 1813-3, 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 6822-3
7003-3, 7383-3, 7693-3, 7994-3, 8070-3 & 8071-3

Dear Mr. Hansen:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires. The forms were all submitted online by PBP Farms.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for the above listed water permits or water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Please do not forget to complete and return all the transfer forms sent to you. **The above are still listed under MetaBank, Hansen Irrigated Farms or Hansen Properties.** It is very important to keep ownership records up to date. If you have any questions, please contact me.

Sincerely,

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

7383-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate January 18, 2023RECEIVED OF Hansen Ventures LLC 700 Broadway Centerville SD 57014

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
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>7383-3</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 Grondlund
Chief Engineer
zm

PAID

JAN 18 2023

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 1112

Rec't# _____

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

No. 7383-3

Date: 12/15/22

I/We request that Water Permit No. 7383-3

formerly owned by: MetaBank

be transferred to: (name & address) Hansen Ventures LLC, 700 Broadway, Centerville SD 57014

Telephone No. (605) 760-5690

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

25 acres - NW ¼ NE ¼ Section 22, T95N, R52W

I/We understand that the validity of Water Permit No. 7383-3 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 Hansen Ventures, the new owner, certify that the above information is true and correct.

Roger Hansen mgr.
(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.

RECEIVED

JAN 18 2023

OFFICE OF
WATER



7383-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 19, 2023

Roger A Hansen
Hansen Ventures LLC
700 Broadway
Centerville SD 57014

RE: Water Right or Permit Nos. 974-3, 1813-3, 6565-3, 6566-3, 6817-3, 6818-3, 6819-3,
7003-3, 7383-3, 7693-3 and 7994-3

Dear Mr. Hansen:

Thank you for sending in the transfer forms and filing fees for the above listed water permits and water rights. The ownership changes have been completed. Nos. 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3 and 7994-3 formerly held by MetaBank are now listed under Hansen Ventures LLC.

In follow-up to our phone conversation, the land covered under Water Right No. 6565-3 in the NW ¼ Section 21, T95N, R52W was recently transferred to Rus Farms Real Estate. The transfer form sent to you for this water right was unnecessary. The \$50.00 filing fee will be refunded to you within a couple weeks.

The receipts for the other transfers are included with this letter. Thank you and if you have any questions, please let me know.

Sincerely,

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

enclosures



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

January 14, 2025

NOTICE

TO: HANSEN VENTURES LLC, ROGER A HANSEN, 700 BROADWAY ST, CENTERVILLE, SD 57014

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3 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 5, 2025**, 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: KHRAIF**

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.

Water Rights Program File Documentation

Permit/Right No. and Owner:

Permit No.	Owner	Status	Uses
973-3	Nicholas & Courtney Blake	License	Irrigation
974-3	Hansen Ventures LLC	License	Irrigation
1813-3	Hansen Ventures LLC	License	Irrigation
1916-3	Troy & Sheila Gust	License	Irrigation
3905-3	Clay Rural Water System Inc	License	Rural Water System
4731-3	Richard & Gayle Johnson	License	Irrigation
5979-3	Clay Rural Water System Inc	License	Rural Water System
6563-3	Rus Farms Real Estate LLC	License	Irrigation
6565-3	Rus Farms Real Estate LLC	License	Irrigation
6566-3	Hansen Ventures LLC	License	Irrigation
6569-3	Smit Family Trust	Permit	Irrigation
6571-3	Rus Farms Real Estate LLC	License	Irrigation
6572-3	Brad & Linda Trudeau Living Trust	License	Irrigation
6808-3	Lovejoy Family Trust	License	Irrigation
6813-3	Rus Farms Real Estate LLC	License	Irrigation
6815A-3	Rus Farms Real Estate LLC	License	Irrigation
6817-3	Hansen Ventures LLC	Permit	Irrigation
6818-3	Hansen Ventures LLC	Permit	Irrigation
6819-3	Hansen Ventures LLC	License	Irrigation
6821-3	Tim Gregoire	License	Irrigation
6822-3	Hansen Properties	Permit	Irrigation
7001-3	Rus Farms Real Estate LLC	License	Irrigation
7003-3	Hansen Ventures LLC	License	Irrigation
7383-3	Hansen Ventures LLC	Permit	Irrigation
7693-3	Hansen Ventures LLC	Permit	Irrigation

Date: January 14, 2025

County: Clay

RE: aquifer designation

COMMENTS:

Jensen (2025) as part of a review of the Lower Vermillion Missouri aquifer (LVM) determined that Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, should have the aquifer reassigned. In reviewing the best information currently available for aquifer and management unit naming

conventions, the best aquifer designation for Water Rights previously listed is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) shown in Figure 1.

This change of aquifer designation, to the Southern management unit of the Upper Vermillion Missouri aquifer, does not represent a physical change in the water source. It is an update to the name of the aquifer materials to reflect the currently best available information for aquifer extents. This update to the aquifer name does not authorize any increase in the amount of water appropriated by Water Right Nos. 973-3, 974-3, 1813-3, 1916-3, 3905-3, 4731-3, 5979-3, 6563-3, 6565-3, 6566-3, 6569-3, 6571-3, 6572-3, 6808-3, 6813-3, 6815A-3, 6817-3, 6818-3, 6819-3, 6821-3, 6822-3, 7001-3, 7003-3, 7383-3, & 7693-3, relocation of existing wells, or completion of additional wells into the aquifer. Going forward, issuance of any pertinent documents will reflect the updated aquifer designation.

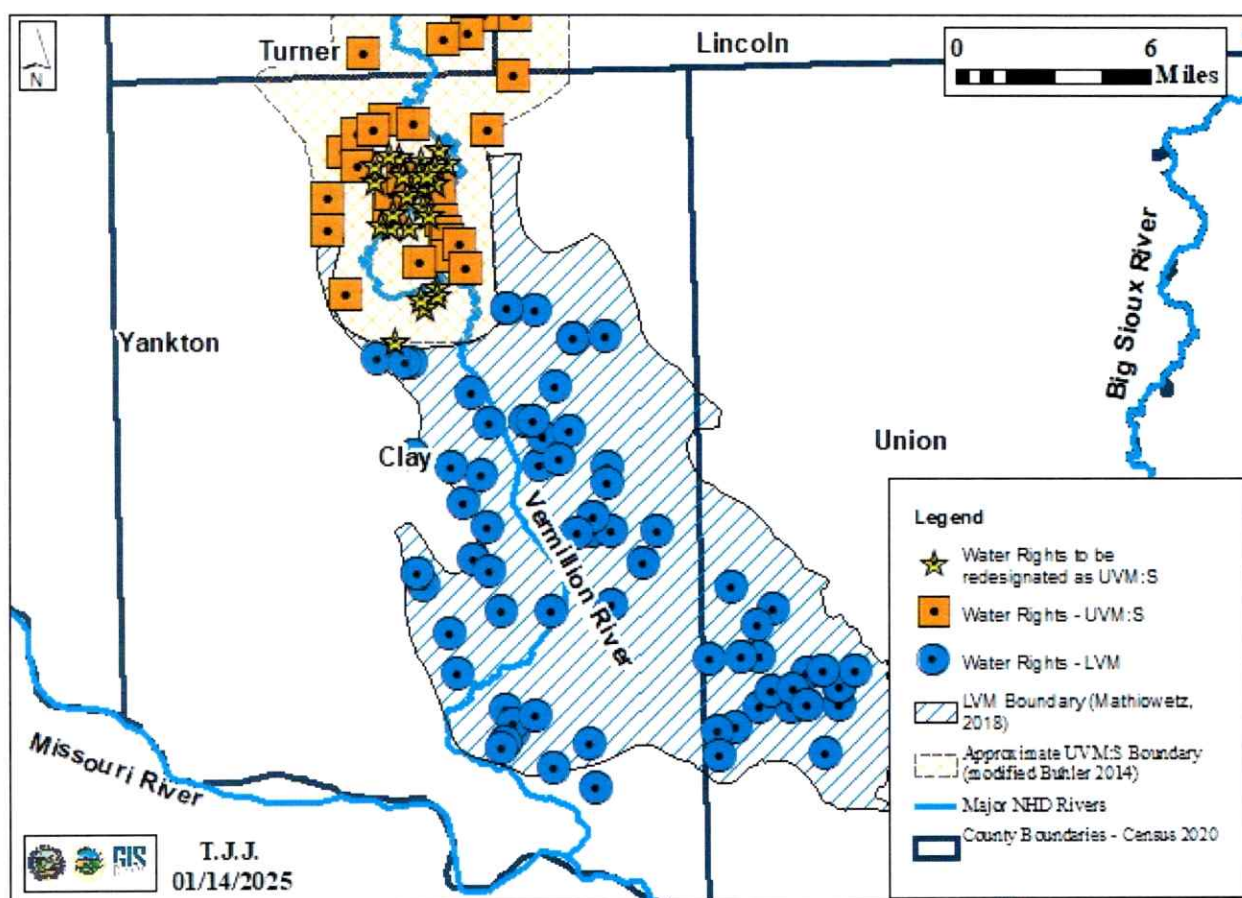


Figure 1. Map of the approximate Upper Vermillion Missouri: South aquifer boundary (Buhler, 2014), map of the approximate Lower Vermillion Missouri aquifer boundary (Mathiowetz, 2018), Water Rights/Permits for Upper Vermillion Missouri: South aquifer, Water Rights/Permits for Lower Vermillion Missouri aquifer, and Water Rights/Permits for Upper Vermillion Missouri: South aquifer previously assigned Lower Vermillion Missouri aquifer.



Tyler Jensen
Natural Resources Engineer I



Eric Gronlund
Chief Engineer

References

Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.

Jensen, T. 2025. Report to the Chief Engineer on Water Permit Application No. 8910-3. SD DANR-Water Rights Program. Joe Foss Building, Pierre, South Dakota.

Mathiowetz, A. 2018. Report to the Chief Engineer on Water Permit Application 8335-3. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 28, 2025

974-3, 1813-3, 6566-3, 6817-3
6818-3, 6819-3, 6822-3, 7003-3
7383-3, 7693-3, 7994-3, 8070-3 & 8071-3

Roger Hansen
700 Broadway St
Centerville SD 57014

Dear Mr. Hansen:

I am writing to acknowledge the receipt of one of your 2024 irrigation questionnaires, submitted by John Landeen.

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 8070-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

Reporting requirements have however not been met for Permit Nos. 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 6822-3, 7003-3, 7383-3, 7693-3, 7994-3 & 8071-3, which are still scheduled to be reviewed by the Board.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
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

February 4, 2025

974-3, 1813-3, 6566-3
6817-3, 6818-3, 6819-3
6822-3, 7003-3, 7383-3
7693-3, 7994-3, 8071-3

PBP Farms
c/o Brett Petersen
45656 US HWY 18
Hurley SD 57036

Dear Mr. Petersen:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 974-3, 1813-3, 6566-3, 6817-3, 6818-3, 6819-3, 6822-3, 7003-3, 7383-3, 7693-3, 7994-3 & 8071-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: ROGER HANSEN, 700 BROADWAY ST, CENTERVILLE SD 57014

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7383-3**

I have this day, December 3, 2024, made a thorough examination of the water use systems owned by Hansen Ventures LLC, 700 Broadway, Centerville, SD 57014, holder of Permit No. 7383-3, bearing the priority date of July 20, 2012. This permit authorizes the diversion of 0.56 cu. ft. per second of the waters of groundwater (Lower: Vermillion Missouri Aquifer) authorizing the irrigation of 25 acres located in Clay County.

Inspection contacts: Roger Hansen and Brett Peterson

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Hammond-Wetmore Drilling
- 2) No. of Wells: 1
- 3) Depth(s): 157 feet
- 4) Well log is available: No, notes only.

Casing:

- 1) Diameter: 8 inches
- 2) Length: 97 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 8 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 42 feet (from permit supplemental information)

Pump:

- 1) Make: Grundfos
- 2) Model: 300S150-4
- 3) Capacity: 250 gpm

Motor:

- 1) Make: Franklin
- 2) Model No.: Unknown
- 3) Horsepower rating: 15 hp

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

- 1) Type: PVC Size: 6 inches Length: 560 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 482 feet
- 3) Number of towers: 4
- 4) End gun: Yes Range: 67 feet
- 5) Capacity: 250 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 200 feet south and 2,870 feet west of the northeast corner of Section 22-T95N-R52W (Latitude 43.03944, Longitude -96.97414- NE1/4 of the NW1/4).
 2) The works are capable of diverting and conveying to the places of use 0.56 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: All in

Section 22-T95N-R52W

NE1/4NW1/4 6 acres

NW1/4NE1/4 17 acres

comprising a total of 23 acres of land and the license should be issued for 0.56 cfs.

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

F. Comments or other permit(s) associated with the project: Water Permit No. 7383-3 and Water Permit No. 7693-3 both irrigate some of the same land. I included the overlap area in the acreage for Water Permit No. 7383-3 since it is the older permit. The pump and motor information was obtained from Heine Electric and Irrigation, Inc. They were also able to find the field notes from the well drilling, but not a well completion log.

Keith DeJong

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

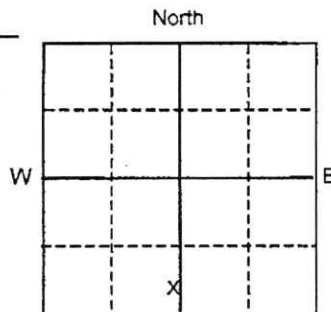
Date report completed: December 10, 2024

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE ¼ NE ¼ Sec 22 Twp 95N Rg 52WCounty CLAY

Please mark well location with an "X"



Well Completion Date

January 26, 2013

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,500.0 ft. from SEPTIC TANK (Identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING:
DIRECT ROTARY.

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>80.0</u> FT	<u>22.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>BENTONITE</u>	<u>17</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>40.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
TREMIE METHOD

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 40.0 Feet
Material PVCSlot Size .060 Set From 80.0 Feet to 120.0 Feet

Other Information

WAS A PACKER OR SEAL USED? ☒ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH TABLETS☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: ROGER HANSEN

Business Name:

Address: PO BOX BCity, State, Zip: CENTERVILLE SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	7
SILT, TAN (LOESS)	7	14
SAND	14	27
DIME SIZE GRAVEL	27	37
PEBBLY GRAVEL, SANDY	37	55
GRAVEL, W/ SOME GREEN SAND	55	114
SAND	114	140

STATIC WATER LEVEL 27.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed☐ Other

Pumping Level Below Land Surface

37.0 Ft. After 1.0 Hrs. pumped 350.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 27 2014

WATER RIGHTS PROGRAM

This well was drilled under license # 666 and this report is true and accurate.Drilling firm: HAMMOND-WETMORE DRILLING, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 1/23/14

Rye House 2011-Geological

0-2 Gravelly Tapsa

2-11 Gravel

11-20 Till, B-Bla

20-28 Gravel

28-68 Till, Gray

Several gravel lenses

68-182 Gravel, Coarse,

20' g .060

bottom 40' g .080

TD = 157'

Hammond-Wetmore Drilling

27 North Yale Street

Vermillion, SD 57069

605-624-6745

Richard Hammond, Geologist

Invoice

Roger Hansen

PO Box B

Centerville, SD

Well (8"@ binsite)

	Item
157	Drilling 15" hole, @ \$65.50 ea. Complete with 8" casing, scre gravel pack and annular seal Casing-97' of Sch 40 PVC BE Screen- 60' Sch 40 PVC BE, .060 slot
1	set pump assy
1	15 HP Franklin stainless submersible motor, 3ph, 460v
1	Grundfos 300s150-4 stainless steel pumpend
60'	Drop pipe, shuralign 4", #8-4 pump wire
1	Jline discharge head, 4" x 26", NPTx4"Ansi flange 2 hours of airlift development, (1 compressor) @ \$160/hr

Licensing of Acreage Outside of Permitted Area

NAME: Hansen Ventures LLC

ADDRESS: 700 Broadway St, Centerville, SD 57014

DATE: April 23, 2025 COUNTY: Clay

AUTHORITY

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

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 23 acres as compared to 25 acres authorized by the permit.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The permit holder relocated 6 acres into the NE ¼ NW ¼, Section 22, immediately adjacent to permitted acres in the NW ¼ NE ¼ Section 22; all in T95N-R52W

- **Owned by Same Property Owner**

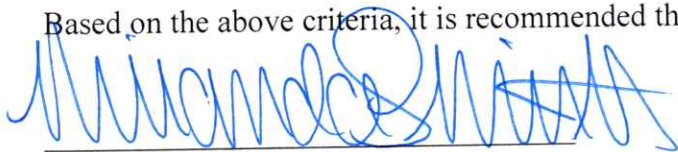
All the property involved is listed under Hansen Ventures LLC, according to the Clay County Regrid.

- **Developed Prior to Expiration of Construction Period**

The construction completion date was to be completed by October 9, 2021. According to annual irrigation questionnaire submissions, irrigation began in 2013.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 6 acre area be included in the water license.



Miranda Smith, Program Assistant
Water Rights Program

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

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



Mark Mayer, PE
Director of Office of Water

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Hansen Ventures LLCCOUNTY: ClayADDRESS: 700 Broadway St, Centerville, SD 57014DATE: April 23, 2025**GENERAL DESCRIPTION OF AUTHORIZED PROJECT:**

Water Permit No. 7383-3 authorizes diversion of 0.56 cfs from groundwater, one well (Upper Vermillion Missouri South Aquifer) located in NW ¼ NE ¼ Section 22, T95N, R52W for irrigation of 25 acres. Permit No. 7383-3 authorizes a total annual diversion up to 2 ac-ft of water, per irrigated acre.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed, or additional diversion points may be added, provided the following conditions are met and the potential for interference with other existing diversions is not increased:

Developed water source same as permitted source and no additional water appropriated.

The well authorized under Permit No. 7383-3 was completed into the Upper Vermillion Missouri South Aquifer, in the NE ¼ NW ¼ Section 22, T95N, R52W. The developed rate of diversion was 0.56 cfs, which is equal to the originally permitted amount.

If irrigation, no new land is irrigated.

Water Permit No. 7383-3 irrigates 23 acres in NE ¼ NW ¼ and NW ¼ NE ¼ Section 22, T95N, R52W, no unauthorized acres were developed.

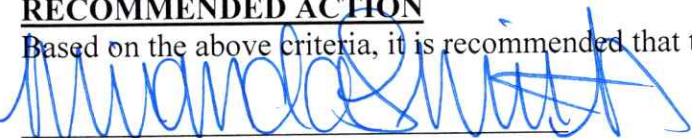
Review of Existing Diversions

There are 12 other existing water permits/rights within a 2 mile radius of where the diversion point was developed, also authorizing diversion from the Upper Vermillion Missouri Aquifer. The nearest permit authorized for diversion from the UVM is approximately 0.34 miles southwest of the well in question (6569-3, held by Smit Family Trust). The next nearest permit/right would be 7693-3, held by Hansen Ventures LLC, located approximately 0.42 miles southeast. It was determined in the review of 7963-3 that there was reasonable probability any interference due to pumping from the original well would not adversely or unlawfully impair existing rights. The same would be expected for the well constructed in the new location for 7383-3.

The closest domestic well (completed into the UVM) is approximately 1.69 miles to the southeast, located in the SE ¼ Section 28, T95N, R52W, on property owned by Trudeau Brad & Linda Living Trust, according to Regrid. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change in diversion point location be approved.


Miranda Smith, Program Assistant
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.


Mark Mayer, PE
Director of Office of Water



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

MAY 02 2025

Hansen Ventures LLC
c/o Roger Hansen
700 Broadway St
Centerville, SD 57014

No. 7383-3

Dear Mr. Hansen:

Enclosed is Water License No. 7383-3. 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,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

Note: While the original permit was issued for appropriations from the Lower Vermillion Missouri Aquifer, the aquifer designation has been changed to the Upper Vermillion Missouri South Aquifer, based on the best information available. Redesignation of the appropriated aquifer does not represent a physical change in water source.

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7383-3**

(1) Roger A Hansen, dba Hansen Properties, made Application No. 7383-3, July 20, 2012, for a water permit to divert 0.56 cubic feet of water per second from groundwater, one well (Upper Vermillion Missouri South Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7383-3, with a priority date of July 20, 2012, was approved October 9, 2012, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 9, 2017, and for the application to beneficial use of water on or before October 9, 2021.

Ownership of Permit No. 7383-3 was transferred to Hansen Ventures LLC, 700 Broadway St, Centerville, SD 57014 on January 18, 2023

An investigation conducted for licensing purposes found the diversion point and acreage developed for irrigation under Water Permit No. 7383-3 were not in the locations authorized by the permit. Pursuant to SDCL 46-5-13.1 and 46-5-30.5, the Chief Engineer makes a finding that existing water rights will not be impaired and the overall project, as developed, is consistent with the original application.

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

- 200 feet S and 2,870 feet W of the NE corner of Section 22, T95N, R52W (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 43.03944 and Longitude -96.97414)

(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: April 1 – August 31.

(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 22, T95N, R52W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 6 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 acres
Total – 23 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Hansen Ventures LLC, the holder and/or owner of Water Right No. 7383-3 is issued a license to appropriate water, the right to use 2 cubic feet of water per second from groundwater, one well (Upper Vermillion Missouri South Aquifer), with a priority date of July 20, 2012, 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. 7383-3 and subject to the following qualifications:

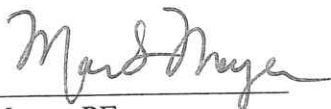
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells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

continued

2. The well authorized by Permit No. 7383-3 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. *(The well was drilled in 2013 by Hammond-Wetmore Drilling LLC. A copy of the well completion report is on file with the Water Rights Program.)*

3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

4. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 7383-3 authorizes a maximum diversion rate of 0.56 cfs for the irrigation of 25 acres with an annual volume not to exceed 2 acre-feet of water per acre per year. *(The number of acres authorized for irrigation under Water Right 7383-3 was reduced to 23, based on the system as constructed.)*



Mark Mayer, PE
Director of Office of Water



date

