

WATER PERMIT NO. 7384-3

Name of Applicant: Roger A Hansen bda Hansen Properties

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

Amount of Water Claimed: 1.67 cfs Total Acres: 80 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 4 miles south of Centerville

PRIORITY Date Received: 7-20-2012 Application/License Fee: \$ 950

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

Remarks:

Diversion Point: S ½ Sw ¼ Sec 9-T95N-R52W

Land to be Irrigated: S ½ SW ¼ Sec 9-T95N-R52W

Depth of Well: 166 feet deep

Well Driller:

Remarks:

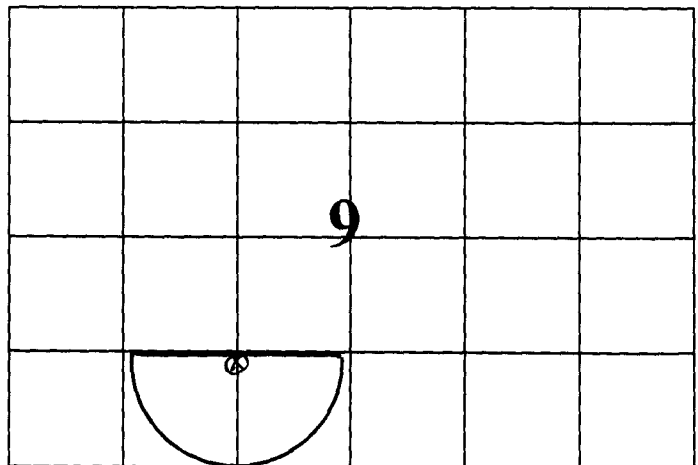
Type of Map: aerial

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	No. <u>7384-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Plain Talk - Vermillion</u>	
	<u>Press & Dakotan, 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 1.67*CFS or 750 **GPM ***AF Total Acreage 80
(*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
S 1/2 OF SW 1/4, SEC 9, 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
SW 1/4 OF SW1/4, SEC 9,	40	SE 1/4 OF SW1/4, SEC 9,	40
TOWNSHIP 95 NORTH, RANGE 52 WEST		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

PIVOT #2 - 7 SPANS, 1303', END GUN 150'

applicant is requesting greater diversion Rate than statutory limit

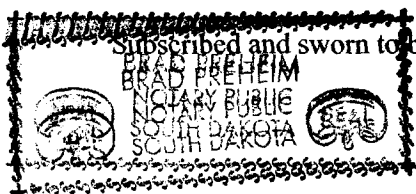
STATE OF SOUTH DAKOTA)

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 A. Hansen



Subscribed and sworn to before me this 15 day of July 2012

Brad Preheim
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7384-3**

Date of first receipt of application July 20, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7384-3 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. 7384-3 appropriates 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.
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. 7384-3 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. 7384-3 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. 7384-3 authorizes a maximum diversion rate of 1.67 cfs for the irrigation of 80 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, 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 22" Depth 166'
- b) Casing Type PVC Diameter 16" Thickness SCH 40
- c) Screen Type PVC Diameter 16" Thickness SCH 40
- d) Gravel Pack 1/8"-3/8"pearock Length of Gravel Pack 65'
- e) Depth to Top of Water Bearing Material 75'
- f) Depth to Water (ground surface to water level) 55'
- g) Distance to nearest existing domestic well:

On applicant's property N/AOn property owned by others GREATER THAN 3000'**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

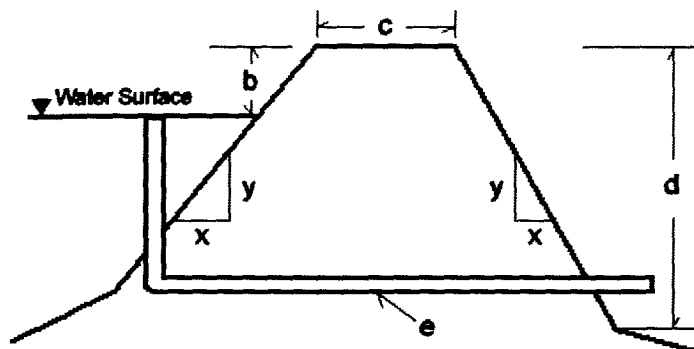
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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: 9_95_52
Farm: 4691

Clay County, SD
1:8,415

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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 57014

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

Fee for Application for Permit No. <u>7384-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7384-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law) TOTAL	950	00

No. **05495**

By *Salal Erule*
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. 7384-3, 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. 7384-3, Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7384-3 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. 7384-3 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. 7384-3 authorizes a maximum diversion rate of 1.67 cfs for the irrigation of 80 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.7384-3
ROGER A. HANSEN,
dba HANSEN PROPERTIES
September 18, 2012

Water Permit Application No. 7384-3 proposes to appropriate up to 160 acre-feet annually at a maximum diversion rate of 1.67 cubic feet of water per second (cfs) from one well to be completed in to the Upper Vermillion Missouri aquifer. The well is expected to be approximately 166 feet deep and is to be located in the S ½ SW ¼ of Section 9, T95N-R52W. This permit application proposes to irrigate 80 acres located in the S ½ SW ¼ of Section 9, T95N-R52W in Clay County.

AQUIFER: Upper Vermillion Missouri (UVM)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Upper Vermillion Missouri aquifer is a buried outwash (sand and gravel) aquifer that is predominantly under confined conditions, but is under water table conditions in the area of this application (Lindgren and Hansen, 1990). The aquifer underlies approximately 11,200 acres and contains an estimated 168,000 acre-feet of recoverable water in storage in Clay County (Hedges et.al, 1982). The Upper Vermillion Missouri aquifer extends north and east into Turner and Lincoln Counties. The aquifer blends into the Lower Vermillion Missouri aquifer a few miles to the south of this proposed well location. This aquifer is also hydraulically connected to the Parker-Centerville and the Niobrara aquifers. The proposed well site is in the area where the Parker-Centerville and Upper Vermillion Missouri aquifers blend into the Lower Vermillion Missouri 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 160 acre-feet annually from the Upper Vermillion Missouri aquifer. Although the actual water use if this application is approved will most likely be less than 160 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.

Recharge versus Withdrawals:**Recharge:**

Recharge to the Upper Vermillion Missouri "is from the Niobrara aquifer in Turner County, by direct infiltration of precipitation where the aquifer is at or near land surface, and from fractures in the Sioux Quartzite in the northern part of the aquifer" (Lindgren and Hansen, 1990). Hedges and others (1985) estimated recharge rate to the Upper Vermillion Missouri aquifer to be 0.25 in/yr (233.33 ac-ft/yr), calculated from regional flow-net analysis. There is no separation in some areas between the Niobrara and the Upper Vermillion Aquifers (Lithologic Logs Database, 2012), and the hydraulic gradient suggests that there is a potential for leakage from the Niobrara to the Upper Vermillion Missouri (Lindgren and Hansen, 1990).

Withdrawals:

There are 17 water rights/permits appropriating water from the Upper Vermillion Missouri aquifer in Clay County on record with the SD-DENR Water Rights Program. All of the appropriations are for irrigation. Water withdrawal from the Upper 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)
1979	7	3126	263
1980	6	3126	710
1981	6	3126	133
1982	6	3126	253.3
1983	6	3126	95.85
1984	6	3126	128
1985	6	3126	155
1986	6	3126	108
1987	6	3126	281
1988	6	3111	518.3
1989	7	346	3375
1990	6	3015	355.4
1991	6	3015	499
1992	6	3015	49
1993	6	3015	0
1994	6	3015	132.83
1995	6	3015	271.41
1996	8	3655	278.81
1997	9	3975	413
1998	9	3975	215.7
1999	10	4195	367.38
2000	10	4195	412.79
2001	10	4195	410.2
2002	10	4195	470.6
2003	10	4195	408.08
2004	9	3781	592.1
2005	9	3781	680.15
2006	10	3891	702.07
2007	13	4717	1067.49
2008	16	5679.6	980.38
2009	16	5679	140.36
2010	17	5839	0
2011	17	5839	594.51
Min	6	346	0
Max	17	5839	3375
Avg.	8.7	3680.8	456.4

Table 1- Irrigation water use from the Upper Vermillion Missouri aquifer in Clay County (Water Rights 1990-2011).

Total average annual withdrawal is 456.4 acre-feet per year from the Upper Vermillion Missouri aquifer in Clay County.

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 29 observation wells located into the Upper Vermillion Missouri aquifer with only one, CL-80K, being in Clay County (Water Rights, 2012a). The nearest well, CL-80K, is 3.57 miles east-northeast 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-80K does show some pumping effects, but it does not appear to be adverse over the period of record. The water levels in the observation wells have held constant or increased across the period of record. The climatic effects on the water levels greatly mask the temporal impacts of well withdrawal. Therefore, recharge to and natural discharge from the Upper Vermillion Missouri aquifer significantly exceeds pumping. There is a reasonable probability that there is unappropriated water available from the Upper Vermillion Missouri aquifer. Figure 1 is the hydrograph for the observation well, CL-80K, closest to the proposed well location. Figures 2, 3, 4, and 5 show the water levels with a trendline of other observation wells completed into the Upper Vermillion Missouri aquifer.

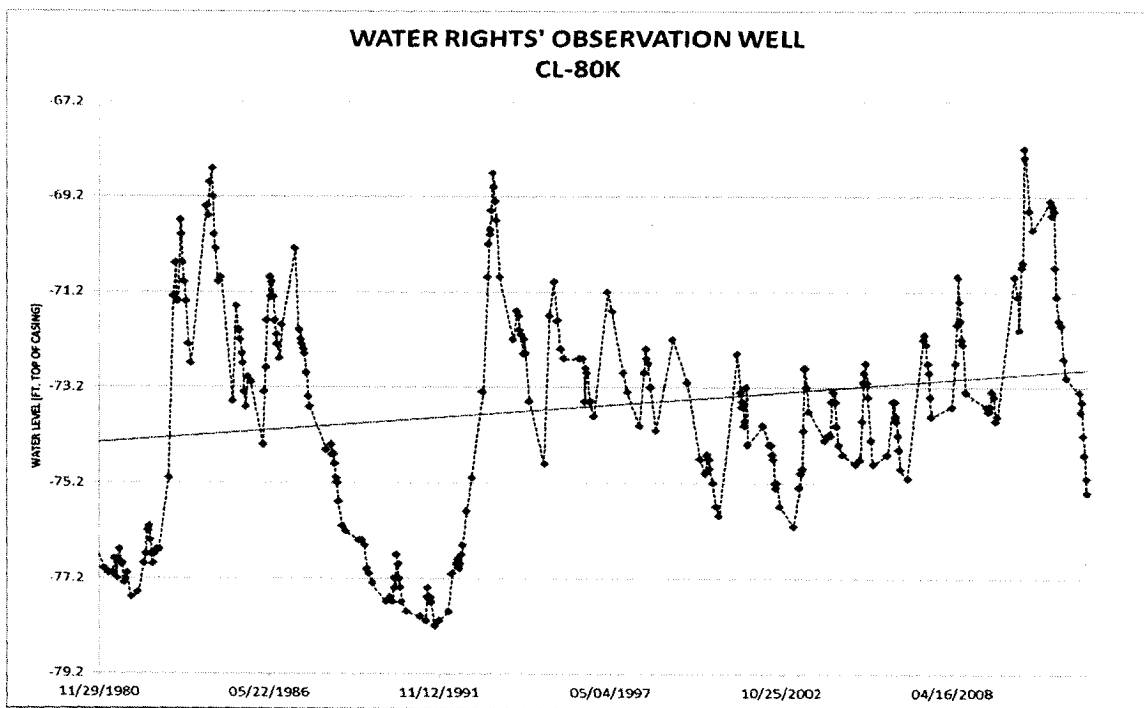


Figure 1- Hydrograph of DENR-Water Rights' observation well CL-80K, located approximately 3.57 miles east-northeast of the proposed well location (Water Rights, 2012a)

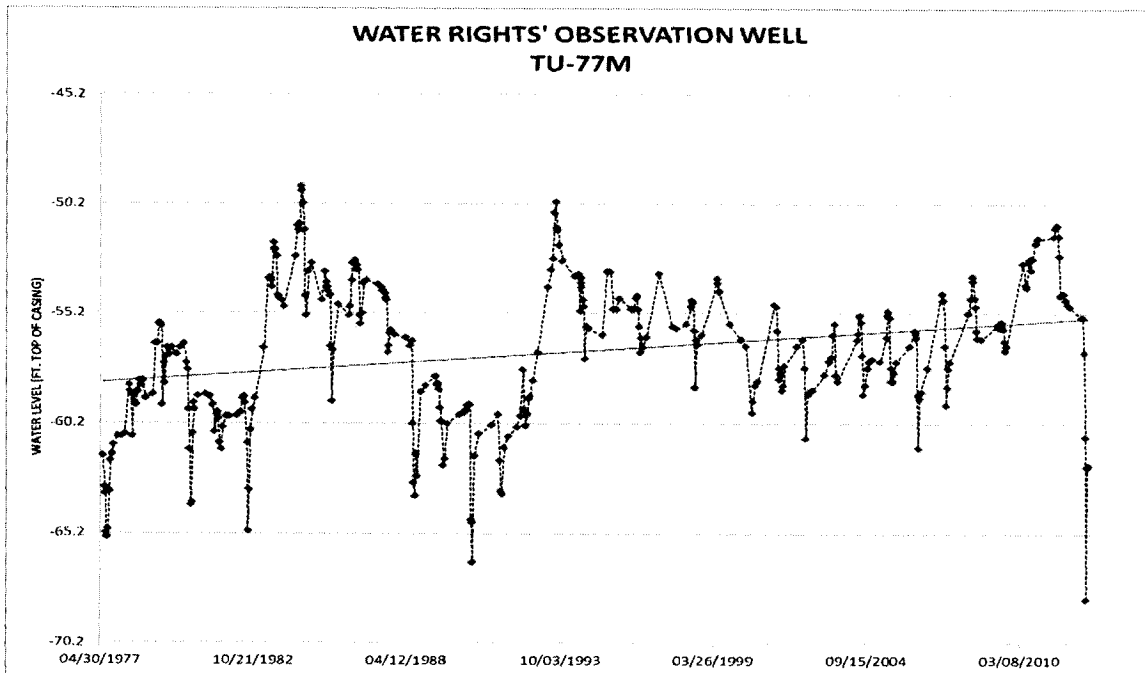


Figure 2- Observation well TU-77M with trendline (Water Rights, 2012a)

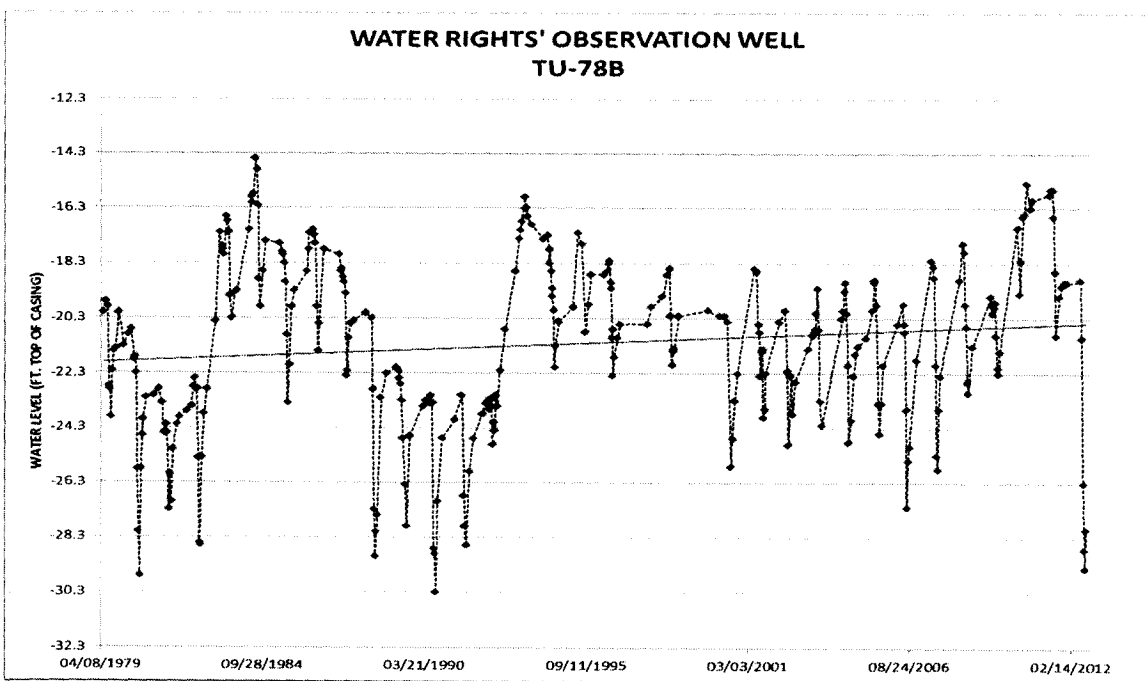


Figure 3- Observation well TU-78B with trendline (Water Rights, 2012a)

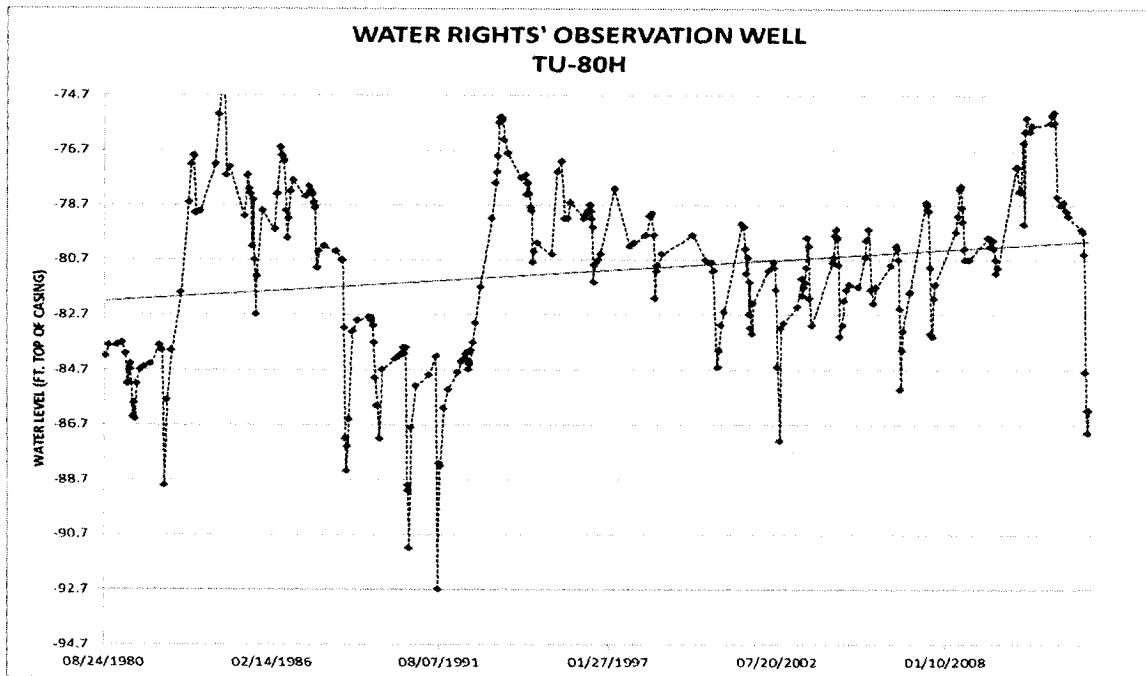


Figure 4- Observation well TU-80H with trendline (Water Rights, 2012a)

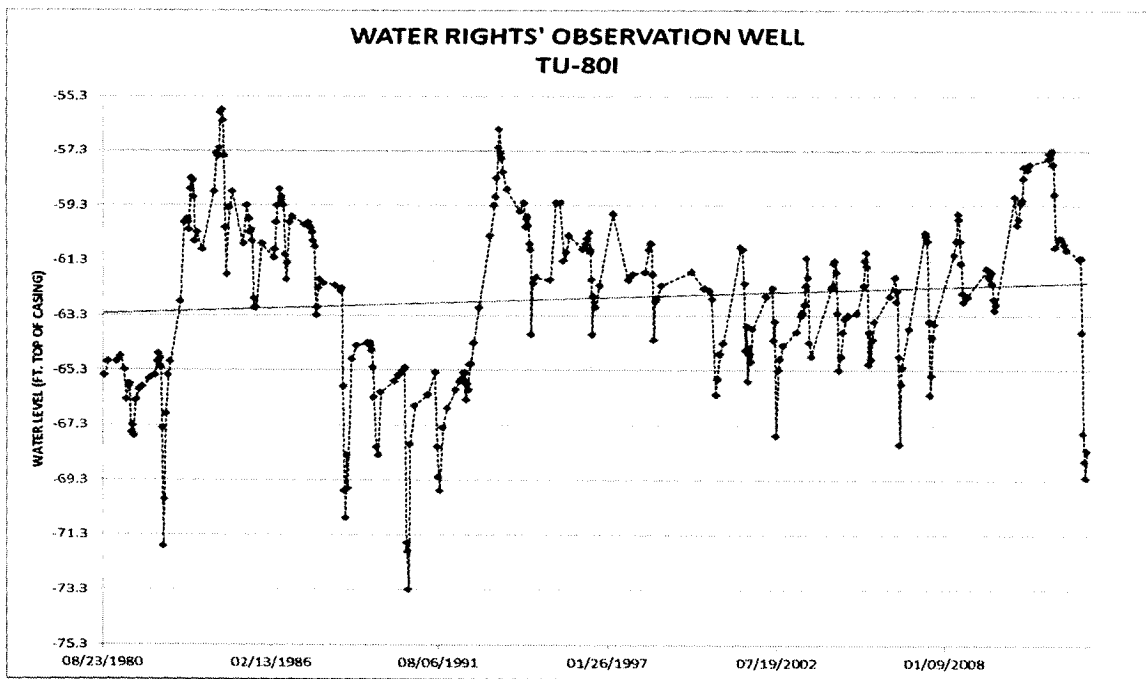


Figure 5- Observation well TU-80I with trendline (Water Rights, 2012a)

The lithologic logs available for Turner County show in many places that the Upper Vermillion Missouri aquifer is in direct contact with the Niobrara aquifer. According to Lindgren and Hansen (1990) the potentiometric surface of the Niobrara aquifer is greater than the potentiometric surface for the Upper Vermillion Missouri aquifer. This indicates the potential for leakage from the Niobrara to the Upper Vermillion Missouri. Leakage from the Niobrara is head dependent and Hedges' estimate, even if his transmissivity value was correct, was under

pre-1985 conditions. The observation well data demonstrated that additional withdrawals from the Upper Vermillion Missouri aquifer induce additional recharge from the Niobrara aquifer. Although not quantified it is apparent from the observation well data that recharge exceeds withdrawals and exceeds the 0.25 in/yr estimated by Hedges and others (1985). Therefore, there is a reasonable probability that there is unappropriated water available from the Upper Vermillion Missouri aquifer.

EXISTING WATER RIGHTS:

There are six wells authorized by water rights/permit appropriating water within one mile of the proposed well location, three from the Upper Vermillion Missouri aquifer and three from the Lower Vermillion Missouri aquifer (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. Table 2 shows the water rights/permits within one mile of the proposed well location. Historically, well interference has not been a problem in the Upper Vermillion Missouri. The distance between wells is sufficient so there should not be interference issues if this application is approved.

Permit No.	Name	Status	Type	CFS	Acres
2372-3	Larry Erickson	LC	IRR	1.76	123
5319-3	Larry Erickson	LC	IRR	1.89	132
6563-3	Hansen Properties	PE	IRR	3.34	380
6812-3	Hansen Properties	PE	IRR	1.78	117
6813-3	Hansen Properties	PE	IRR	2.83	274
7001-3	Hansen Properties	PE	IRR	1.78	180
LC= Water Right, PE= Water Permit, IRR= Irrigation					

Table 2- Water Rights/Permits within one mile of the proposed well location (Water Rights, 2012b)

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. 7384-3 proposes to divert at a rate of 1.67 cfs to irrigate 75 acres, or the equivalent to 1.46 cfs per 70 acres. The applicant proposes to drill a new well that will be pumped at 750 gallons per minute to a center pivot system that does not make a full rotation. 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 160 acre-feet annually for the irrigation of 80 acres, but the amount of water that actually will be used is expected to be less than 160 acre-feet annually.
2. There is a reasonable probability that unappropriated water is available from the Upper Vermillion Missouri aquifer to supply this proposed diversion based on the observation well water levels.
3. The observation well data does not support the recharge estimate from Hedges (1985).
4. There is a reasonable probability that the diversion rate requested by this application can be made without adversely affecting existing water rights.
5. 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.
- Lindgren, R.J. and D.S. Hansen. 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. Water-Resources Investigations Report 90-4093. U.S. Geological Survey. Huron, South Dakota.
- SD-DENR Geologic Survey. "Lithologic Logs Database. <<http://sddenr.net/lithdb/>>. Accessed Aug 31, 2012.
- Water Rights. 1991-2011. "1990-2011 Irrigation Summaries by Aquifer": 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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OCT - 4 2012

WATER RIGHTS
PROGRAM

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
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 9/28/12

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-
tions for a water permit

Application No. 7383-3 pro-
poses to appropriate 0.56 cubic
feet of water per second (cfs)
from one well to be completed
into the Lower Vermillion Mis-
souri Aquifer (157 feet deep) lo-
cated in NW 1/4 NE 1/4 Section
22 for irrigation of 25 acres lo-
cated in the NW 1/4 NE 1/4 Sec-
tion 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 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

2nd

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

RECEIVED

OCT - 1 2012

WATER RIGHTS
PROGRAM

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.

7+20
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



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

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).

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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,

A handwritten signature in black ink that reads "Eric Gronlund".

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 ¼ NE ¼ Section 22 for irrigation of 25 acres located in the NW ¼ NE ¼ 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 ½ SW ¼ Section 9 for irrigation of 80 acres located in the S ½ SW ¼ 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 _____.



OCT 29 2012

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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



7384-3
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.



7384-3
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

7384-3



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 605-773-3352

PAID

MAR 11 2019

Ck# 606142870

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

MAR 11 2019

WATER RIGHTS
PROGRAM

Water Right/Permit No. 7384-3

Date: 2-21-19

I/We request that Water Right/Permit No. 7384-3 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:

80 acres located in the S-1/2 SW 1/4 section 9-T95N-R52W

☒ I understand that the validity of Water Right/Permit No. 7384-3 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.

Jon W. Wilcke, Market President, MetaBank
(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

RECEIVED OF MetaBank 5501 Broadband Lane Sioux Falls SD 57108

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>7384-3</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. **09064**

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,

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

enclosures: Receipts for the filing fees

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

JAN - 2 2020

Ck# 9591

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

RECEIVED

JAN 02 2020

WATER RIGHTS
PROGRAMWater Right/Permit No. 7384-3Date: December 20, 2019

I/We request that Water Right/Permit No. 7384-3 formerly owned by:
MetaBank be transferred to:

New Owner Name: Nicholas Blake & Courtney BlakeAddress: 29468 466th AvenueCity, State, Zip Centerville SD 57014 Telephone No. 605-957-5684

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

80 acres located in the S 1/2 SW 1/4 section 9-T95N-R52W

- ☒ I understand that the validity of Water Right/Permit No. 7384-3 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, Nicholas Blake & Courtney Blake, 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.

7384-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date January 2, 20 20RECEIVED OF Nicholas Blake/Courtney Blake 29468 466th Avenue 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>7384-3</u>	\$50.00
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	\$50.00

By *Jeanne Goodman*
 Chief Engineer *ONE*

7384-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 6, 2020

973-3
7384-3

Nicholas & Courtney Blake
29468 466th Ave
Centerville SD 57014

Dear Mr. & Mrs. Blake:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right No. 973-3 and Water Permit No. 7384-3.

The ownership changes have been completed. Nos. 973-3 and 7384-3 are now listed in your names. I have included copies for your records along with the receipts for filing the ownership changes.

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

If you have any questions concerning the enclosed information, please give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
DENR -- Water Rights Program
Phone 605 773-3352
Website: <https://denr.sd.gov/des/wr>

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7384-3

I have this day, December 5, 2023, made a thorough examination of the water use systems owned by Nicholas Blake and Courtney Blake, 29468 466th Avenue, Centerville, SD 57014, holders of Permit No. 7384-3, bearing the priority date of July 20, 2012. This permit authorizes the diversion of 1.67 cu. ft. per second of the waters of groundwater (Upper Vermillion Missouri Aquifer) authorizing the irrigation of 80 acres located in Clay County.

Inspection contacts: Nicholas Blake

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Hammond Wetmore Drilling, LLC
- 2) No. of Wells: 1
- 3) Depth(s): 165 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 105 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 55 feet

Pump:

- 1) Make: Grundfos
- 2) Model: Unknown
- 3) Capacity: 800 GPM

Motor:

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

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

- 1) Type: Aluminum Size: 8 inches Length: 15 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 1,279 feet
- 3) Number of towers: 7
- 4) End gun: Yes, 99 feet
- 5) Capacity: 800 GPM

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: No
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
3) Exceptions to compliance are: The pump and pivot are rated for 1.78 cfs instead of 1.67 cfs.

E. Condition and Location:

- 1) The system is in good condition with the point(s) of diversion located as follows:
The well is 1,330 feet east and 1,320 feet north of the southwest corner of Section 9-T95N-R52W (Latitude 43.05737, Longitude -96.99833- S1/2 of the SW1/4 - aprox cent sw 1/4).
2) The works are capable of diverting and conveying to the places of use 1.78 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 9-T95N-R52W

SW1/4SW1/4 33 acres

SE1/4SW1/4 34 acres

comprising a total of 67 acres of land and the license should be issued for 1.67 cfs.

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

F. Comments or other permit(s) associated with the project: The pump and pivot are rated for 1.78 cfs instead of 1.67 cfs. The pump and motor information was obtained from Heine Electric and Irrigation and the flow rate is based on what the pivot is nozzled for.

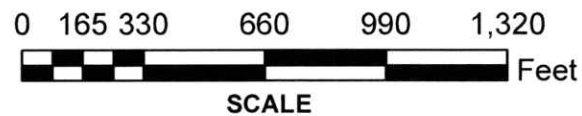
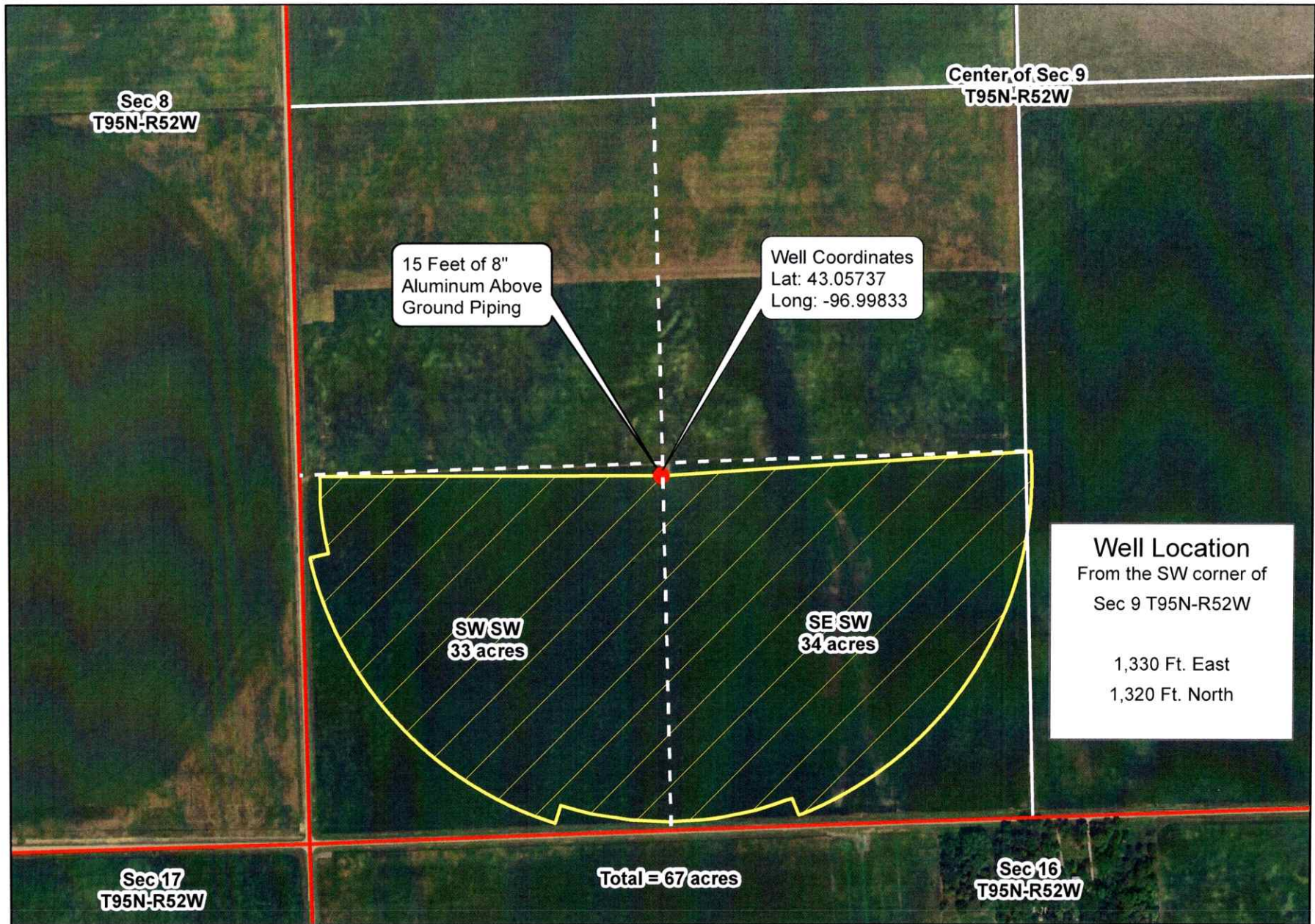
Keith DeJong

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

Date report completed: December 15, 2023

Date: Sept 17, 2011

Water Permit No. 7384-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
December 5, 2023

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7384-3**

(1) Roger A Hansen, dba Hansen Properties, PO Box B, Centerville SD 57014, made Application No. 7384-3, July 20, 2021, for a water permit to divert 1.67 cubic feet of water per second from groundwater, one well (Upper Vermillion Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7384-3, 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.

Water Permit No. 7384-3 was transferred to Nicholas & Courtney Blake, 29468 466th Ave, Centerville SD 57041, on January 2, 2020.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,330 ft E & 1,320 ft N of the SW corner of Section 9, T95N, R52W (approx. center SW $\frac{1}{4}$)
(Latitude 43.05737 & Longitude -96.99833)

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

Section 9, T95N, R52W			
SW $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$	34 acres
TOTAL: 67 acres			

(5) Pursuant to South Dakota Water Law 46-5-30.1 Nicholas & Courtney Blake, the holders and/or owners of Water Right No. 7384-3 are issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from groundwater, one well (Upper Vermillion Missouri 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. 7384-3 and subject to the following qualifications:

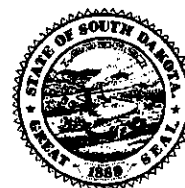
1. The well approved under this Water Right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owners under this Water Right shall control their withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Water Right No. 7384-3 shall be constructed by a licensed well driller and construction of the wells 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 completed in 2011 by Hammond Wetmore Drilling, LLC. A copy of the well completion report is on file with the Water Rights Program.)*

continued

3. This Water Right is 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, Water Right No. 7384-3 authorizes a maximum diversion rate of 1.67 cfs for the irrigation of 80 acres with an annual volume not to exceed 2 acre-feet of water per acre per year. *(Irrigation is limited to 67 acres, based on the system as developed.)*


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

JAN 12 2024
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JAN 12 2024

7384-3

Nicholas & Courtney Blake
29468 466th Ave
Centerville SD 57014

Dear Mr. & Ms. Blake:

Enclosed is Water License No. 7384-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

NOTE: The investigation found your irrigation system capable of diverting 1.78 cfs (approximately 800 gpm). Diversion under this Water Right is limited to 1.67 cfs (approximately 750 gpm).

enclosures

3994-3, 4204-3, 5319-3, 117-3A, 2268-3, 2372-3, 2941-3
5352-3, 5425-3, 5886-3, 2950-3, 3328-3, 3409-3, 3507-3
5898-3, 6810-3, 6922-3, 3646-3, 3737-3, 3918-3, 3948-3
7002-3, 7191-3, 7384-3, 6754-3, 7128-3

Page 1 of 4

Water Rights Program File Documentation

Date: June 16, 2025

Counties: Clay and Turner

Re: Aquifer management unit redesignation for selected water rights/permits on Clay and Turner Counties

COMMENTS:

Review of a request to change diversion point for Water Permit No. 8790-3, authorized to withdraw water from the Upper Vermillion Missouri: South aquifer (UVM:S), determined the well they wished to use is authorized under authorized by Water Right No. 7384-3 Water Right No. 7384-3 does not currently have a management unit designated for withdrawal from the Upper Vermillion Missouri aquifer (Water Rights, 2025). In reviewing the best information currently available for aquifer and management unit naming conventions, the best aquifer and management unit designation for Water Right No. 7384-3 is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) as shown in Figure 1. Furthermore, there are an additional 25 other water rights/permits, see Table 1, which should have the UVM:S management unit assigned (Water Rights, 2025).

This addition of the management unit 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 naming convention to reflect the currently best available information for aquifer and management unit extents. This update to the aquifer management unit name does not authorize any increase in the amount of water appropriated by any of these water rights/permits, change in diversion rate, relocation of existing wells, completion of additional wells into the aquifer, or change of acres permitted for irrigation. Going forward, issuance of any pertinent documents will reflect the updated aquifer and management unit designation.

Table 1- Water rights/permits requiring an aquifer management unit designation to the Upper Vermillion Missouri: South (Water Rights, 2025)

Water Rights							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
117-3A	GLYNDON KNUTSON	CL	04/14/1955	LC	IRR	0.95	66
2268-3	WILLIAM KNUTSON	CL	08/07/1975	LC	IRR	2	206
2372-3	LARRY ERICKSON	CL	10/07/1975	LC	IRR	1.76	123
2941-3	RUSSELL D AUSTIN	TU	08/16/1976	LC	IRR	1.11	140
2950-3	TERRY & ALBERTA SURPRENANT	CL	08/13/1976	LC	IRR	1.57	110
3328-3	TOM AUSTIN	CL	11/12/1976	LC	IRR	1.33	121
3409-3	STEVEN R NULL	TU	12/07/1976	LC	IRR	1.88	136
3507-3	W JERALD HANSEN	TU	12/28/1976	LC	IRR	0.99	69
3646-3	STEVEN R NULL	TU	02/04/1977	LC	IRR	2	144
3737-3	WILLIAM M JENTER	TU	09/16/1976	LC	IRR	4.57	320
3918-3	JBS HANSEN FARMS	TU	04/18/1977	LC	IRR	2.66	295.3
3948-3	JASON KNUTSON	CL	04/19/1977	LC	IRR	1.88	135
3994-3	GLYNDON KNUTSON	CL	07/07/1956	LC	IRR	4.94	332
4204-3	CITY OF CENTERVILLE	TU	01/01/1900	LC	MUN	0.22	n/a
5319-3	LARRY ERICKSON	CL	04/13/1989	LC	IRR	1.89	132
5352-3	BILL & SCOTT HANSEN	TU	09/13/1989	LC	IRR	2.15	151
5425-3	JOHNKE LAND TRUST	TU	03/23/1990	LC	IRR	1.88	132
5886-3	TIM OSTREM	CL	09/28/1995	LC	IRR	1.78	134
5898-3	CITY OF CENTERVILLE	TU	01/09/1996	LC	MUN	0.89	n/a
6810-3	JESSE & TANYA VANDESTROET	CL	02/20/2007	LC	IRR	1.56	65
6922-3	JOHN SHUBECK	CL	12/13/2007	LC	IRR	1.78	122
7002-3	JESSE & TANYA VANDESTROET	CL	03/14/2008	LC	IRR	1.39	123
7191-3	ROGER BLAKE	CL	02/01/2008	LC	IRR	1.56	255
7384-3	NICHOLAS & COURTNEY BLAKE	CL	07/20/2012	LC	IRR	1.67	67
Water Permits							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
6754-3	JBS HANSEN FARMS	TU	09/05/2006	PE	IRR	0	35
7128-3	JOHN SHUBECK	TU	04/13/2009	PE	IRR	1.78	207

CL= Clay; TU= Turner; LC= Water Right, PE= Water Permit; IRR= Irrigation; MUN= Municipal

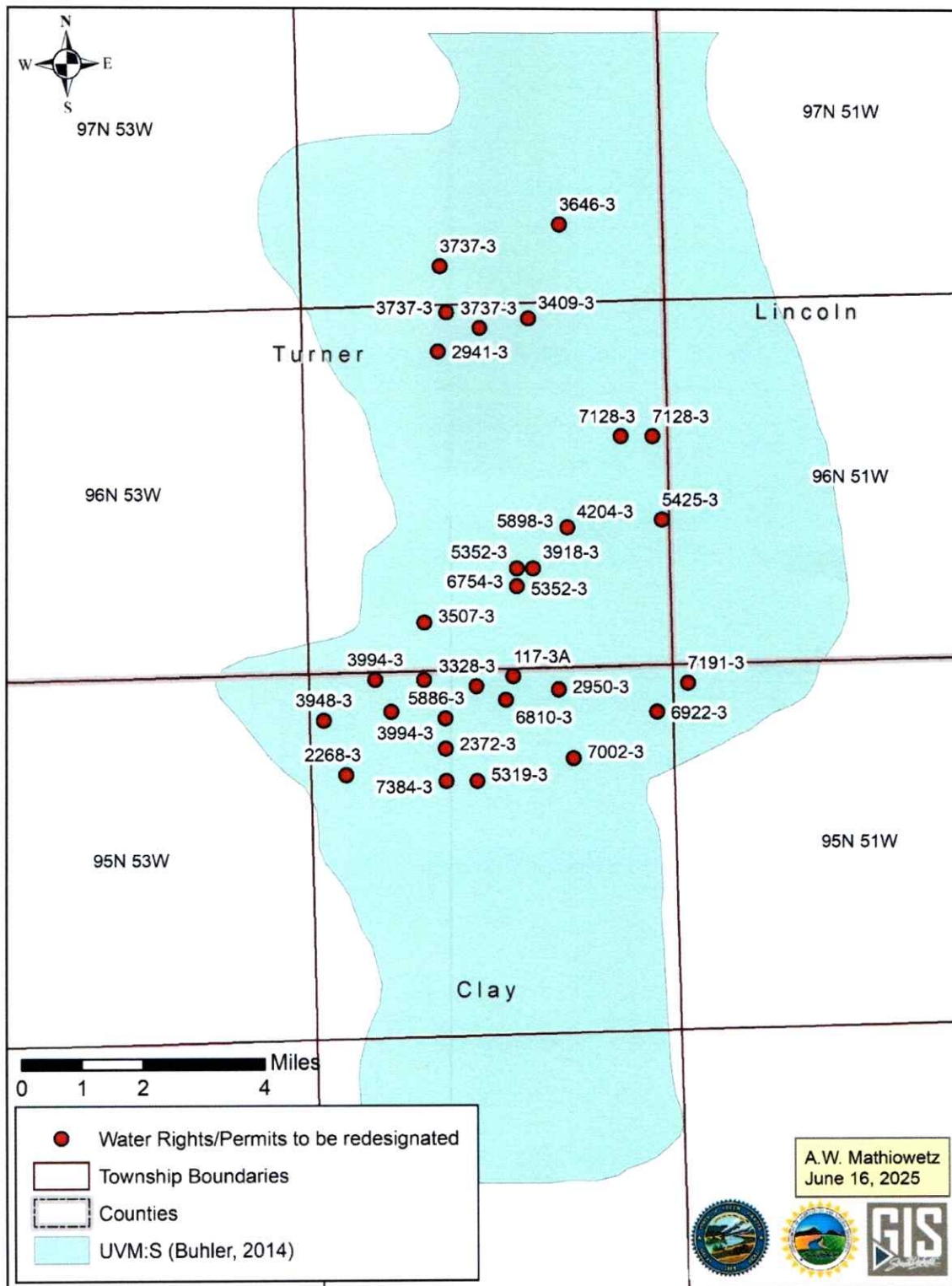


Figure 1- Map of approximate areal extent of the Upper Vermillion Missouri: South aquifer (Buhler, 2014) and water right/permits to be redesignated to include the South management unit designation (Water Rights, 2025)



Adam Mathiowetz
Natural Resources Engineer IV



Mark Mayer
Director of Office of Water

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.

Water Rights. 2025 Water Right/Permits Database. SD DANR-Water Rights Program. Pierre, South Dakota