

WATER PERMIT NO. 7895-3

Name of Applicant: Todd Hanson

Address: 47568 SD Hwy 50, Elk Point SD 57025

Phone: 712 281-3205

Amount of Water Claimed: 1.89 cfs

Total Acres: 180

Source of Water Supply: groundwater (one well)

Water to be used for: 1.89 cfs

County: Union

Type of Waste Disposal System:

Location: 5 miles north of Elk Point

PRIORITY

Date Received: 9-9-13

Application/License Fee: \$ 1050

Corrected Application Received:

Period of Annual Use: April 1 – Oct 31

Remarks:

Diversion Point: E 1/2 SE 1/4 Sec 30-T92N-R49W

Land to be Irrigated: W 1/2 SW 1/4 Sec 29 and SE
1/4 Sec 30; all in T92N-R49W

Depth of Well: 139 feet deep

Well Driller:

Remarks:

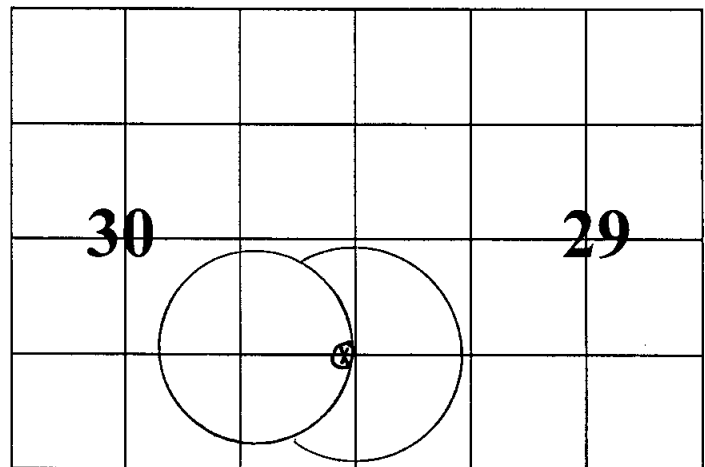
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 9-9-13

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7895-3</u> (office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u> <u>605-356-2632</u>
	Newspaper <u>Leader-Opinion Box 310 Elk Point SD 57025</u> <u>605-665-7811</u>
	<u>Press & Dakotan 319 Walnut Yankton 57028</u>

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 to Appear on Irrigation Permit Todd Hanson

(check one) ☐ Owner ☐ Tenant/lessee ☒ Owner's Legal Agent Gregg Hanson

(name and complete address if different than above name)

Mailing Address 47568 SD HWY 50 Elk Point ☒ SD ☒ 57025
(Address) (City) (State) (Zip Code)

Home Phone 605.356.2468 Cell 712.281.3205 Email greggh12@evertek.net

2. Amount of water claimed 1.89 *CFS or 850 **GPM ***AF Total Acreage 180
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Well

4. Location of point of diversion 1 Well on West side of W1/2 SW1/4 sec 29-T92N-R49W

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

E 1/2 SE 1/4 Sec 30 - T92N - R 49W

County Union ☒

5. County or counties where water will be used Union

6. Annual period during which water is to be used March-Oct

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
NW1/4 SW1/4 Sec 29-T92N-R49W	32.75	SE1/4 SE1/4 Sec 30-T92N-R49W	32
SW1/4 SW1/4 Sec 29-T92N-R49W	32.75	NE1/4 SE1/4 Sec 30-T92N-R49W	32
NW1/4 SE1/4 Sec 30-T92N-R49W	25		
SW1/4 SE1/4 Sec 30-T92N-R49W	25.5		

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

Pivot Irrigation of areas in section 29 and 30 described above.

I, Todd Hanson by Gregg Hanson, P.O.A., the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true.

Supplemental Information

(type or print)

1. Well Information

(check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled ☒ Yes ☐ No Drilled by Thein Well Co. Inc
(if yes, please provide copies of logs)
- b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____
- c) Well Depth 139 Depth to Top of Water Bearing Material 20 Depth to Water from Surface 19
- d) Distance to nearest existing domestic well:
- On applicant's property NA On property owned by others >1500 ft

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

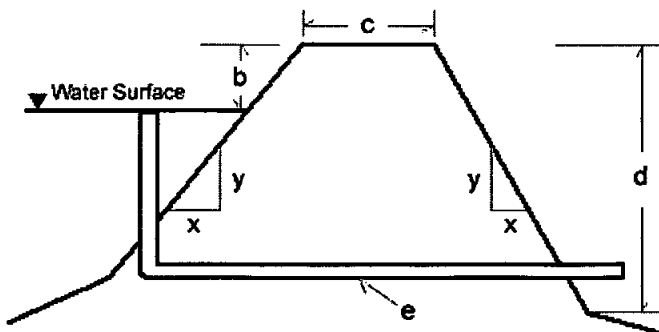
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463
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- 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

SOUTH DAKOTA
WATER PERMIT NO. 7895-3

Date of first receipt of application September 9, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7895-3 to Todd Hanson, 47568 SD Hwy 50, Elk Point SD 57025 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7895-3 appropriates 1.89 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (139 feet deep) located in the E 1/2 SE 1/4 Section 30 for irrigation of 180 acres located in the W 1/2 SW 1/4 Section 29 and SE 1/4 Section 30; all in T92N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – October 31.
3. The date from which applicant may claim right is September 9, 2013.
4. The date of approval of Permit No. 7895-3 is November 4, 2013.
5. One-fifth of the construction is to be completed on or before May 4, 2016.
6. All construction is to be completed on or before November 4, 2018.
7. Water is to be put to beneficial use on or before November 4, 2022.
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. 7895-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*

Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 21 2013

date



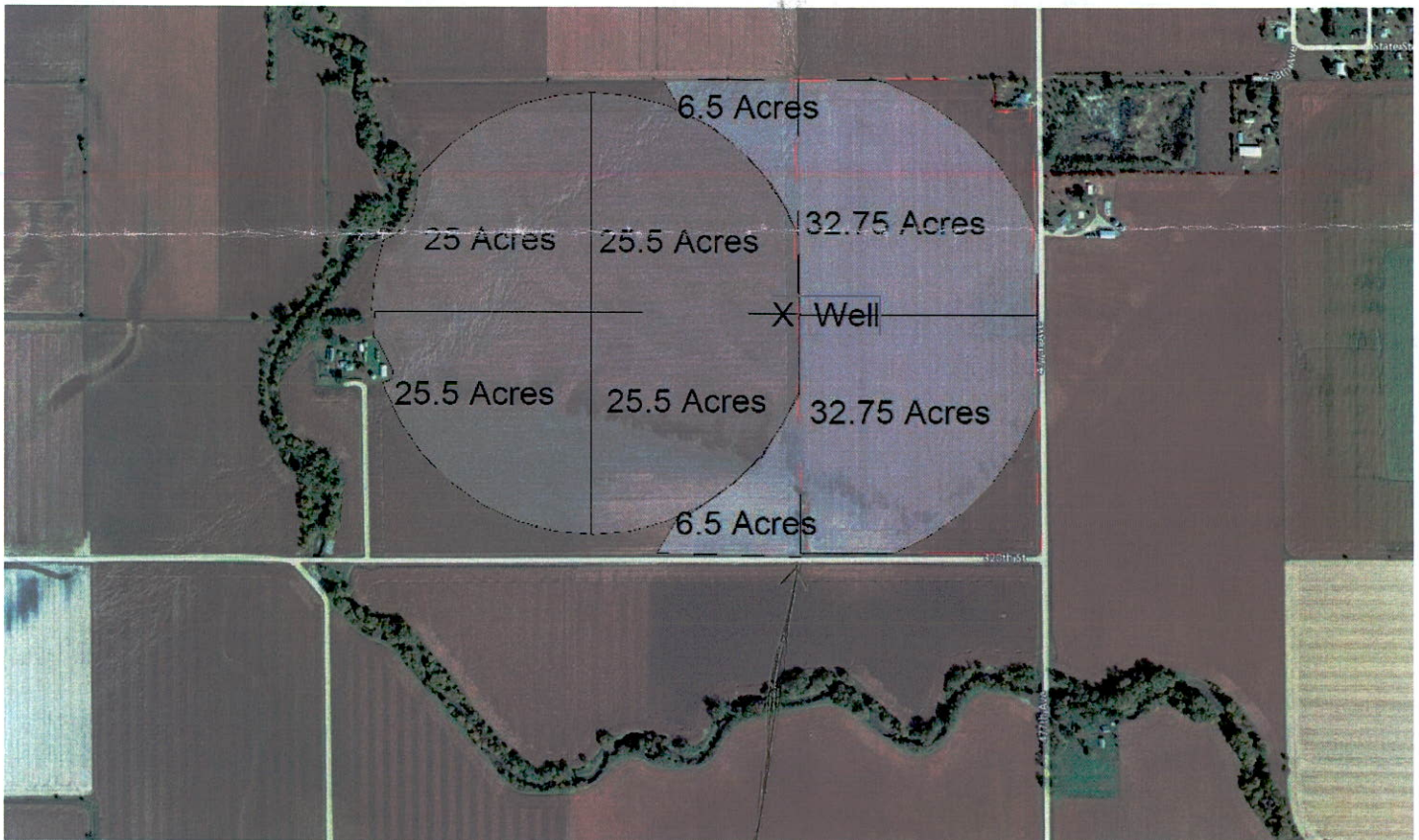
**WATER RIGHTS
PROGRAM**

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SEP 09 2013

WATER RIGHTS
PROGRAM



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miles

SW Corner of
sect 29-92-49

Section 29

Todd Hanson



Section 30

Edsel Holden

47660 320th St

Elk Point, SD 57025



Sec 18
T092N
R49W

Sec 17
T092N
R49W

Sec 19
T092N
R49W

Sec 20
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R49W

Sec 4
T091N
R49W



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/9, 20 13

RECEIVED OF Todd M Hanson 47568 SD Hwy 50 Elk Point SD 57025

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

Fee for Application for Permit No. <u>7895-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7895-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. **06424**

By Jaime Holman
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. 7895-3, Todd Hanson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7895-3, Todd Hanson, 47568 SD Hwy 50, Elk Point SD 57025.

The Chief Engineer is recommending APPROVAL of Application No. 7895-3 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. 7895-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
October 16, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7895-3

TODD HANSON

September 12, 2013

Water Permit Application No. 7895-3 proposes to divert groundwater at a maximum rate of 1.89 cubic feet per second (cfs) from a single well to be completed into the Elk Point management unit of the Missouri aquifer. The well is expected to reach a depth of approximately 139 feet and will be located approximately 1,300 feet north and 20 feet west of the southeast corner of Sec 30, T092N-R49W. The water will be used to irrigate 180 acres including the W ½ SW ¼ of Sec 29 and the SE ¼ of Sec 30, all in T092N-R49W in Union County.

AQUIFER: Elk Point management units of the Missouri aquifer (M:EP)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Elk Point management unit of the Missouri aquifer is an alluvium mantled outwash consisting of a range of grades from fine sand to coarse gravel (Niehus, 1994; Stephens, 1967). The Missouri: Elk Point aquifer is located in southeastern South Dakota under Yankton, Clay, and Union Counties and is estimated to have an area of 210,100 acres and contain 3,287,100 acre-feet (ac-ft) of recoverable water in storage (Hedges et al., 1982). The aquifer has connections to the Lower Vermillion Missouri and the Lower James Missouri aquifers to the north, in places overlies and is hydrologically connected to the Dakota aquifer, and is hydraulically connected to the Vermillion, Big Sioux, and Missouri Rivers (Stephens, 1967).

The proposed well is located approximately 6.5 miles northeast of the Missouri River. The Missouri: Elk Point aquifer has local areas of confinement, but the aquifer is normally unconfined. Water levels in the area are consistent with unconfined levels observed in the aquifer, suggesting unconfined conditions in this area.

SDCL 46-2A-9:

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

WATER AVAILABILITY:

The probability of unappropriated water being available in an aquifer can be evaluated by considering SDCL 46-6-3.1, which stipulates "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable 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." If the source of water is older or

lower than the Greenhorn Formation and a public water system has applied for a permit, the board need not consider the recharge/withdrawal issue. In this instance, a public water system is not involved and the aquifer is not older or lower than the Greenhorn Formation. Therefore, the issue of recharge/withdrawal must be addressed.

HYDROLOGIC BUDGET:

Water pumped from the Missouri: Elk Point aquifer is largely recharged by the Missouri River itself (Stonesifer, In Progress). As will be discussed in the observation well data section below, water levels in areas of the aquifer which are closer to the river closely reflect water levels within the river itself (see Figure 1). Although fluctuations of water levels at sites farther from the river do not so closely resemble those in the river itself, continuity of the aquifer over the distance between the site in question and the river means direct recharge of the site by the river is still taking place.

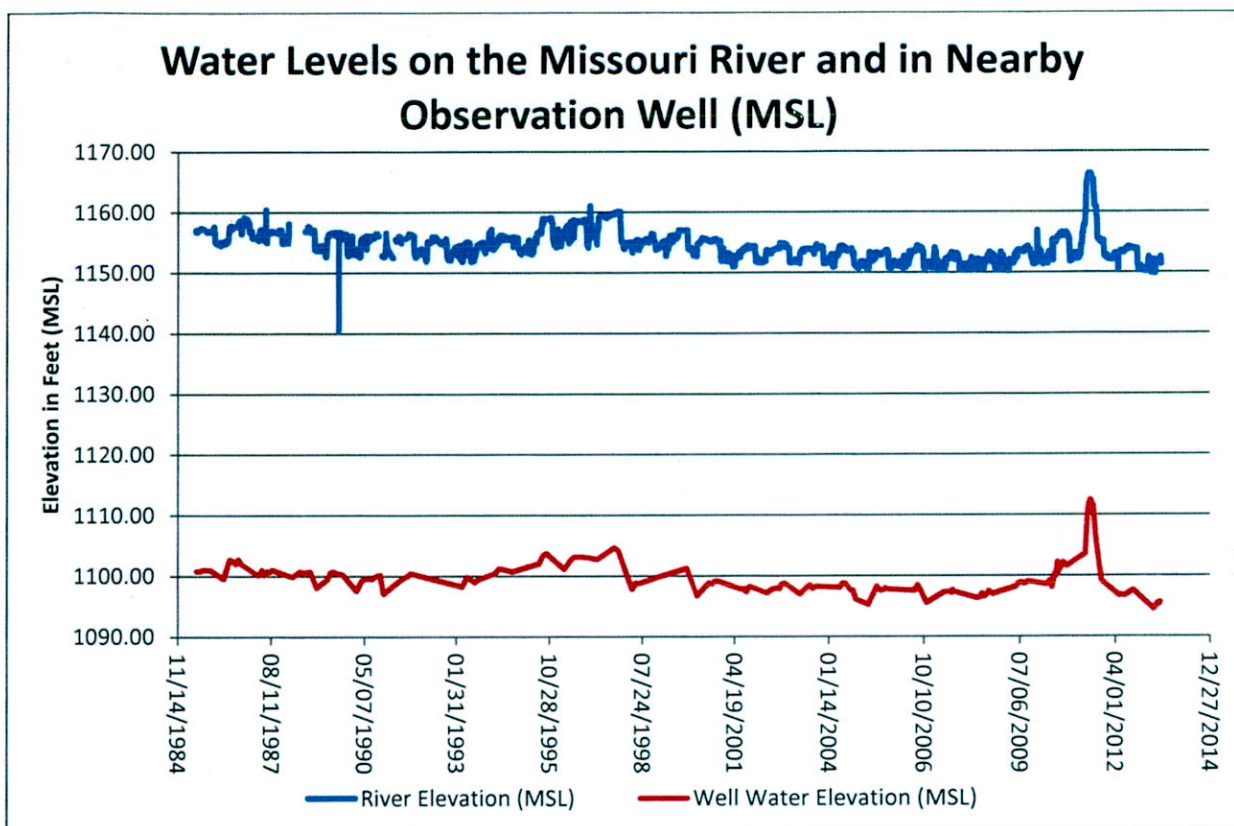


Figure 1: Historic water levels above mean sea level (MSL) in Observation Well UN-78B (Water Rights, 2013a) and historic Missouri River water levels at Yankton, SD, Gage 06467500 (USGS, 2013).

The hydrologic budget of the Missouri: Elk Point aquifer was evaluated for groundwater appropriations as of June 10, 2013. Water rights, permits, and future use are expected to use 80,108 ac-ft/year. This estimate includes expected use of new irrigation water permits. Recharge to the aquifer is estimated to be at least 91,964 ac-ft/year, which considers induced recharge. It follows that approximately 10,856 ac-ft/year of unappropriated water is currently available for use (Stonesifer, In Progress). Since June 10, 2013, the only application submitted

for appropriation of water (Water Permit No. 7856-3) from the Missouri: Elk Point aquifer proposed to appropriate a maximum of 260 ac-ft/year in order to irrigate 129.3 acres in Union County (Water Rights, 2013b). This amount leaves more than 10,000 ac-ft/year still unappropriated.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota Section 74:02:05:07 requires the Water Management Board 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 SD DENR Water Rights Program monitors 38 observation wells completed into the Missouri: Elk Point aquifer (Water Rights, 2013a). The nearest observation well that has a complete record up to the present is UN-87F at approximately 2.5 miles to the northeast from the proposed well construction site.

Although historic water levels of the Missouri: Elk Point aquifer in observation wells closer to the river closely reflect water levels in the Missouri River itself, observation well UN-87F is at a great enough distance from the river to mute a direct relationship between the water levels within the river and the water levels within the aquifer at this location (see Figure 2). Although significant (2 to 7 feet) seasonal drawdown is evident in the water levels of the observation well as a result of irrigation, full annual recovery has occurred historically between irrigation seasons. This condition is typical of water levels within the Missouri: Elk Point aquifer as observed in other observation wells completed in the area (Water Rights, 2013a)

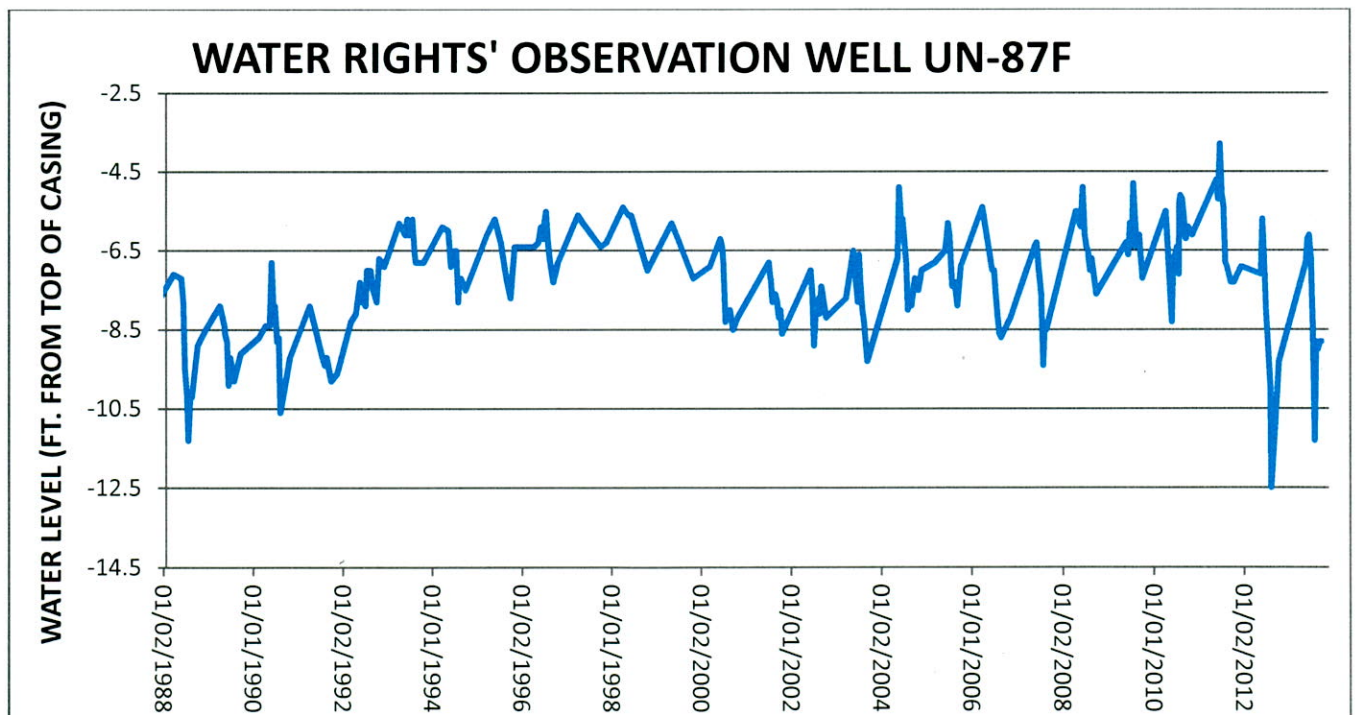


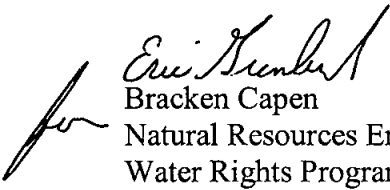
Figure 2: Historic Water Levels in Observation Well UN-87F

EXISTING WATER RIGHTS:

The proposed well associated with Permit No. 7895-3 will be located approximately 2,100 feet to the north of a well associated with Water Rights No. 2475-3. In addition, an existing domestic well lies approximately 2,400 feet to the northeast of the proposed well construction site (Water Rights 2013b). Given the aquifer characteristics and the distance from the proposed well, nearby adequate wells as defined by ARSD 74:02:20(7) are not expected to be adversely or unlawfully impaired. Similarly, nearby domestic wells are not expected to be affected by the pumping of the proposed well.

CONCLUSIONS:

- 1) The water permit application proposes to withdraw groundwater from the Missouri: Elk Point aquifer at a rate of 1.89 cfs from a single well for the purpose of irrigating 180 acres.
- 2) Unappropriated water is available from the Missouri: Elk Point aquifer for the above purposes.
- 3) This proposed diversion will not adversely or unlawfully impair nearby existing adequate wells.


Bracken Capen
Natural Resources Engineer
Water Rights Program

Approved by


Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 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.
- Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota: U.S. Geological Survey Water Resources Investigations Report 93-4195, 57 p.
- Stephens, J.C., 1967. Geology and Hydrology of Clay County, South Dakota, Part II: Water Resources. South Dakota DENR-Geological Survey Bulletin 19, 62 p. Vermillion, South Dakota.
- Stonesifer, J.R., In Progress. Water Availability of the Missouri: Elk Point Aquifer. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- United States Geologic Survey. 2013. National Water Information System.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre South Dakota.

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 28 2013

WATER RIGHTS
PROGRAM

State of South Dakota)

:ss

County of Union)

Kelly Kruithoff,

an employee of the Leader-Courier, deposes and says that

The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and has been such legal newspaper during the time hereinafter mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Application No. 7895-3

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in

each week for 1 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper was

on Thursday, the 24 day of October, 2013

and that the succeeding publications were

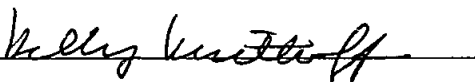
on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

that the fees for the printing and publishing of said notice and advertisement in said newspaper as aforesaid were

\$ 23.18, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or 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 other person whomsoever.



Subscribed and sworn to before me

this 24 day of October, 2013

My commission expires 6-21-17

NOTICE OF APPLICATION NO. 7895-3 TO APPROPRIATE WATER

Notice is given that Todd Hanson, 47568 SD Hwy 50, Elk Point SD 57025 has filed an application for a water permit to appropriate 1.89 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (139 feet deep) located in the E 1/2 SE 1/4 Section 30 for irrigation of 180 acres located in the W.1/2 SW 1/4 Section 29 and SE 1/4 Section 30; all in T92N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7895-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 4, 2013.

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

Steven M. Pirner, Secretary,
Department of Environment
and Natural Resources.
Publish October 24, 2013
Published once at the total
approximate cost of \$23.18
43-7-77

SUSAN ODSON
NOTARY PUBLIC
SOUTH DAKOTA



Notary Public

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OCT 30 2013

WATER
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

10+25

NOTICE OF APPLICATION
NO. 7895-3 to Appropriate Water

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Published once at the total approximate cost of \$25.49.

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. 7895-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 25th DAY OF October 2013 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$25.49 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: 10/25/2013

FILED ON: 10/25/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 25th DAY OF October

2013

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

October 16, 2013

Leader-Courier
PO Box 310
Elk Point SD 57025

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7895-3 to Appropriate Water. Please publish the notice once on October 24, 2013. 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 Todd Hanson, 47568 SD Hwy 50, Elk Point SD 57025 (Ph # 605-356-2468).

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

October 16, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

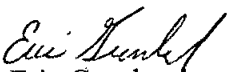
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Eric Gronlund
Natural Resources Engineer
605 773-3352

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 DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

October 16, 2013

Todd Hanson
47568 SD Hwy 50
Elk Point SD 57025

Dear Mr. Hanson:

Water Permit Application No. 7895-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Leader-Courier printed at Elk Point SD (Ph # 605-356-2632) 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 recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(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 has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
enclosures

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

Instruction to Newspaper - Publish the Notice on October 24, 2013. 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.

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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

NOV 21 2013

Todd Hanson
47568 SD Hwy 50
Elk Point SD 57025

Dear Mr. Hanson:

Enclosed is Water Permit No. 7895-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures