

WATER PERMIT NO. 7993-3

Name of Applicant: Hansen Properties

Address: PO Box B, Centerville SD 57014 Phone: 605 760-5690

Amount of Water Claimed: 1.11 Total Acres: 53

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clay

Type of Waste Disposal System:

Location: 15 miles north of Vermillion

PRIORITY Date Received: 4-10-14 Application/License Fee: \$ 700

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

Remarks: Requesting diversion rate greater than statutory limit

Diversion Point: SW 1/4 SE 1/4 Sec 34-T95N-
R52W

Land to be Irrigated: E 1/2 SW 1/4, SW 1/4 SE 1/4
Sec 34-T95N-R52W

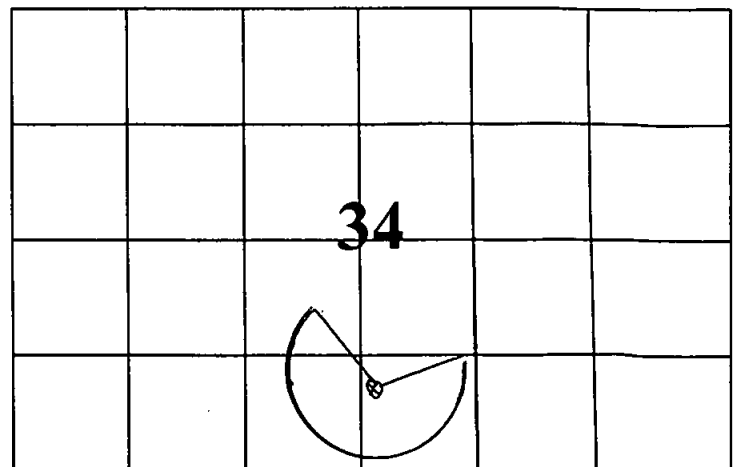
Depth of Well: 100 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 4-10-14

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

#41

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7993-3</u> (office use only)	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	<u>605-624-2695</u>
	Newspaper <u>Plain Talk 201 W Cherry Vermillion</u>	<u>605-665-7811</u>
	<u>Press & Dakotan 319 Walnut Yankton 57078</u>	

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APR 10 2014

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 to Appear on Irrigation Permit Hansen Properties

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent Roger Hansen

(name and complete address if different than above name)

Mailing Address P O Box B Centerville sd 57014
(Address) (City) (State) (Zip Code)

Home Phone _____ Cell 605-760-5690 Email lewis@fireballdecals.com

2. Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 53
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply 1 well to the lower vermilion-missouri aquifer

4. Location of point of diversion 1 well in the sw of se 1/4 section 34, t95n, r52w.
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County clay

5. County or counties where water will be used clay

6. Annual period during which water is to be used april-september

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 of se 1/4, section 34, t95n r52w	34		
se of sw 1/4, section 34, t95n r52w	16		
ne of sw 1/4, section 34, t95n r52w	3		

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

center pivot irrigation of above listed property. Requesting Diversion Rate greater than Statutory Limit

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.

SOUTH DAKOTA
WATER PERMIT NO. 7993-3

Date of first receipt of application April 10, 2014.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7993-3 to 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. 7993-3 appropriates 1.11 cubic feet of water per second from one well to be completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (100 feet deep) located in the SW 1/4 SE 1/4 Section 34 for irrigation of 53 acres located in the E 1/2 SW 1/4, SW 1/4 SE 1/4 Section 34; 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 – October 31.
3. The date from which applicant may claim right is April 10, 2014.
4. The date of approval of Permit No. 7993-3 is June 30, 2014.
5. One-fifth of the construction is to be completed on or before December 30, 2016.
6. All construction is to be completed on or before June 30, 2019.
7. Water is to be put to beneficial use on or before June 30, 2023.
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. 7993-3 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. 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. 7993-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 53 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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

JUL 24 2014

date



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 _____
(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 100 Depth to Top of Water Bearing Material 45 Depth to Water from Surface 18

d) Distance to nearest existing domestic well:

On applicant's property NA On property owned by others > 4,000'

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)

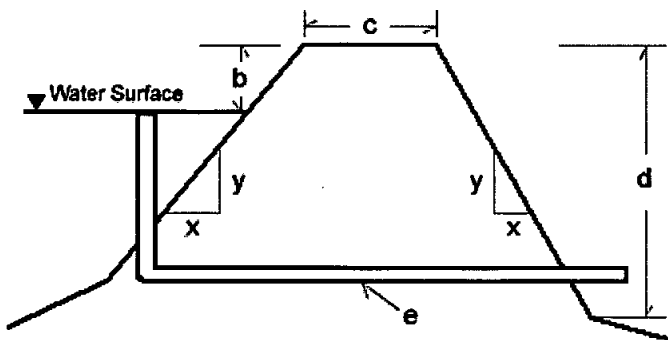
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



Petersen Ag Systems, Inc.



1216 Monroe
Norfolk, NE 68701
402-379-9849

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Farm: #41

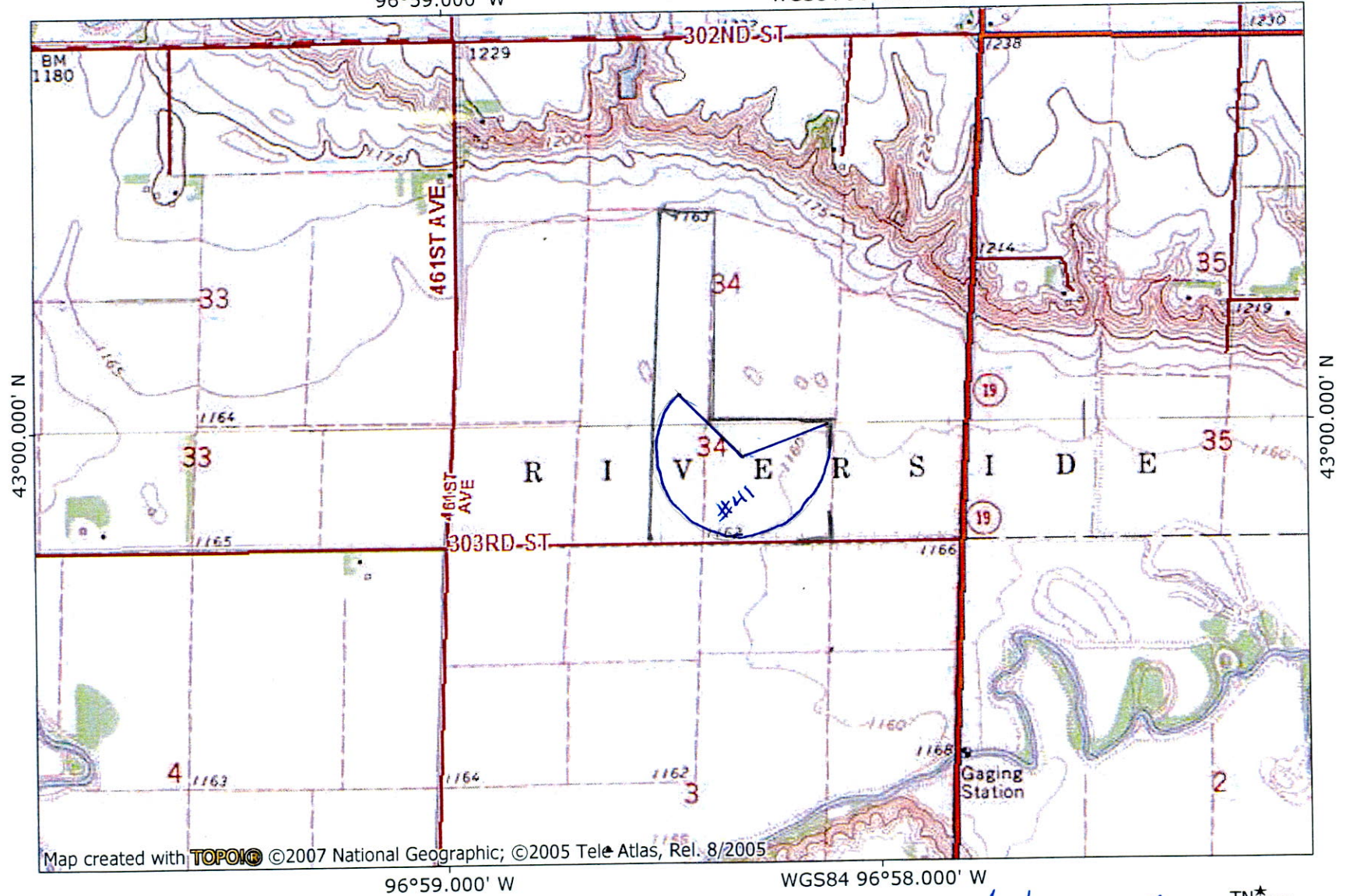
Grower: Roger Hanson

3/17/2014

Systems:	Length	Spans	Total area including endgun
Pivot 1	993.00 ft	6 spans + 44 ft o.h.	52.37 acres



TOPO! map printed on 04/01/14 from "Untitled.tpo"
96°59.000' W WGS84 96°58.000' W



0.0 0.5 miles
0.0 0.5 1.0 km

R A downward
GP6 8272

TN* MN
3 1/2°
04/01/14

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/10, 20 14

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>7993-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7993-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law) TOTAL	700	00

No. **06813**

By *James Goodman*
Chief Engineer

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WATER RIGHT
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Subject: RE: Application

Date: Monday, April 7, 2014 4:40 PM

From: Eric Gronlund <eric.gronlund@state.sd.us>

To: Lewis Anderson <lewis@fireballd decals.com>

Cc: "Schlaak, Karen" <Karen.Schlaak@state.sd.us>

New 53 acres - \$700

Add'l 72 acres - \$950

Reinstatement- \$100

Reinstatement and add'l 25 acres - \$700

TOTAL = \$2450

From: Lewis Anderson [mailto:lewis@fireballd decals.com]

Sent: Monday, April 07, 2014 4:19 PM

To: Gronlund, Eric

Subject: Application

Hello Eric,

I am going to send the attached (4) applications to you tomorrow.

1-New one

1-To add additional acres

2-Reinstatements

To be sure I send the right \$ amount with the apps, would you mind looking these over and tell me the correct amount?

I appreciate it. Thanks!

Roger Hansen



700 BROADWAY CENTERVILLE SOUTH DAKOTA 57014
PHONE (605) 563-2212 FAX (605) 563-2640

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WATER RIGHTS
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HELLO ERIC —

THANKS FOR THE \$ TOTAL.

I THOUGHT IT BEST TO BE
SURE THE FIRST TIME.

A handwritten signature in black ink, appearing to be "RA", is written on the grid paper.



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7993-3, 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. 7993-3, Hansen Properties, PO Box B, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 7993-3 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. 7993-3 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. 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. 7993-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 53 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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
June 12, 2014

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NOS. 7993-3, 7994-3, AND 7995-3
HANSEN PROPERTIES
JUNE 11, 2014

Water Permit Application No. 7993-3 proposes to appropriate water at a maximum diversion rate of 1.11 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri: South aquifer. The well is expected to be 100 feet deep and is to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 for the irrigation of 53 acres located in the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34; all in T95N-R52W in Clay County. The applicant is requesting a diversion rate greater than the statutory limit.

Water Permit Application No. 7994-3 proposes to irrigate 72 acres located in the NW $\frac{1}{4}$ Section 28; T95N-R52W. Water Permit No. 6818-3 appropriates 1.55 cfs from one well (100 feet deep) completed into the Lower Vermillion Missouri aquifer located in the NE $\frac{1}{4}$ Section 28 to irrigate 117 acres located in the N $\frac{1}{2}$ Section 28; all in T95N-R52W. This application is to irrigate 72 acres from the existing well authorized by Water Permit No. 6818-3. This application also corrects the location of the existing well, which is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28; T95N-R52W in Clay County and the aquifer from Lower Vermillion Missouri to Upper Vermillion Missouri: South. This application, if approved, does not authorize any increase in the developed diversion rate.

Water Permit Application No. 7995-3 proposes to irrigate 25 acres located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 10; T95N-R52W. Water Right No. 6812-3 appropriates 1.78 cfs from one well (158 feet deep) completed into the Upper Vermillion Missouri: South aquifer located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 to irrigate 66 acres located in the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; all in T95N-R52W in Clay County. This application is to irrigate 25 acres from the existing well authorized by Water Permit No. 6812-3. This application, if approved, does not authorize any increase in the developed diversion rate.

AQUIFER: South management unit of the Upper Vermillion Missouri (UVM: S)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Upper Vermillion Missouri aquifer underlies portion of Clay, Hutchinson, Lincoln, Turner, and Yankton Counties (Buhler, 2014). Geologic and hydrologic conditions allow for the aquifer to be considered as three management units (i.e. North, South, and West). A description of the Upper Vermillion Missouri aquifer is available in "Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer, February 1, 2014" (Buhler, 2014). The diversion points requested by these applications are located in the South management unit of the Upper Vermillion Missouri aquifer. The latest aquifer delineation of the Upper Vermillion Missouri aquifer resulted in a change of location of the southern boundary of the aquifer further south to include the diversion points proposed by these applications (SDGS, In Progress).

It should be noted that Water Permit No. 6818-3 authorizes the withdrawal of water from the Lower Vermillion Missouri aquifer. However, the newest aquifer delineation shows the well to be completed into the Upper Vermillion Missouri: South aquifer. Water Right No. 6812-3 authorizes the withdrawal of water from the Upper Vermillion Missouri aquifer. However, the newest aquifer delineation by the

SD DENR-Geological Survey (In Progress) shows the diversion point located in the South management unit of the Upper Vermillion Missouri aquifer. Figure 1 shows the location of these applications, water rights/permits in the Upper Vermillion Missouri: South aquifer, and area observation wells (Water Rights, 2014a and 2014b).

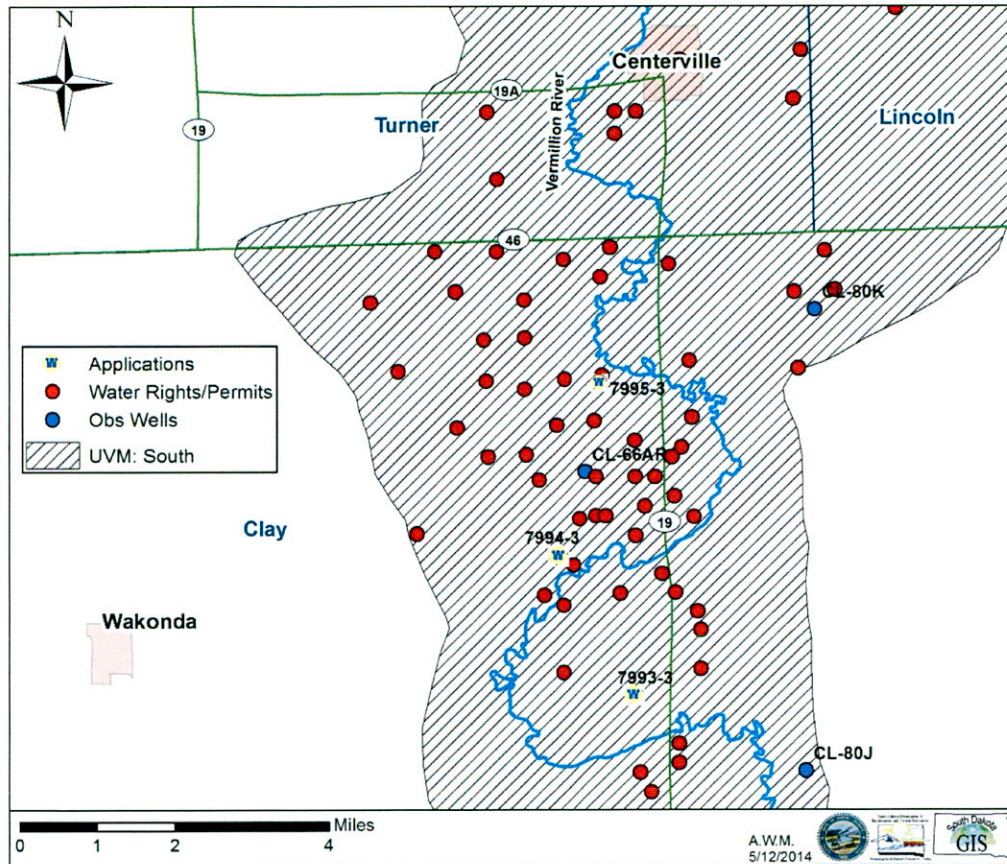


Figure 1- Map of the area of these applications

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a 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 that are pertinent to the application.

WATER AVAILABILITY:

These applications propose to appropriate water from the Upper Vermillion Missouri: South aquifer. These applications propose to irrigate 150 acres. Based on the *average application rate per permitted acreage* (Buhler, 2014) use is expected to be approximately 75 ac-ft/yr (ac-ft/yr). The probability of unappropriated water available from an aquifer can be evaluated by considering 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 ground water source will exceed the quantity of the average estimated annual recharge of water to the groundwater source." If the source of the water is older or stratigraphically lower than the Greenhorn

Formation and a public water system has applied for a permit, the Water Management Board need not consider the recharge/withdrawal issue. In this case, the aquifer is not stratigraphically lower than the Greenhorn Formation and the applicant is not a public water system.

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 five observation wells completed into the South management unit of the Upper Vermillion Missouri aquifer and two observation wells (CL-66AR and CL-80J) that were originally identified as completed into the Lower Vermillion Missouri aquifer. However, due to the ongoing investigation by the SD DENR-Geological Survey, observation wells CL-66AR and CL-80J will likely now be considered completed into the Upper Vermillion Missouri: South aquifer. All seven hydrographs for the observation wells show upward trending water levels over their respective periods of record. The hydrographs document changes in climatic conditions as well as the temporal impacts of pumping. Since climatic conditions mask temporal impacts, well withdrawals from this management unit are not stressing the system to the extent where natural discharge is impacted. The observation wells closest to the well sites proposed by these applications are CL-66AR, CL-80J, and CL-80K, as shown in Figure 1. The hydrographs for CL-66AR, CL-80J, and CL-80K are shown in Figures 2, 3, and 4, respectively.

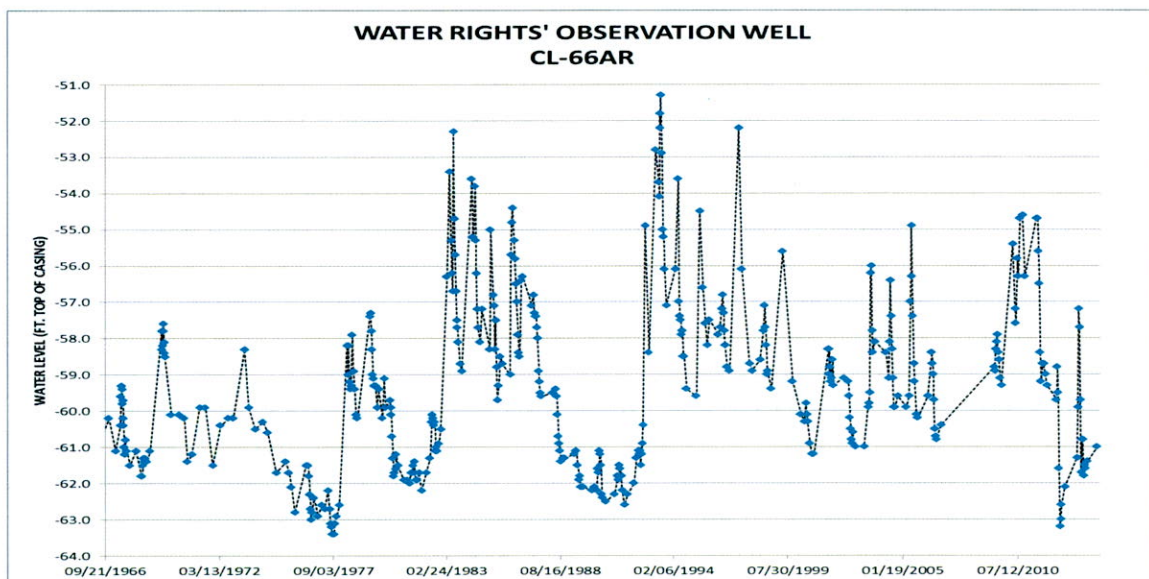


Figure 2- Hydrograph for observation well CL-66AR (Water Rights, 2014a)

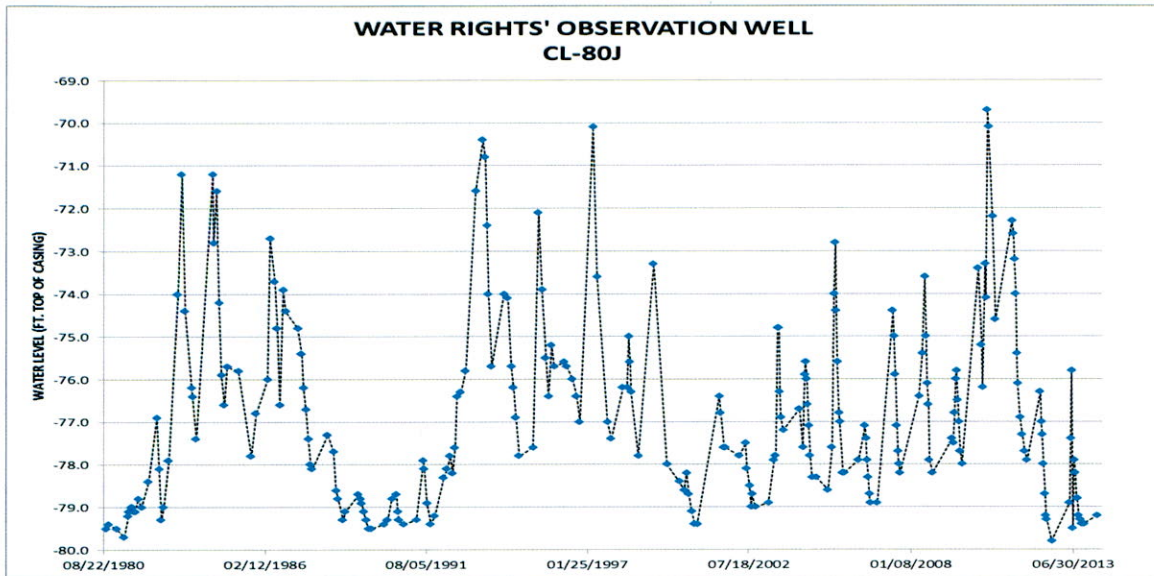


Figure 3- Hydrograph for observation well CL-80J (Water Rights, 2014a)

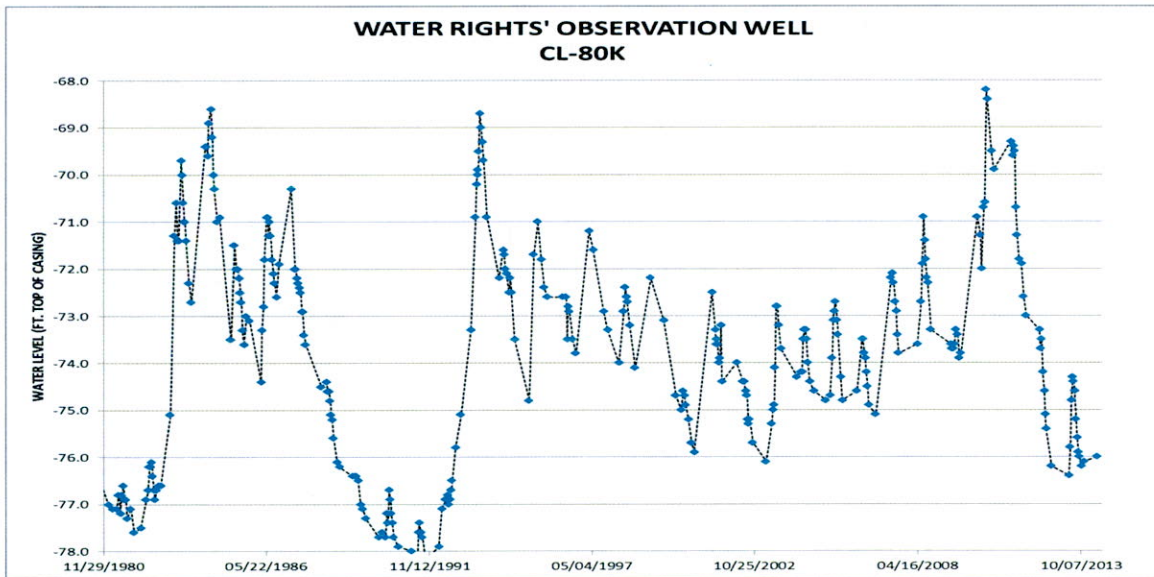


Figure 4- Hydrograph for observation well CL-80K (Water Rights, 2014a)

2014 Flow Net Analysis:

A recent analysis of the Upper Vermillion Missouri aquifer indicates that recharge exceeds withdrawal from the Upper Vermillion Missouri: South by an estimated 5,637 to 8,223 ac-ft/yr (Buhler, 2014). At its March 6, 2014, meeting, the Water Management Board approved 12 water permit applications (Nos. 7441-3, 7442-3, 7466-3, 7467-3, 7600-3, 7601-3, 7603-3, 7623-3, 7653-3, 7900-3, 7690-3, and 7919-3) authorizing the irrigation of 1,520.83 acres. The average annual withdrawal that is expected to be associated with these proposed appropriations was estimated, based on the *average application rate per permitted acreage* for the Upper Vermillion Missouri aquifer, to be 760.4 acre-feet per year (Buhler, 2014).

Since the completion of Buhler's (2014) report, there have been five new permits issued that are expected to use 230.18 ac-ft/yr and two pending applications that are expected to use 200 ac-ft/yr. Using the most conservative value (5,637 ac-ft/yr), there is at least 4,446.4 ac-ft/yr available for this proposed appropriation. These applications are expected to use 75 ac-ft/yr, using Buhler's (2014) method. Therefore, there is a reasonable probability that unappropriated water is available to supply these proposed appropriations.

EXISTING WATER RIGHTS:

The well site proposed by Application No 7993-3 is approximately 0.8 miles from the well authorized by Water Permit No. 7949-3 for Hansen Properties, the wells authorized by Water Right No. 3905-3 for Clay Rural Water System, and Water Permit No. 7918-3 for Orin Abild (Water Rights, 2014b). There are no domestic wells on file with the DENR-Water Rights Program within approximately one mile of the proposed well site (Water Rights, 2014c).

The well authorized by Water Permit No. 6818-3 and proposed to be used by Application No. 7994-3 is approximately 0.5 miles from the wells authorized by Water Permit Nos. 6572-3 and 6817-3 and Water Right No. 6816-3; all three are for Hansen Properties (Water Rights, 2014b). The nearest domestic well on file with the DENR-Water Rights program is approximately 0.5 miles southeast of the well this application proposes to use (Water Rights, 2014c).

The well authorized by Water Right No 6812-3 and proposed to be used by Application No. 7995-3 is approximately 0.5 miles from the wells authorized by Water Right Nos. 5319-3 and 6563-3 (Water Rights, 2014b). There are no domestic wells on file with the DENR-Water Rights Program within approximately one mile of the well this application proposes to use (Water Rights, 2014c). Figure 5 is a map of the area including domestic wells, observation wells, and water rights/permits.

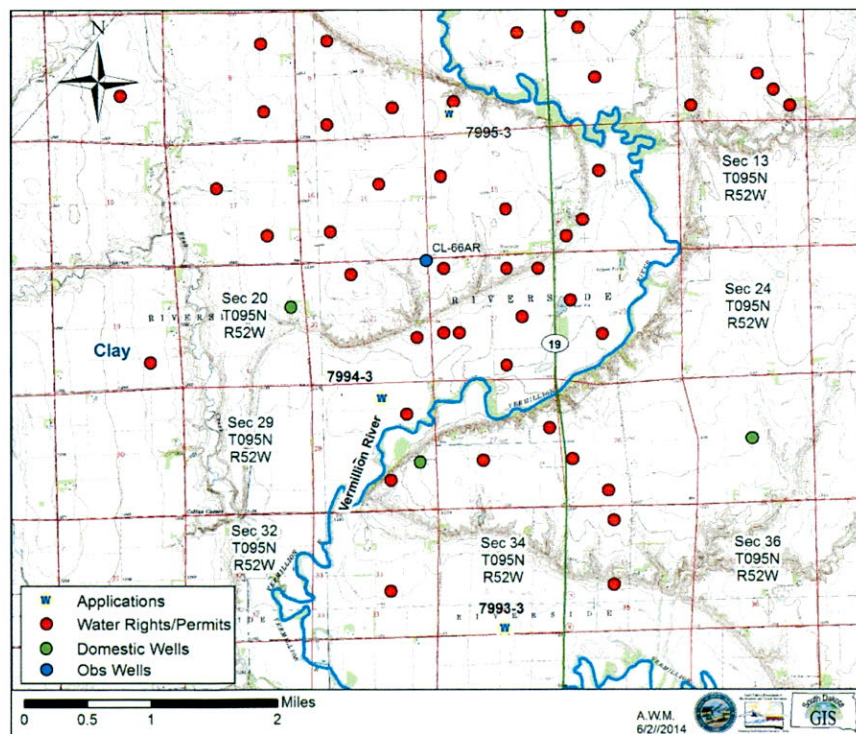


Figure 5- Map of the area of these applications (Water Rights, 2014a, 2014b, and 2014c)

Since the Upper Vermillion Missouri: South is under artesian conditions in some areas, drawdown may extend some distance from pumped wells. It is possible that drawdown from these proposed appropriations may be measurable in nearby domestic and appropriative right wells. Historically, there has been a proliferation of high capacity wells in this area, but there has not been a history of well interference issues. Therefore, the impact of drawdown is not expected to be significant due to the distance between wells and the number of high capacity wells in the aquifer without a history of well interference issues, especially in the area of these applications.

SDCL 46-6-6.1 does not protect artesian head pressure as a means of delivery, and the Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. In order to balance interests between irrigation use and delivery of water by artesian pressure, the Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs.”

Depending on the specific characteristics of the Upper Vermillion Missouri: South aquifer at the well sites proposed by these applications, some existing well owners may need to lower their pumps to accommodate for deeper water levels. However, when considering the statute (SDCL 46-6-6.1) and rule (ARSD 74:02:04:20(7)), well interference from the proposed appropriation is not likely to cause a significant impact. Therefore, there is a reasonable probability that any interference will not be adverse.

SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cfs for every 70 acres, or “the equivalent thereof.” The statute does provide that the Water Management Board may allow a greater diversion rate if the method of irrigation so requires. Water Permit Application No. 7993-3 proposes to divert up to 1.11 cfs from the Upper Vermillion Missouri: South aquifer for the irrigation of 53 acres, or the equivalent of 1.47 cfs per 70 acres. The applicant did not state a reason for the request. However, the maps submitted with the application show the center pivot to be used for this irrigation project will only make a partial rotation. In the past, it has been accepted that to run a center pivot that only makes a partial rotation often requires a diversion rate in excess of the statutory limit.

SPECIAL CONSIDERATIONS:

Application Nos. 7994-3 and 7995-3 propose to irrigate using diversion rate authority authorized under Water Permit No. 6818-3 and Water Right No. 6812-3, respectively. Water Right No. 6812-3 and Water Permit No. 6818-3 both have a permit qualification that requires the well authorized by each to be at least 1,320 feet from the Vermillion River. The reports for both Water Right No. 6812-3 and Water Permit No. 6818-3 both stated that being at least 1,320 feet from the river should minimize any potential impacts on river flows caused by pumping irrigation wells (Goodman, 2007a and 2007b). There was no pump test data or other site specific data indicating a spacing of 1,320 feet was necessary in the files for Water Permit No. 6818-3 and Water Right No. 6812-3. Also, Application Nos. 7994-3 and 7995-3 do not request to drill a new well.

Originally, the spacing from the Vermillion River was for Water Permit No. 3545-3 that proposed to withdraw water from the Parker-Centerville aquifer. The Parker-Centerville aquifer is a surficial aquifer in the area that is hydraulically connected to the Vermillion River. In February 1977, the Water Management Board, then known as the Water Rights Commission, approved a permit qualification requiring a spacing of 660 feet from the Vermillion River for Water Permit No. 3545-3. Then in December 2006, Goodman (2006) recommended including a qualification requiring a spacing of 1,320 feet from the Vermillion River in the report for Water Permit No. 6773-3. Water Permit No. 6773-3 proposed to withdraw water from the Parker-Centerville aquifer. Water Permit No. 6773-3 was approved by the Chief Engineer on May 10, 2007, pursuant to SDCL 46-1-16, which allows the Chief Engineer to approve permits if no petitions are filed in opposition to the permit. On June 15, 2007, the Chief Engineer approved nine more water permits with the 1,320 feet spacing requirement. However, those nine permits were from the Upper Vermillion Missouri and Lower Vermillion Missouri aquifers. The permits requiring spacing from the Vermillion River are shown in Table 1.

Between the approval of Permit No. 3545-3 and 6773-3 there were 21 water permits approved that proposed well sites within approximately 1,320 feet of the Vermillion River. Then came the 10 permits listed after Permit No. 6545-3 in Table 1. Since then eight water permits have been approved without the spacing qualification but had proposed well sites within approximately 1,320 feet of the Vermillion River.

Permit No.	Approval Date	Aquifer	Spacing (ft)	Status	Owner
3545-3	02/24/77	PAC	660	CA	Burl Litzelman
6773-3	05/10/07	PAC	1,320	LC	JBS Hansen Farms
6810-3	06/15/07	UVM	1,320	LC	Roger Hansen, d.b.a. Hansen Properties
6811-3	06/15/07	UVM	1,320	CA	
6812-3	06/15/07	UVM	1,320	LC	
6817-3	06/15/07	LVM	1,320	PE	
6818-3	06/15/07	LVM	1,320	PE	
6819-3	06/15/07	LVM	1,320	LC	
6820-3	06/15/07	LVM	1,320	CA	
6821-3	06/15/07	LVM	1,320	LC	
6822-3	06/15/07	LVM	1,320	PE	
PAC= Parker-Centerville, UVM= Upper Vermillion Missouri, LVM= Lower Vermillion Missouri, CA= Cancelled, LC= Water Right, PE= Water Permit					

Table 1- Permits including a spacing qualification from the Vermillion River (Water Rights, 2014b)

The Upper Vermillion Missouri and Lower Vermillion Missouri aquifers generally have not been considered to be in hydraulic connection with the Vermillion River. SD DENR-Geologic Survey is currently conducting a hydrogeologic study of the Upper Vermillion Missouri aquifer. Preliminary results indicate that in some locations the river may be in hydraulic connection to the aquifer. Also, the Lower Vermillion Missouri aquifer can be in hydraulic connection with the Vermillion River near the river's mouth. However, that is much farther south, approximately 10 miles, than any of the water permits that have the spacing qualification.

Any groundwater/surface water exchange between the river and the aquifers is not at a one-to-one ratio (i.e. a well diverting near the Vermillion River will capture only a percentage of its total withdrawals from the river). Historically, there have been 69 permits for withdrawal and one future use permit reserving groundwater approved within approximately 1,320 feet of the Vermillion River. Barring a

small number of exceptions (see Table 1), permits to appropriate groundwater have typically not been conditioned with any recognition of a connection between the river and the aquifer, and groundwater appropriations generally do not contain qualifications that protect prior surface water appropriations.

There has been little development of the Vermillion River as a surface water source. There have been 15 permits approved for use of the Vermillion River. Currently, there are three water rights and three water permits appropriating water from the Vermillion River. Two of the water rights/permits are more than three miles upstream of the proposed well site. There are three water rights/permits approximately 20 miles downstream of the proposed well site. Permit No. 119-3 for WE/W Jerald Hansen was filed to withdraw water from the Vermillion River approximately one mile north (upstream) of the proposed well site. However, it appears the system was never developed.

There are three USGS stream gages on the Vermillion River. One on the West Fork and one on the East Fork of the Vermillion River approximately five miles west-northwest and four miles north-northeast of Parker, respectively and one on the main river approximately one mile north of Vermillion. The stream gages and the proposed well site along with the rivers are shown in Figure 6. The monthly average flow rate at the stream gages is shown in Figure 7.

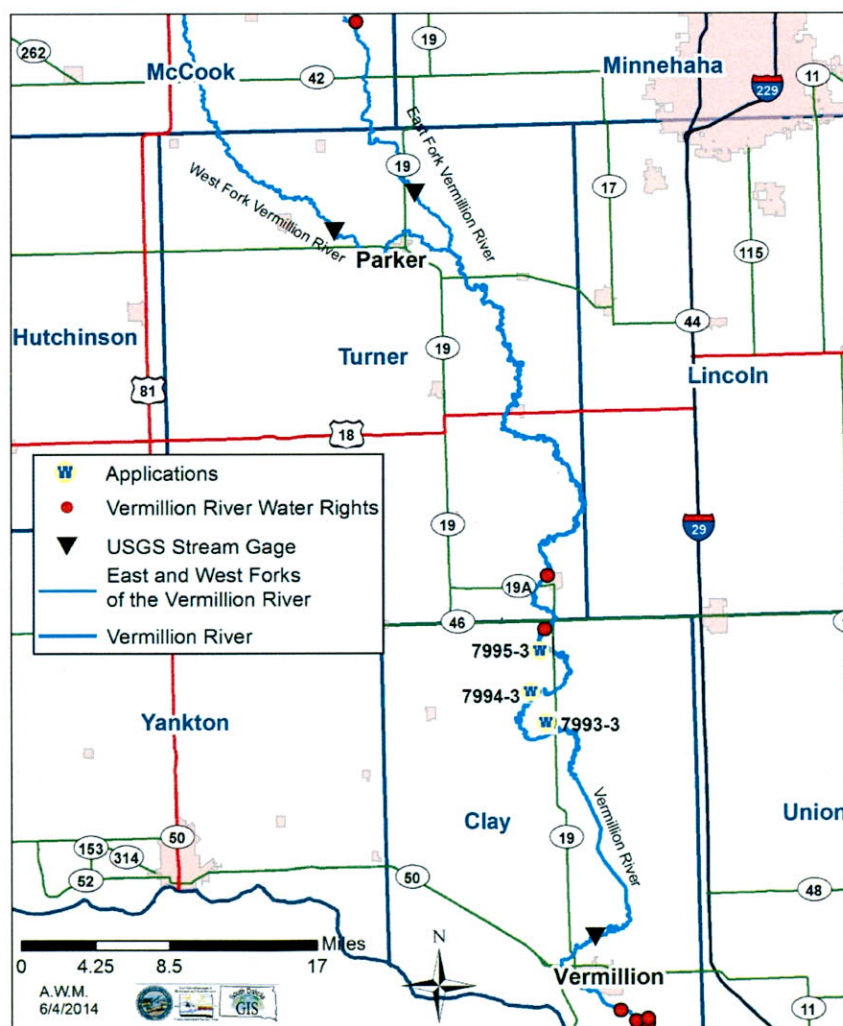


Figure 6- Map of USGS stream gages on the Vermillion River (USGS, 2014; Water Rights, 2014b)

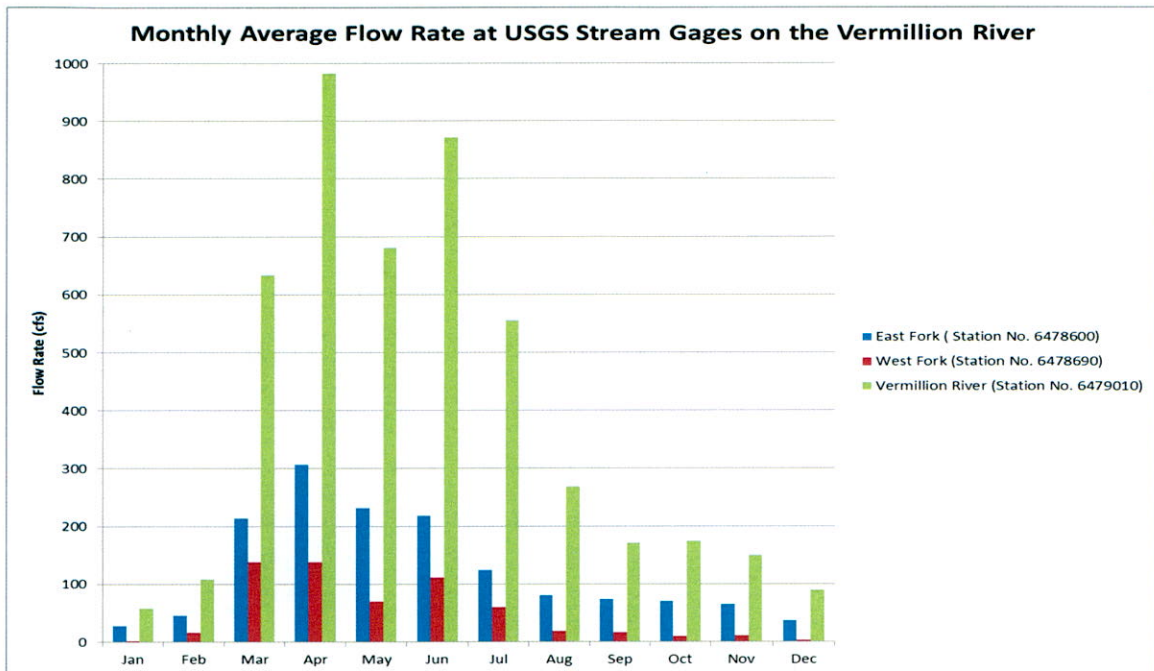


Figure 7- Monthly average flow rate at USGS stream gages on the Vermillion River (USGS, 2014)

At the flow rates shown in Figure 7, capture from any one well would be indiscernible. Also note, the monthly average flow rate at the West Fork and East Fork of the Vermillion River, when added together, is approximately half of the flow rate of the Vermillion River near Vermillion.

While there are surface water and groundwater appropriations along the length of the Vermillion River, there is more flow in the river downstream of the proposed well site than there is upstream of it. Furthermore, no individual well is likely creating a discernible impact on the river; the collective impact of the appropriations may have a measureable effect. However, there is clear evidence that the Vermillion River is, on monthly average, gaining twice the flow between the confluence of the West and East Forks of the Vermillion River to just a few miles north of the mouth of the river. There may be low or no-flow conditions in between the stream gages during dry years.

The nearest water right/permit that authorizes use of water from the Vermillion River that has been developed is at Centerville, approximately three miles north of the proposed well site, and is for the impoundment of water behind a small dam. At that distance, any influence this proposed application could make on the Vermillion River will be negligible. The three water rights/permits south of Vermillion that authorize the withdrawal of water from the river are for both the river and groundwater (Water Right Nos. 977A-3 and 977B-3) or, in the case of Water Permit No. 6057-3, authorize a withdrawal less than the lowest monthly average flow rate at the stream gage north of Vermillion (i.e. 1.33 cfs authorized for withdrawal versus 5.22 cfs at the stream gage).

Considering the limited development of the Vermillion River, the inconsistency of how the spacing qualification has been used, the fact that flow on monthly average doubles in the Vermillion River from the confluence of the West and East Forks to just north of Vermillion, there has been significant development within approximately 1,320 feet of the Vermillion River, and that Application Nos. 7994-3

and 7995-3 do not propose to drill new wells, there is no need to have the spacing qualification on these applications, if approved.

CONCLUSIONS:

1. Water Permit Application No. 7993-3 proposes to appropriate 1.11 cfs from the Upper Vermillion Missouri: South aquifer for the irrigation of 53 acres.
2. Water Permit Application No. 7994-3 proposes to irrigate 72 acres using the well and diversion rate authority authorized by Water Permit No. 6818-3.
3. Water Permit No. 6818-3 authorizes the irrigation of 117 acres at a maximum diversion rate of 1.55 cfs.
4. Water Permit Application No. 7995-3 proposes to irrigate 25 acres using the well and diversion rate authority authorized by Water Right No. 6812-3.
5. Water Right No. 6812-3 authorizes the irrigation of 66 acres at a maximum diversion rate of 1.78 cfs.
6. There is a reasonable probability that unappropriated water is available from the Upper Vermillion Missouri: South aquifer for these proposed appropriations.
7. There is a reasonable probability that these proposed diversions can be made without adversely impacting existing water rights/permits and domestic users.
8. The applicant is requesting a diversion rate greater than the statutory limit for Application No. 7993-3. The applicant did not explicitly state a reason for the request. However, a map submitted with the application indicates the center pivot will only make a partial rotation. In the past the Water Management Board has accepted that as a valid reason for the request.
9. Application Nos. 7994-3 and 7995-3 propose to irrigate using diversion rate authority authorized under Water Permit No. 6818-3 and Water Right No. 6812-3, respectively. Water Right No. 6812-3 and Water Permit No. 6818-3 both have a permit qualification that requires the well authorized by each to be at least 1,320 feet from the Vermillion River. However, there is not sufficient evidence that this spacing from the river is necessary.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved By:



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Buhler, K.A. 2014. Report on 21 Water permits Application from the Upper Vermillion Missouri Aquifer. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Goodman, J.A. 2007a. Report on Water Permit Application No. 6812-3 for Hansen Properties. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Goodman, J.A. 2007b. Report on Water Permit Application No. 6818-3 for Hansen Properties. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Goodman, J.A. 2006. Report on Water Permit Application No. 6773-3 for JBS Hansen Farms. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
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- Water Rights. 2014a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2014b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2014c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

RECEIVED

JUN 27 2014

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

Hansen Properties
Roger A Hansen
P.O. Box B
Centerville, SD 57014

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. 7993-3, 7994-3, 7995-3 & 6811A-3 to Appropriate Water

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 20 DAY OF June 2014
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID **NOTICE** TO WIT \$56.11 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: 6/20/14

FILED ON: 6/19/14

Tera A Schmidt

SUBSCRIBED AND SWORN TO BEFORE ME THIS

24th

DAY OF

June

2014

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

NOTICE OF APPLICATION
NOS. 7993-3, 7994-3, 7995-3 and
6811A-3 to Appropriate Water

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

Application No. 7993-3 proposes
to appropriate 1.11 cubic feet of
water per second (cfs) from one
well to be completed into the
South Management Unit of
the Upper Vermillion:Missouri
Aquifer (100 feet deep) located in
the SW 1/4 SE 1/4 Section 34 for
irrigation of 53 acres located in
the E 1/2 SW 1/4, SW 1/4 SE 1/4
Section 34; all in T95N-R52W.
The applicant is requesting a
diversion rate greater than the
statutory limit.

Application No. 7994-3 proposes
to irrigate 72 new acres. Water
Permit No. 6818-3 appropriates
1.55 cfs from one well completed
into the South Management Unit
of the Upper Vermillion:Missouri
which was formerly referenced on
the permit as the Lower Vermil-
lion Missouri Aquifer (100 feet
deep) located in the center of the
NE 1/4 Section 28 to irrigate 117
acres located in the N 1/2 Section
28; all in T95N-R52W. This
application is to irrigate 72 new
acres located in the NW 1/4
Section 28-T95N-R52W from the
existing well. The application also
corrects the location of the
existing well which is located in
NW 1/4 NE 1/4 Section
28-T95N-R52W. This application,
if approved, does not authorize
any increase in the developed
diversion rate.

Application No. 7995-3 proposes
to irrigate 25 new acres. Water
Right No. 6812-3 appropriates
1.78 cfs from one well completed
into the South Management Unit
of the Upper Vermillion:Missouri
Aquifer (158 feet deep) located in
the SW 1/4 SW 1/4 Section 10 to
irrigate 66 acres located in the W
1/2 SW 1/4, SE 1/4 SW 1/4
Section 10; all in T95N-R52W.
This application is to irrigate 25
acres located in the S 1/2 SE 1/4
Section 10-T95N-R52W from the
existing well. This application, if
approved, does not authorize
any increase in the developed
diversion rate.

Application No. 6811A-3
proposes to reinstate Permit No.
6811-3. Permit No. 6811-3
appropriates 1.78 cfs from one
well to be completed into the
South Management Unit of
the Upper Vermillion:Missouri
Aquifer (approximately 100 feet

deep) located in the NE 1/4 NW 1/4 Section 10 to irrigate 115 acres located in the NW 1/4, N 1/2, SE 1/4, NE 1/4 SW 1/4 Section 10; all in T95N-R52W. The permit was approved May 14, 2007, and the project was to be completed May 14, 2012, with water being put to beneficial use by May 14, 2016. Application No. 6811A-3 proposes to reinstate Water Permit No. 6811-3 since the project has not been completed. Approval of No. 6811A-3 will cancel No. 6811-3.

Application No. 6811A-3 to reinstate Permit No. 6811-3 is made pursuant to SDCL 46-2A-8.1 which allows for reinstatement with a new priority date, if unappropriated water is available when construction, necessary to put water to beneficial use, is not completed within five years of approval of the permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7993-3, 7994-3, 7995-3 and 6811A-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 June 30, 2014.

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. Pimer, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$56.11.

Publish: June 20, 2014.

RECEIVED

JUN 25 2014

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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

Application No. 7993-3 proposes to appropriate 1.11 cubic feet of water per second (cfs) from one well to be completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (100 feet deep) located in the SW 1/4 SE 1/4 Section 34 for irrigation of 53 acres located in the E 1/2 SW 1/4, SW 1/4 SE 1/4 Section 34; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit.

Application No. 7994-3 proposes to irrigate 72 new acres. Water Permit No. 6818-3 appropriates 1.55 cfs from one well completed into the South Management Unit of the Upper Vermillion:Missouri which was formerly referenced on the permit as the Lower Vermillion Missouri Aquifer (100 feet deep) located in the center of the NE 1/4 Section 28 to irrigate 117 acres located in the N 1/2 Section 28; all in T95N-R52W. This application is to irrigate 72 new acres located in the NW 1/4 Section 28-T95N-R52W from the existing well. The application also corrects the location of the existing well which is located in NW 1/4 NE 1/4 Section 28-T95N-R52W. This application, if approved, does not authorize any increase in the developed diversion rate.

Application No. 7995-3 proposes to irrigate 25 new acres. Water Right No. 6812-3 appropriates 1.78 cfs from one well completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (158 feet deep) located in the SW 1/4 SW 1/4 Section 10 to irrigate 66 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 10; all in T95N-R52W. This application is to irrigate 25 acres located in the S 1/2 SE 1/4 Section 10-T95N-R52W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Application No. 6811A-3 proposes to reinstate Permit No. 6811-3. Permit No. 6811-3 appropriates 1.78 cfs from one well to be completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (approximately 100 feet deep) located in the NE 1/4 NW 1/4 Section 10 to irrigate 115 acres located in the NW 1/4, N 1/2 SE

Department of Environment and Natural Resources
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 Nos. 7993-3, 7994-3, 7995-3 & 6811A-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE NEWSPAPER ON THE 20th DAY OF June 2014 THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION OF SAID NOTICE TO WIT \$54.78 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: 6/20/2014

FILED ON: 6/20/2014

SUBSCRIBER AND SWORN TO BEFORE ME THIS 20th DAY OF June 2014

Muriel R. P. [Signature]
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 6/11/2019

1/4, NE 1/4 SW 1/4 Section 10; all in T95N-R52W. The permit was approved May 14, 2007, and the project was to be completed May 14, 2012, with water being put to beneficial use by May 14, 2016. Application No. 6811A-3 proposes to reinstate Water Permit No. 6811-3 since the project has not been completed. Approval of No. 6811A-3 will cancel No. 6811-3.

Application No. 6811A-3 to reinstate Permit No. 6811-3 is made pursuant to SDCL 46-2A-8.1 which allows for reinstatement with a new priority date, if unappropriated water is available when construction, necessary to put water to beneficial use, is not completed within five years of approval of the permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7993-3, 7994-3, 7995-3 and 6811A-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 June 30, 2014.

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 \$54.78.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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

dennr.sd.gov



June 12, 2014

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7993-3, 7994-3, 7995-3 & 6811A-3 to Appropriate Water. Please publish the notice once on June 20, 2014. 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 Hansen Properties, c/o Roger A Hansen, PO Box B, Vermillion SD 57069 (Ph # 605-760-5690).

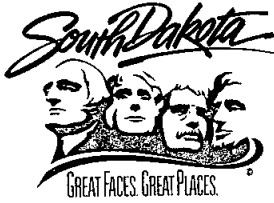
Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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

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



June 12, 2014

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7993-3, 7994-3, 7995-3 & 6811A-3 to Appropriate Water. Please publish the notice once on June 20, 2014. 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 Hansen Properties, c/o Roger A Hansen, PO Box B, Vermillion SD 57069 (Ph # 605-760-5690).

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

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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.

June 12, 2014

Hansen Properties
Roger A Hansen
PO Box B
Vermillion SD 57069

Dear Mr. Hansen:

Water Permit Application Nos. 7993-3, 7994-3, 7995-3 & 6811A-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Plain Talk printed at Vermillion SD (Ph # 605-624-2695) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper(s) has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,


Eric Gronlund

Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on June 20, 2014. 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. 7993-3, 7994-3, 7995-3 and 6811A-3 to Appropriate Water

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

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Application No. 7995-3 proposes to irrigate 25 new acres. Water Right No. 6812-3 appropriates 1.78 cfs from one well completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (158 feet deep) located in the SW 1/4 SW 1/4 Section 10 to irrigate 66 acres located in the W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 10; all in T95N-R52W. This application is to irrigate 25 acres located in the S 1/2 SE 1/4 Section 10-T95N-R52W from the existing well. This application, if approved, does not authorize any increase in the developed diversion rate.

Application No. 6811A-3 proposes to reinstate Permit No. 6811-3. Permit No. 6811-3 appropriates 1.78 cfs from one well to be completed into the South Management Unit of the Upper Vermillion:Missouri Aquifer (approximately 100 feet deep) located in the NE 1/4 NW 1/4 Section 10 to irrigate 115 acres located in the NW 1/4, N 1/2 SE 1/4, NE 1/4 SW 1/4 Section 10; all in T95N-R52W. The permit was approved May 14, 2007, and the project was to be completed May 14, 2012, with water being put to beneficial use by May 14, 2016. Application No. 6811A-3 proposes to reinstate Water Permit No. 6811-3 since the project has not been completed. Approval of No. 6811A-3 will cancel No. 6811-3.

Application No. 6811A-3 to reinstate Permit No. 6811-3 is made pursuant to SDCL 46-2A-8.1 which allows for reinstatement with a new priority date, if unappropriated water is available when construction, necessary to put water to beneficial use, is not completed within five years of approval of the permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7993-3, 7994-3, 7995-3 and 6811A-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 June 30, 2014.

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

Published once at the total approximate cost of_____.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



JUL 24 2014

Hansen Properties
Roger A Hansen
PO Box B
Centerville SD 57014

Dear Mr. Hansen:

Enclosed are Water Permit Nos. 6811A-3, 7993-3, 7994-3 and 7995-3 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,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

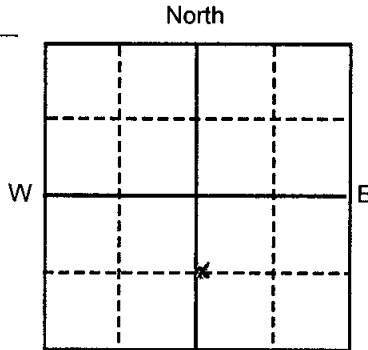
SD EForm - 1621LD V1

11-02

Location sw 1/4 se 1/4 Sec 34 Twp 95n Rg 52w

County Clay

Please mark well location with an "X"



Well Completion Date

Jan 15, 2015

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
2,500.0 ft. from septic tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>16.00</u> IN	<u>0.0</u> FT	<u>54.0</u> FT	<u>22.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>9</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>44.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 40.0 Feet

Material pvc

Slot Size .050 Set From 54.0 Feet to 94.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION:

Was well disinfected upon completion?

☒ Yes, How? hth granules

☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Roger Hansen

Business Name:

Address: P.O.Box B

City, State, Zip: Centerville SD 57014

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
topsoil, black	0	2
Sand, fine to medium, yellow	2	15
Sand, fine gravel	15	20
Gravel, coarse, rocky	20	94

STATIC WATER LEVEL

6.0 FEET

If flowing: closed in pressure

PSI

GPM flow through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

20.0 Ft. After 2.0 Hrs. pumped 750.0 GPM

 Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

APR 15 2015

WATER RIGHTS PROGRAM

This well was drilled under license # 810 and this report is true and accurate.

Drilling firm: Heine Electric & Irrigation, Inc.

Signature of License Representative:

[Signature]

Signature of Well Owner or Equitable Property Holder:

Date: 2-18-15



7993-3
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.



7993-3
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

7993-3



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# 66142870

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

RECEIVED

MAR 11 2019

Water Right/Permit No. 7993-3Date: 2-21-19

I/We request that Water Right/Permit No. 7993-3 ^{WATER RIGHTS PROGRAM} 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:

53 acres located in E 1/2 SW 1/4, SW 1/4 SE 1/4 section 34-T95N-R52W.

☒ I understand that the validity of Water Right/Permit No. 7993-3 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 M.P.
(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>7993-3</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. **09061**

By Jeanne Goodman
Chief Engineer



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 - 9 2020

Ck# 1023

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

RECEIVED

JAN 09 2020

WATER RIGHTS
PROGRAMWater Right/Permit No. 7993-3Date: December 20, 2019

I/We request that Water Right/Permit No. 7993-3 formerly owned by:
MetaBank be transferred to:

New Owner Name: Jesse Vandestroet & Tanya Vandestroet
Address: 310 Thelma Avenue
City, State, Zip Harrisburg SD 57032 Telephone No. 605-310-6292

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

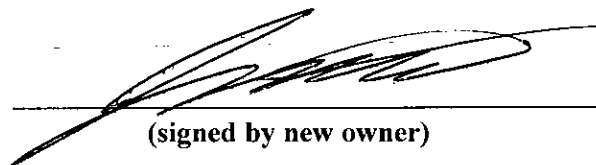
53 acres located in E 1/2 SW 1/4, SW 1/4 SE 1/4 section 34-T95N-R52W.

☒ I understand that the validity of Water Right/Permit No. 7993-3 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, Jesse Van De Stroet and Tanya Van De Stroet, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

RECEIPT

WATER RIGHTS PROGRAM
 South Dakota Department of Environment and Natural Resources

Date January 9, 20 20

RECEIVED OF Inwood Feeders Inc. Jesse Vandestroet/Tim Devitt 240th St Inwood IA 51240

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>7993-3</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 *vm*

7993-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 13, 2020

Jesse & Tanya Vandestroet
310 Thelma Ave
Harrisburg SD 57032

RE: 6568-3, 6810-3, 6811A-3, 6812-3, 6820A-3, 7002-3, 7949-3, 7993-3, 7995-3, 8072-3

Dear Mr. & Mrs. Vandestroet:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on the above listed water permits and water rights.

The ownership changes have been completed. Water Right and Permit Nos. 6568-3, 6810-3, 6811A-3, 6812-3, 6820A-3, 7002-3, 7949-3, 7993-3, 7995-3, 8072-3 formerly held by MetaBank are now listed in your names.

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 in October 2020.

Receipts for the filing fees are enclosed. If I can answer any questions, please let me know.

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7993-3

I have this day, December 18, 2023, made a thorough examination of the water use systems owned by Jesse and Tanya Vandestroet, 310 Thelma Avenue, Harrisburg, SD 57032, holders of Permit No. 7993-3, bearing the priority date of April 10, 2014. This permit authorizes the diversion of 1.11 cu. ft. per second of the waters of groundwater (South Management Unit of the Upper Vermillion:Missouri Aquifer) authorizing the irrigation of 53 acres located in Clay County.

Inspection contacts: Jesse Vandestroet and Larry Erickson

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Heine Electric & Irrigation, Inc.
- 2) No. of Wells: 1
- 3) Depth(s): 94 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 54 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 40 feet
- 3) Type: PVC
- 4) Static water level: 6 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 625S300-2AA
- 3) Capacity: 600 gpm

Motor:

- 1) Make: Grundfos
- 2) Model No.: Unknown
- 3) Horsepower rating: 30 hp

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

- 1) Type: Aluminum Size: 8 inches Length: 30 feet

C. Works used to apply water to beneficial use:

Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 986 feet
- 3) Number of towers: 6
- 4) End gun: Yes, 100 feet
- 5) Capacity: 600 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 flow is 1.34 cfs instead of 1.11 cfs.

E. Condition and Location:

- 1) The system is in good condition with the point(s) of diversion located as follows:
The well is 1,010 feet north and 2,210 feet west of the southeast corner of Section 34-T95N-R52W (Latitude 42.99946, Longitude -96.97187- SW1/4 of the SE1/4).
2) The works are capable of diverting and conveying to the places of use 600 cu. ft. per second of water from the well which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 34-T95N-R52W

NE1/4SW1/4 4 acres

SE1/4SW1/4 18 acres

SW1/4SE1/4 31 acres

comprising a total of 53 acres of land and the license should be issued for 1.11 cfs.

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

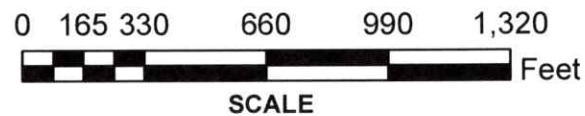
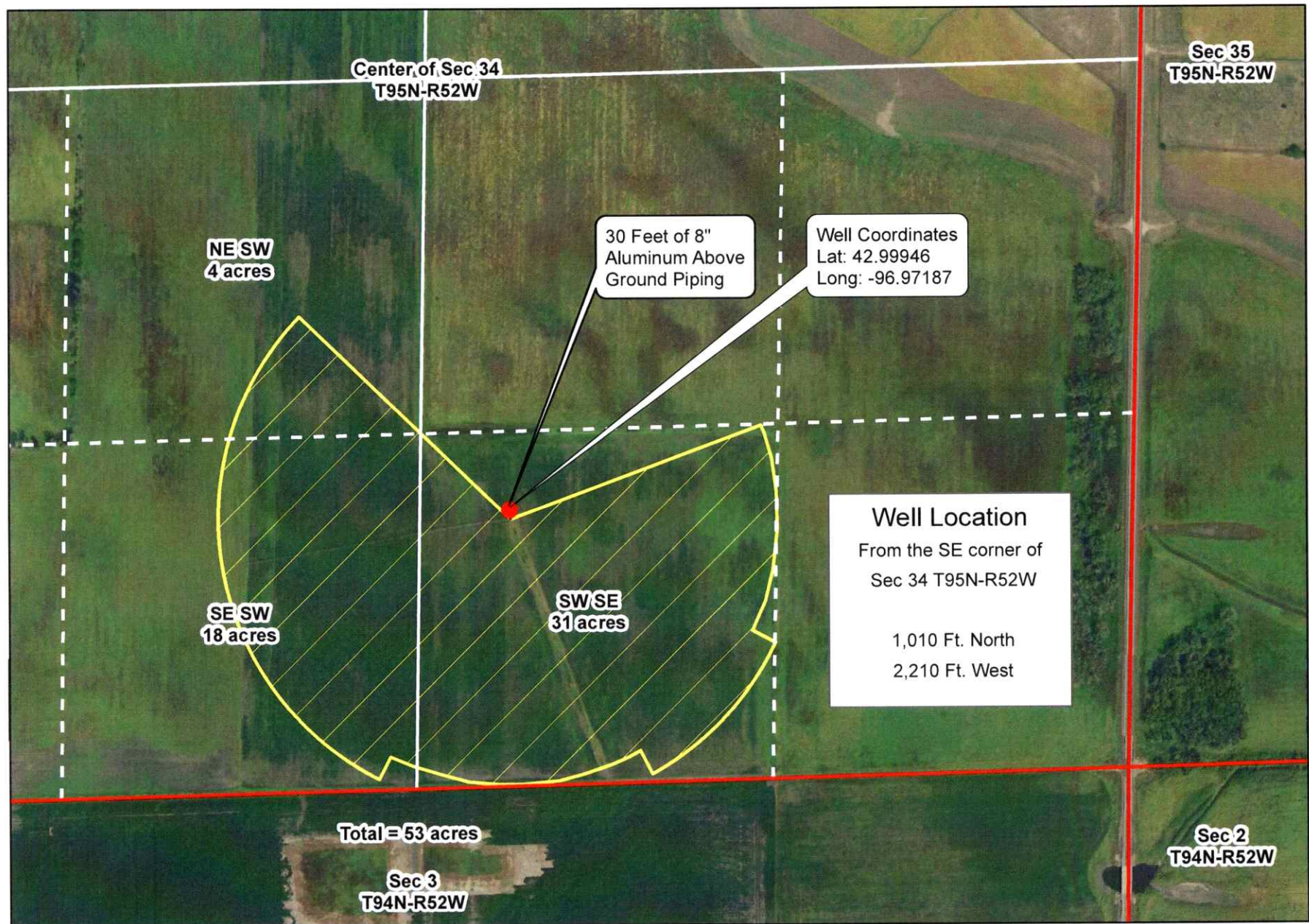
F. Comments or other permit(s) associated with the project: The pump flow of 1.34 cfs is more than the 1.11 cfs allowed by the permit. The pump and motor information was obtained from Heine Electric and Irrigation, Inc.

Keith DeJong

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

Date report completed: December 29, 2023

Water Permit No. 7993-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
December 18, 2023

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7993-3**

(1) Hansen Properties; PO Box B, Centerville SD 57014, made Application No. 7993-3, April 10, 2014, for a water permit to divert 1.11 cubic feet of water per second from groundwater, one well (South Management Unit of Upper Vermillion: Missouri Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7993-3, with a priority date of April 10, 2014, was approved June 30, 2014, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 30, 2019, and for the application to beneficial use of water on or before June 30, 2023.

Ownership of Permit No. 7993-3 was transferred to Jesse and Tanya Vandestroet, 310 Thelma Ave, Harrisburg SD 57032, on January 9, 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 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,010 ft N & 2,210 ft W of the SE corner of Section 34, T95N, R52W (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
(Latitude 42.99946 & Longitude -96.97187)

(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 – October 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 34, T95N, R52W
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 31 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18 acres
TOTAL: 53 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Jesse and Tanya Vandestroet, the holders and/or owners of Water Right No. 7993-3 are issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater, one well (South Management Unit of Upper Vermillion: Missouri Aquifer), with a priority date of April 10, 2014, 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. 7993-3 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.

continued

2. The well authorized by Water Right No. 7993-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *(The well was drilled in 2015 by Heine Electric & Irrigation Inc. A copy of the well completion report is on file with the Water Rights Program.)*
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soil so requires, Water Right No. 7993-3 authorizes a maximum diversion rate of 1.11 cfs for the irrigation of 53 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Water Right is subject to the irrigation water use questionnaire being submitted each year.



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

JAN 08 2024

date





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

JAN 08 2024

7993-3

Jesse & Tonya Vandestroet
310 Thelma Ave
Harrisburg SD 57032

Dear Mr. & Ms. Vandestroet:

Enclosed is Water License No. 7993-3. 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 is capable of diverting 1.34 cfs (approximately 600 gallons per minute). Diversion under this license is limited to 1.11 cfs (approximately 500 gallons per minute).

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 30th, 2025

7993-3

Jesse & Tanya Vandestroet
302 Oak Street
Fairview, SD 5727

Dear Jesse & Tanya:

I am writing to you today in response to the 2025 Irrigation Questionnaire information submitted to us online for Water Right No. 7993-3.

Water Right No. 7993-3(copy enclosed) authorized diversion of 1.11 cubic feet of water per second (500 gpm) from ground water, one well (Upper Vermillion Missouri: South Aquifer). For the use of irrigation purposes of 53 acres located in E1/2 SW1/4 & SW1/4 SE1/4, Section 34, T95N, R52W.

On this year's questionnaire you reported the irrigation of 70 acres. If an additional 17 acres has been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2025 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

Shannon Konst
Water Rights Program
Shannon.konst@state.sd.us
(605) 773-3352

enclosure