

WATER PERMIT NO. 8255-3

Name of Applicant: **Jon Vaske**

Address: **21215 485th Ave, Elkton SD 57026** Phone: **605 695-1511**

Amount of Water Claimed: **0.38 cfs** Total Acres: **23 acres**

Source of Water Supply: **two existing wells**

Water to be used for: **irrigation** County: **Brookings**

Type of Waste Disposal System:

Location: **southeast of Elkton**

PRIORITY Date Received: **12-19-16** Application/License Fee: **\$ 700**

Corrected Application Received: Period of Annual Use: **May 1 – Sept 30**

Remarks: **Utilizing wells authorized by Water Right No. 7560-3. Increased the water appropriation and additional acres**

Diversion Point: **SW 1/4 SE 1/4, SE 1/4 SE 1/4 Sec 21-T109N-R47W**

Land to be Irrigated: **SE 1/4 Sec 21-T109N-R47W**

Depth of Well: **44 feet deep**

Well Driller: **Thein Well Co**

Remarks:

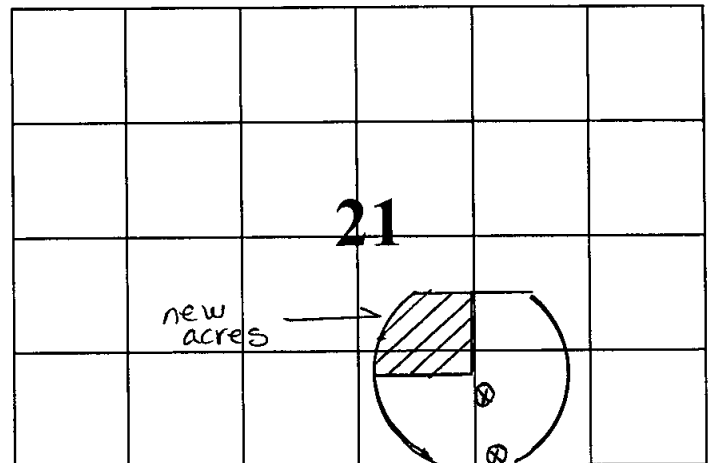
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **12-19-16**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8255-3</u> (office use only)	Hydrologic Unit <u>10170202</u>
	Basin <u>Siouxs River</u>	
	Newspaper <u>Brookings Register</u>	
	<u>605-692-6271</u>	

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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 Jon Vaske

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 21215 485th Ave Elkton SD 57026
(Address) (City) (State) (Zip Code)

Phone _____ Mobile (605) 695-1511 Email jonvaske@vaskefarm.com

2. Amount of water claimed 0.38 ^{add'l} *CFS or 600 **GPM _____ ***AF Total Acreage 23 acres
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Groundwater

4. Location of point of diversion Please see Permit #7560-3 which has two (2) operating wells in
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

Section 21 T109N-R47W C SW 1/4 SE 1/4, SE 1/4 SE 1/4 County Brookings

5. County or counties where water will be used Brookings

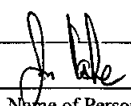
6. Annual period during which water is to be used May 1st through September 30th

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
Outlet #3 Subdivision of SE 1/4, Section 21			
T-109-N, R-47-W, Elkton Township,			
Brookings County, South Dakota	23acres		
please see attached map			

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

I would like to use the wells associated with Permit #7560-3 for irrigation of the property recently purchased. If approved, this will allow my Center Pivot Irrigation Machine to make a complete circle.

I, Jon Vaske , the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

SOUTH DAKOTA
WATER PERMIT NO. 8255-3

Date of first receipt of application December 19, 2016.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8255-3 to Jon Vaske, 21215 483th Ave, Elkton SD 57026 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. 8255-3 appropriates an additional 0.38 cubic feet of water per second (cfs) and irrigation of 23 additional acres to what is currently authorized by Water Right No. 7560-3. Water Right No. 7560-3 authorizes 0.95 cfs from two wells located in the S 1/2 SE 1/4 Section 21 to irrigate 58.2 acres located in the S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 21; all in T109N-R47W. This permit appropriates an additional 0.38 cfs from the two existing wells completed into the Big Sioux:Aurora Aquifer (47 feet deep) for irrigation of 23 additional acres located in the SE 1/4 Section 21-T109N-R47W. This permit allows the existing pivot to make a complete circle and authorizes a total diversion rate of 1.33 cfs for irrigation of 81.2 acres.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is December 19, 2016.
4. The date of approval of Permit No. 8255-3 is March 10, 2017.
5. One-fifth of the construction is to be completed on or before September 10, 2019.
6. All construction is to be completed on or before March 10, 2022.
7. Water is to be put to beneficial use on or before March 10, 2026.
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 wells approved under Water Right No. 7560-3 and Water Permit No. 8255-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 7560-3 and Water Permit No. 8255-3, combined, authorize a maximum diversion rate of 1.33 cfs for the irrigation of 81.2 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 30 2017

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 ____ 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 ____

For either Existing or Proposed Wells:

c) Well Depth (required) ____ Depth to Top of Water Bearing Material ____ Depth to Water from Surface ____

d) Distance to nearest domestic well on applicant's property ____ Property owned by others ____

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)

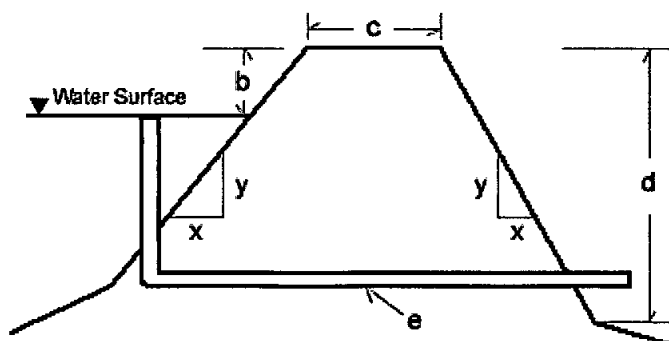
Upstream ____

Downstream ____

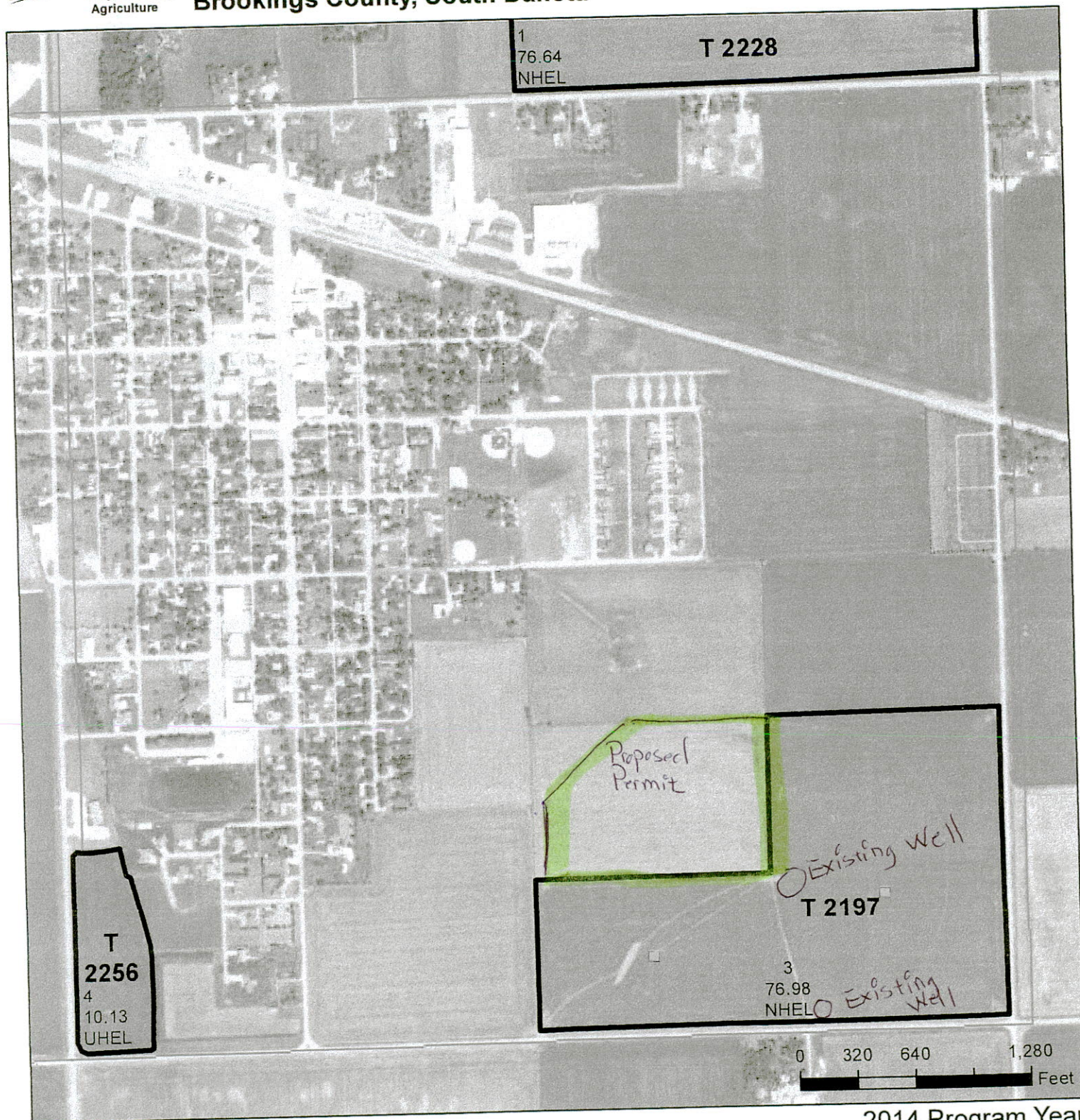
h) Surface Area of Impoundment ____

i) Storage ____ Acre Feet

j) Drainage Area Above Dam ____ Acres



Brookings County, South Dakota



Common Land Unit
Cropland // Non-cropland

Conservation Reserve Program

Wetland Determination Identifiers

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

Tract Boundary Section Line



2012 Ortho-Photography - not to scale

2014 Program Year

Map Created March 05, 2014

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Farm 8386

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21 -109N -47W

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



3310 US Hwy 14 Bypass
Brookings, SD 57006
Phone: 605-693-3514
www.SchunemanEquipment.com



JOHN DEERE

Ship to: SAME AS BELOW

Invoice to: JON VASKE
21215 485TH AVE
ELKTON SD 57026

Branch		CNYYYY	
BROOKINGS, SD			
Date	Time	Page	
12/14/16	12:37:14 (O)	02	
Account No.	Phone No.	Invoice No.	
VASKE004	6055423361	P29370	
Ship Via		Purchase Order	
Sales Tax License No.		Federal Exemption No.	
		F.S. 06/2015	
Farmplan Number		Salesperson	
		2MF	

PARTS INVOICE

ORDER#: 182386

Part#	Description	Bin	ORD	ISS	SHP	B/O	UTTTT	Price	Amount
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JON VASKE

Parts Restocking Notice: Stocked parts can be returned within 30 days with copy of invoice. Special order parts \$20.00 and up may be returned within 30 days with copy of invoice. 20% restock charge will apply to all special order parts. All sales are final on special order non-returnable parts. All parts must be new, uninstalled and in original packaging. No returns on electrical components. No refunds on freight charges.

Sec 17
T109N
R47W

Sec 16
T109N
R47W

Sec 15
T109N
R47W

Sec 20
T109N
R47W

Sec 21
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R47W

Sec 22
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Sec 29
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Sec 28
T109N
R47W

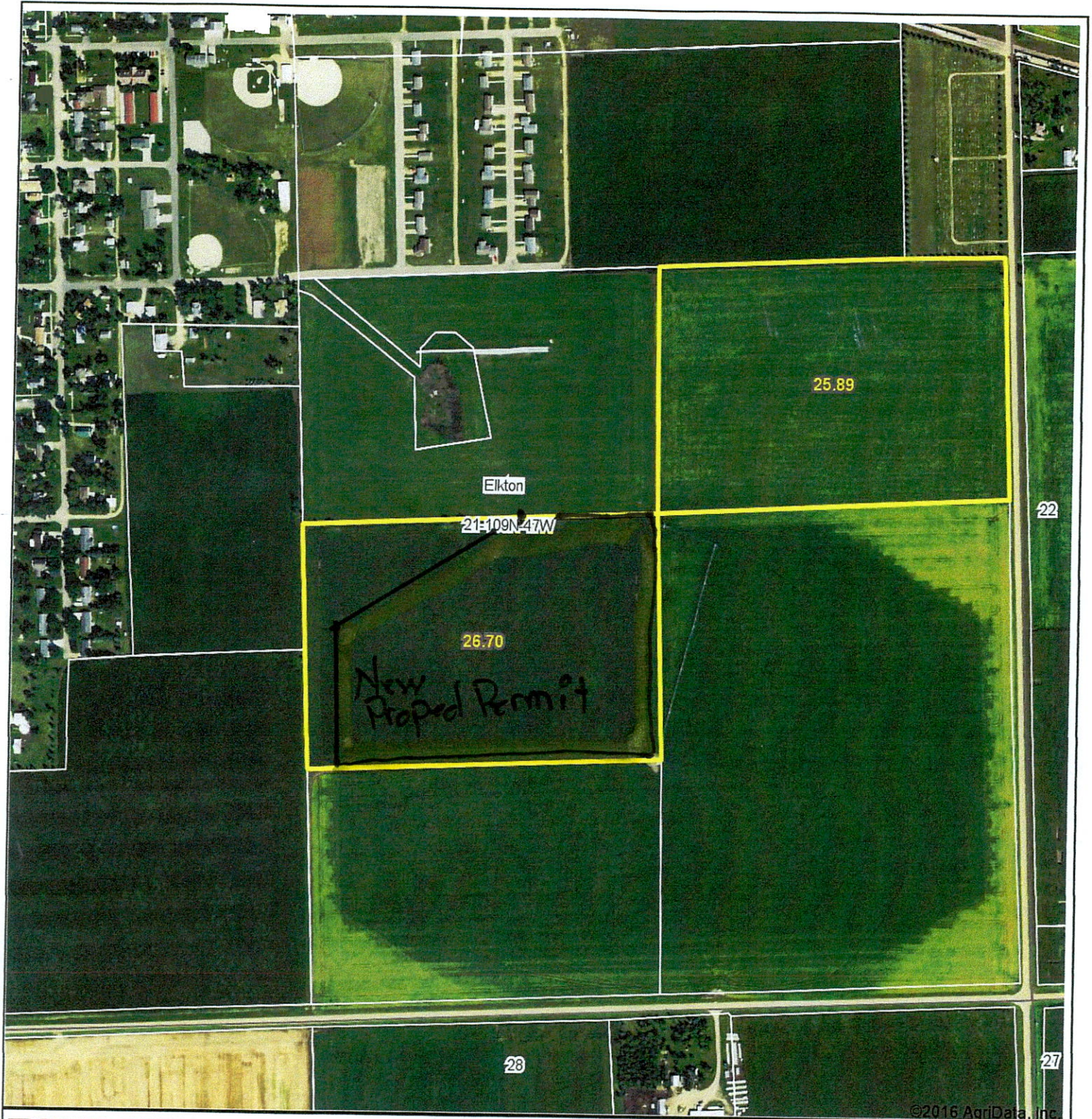
Sec 27
T109N
R47W

Sec 32

Sec 33

Sec 34
T109N

Aerial Map



**BURLAGE
PETERSON**
Auctioneers & Realtors, LLC

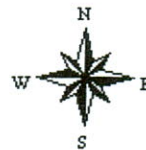
Maps Provided By:
 **surety**
CUSTOMIZED ONLINE MAPPING
© AgriData, Inc. 2016 www.AgriDataInc.com

map center: 44° 13' 47.56, -96° 28' 21.17

0ft 561ft 1122ft

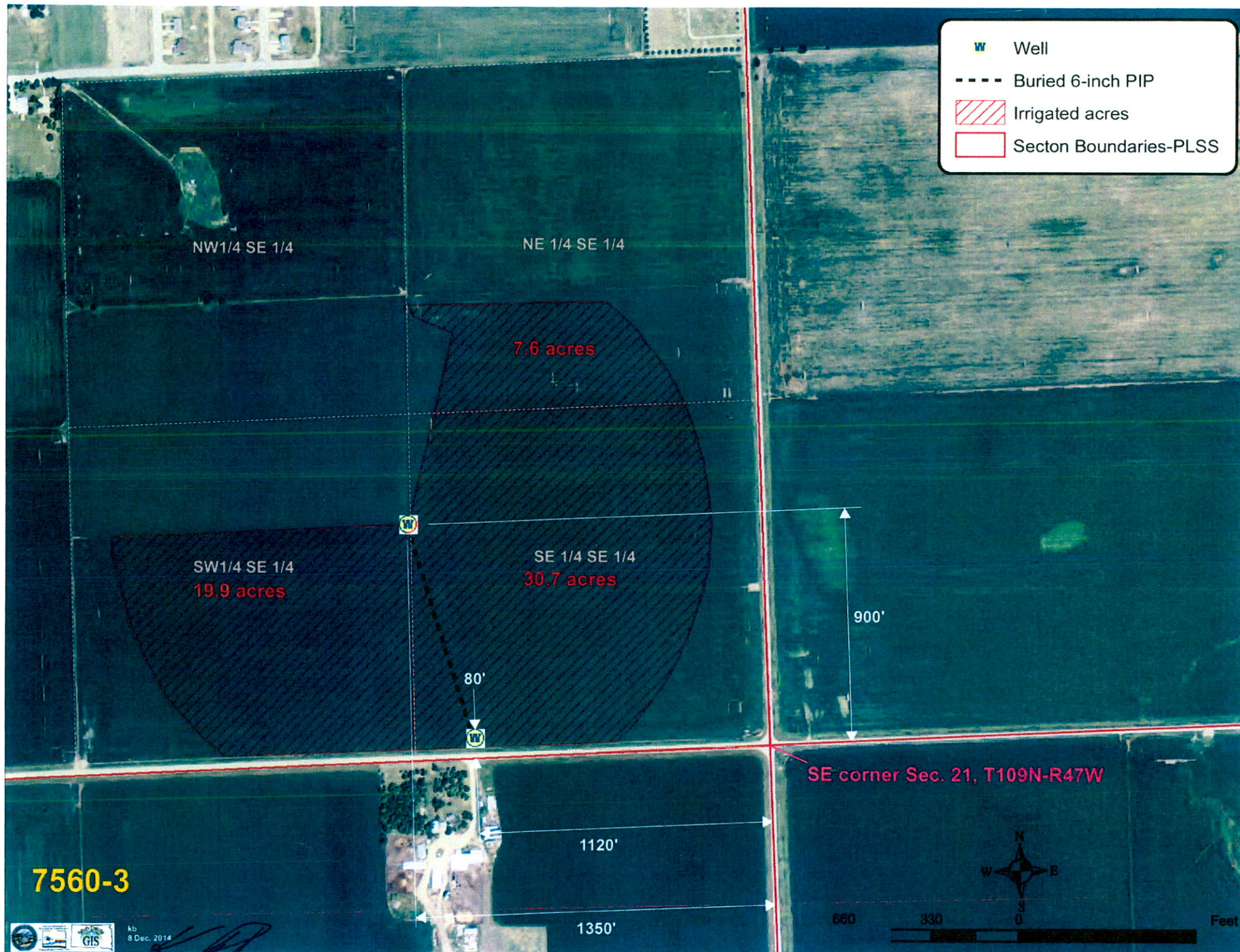
21-109N-47W
Brookings County
South Dakota

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9/7/2016

Field borders provided by Farm Service Agency as of 5/21/2008.



SW 1/4 SE 1/4: per inspection 1030-14

7560-3

SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

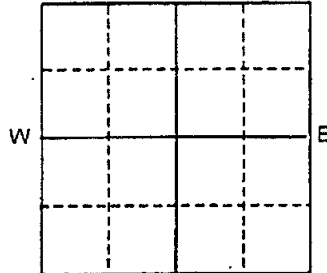
11-02

Location NE 1/4 SE 1/4 Sec 21 Twp 109N Rg 47W

County Brookings

North

Please mark well location with an "X"



Well Completion Date

January 11, 2103

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Auger

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	10.00 IN	0.0 FT	29.0 FT	18.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	10	Lb/gal	0.0 Ft	28.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
tremie piped

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 10.00 Inches Length 15.0 Feet

Material stainless steel

Slot Size .050 Set From 29.0 Feet to 44.0 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? chlorinated

☐ No, Why Not?

Lab to which water
quality sample sent for analysis
n/a

Well Owner: John Vaske

Business Name:

Address: 21215 485th Ave

City, State, Zip: Elkton SD 57026

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	7
gravel/sand mix	7	44

STATIC WATER LEVEL 20.0 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

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Pumping Level Below Land Surface

31.8 Ft. After 9.3 Hrs. pumped 100.0 GPM

 Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

well #1

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: Thein Well Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 9/4/2013

10-1-13

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/19, 20 16

RECEIVED OF Vaske Farms LLC 21215 485th Ave Elkton SD 57026

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

Fee for Application for Permit No. <u>8255-3</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>8255-3</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. **08009**

By Jeanne Hochman
Chief Engineer



**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. 8255-3, Jon Vaske**

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. 8255-3, Jon Vaske, 21215 485th Avenue, Elkton SD 57026.

The Chief Engineer is recommending APPROVAL of Application No. 8255-3 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 wells approved under Water Right No. 7560-3 and Water Permit No. 8255-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 7560-3 and Water Permit No. 8255-3, combined, authorize a maximum diversion rate of 1.33 cfs for the irrigation of 81.2 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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
February 21, 2017

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8255-3
JON VASKE
FEBRUARY 14, 2017**

Water Permit Application No. 8255-3 proposes to appropriate water from the Aurora Management Unit of the Big Sioux aquifer for the irrigation of 23 acres. This application is proposing a permit to increase the diversion rate from the two wells authorized through Water Right No. 7560-3, by 0.38 cubic feet of water per second (cfs). The acreage to be irrigated is located in the SE $\frac{1}{4}$ Sec. 21, T109N-R47W. Water Right No. 7560-3 currently authorizes the irrigation of 58.2 acres located in the S $\frac{1}{2}$ SE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, T109N-R47W, using water from two wells located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.21, T109N-R47W, at a maximum diversion rate of 0.95 cfs. This permit, if approved, will allow the existing pivot to make a complete rotation and will authorize a total diversion rate of 1.33 cfs for irrigation of 81.2 acres. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

AQUIFER: Aurora Management Unit of the Big Sioux Aquifer (BS: A)

AQUIFER CHARACTERISTICS:

The Big Sioux aquifer is a major glacial-drift aquifer consisting of alluvium-mantled outwash (silt, fine to coarse sand and gravel) that extends over most of the length of the Big Sioux River basin along the Big Sioux River and its tributaries. The Aurora management unit of the Big Sioux aquifer underlies approximately 83,000 acres of southeastern Brookings and northwestern Moody Counties, South Dakota and western Lincoln and Pipestone Counties, Minnesota (Anderson, 1976; Hamilton, 1989; Hansen, 1986; and Hedges and others 1982). The potentiometric surface map for the Big Sioux aquifer identifies an area, approximately in the center of T109N-R47W (near Elkton), where groundwater north of the area flows to the west and groundwater south of the area flows to the southwest (Hamilton, 1989). This groundwater divide produces an area that is isolated from the main body of the aquifer, essentially creating a sub-unit of the Big Sioux: Aurora aquifer. The sub-unit of the Big Sioux: Aurora aquifer which contains the well site proposed by Application No. 8255-3 encompasses approximately 20,000 acres (Buhler, 2012).

The Aurora management unit is a surficial aquifer under unconfined conditions in this area (Hamilton, 1989). The SD Water Well Completion Report for the two existing wells that are to be used to supply this proposed permit identify aquifer material from 7-44 feet below ground surface and from ground surface to 47.5 feet below ground surface, respectively. The water table in the area of the wells is approximately 20 feet below grade (Water Rights, 2017c).

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 from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

Application No. 8255-3 proposes a permit to irrigate 23 acres. Assuming an average annual application rate of 10 inches per acre per year, if approved, the average annual withdrawal that can be expected under Water Permit No. 8255-3 is 19.2 acre-feet per year (ac-ft/yr). The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires it is probable according to the best information reasonably available the quantity of water withdrawn annually from a groundwater source will not exceed the quantity of average estimated annual recharge of water to the groundwater source. If the source of the groundwater is older or lower than the Greenhorn formation and will be used for a water distribution system, recharge and withdrawal does not need to be considered.

Here, a water distribution system is not involved and the aquifer is above the Greenhorn formation so the issue of withdrawals from the aquifer compared to recharge will be considered. To evaluate how withdrawals from the aquifer compare to recharge to the aquifer, both a hydrologic budget for the aquifer and an analysis of observation well data are presented below.

Hydrologic budget:

Recharge:

Recharge to the Big Sioux: Aurora aquifer in this area is by infiltration of precipitation and seepage from Spring Creek and its tributaries. The average annual recharge rate to the Big Sioux: Aurora aquifer was estimated to be 5.0 inches per year based on observation well analysis (Hedges and others, 1985). However, the observation well analysis used to estimate recharge developed by Hedges and others (1985) essentially assumes that a rise in the water level of an aquifer is the product of recharge only. In actuality, a water level rise is the result of recharge to the aquifer exceeding discharge from the aquifer. Therefore, Hedges' recharge estimate may be conservative.

Hedges and others (1985) also reported a computer model analysis "best fit" recharge rate for the Aurora management unit, of 3.6 inches per year. A finite- difference method digital model used to simulate the Big Sioux aquifer in Brookings and Hamlin Counties (Koch, 1980), did not include the sub-unit of the Big Sioux: Aurora aquifer that contains the site proposed by this application, but modeled an area within approximately five miles of this well site. The model used an average annual recharge rate of 6.57 inches per year to the water table portion of the Big Sioux aquifer, to simulate steady state conditions using average annual water levels for 1970-1976 as the potentiometric head in the aquifer (Koch, 1980). The average annual recharge to the sub-unit of the Big Sioux: Aurora aquifer that contains the sites proposed by these applications, based on the recharge rate estimates is shown in Table 1.

Table 1. Estimated average annual recharge to the sub-unit of the Big Sioux: Aurora aquifer that contains the well site proposed by this application

INVESTIGATOR	RECHARGE RATE (inches per year)	AVERAGE ANNUAL RECHARGE Assuming aquifer area = 20,000 acres (acre-feet per year)
Hedges and others, 1985, (Observation well analysis)	5.0	8,333
Hedges and others, 1985, (Computer model "best fit")	3.6	6,000
Koch, 1980	6.57	10,950

Discharge:

Discharge from the sub-unit of the Big Sioux: Aurora aquifer that contains the sites proposed by these applications occurs through evapotranspiration, seepage to Spring Creek and its tributaries and well withdrawals. Well withdrawals are for domestic use (expected to be minor) and appropriative uses including irrigation and rural water system use. There are 22 water rights/permits appropriating water from the southern/eastern sub-unit of the Aurora Management Unit (Water Rights, 2017b). They are shown in Figure 1 and in Table 2.

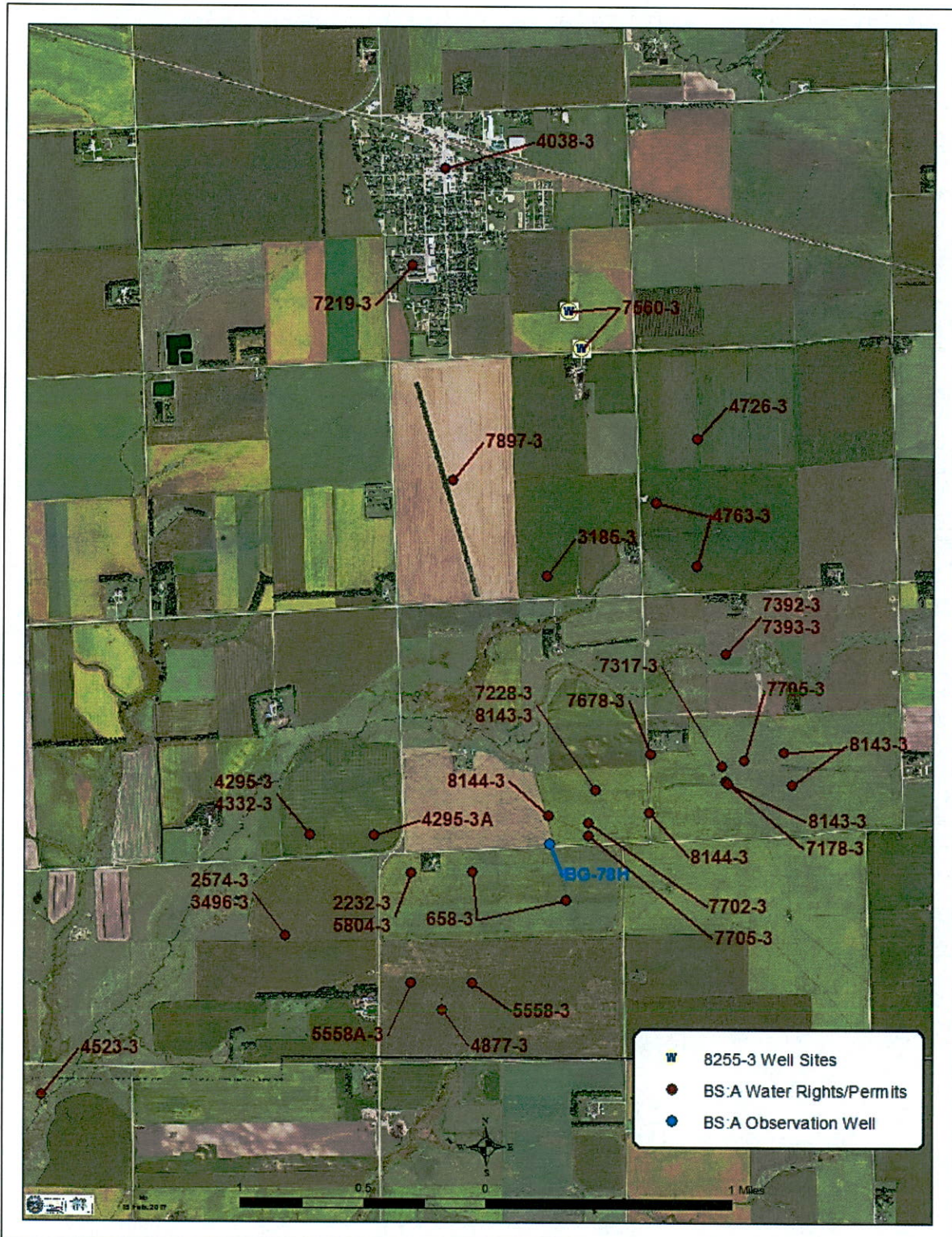


Figure 1. Location of: a) the wells that Application No. 8255-3 proposes to use, b) diversion points for existing water rights/permits appropriating water from the Big Sioux: Aurora (BS:A) aquifer, and 3) DENR-Water Rights observation well BG-78H which is completed into the BS:A aquifer (Water Rights, 2017a; and Water Rights 2017b) .

Table 2. Water Rights/Permits appropriating water from the portion of the Big Sioux: Aurora aquifer that Application No. 8255-3 proposes to divert from (Water Rights, 2017b).

PERMIT NO	NAME	PRIORITY DATE	STATUS	USE	CFS	ACRES
2574-3	LOWELL CHRISTENSEN	02/23/1976	LC	IRR	1.31	92
3185-3	WITTE AG PARTNERSHIP #1	10/29/1976	LC	IRR	1.41	99
3496-3	MINNIE VAN DYKE	12/28/1976	LC	IRR	0.52	37
4038-3	CITY OF ELKTON	01/01/1920	LC	MUN	0.72	0
4295-3A	REUBEN NICOLAI	06/26/1978	LC	IRR	1.34	136
4332-3	DAVID OR RACHEL MOSS	10/10/1978	LC	IRR	1.34	125
4523-3	JAMES STUEFEN	04/04/1980	LC	IRR	1	71
4726-3	WITTE AG PARTNERSHIP #3	04/09/1981	LC	IRR	1.56	115
4763-3	MARY ELLEN MCGILL TRUST	05/06/1981	LC	IRR	2.44	234
5558A-3	LARRY OLSON	05/31/1991	LC	IRR	1.78	268
5804-3	HEARTLAND HBI	02/18/1994	LC	IRR	1.78	177
7219-3	ELKTON SCHOOL DISTRICT	11/06/2010	PE	IRR	0.178	2.3
7228-3	JOS FAMILY FARMS	01/20/2011	LC	IRR	1	95.6
7317-3	JOS FAMILY FARMS	01/31/2012	LC	IRR	1.56	177.1
7392-3	LINCOLN PIPESTONE RURAL WATER	08/08/2012	PE	RWS	2.67	0
7560-3	JON VASKE	12/07/2012	LC	IRR	0.95	58.2
7678-3	JOS FAMILY FARMS	02/04/2013	LC	IRR	1.56	180
7705-3	JOS FAMILY FARMS	02/21/2013	LC	IRR	2.23	204.1
7897-3	JON VASKE	09/10/2013	PE	IRR	3.56	300
8143-3	JOS FAMILY FARMS	01/13/2015	LC	IRR	5.68	577.7
8144-3	JOS FAMILY FARMS	01/13/2015	LC	IRR	3.56	406.6

The appropriations identified in Table 2 that are for irrigation use authorize the irrigation of a total of 3,355.6 acres. Assuming the average annual application rate of 10 inches per permitted acre, the annual amount of water withdrawn for irrigation use from this portion of the Big Sioux: Aurora aquifer is expected to be less than 2,800 ac-ft/yr. (Note: an application rate of 10 inches per permitted acre is likely a high estimate. The 1979-2011 average application rate for this sub-unit of the Big Sioux: Aurora aquifer was estimated to be 6.45 inches per acre per year (Buhler, 2013)).

Non-irrigation appropriations include water rights/permits for the City of Elkton, and for Lincoln Pipestone Rural Water. The City of Elkton is currently supplied by the Brookings-Deuel Rural Water System, and Water Right No. 4038-3 is maintained by the City of backup and emergency use only (Buhler, 2012). Water Permit No. 7392-3, Lincoln Pipestone Rural Water authorizes maximum annual withdrawals of 614 ac-ft/yr. In addition, Future Use Permit No. 7393-3 reserves 614 ac-ft/yr from the Big Sioux: Aurora aquifer for the purpose of providing future water supplies to the rural water system. For the purpose of estimating expected well withdrawals for current water rights/permits, it is assumed that Lincoln Pipestone Rural Water

will eventually pump 1,228 ac-ft/yr from this portion of the Big Sioux: Aurora aquifer. The total annual well withdrawal estimated for withdrawal authorized by South Dakota water rights/permits from the sub-unit of the Big Sioux: Aurora aquifer that contains the wells that are to be used to supply this application is expected to be less than 4,028 ac-ft/yr.

As noted earlier, this portion of the Big Sioux: Aurora aquifer extends into Minnesota. Well withdrawals from the Minnesota portion of the aquifer include domestic use of water and water pumped by Lincoln Pipestone Rural Water System (LPRWS). LPRWS has a Minnesota permit appropriating 683 million gallons per year (2,096.05 acre-feet per year) (Buhler, 2012).

The total annual well withdrawal from this sub-unit of the Big Sioux: Aurora aquifer, including both the portions underlying Minnesota and South Dakota, is therefore expected to be less than 6,125 ac-ft/yr. A comparison between the estimated average annual recharge (see Table 1) and the estimated average annual well withdrawals indicates that unappropriated water is available for this appropriation from this sub-unit of the Big Sioux: Aurora aquifer.

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 and other data 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 15 observation wells in the Aurora Management Unit of the Big Sioux aquifer; only one of these observation wells (BG-78H) is located in the same sub-unit of the aquifer that this application proposes to appropriate water from. Observation well BG-78H is located approximately two miles south of the wells this application proposes to use. A hydrograph for the well is shown in Figure 2.

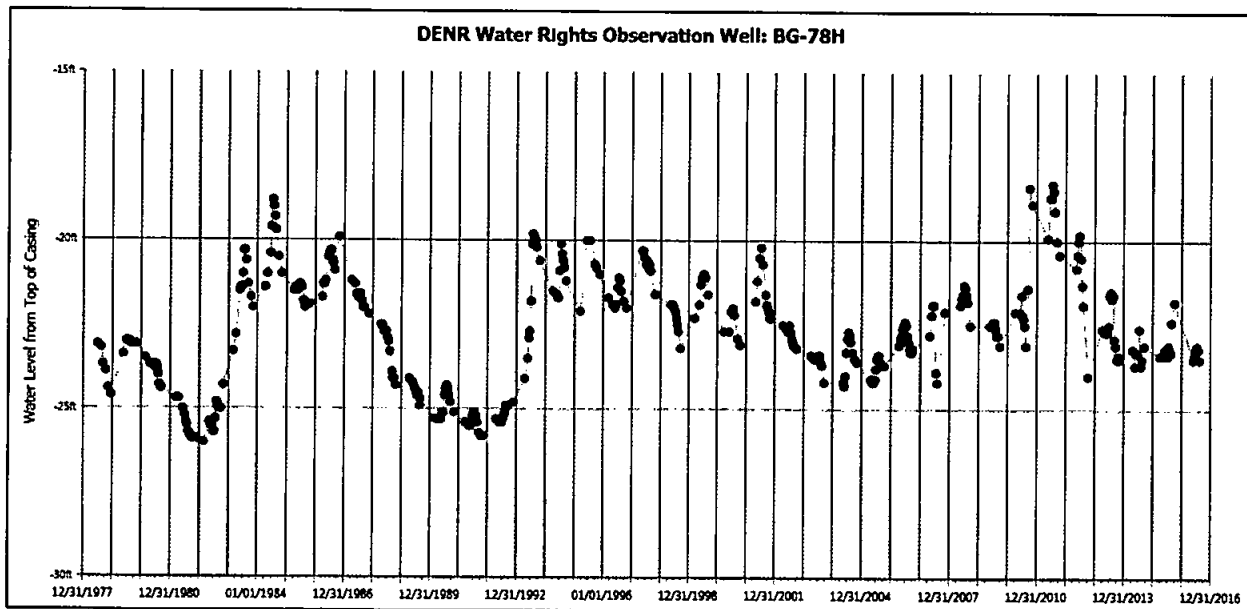


Figure 2. Hydrograph of Observation well BG-78H which is completed into the Big Sioux: Aurora aquifer and is located approximately two miles south of the wells that Application No. 8255-3 proposes to use (Water Rights, 2017a).

The hydrograph shows that although the potentiometric surface in the sub-unit of the Big Sioux: Aurora aquifer that contains the site proposed by this application fluctuates with the climate, the amount of water in the aquifer has remained relatively stable, possibly increasing over the period of record. Most importantly, the observation well data shows that at the current level of development, climatic conditions greatly mask the temporal effects of well withdrawals. Therefore, the observation well data documents that recharge to and natural discharge from this aquifer significantly exceeds pumping. The hydrograph documents that there is unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The existing South Dakota appropriations from the sub-unit of the Big Sioux: Aurora aquifer that contains the well site proposed by this application are shown in Figure 1 and identified in Table 2. The nearest diversion point authorized through an existing water right (Water Right No. 4763-3) is located over one-half mile from the existing wells that are to be used to supply this permit, if approved.

The transmissivity of the Big Sioux: Aurora aquifer as a whole ranges from 20,000 to 42,000 ft²/d (Hamilton, 1989) and this sub-area of the aquifer should be no exception. "The effects of withdrawals from wells that tap the Big Sioux aquifer generally are small because of extensive recharge and unconfined conditions. Drawdown of water levels is temporary and a few feet at most at a distance of about a mile from large-capacity wells" (Hamilton, 1989). The observation well hydrograph (see Figure 4) verifies that drawdown from nearby irrigation wells is not significant. However, if Application No. 8255-3 is approved, well interference is not expected to be an issue given the distance between wells. Therefore, there is a reasonable probability that existing users will not be unlawfully impaired.

SDCL 46-5-6 123

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 Right No. 7560-3 and Water Permit Application No. 8255-3, combined, proposes to divert up to 1.33 cfs from the Big Sioux: Aurora aquifer for the irrigation of 81.2 acres, or the equivalent of approximately 1.15 cfs per 70 acres. The applicant did not provide an explanation for the diversion rate request. However, the rate per acre is approximately the same as the rate per acre authorized by Water Right No. 7560-3 and is likely an operation requirement of the equipment.

CONCLUSIONS:

1. Water Permit Application No. 8255-3 proposes to divert water from two existing wells completed into the Big Sioux: Aurora aquifer for the irrigation of 23 acres.
2. This permit, if approved, will allow the existing pivot to make a complete rotation and will authorize a total diversion rate of 1.33 cfs for irrigation of 81.2 acres.
3. There is a reasonable probability that unappropriated water is available from the Big Sioux: Aurora aquifer to supply the proposed appropriation.
4. The diversion rate is not expected to adversely impair nearby adequate wells.
5. This application proposes a diversion rate in excess of one cfs per 70 acres.


for Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Anderson, H.W., 1976, Water Resources of the Rock River Watershed, Southwestern Minnesota: U.S. Geological Survey Hydrologic Atlas 555, 14 maps on 3 sheets
- Buhler, K.A., 2012, Report to the Chief Engineer on Water Permit Application No. 7392-3 and Future Use Permit Application No. 7393-3 Lincoln Pipestone Rural Water September 17, 2012: SD DENR-Water Rights Program
- Buhler, K.A., 2013, Report to the Chief Engineer on Water Permit Application No. 7705-3 Jo's Family Farms April 11, 2013: SD DENR-Water Rights Program
- Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report: 88-4185, 82 p.
- Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 84-4209, 51 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., 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

Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185

Koch, N.C., 1980, Appraisal of the Water Resources of The Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota: U.S. Geological Survey Water Resources Investigations 80-100, 46 p.

Water Rights, 2017a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2017b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2017c, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Affidavit of Publication

State of South Dakota

SS

Exhibit "A"

County of Brookings

Katherine Foiles of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

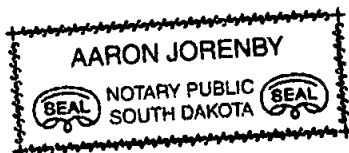
Leg#989 Appl. 8255-3 to Appropriate Water

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

February 28, 2017

said Exhibit "A" inures to the sole benefit for the publishers of 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 person whomsoever; that the fees charged for the publication thereof are:

Thirty Dollars and Forty-Eight Cents \$30.48



[Handwritten Signature]

1 day of

March

2017

[Handwritten Signature]

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2020.

RECEIVED

MAR - 9 2017

WATER RIGHTS
PROGRAM

Legal 989, 1x, 2/28
NOTICE OF APPLICA-
TION NO. 8255-3 to
Appropriate Water
Notice is given that Jon
Vaske, 21215 485th
Ave, Elkton SD 57026
has filed an application
for a water permit to
appropriate an addition-
al 0.38 cubic feet of
water per second (cfs)
and to irrigate 23 addi-
tional acres to what is
currently authorized by
Water Right No. 7560-3.
Water Right No. 7560-3
authorizes 0.95 cfs from
two wells located in the
S 1/2 SE 1/4 Section 21
to irrigate 58.2 acres
located in the S 1/2 SE
1/4, NE 1/4 SE 1/4
Section 21; all in T109N-
R47W. This application
proposes to appropriate
an additional 0.38 cfs
from the two existing
wells completed into the
Big Sioux: Aurora
Aquifer (47 feet deep)
for irrigation of 23 addi-
tional acres located in
the SE 1/4 Section 21-
T109N-R47W. This
application, if approved,
will allow the existing
pivot to make a com-
plete circle and will
authorize a total diver-
sion rate of 1.33 cfs for
irrigation of 81.2 acres.
The applicant is
requesting a diversion
rate greater than the
statutory limit of 1 cfs
per 70 acres.
Pursuant to SDCL 46-
2A-2, the Chief
Engineer recommends
APPROVAL of
this application No. 8255-3

with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below. Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 10, 2017. 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. If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$30.48.

Jacobson, Gail

From: Jacobson, Gail
Sent: Wednesday, February 22, 2017 8:07 AM
To: 'registerclassifieds@brookingsregister.com'
Cc: Schlaak, Karen
Subject: Water Permit No. 8255-3 Jon Vaske
Attachments: 8255-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on February 28, 2017

Jon Vaske, 21215 485th Ave, Elkton SD 57026 Ph: 605-695-1511 has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Thanks

Gail Jacobson
D&NR – Water Rights
523 E Capitol Ave
Pierre SD 57501
605-773-3352 – Phone
605-773-4068 – Fax
gail.jacobson@state.sd.us



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

February 21, 2017

Jon Vaske
21215 485th Ave
Elkton SD 57026

Dear Mr. Vaske:

Water Permit Application No. 8255-3 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 Brookings Register printed at Brookings SD (Ph # 605-692-6271). 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.

NOTICE OF APPLICATION NO. 8255-3 to Appropriate Water

Notice is given that Jon Vaske, 21215 485th Ave, Elkton SD 57026 has filed an application for a water permit to appropriate an additional 0.38 cubic feet of water per second (cfs) and to irrigate 23 additional acres to what is currently authorized by Water Right No. 7560-3. Water Right No. 7560-3 authorizes 0.95 cfs from two wells located in the S 1/2 SE 1/4 Section 21 to irrigate 58.2 acres located in the S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 21; all in T109N-R47W. This application proposes to appropriate an additional 0.38 cfs from the two existing wells completed into the Big Sioux:Aurora Aquifer (47 feet deep) for irrigation of 23 additional acres located in the SE 1/4 Section 21-T109N-R47W. This application, if approved, will allow the existing pivot to make a complete circle and will authorize a total diversion rate of 1.33 cfs for irrigation of 81.2 acres. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8255-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 10, 2017.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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

MAR 30 2017

Jon Vaske
21215 483rd Ave
Elkton SD 57026

Dear Mr. Vaske:

Enclosed is Water Permit No. 8255-3 authorizing construction of the 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

8255-3
RECEIVED

FEB 12 2018

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 02/10/2018TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Jon Vaske

(name)

21215 485th Ave

(address)

Elkton, SD 57026

(city, state, zip)

(605) 695-1311

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8255-3 states that the water use system is to be constructed by 09/01/2017, and water is to be put to beneficial use by 09/01/2017.
(date) (date)

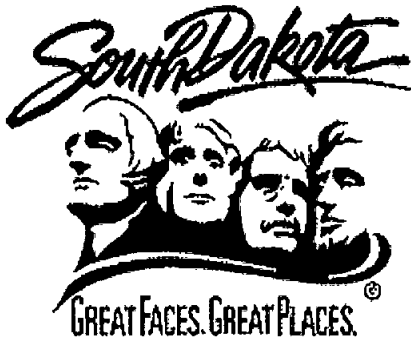
The water use system was completed on 09/01/2017.
(date)

Applying the water to beneficial use was completed on 09/01/2017.
(date)

You may schedule an investigation so that the water license may be issued.

Jon Vaske
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 27, 2018

8255-3

Jon Vaske
21215 48th Ave
Elkton SD 57026

Dear Mr. Vaske:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system authorized under Water Permit No. 8255-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8255-3

I have this day, June 9, 2021, made a thorough examination of the water use system constructed by Jon Vaske, 21215 485th Ave, Elkton, SD 57026 of Permit No. 8255-3, bearing the priority of December 19, 2016 authorizing the diversion of an additional 0.38 cu. ft. per second of the waters of Big Sioux: Aurora Aquifer for irrigation purposes, in Brookings County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Thein Well Co, Inc
- 2) No. of Wells 2
- 3) Depth(s) (S) 40 & (N) 44 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 10 inches
- 2) Length (S) 27 & (N) 29 feet
- 3) Type steel

Screen:

- 1) Type Manufactured
- 2) Length (S) 13 & (N) 15 feet
- 3) Static water level (S) 23 & (N) 20 feet

Pump:

- 1) Make NA
- 2) Model Submersible
- 3) Capacity Total 650 GPM

Motor: unknown

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

Comments: 900 feet of buried pipe from the south well to the pivot where the north well is located.

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1100 feet
- 3) Number of towers 5 plus corner leg
- 4) End gun Y
- 5) Capacity 650 GPM

Chemigation Equipment: none

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Associated with Water Right 7560-3 (North well) From the SE corner of Sec 21 935 ft N & 1325 ft W Lat 44.22792 Long - 96.47075 (SW ¼ SE 1/4) (South well) 75 ft N & 1155 ft W Lat 44.22566 Long -96.47008 (SE ¼ SE 1/4).
2. The works are capable of diverting and conveying to the place of use 1.45 cu. ft. per second of water which is used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:
All land in Sec 21-T109N-R47W

NW1/4 SE 1/4 - 11 ac
NE 1/4 SE 1/4 - 12 ac
SE 1/4 SE 1/4 - 28 ac
SW 1/4 SE 1/4 - 30.2 ac
comprising a total of 81.2 acres of land and the license should be issued for 1.33 cfs.
3. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project:

Irrigated acres were determined from the use of FSA maps and ArcMAP software.

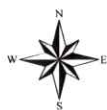
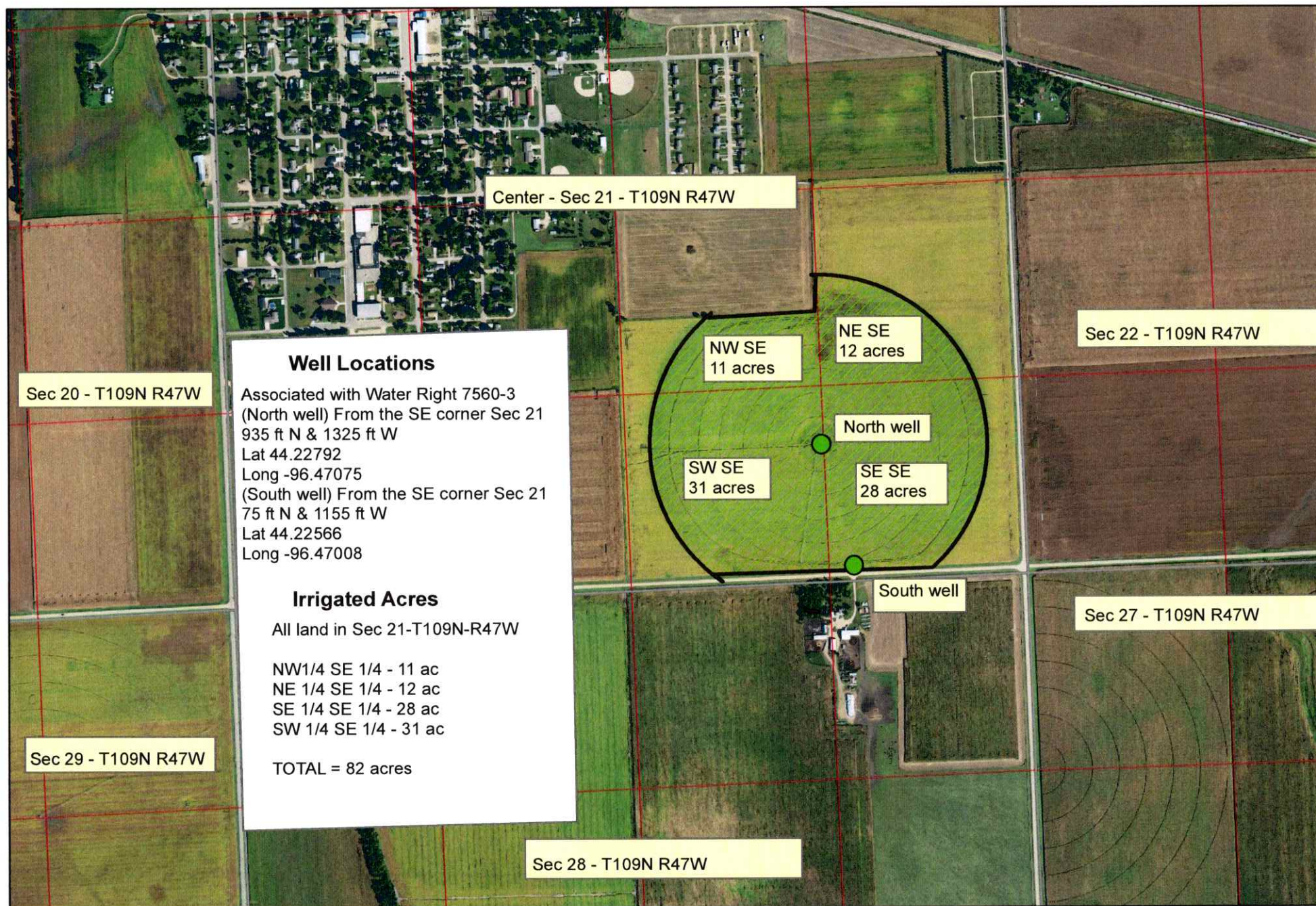
Mr. Jon Vaske (contact information in the documents submitted for review are current) indicated that the center pivot was rated at 650 gpm (1.45 cfs) which is more than the original permit authorized.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 14, 2021

Upon licensing, the applicable portions of Water Right No. 7560-3 will be incorporated into Water License No. 8255-3.



0 0.1 0.2 0.4 0.6 0.8 Miles



Darrell DeBoer
 Water Right Inspector
 DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

7560-3
8255-3

JUN 17 2021

Jon Vaske
21215 485th Ave
Elkton SD 57026

Dear Mr. Vaske:

Enclosed is Water License No. 8255-3. 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. Upon licensing, the applicable portions of Water Right No. 7560-3 were incorporated into No. 8255-3.

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.

As 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

enclosures

NOTE: The investigation found your irrigation system capable of diverting 1.45 cubic feet of water per second (cfs) which is equivalent to approximately 650 gallons per minute. Water Permit No. 8255-3 was obtained to increase the diversion authority up to 1.33 cfs (equivalent of 600 gpm). Diversion of water under this water license is limited to 1.33 cfs.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8255-3**

(1) Jon Vaske, 21215 485th Ave., Elkton SD 57026 made Application No. 8255-3, December 19, 2016 for a water permit to increase the diversion rate and acreage authorized under Water Right No. 7560-3. The two existing wells, authorized under No. 7560-3, are completed into the Big Sioux Aurora Aquifer. The project is located in Brookings County, South Dakota with water used for irrigation purposes. Permit No. 8255-3, with a priority date of December, 19, 2016 was approved March 10, 2017 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 10, 2022 and for the application to beneficial use of water on or before March 10, 2026.

The Permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on February 12, 2018. The "Notice" stated the water use system was completed and water placed to beneficial use on September 1, 2017.

Water Permit No. 8255-3 authorized an additional 0.38 cubic feet of water per second (cfs) and 23 acres to what was authorized under Water Right No. 7560-3. The increase in acres allowed the existing pivot to make a full rotation. The applicable portions of Water Right No. 7560-3 are incorporated into Water License No. 8255-3. The priority dates of December 7, 2012 and December 19, 2016 are retained.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.33 cubic feet of water per second for beneficial use. The wells are located as follows:

- **North well:** 935'N and 1,325'W of the SE corner of Section 21, T109N, R47W (SW ¼ SE ¼)
Latitude 44.22792, Longitude -96.47075
- **South well:** 75'N and 1,155'W of the SE corner of Section 21, T109N, R47W (SE ¼ SE ¼)
Latitude 44.22566, Longitude -96.47008

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T109N, R47W Section 21	NW ¼ SE ¼	11.0 acres
	NE ¼ SE ¼	12.0 acres
	SE ¼ SE ¼	28.0 acres
	SW ¼ SE ¼	30.2 acres
	Total	81.2 acres

Priority dates: December 7, 2012 – 58.2 acres & 0.95 cfs (established under No. 7560-3)
December 19, 2016 – 23.0 acres & 0.38 cfs (established under No. 8255-3)

continued

Water License No. 8255-3

Page 2

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jon Vaske, 21215 485th Ave., Elkton SD 57026 the holder and/or owner of Incorporated Water Right No. 8255-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from ground water, two wells (Big Sioux Aurora Aquifer) with priority dates of December 7, 2012 (58.2 acres & 0.95 cfs) and December 19, 2016 (23 acres & 0.38 cfs) from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 8255-3 and subject to the following qualifications:

- The wells approved under Nos. 7560-3 and 8255-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.
- Pursuant to SDCL 46-5-6 which allows for a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right Nos. 7560-3 and 8255-3 combined authorize a maximum diversion rate of 1.33 cfs for the irrigation of 81.2 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.



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

JUN 17 2021

date





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

January 14, 2025

NOTICE

TO: JOHN VASKE, 21215 485TH AVE, ELKTON SD 57026

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 8255-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 8255-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 8255-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PKYYLQ**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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523 E. CAPITOL AVE
PIERRE SD 57501-3182
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January 28, 2025

8255-3

Jon Vaske
21215 485th Ave
Elkton SD 57026

Dear Mr. Vaske:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 8255-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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