

WATER PERMIT NO. 1948-1

Name of Applicant: **Tom R or Karen M Seaman**

Address: **12941 US Hwy 212, Newell SD 57760**

Phone: **605 210-3097**

Amount of Water Claimed: **no additional**

Total Acres: **27 acres**

Source of Water Supply: **Belle Fourche River**

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

Type of Waste Disposal System:

Location: **three miles southwest of Newell**

PRIORITY

Date Received: **11-7-14**

Application/License Fee: **\$ 700**

Corrected Application Received:

Period of Annual Use: **May 1 – October 31**

Remarks: **Additional acres to Nos. 417-1A and 1808-1**

Diversion Point: **N 1/2 SE 1/4 along the east-west
quarter line Sec 11-T8N-R5E**

Land to be Irrigated: **S 1/2 NW 1/4 Sec 12-T8N-
R5W**

Depth of Well: **NA**

Well Driller:

Remarks:

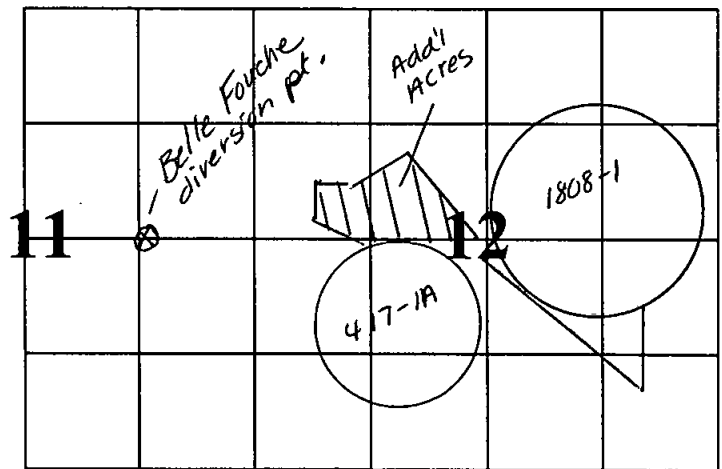
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **11-10-14**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1948-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u> <u>605-892-2528</u>
	Newspaper <u>Butte Co. Post, 614 State St, Belle Fourche 57719</u> <u>605-642-</u>
	<u>Black Hills Pioneer, Box 7, Spearfish 57783 2761</u>

RECEIVED
NOV 07 2014
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/ to Permit No. 1808-1
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Add acres

1. Name to Appear on Irrigation Permit Tom ROR Karen M. Seaman
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent
(name and complete address if different than above name)

Mailing Address 12941 U.S. Hwy, 212 Newell S.D. 57760
(Address) (City) (State) (Zip Code)

Home Phone 605-456-2678 Cell 216-3097 Email NA

2. Amount of water claimed _____ *CFS or no add'l **GPM _____ ***AF Total Acreage 27
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Belle Fourche River

4. Location of point of diversion S 1/2 Sec 11, T8N, R5E (N 1/2 SE 1/4 along east-west
(example - 3 wells in SW 1/4 NE 1/4 section J2-T104N-R53W)
quarter line) County Butte

5. County or counties where water will be used Butte

6. Annual period during which water is to be used May 1 to October 31

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
<u>S12-T8-R5 SE 1/4 NW 1/4</u>	<u>18</u>		
<u>S12-T8-R5 SW 1/4 NW 1/4</u>	<u>9</u>		

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

I have purchased the land to the North, contiguous to Existing Permit 417-1A, and would like to add 27 of them acres to Existing 417-1A to construct a pivot and put some under pipe. The acres are currently listed under 417-1 but did not transfer with the property.

I, Tom ROR Karen M. Seaman, 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. 1948-1**

Date of first receipt of application November 7, 2014.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1948-1 to Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 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. 1948-1 authorizes irrigation of 27 new acres. Water Right Nos. 417-1A and 1808-1, combined, appropriate 2.48 cubic feet of water per second from the Belle Fourche River located in the N 1/2 SE 1/4 along the east-west quarter line Section 11 for irrigation of 223 acres located in the SW 1/4, E 1/2 Section 12; all in T8N-R5E. This permit authorizes irrigation of 27 new acres located in the S 1/2 NW 1/4 Section 12-T8N-R5E from the existing Belle Fourche River diversion point. This permit does not authorize any increase in the diversion rate.
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 – October 31.
3. The date from which applicant may claim right is November 7, 2014.
4. The date of approval of Permit No. 1948-1 is February 2, 2015.
5. One-fifth of the construction is to be completed on or before August 2, 2017.
6. All construction is to be completed on or before February 2, 2020.
7. Water is to be put to beneficial use on or before February 2, 2024.
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. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Diversion under this permit shall be in accordance with written orders issued by the Chief Engineer.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

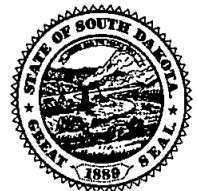
WATER MANAGEMENT BOARD

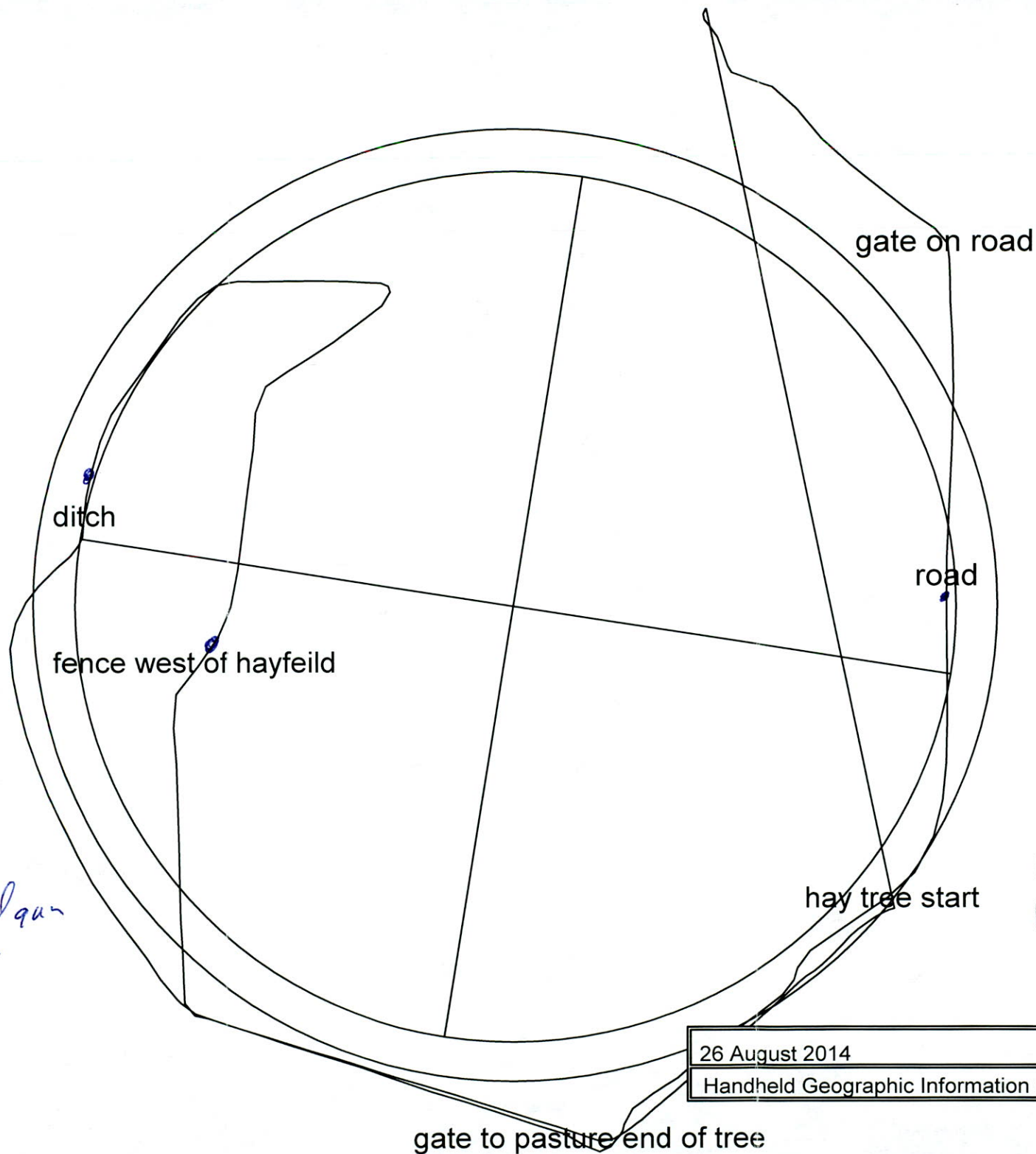
By: *Jeanne Goodman*

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

FEB 17 2015

date





Pivot 45Ac.
Pivot with end gun
55A.

RECEIVED

NOV 07 2014

WATER RIGHTS
PROGRAM

26 August 2014

by HGIS®

Handheld Geographic Information Systems(TM)

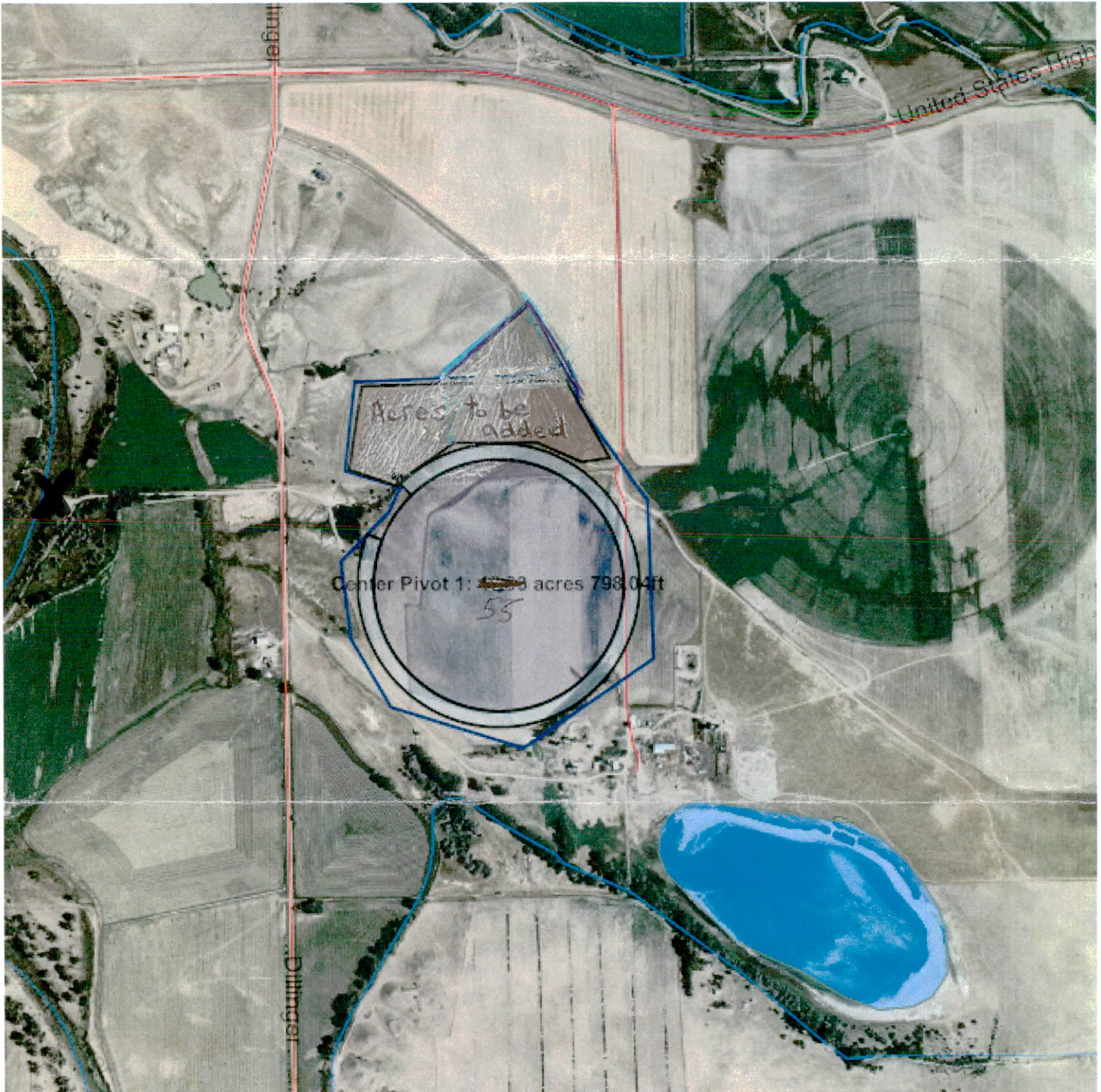
KNUTSON IRRIGATION SERVICE



313 ROSANDER
VALE, SD 57788
OFFICE PHONE 605-456-1888
DALE CELL 605-390-4207

Grower: tom seaman

Sec. 12 - T008N - R05E



27A
~~70A~~ above Pivot (App. 15 under pivot and 12 acres flood under pipe)
Pivot + endgun 55A

RECEIVED

NOV 07 2014

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/7, 20 14

RECEIVED OF Tom R Seaman 12941 US Hwy 212 Newell SD 57760

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

Fee for Application for Permit No. <u>1948-1</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>1948-1</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. 06982

By 
Chief Engineer

RECEIVED

NOV 07 2014

WATER RIGHTS
PROGRAM

To Whom it may concern,

I would also like to ask for a increase in water allocation from 850 GPM to 1100 GPM.

This request would be for Permit 1808-1 as well as 417-1A as the same pump supplies water to both under the same diversion point.

Last year I installed a new and larger intake in the Bell Fork River to accomodate a larger pump in the future as well as app. 1/4 mile of 100 PSI pipe replacing the old 80 PSI.

Some day in the future when the existing pump goes down I would like to be able to replace it and go to 1100 Gallons per minute to make the whole system more efficient.

Thank you,

Tom R. Seaman

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application for Tom Seam

ADDRESS: COUNTY: Butte County

DATE: November 7, 2014 TELEPHONE: cell – 605 210-3097

RE: diversion rate

I contacted Mr. Seaman to confirm the diversion rate on the application for additional acres. I explained that with WR No. 1808-1 and 417-1A combined he has diversion rate authority of 1115 gpm from the Belle Fourche River. He will alternate operation of the two pivots. He indicated the pump rate at the river will only be 1,100 gpm. Therefore this application is only for additional acres and not for a request to increase the diversion rate from the river.

The public notice will need to include both Nos. 417-1A and 1808-1 share a pump site that has a maximum diversion capability of 1,100 gpm.

NAME: Eric Seaman



**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. 1948-1, Tom R or Karen M Seaman**

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. 1948-1, Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760.

The Chief Engineer is recommending APPROVAL of Application No. 1948-1 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. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Diversion under this permit shall be in accordance with written orders issued by the Chief Engineer.
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
January 8, 2015

REPORT ON APPLICATION NO. 1948-1

Tom R. or Karen M. Seaman

January 5, 2015

Water Permit Application No. 1948-1 proposes to irrigate 27 additional acres from the Belle Fourche River. Water Right Nos. 417-1A and 1808-1 combined, appropriate 2.48 cubic feet of water per second from the Belle Fourche River located in the N½ SE¼ along the east-west quarter line of Section 11 for irrigation of 223 acres located in the SW¼, E½ Section 12; all in T8N-R5E. This application is to irrigate 27 new acres located in the S½ NW¼ Section 12, T8N-R5E for the existing Belle Fourche River diversion point. No increase in the diversion rate is authorized by this application.

REVIEW OF WATER SOURCE – BELLE FOURCHE RIVER

The headwaters of the Belle Fourche River rise in northeast Wyoming and flow northeast around the northern edge of the Black Hills of South Dakota then east to the Cheyenne River confluence north of Wasta, South Dakota, for an approximate distance of 290 river miles. Included in this stretch is the Belle Fourche Reservoir which is part of the United States Department of the Interior's Belle Fourche Project completed in 1914. This project includes a diversion dam, storage dam and a system of canals that irrigate 57,068 acres located in southern Butte County in western South Dakota.

Since 1945 the United States Geological Survey (USGS) has maintained a stream flow gaging station on the Belle Fourche River near Sturgis, SD, located across the river from the proposed project. This gage is located downstream of several Belle Fourche Project wasteways and tributaries such as Owl and Horse Creeks. Historical data from this gaging station indicate there is 50 percent probability the median flow rate could range from 227 to 248 cfs or greater for the months May through September during any given year. There is a 75 percent probability the median flow rate could range from 88 to 173 cfs or greater for this same period of time. (Table 1)

Table 1. USGS Gage on the Belle Fourche River near Sturgis, SD - Median Flow Probabilities (cfs)

Probability	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
90%	10	14	27	41	49	89	148	148	99	36	30	22
75%	18	23	50	55	88	166	202	205	173	54	45	26
50%	28	38	99	127	227	271	262	266	248	64	56	35
25%	43	100	412	488	649	655	368	332	305	91	78	52
10%	119	300	956	998	1500	1533	522	408	356	218	167	110

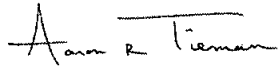
A portion of the water in this section of the river consists of irrigation return flows coming from the Belle Fourche Irrigation District during irrigation season. The impact of the irrigation return water can be observed in Table 1 as the overall increase in the flows during the months of May through September. Because the amount of water or method of irrigation can change from one season to the next, return flows should not be expected to provide a reliable supply of water.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are 44 existing water rights/permits appropriating 71.6 cfs located between the proposed application and the USGS gaging station near Sturgis. Additionally, this application proposes adding acreage only without an increase in diversion rate authority. Therefore, if this application is approved there would be no adverse impacts expected.

CONCLUSIONS

1. Water Permit Application No. 1948-1 proposes to irrigate 27 additional acres from the Belle Fourche River to the existing systems authorized by Water Right Nos. 417-1A and 1808-1.
2. No increase in the diversion rate is authorized by this application.
3. The existing Belle Fourche River diversion point will be utilized.
4. Approval of this application would not be expected to adversely affect existing water rights.



Aaron R. Tieman
Natural Resources Engineer II
Approved by



Mark D. Rath
Natural Resources Engineer III

BIBLIOGRAPHY

USGS National NWISWeb Water Information System 2015, Historical Stream Flow for South Dakota.

Water Right, 2015, Unpublished Water Rights Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

Jan 21

L20914401

**NOTICE OF APPLICATION
NO. 1948-1**

Notice is given that Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 have filed an application to irrigate 27 new acres. Water Right Nos. 417-1A and 1808-1, combined, appropriate 2.48 cubic feet of water per second from the Belle Fourche River located in the N 1/2 SE 1/4 along the east-west quarter line Section 11 for irrigation of 223 acres located in the SW 1/4, E 1/2 Section 12; all in T8N-R5E. This application is to irrigate 27 new acres located in the S 1/2 NW 1/4 Section 12-T8N-R5E from the existing Belle Fourche River diversion point. This application, if approved, does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1948-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 2, 2015.

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. Information concerning this application is available at <http://denr.sd.gov/public>. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(Published once at the total approximate cost of \$38.07).
BUTTE COUNTY POST

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

SS:

RECEIVED

FEB 03 2015

WATER RIGHTS
PROGRAM

Robert Evans being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the Rapid City Journal, a corporation of Rapid City, South Dakota, the owner and publisher of the BUTTE COUNTY POST, a legal and daily newspaper printed and published in Belle Fourche, in said County of Butte, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies weekly, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Belle Fourche, in said Butte County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Butte County Post, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one successive day, the first publication there of being on the twenty first day of January that the fees charged for the publication there of are thirty eight dollars and seven cents.

Robert J. Evans

Subscribed and sworn to before me this twenty first day of January, 2015.

Dustin Rice

Notary public

My Commission Expires
July 1, 2020

My commission expires

DUSTIN RICE



NOTARY PUBLIC
SOUTH DAKOTA



RECEIVED

JAN 26 2015

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF LAWRENCE:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice Of Application

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 21st day of Jan, 2015, and the last publication on the _____ day of _____, that the full amount of fees charged for publishing same, to-wit: The sum of \$24.87, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 21st day of Jan, 2015

[Signature]

Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-2016

NOTICE OF APPLICATION NO. 1948-1

Notice is given that Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 have filed an application to irrigate 27 new acres. Water Right Nos. 417-1A and 1808-1, combined, appropriate 2.48 cubic feet of water per second from the Belle Fourche River located in the N 1/2 SE 1/4 along the east-west quarter line Section 11 for irrigation of 223 acres located in the SW 1/4, E 1/2 Section 12; all in T8N-R5E. This application is to irrigate 27 new acres located in the S 1/2 NW 1/4 Section 12-T8N-R5E from the existing Belle Fourche River diversion point. This application, if approved, does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1948-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 2, 2015.

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. Information concerning this application is available at <http://denr.sd.gov/public>. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$24.42.

#154
Jan. 21



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



January 8, 2015

Butte County Post
614 State St
Belle Fourche SD 57717

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1948-1 to Appropriate Water. Please publish the notice once on January 21, 2015. 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 Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 (Ph # 605-456-2678).

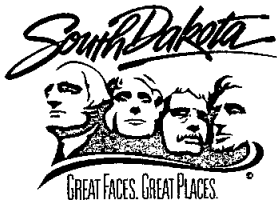
Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



January 8, 2015

Black Hills Pioneer
PO Box 7
Spearfish SD 57783

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1948-1 to Appropriate Water. Please publish the notice once on January 21, 2015. 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 Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 (Ph # 605-456-2678).

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



**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.**

January 8, 2015

Tom R or Karen M Seaman
12941 US Hwy 212
Newell SD 57760

Dear Sir:

Water Permit Application No. 1948-1 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 Butte County Post printed at Belle Fourche SD (Ph # 605-892-2528) and the Black Hills Pioneer printed at Spearfish SD (Ph # 605-642-2761). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

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

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

Instruction to Newspaper - Publish the Notice on January 21, 2015. 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 NO. 1948-1

Notice is given that Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 have filed an application to irrigate 27 new acres. Water Right Nos. 417-1A and 1808-1, combined, appropriate 2.48 cubic feet of water per second from the Belle Fourche River located in the N 1/2 SE 1/4 along the east-west quarter line Section 11 for irrigation of 223 acres located in the SW 1/4, E 1/2 Section 12; all in T8N-R5E. This application is to irrigate 27 new acres located in the S 1/2 NW 1/4 Section 12-T8N-R5E from the existing Belle Fourche River diversion point. This application, if approved, does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1948-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 2, 2015.

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. Information concerning this application is available at <http://denr.sd.gov/public>. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pimer, 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

FEB 17 2015

Tom R or Karen M Seaman
12941 US Hwy 212
Newell SD 57760

Dear Sir:

Enclosed is Water Permit No. 1948-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1948-1

I have this day, September 14, 2018 made a thorough examination of the water use system constructed by Tom or Karen Seaman, 12941 US Hwy 212, Newell, SD 57760 of Permit No. 1948-1, bearing the priority of 11/7/2014 authorizing the diversion of no additional* cu. ft. per second of the water of the Belle Fourche River for irrigation purposes in Butte County.

**No. 1948-1 authorized an additional 27 acres with no increase in the developed diversion rate of 2.48 cfs authorized under No. 417-1A an 1808-1.*

Inspection contact & relationship to permit holder, if applicable: **Tom Seaman, owner**

A. Works used to divert water

Pump:

- 1) Make Sargent
- 2) Model Multi-stage turbine
- 3) Size 4 stage
- 4) Capacity 1,115 GPM

Note: The pump is designed with a capacity of 800-875 gpm when the pivots licensed under Water Rights No. 417A-1 and No. 1808-1 are operating. When pumping to the acreages utilizing gated pipe, the lower operating head will increase pump capacity. An estimate of the pump capacity using typical turbine pump curves gives an estimated diversion rate of approximately 1,115 gpm for this permit. Neither of the pivots or the gated pipe are operated simultaneously.

Power:

- 1) Source Electric
- 2) Horsepower rating 60 hp

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

- 1) Type PVC
- 2) Size 10 inches
- 3) Length 3,500 feet

Comments:

C. Works used to apply water to beneficial use:

Water is applied using 8" gated pipe running along the east side of the acreage and is distributed by means of wild flooding and irrigation ditches running along the ridges. A portion of the acreage is also covered by a center pivot. The operator does not chemigate.

Center Pivot:

- 1) Make Reinke
- 2) Machine length 806.1 feet
- 3) Number of towers 5 End Gun 105 feet (operates through 360° rotation)
- 4) Capacity 800 gpm
- 5) Acres 59.9 note: only 5.6 of the total pivot acres are included in Permit No. 1948-1, the balance are authorized by WR No. 417-1A.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes (none)
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: **none**

- 3) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
1,400' W and 2,590' N of the SE corner Section 11 T8N R5E (44.669731, -103.472562)

2. The works are capable of diverting and conveying to the place of use 2.48 cu. ft. per second of water (1,115 gpm) which is to be used for sprinkler and gravity irrigation use. Water has been put to beneficial use to the maximum extent as follows:

Section 12 T8N R5E
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.7 acres

comprising a total of 27.0 acres of land and the license should be issued for 2.48 cfs.

The above acreage was inspected for licensing of No. 1948-1. The remaining acreage being irrigated will be taken from Nos. 417-1A and 1808-1. Since this acreage was already licensed, it was not part of the inspection for No. 1948-1.

3. All structures, wells and lands on map: Yes

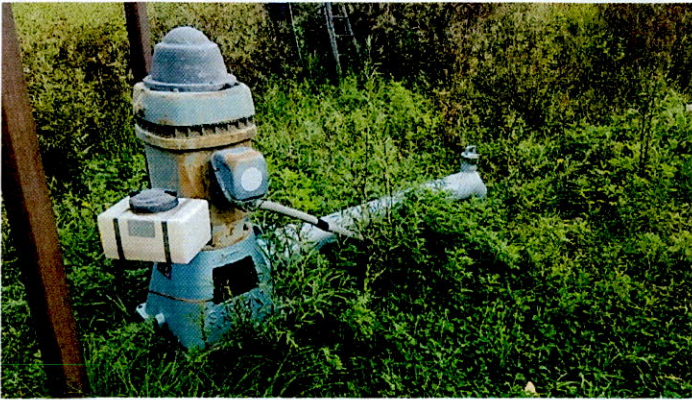
F. Comments or other permit(s) associated with the project:

Water Right Nos. 417-1A and 1808-1 combined appropriated 2.48 cfs from the Belle Fourche River for irrigation of 223 acres located in the SW $\frac{1}{4}$ and E $\frac{1}{2}$ Section 12 T8N R5E. This permit authorized an additional 27 new acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12 T8N R5E. The permit did not authorize any increase in diversion rate. Nos. 417-1A and 1808-1 will be incorporated into Water License No. 1948-1.



Steven Quissell
Water Rights Inspector
DENR Water Rights Program

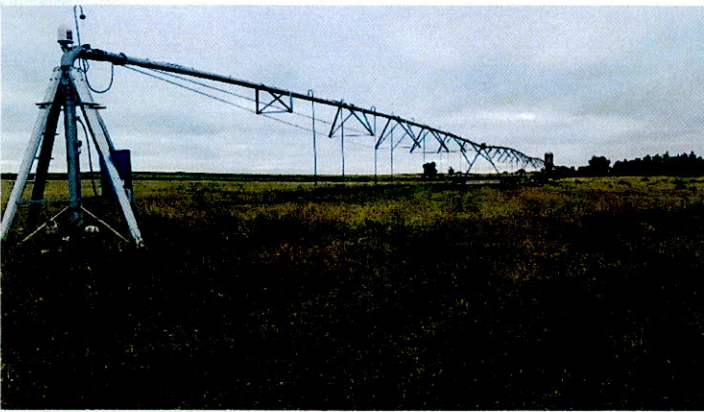
Date Report Completed: 9/21/2018



Turbine pump installation

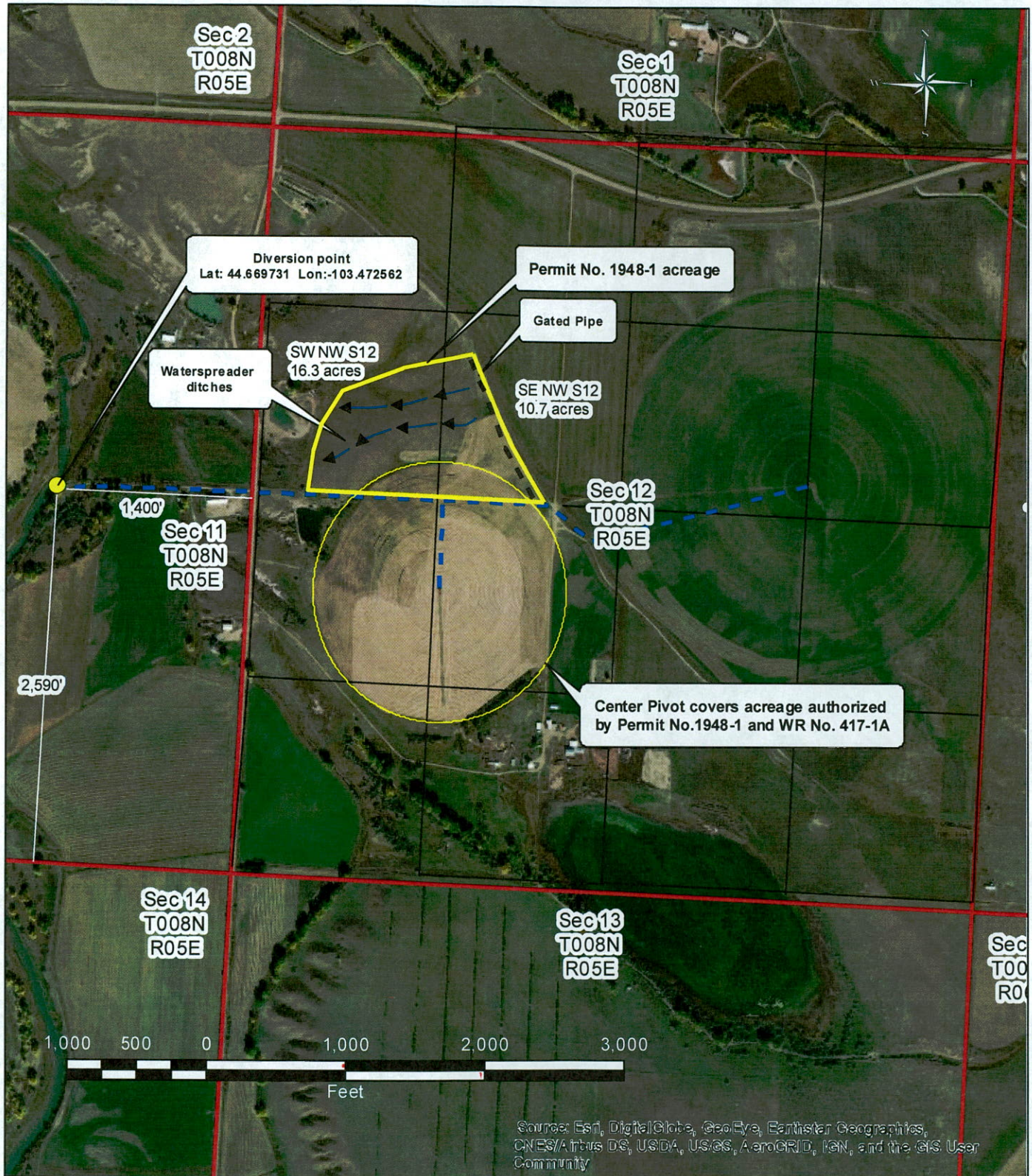


Belle Fourche diversion as of 9/14/2018



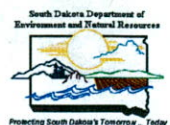
Reinke Pivot

Water Right #1948-1
Tom or Karen Seaman
9/14/2018



Steven Quissell

Steven Quissell
Water Rights Inspector
DNR Water Rights Program





1948-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 18 2018

417-1A
1808-1
1948-1

Tom R & Karen M Seaman
12941 US Hwy 212
Newell SD 57760

Dear Mr. & Mrs. Seaman:

Enclosed is Water License No. 1948-1. 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 Nos. 417-1A and 1808-1 were incorporated into Water Right No. 1948-1. All priority dates were retained.

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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1948-1

(1) Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 made Application No. 1948-1, November 7, 2014 for a water permit to authorize irrigation of an additional 27 acres to acreage irrigated under Water Right Nos. 417-1A and 1808-1. Approval of No. 1948-1 did not allow for an increase in the developed diversion rate from the Belle Fourche River. The irrigation project is located in Butte County, South Dakota. Permit No. 1948-1, with a priority date of November 7, 2014 was approved February 2, 2015 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 2, 2020 and for the application to beneficial use of water on or before February 2, 2024.

Water Right Nos. 417-1A and 1808-1 combined appropriate 2.48 cubic feet of water per second (cfs) from the Belle Fourche River for irrigation of 223 acres located in the SW ¼ and E ½ Section 12 T8N R5E. The applicable portions of Nos. 417-1A and 1808-1 are incorporated into Water License No. 1948-1. The priority dates retained are described in (3) of this license.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the water supply system and are entitled to divert 2.48 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,400'W and 2,590'N of the SE corner of Section 11, T8N, R5E (NW ¼ SE ¼)
Latitude 44.669731, Longitude -103.472562

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

Section 12, T8N, R5E

Priority date: September 29, 2003

NW ¼ NE ¼	3.0 acres
NE ¼ NE ¼	3.0 acres
SW ¼ NE ¼	35.0 acres
SE ¼ NE ¼	35.0 acres
NW ¼ SE ¼	33.0 acres
NE ¼ SE ¼	29.0 acres
SW ¼ SE ¼	2.0 acres
SE ¼ SE ¼	5.0 acres

Priority Date: September 23, 1959

NW ¼ SW ¼	27.0 acres
NE ¼ SW ¼	40.0 acres
SW ¼ SW ¼	4.0 acres
SE ¼ SW ¼	7.0 acres

Priority Date: November 7, 2014

SW ¼ NW ¼	16.3 acres
SE ¼ NW ¼	10.7 acres

Total 250 acres

- **September 29, 2003: E ½ Section 12 and 1.95 cfs** (established under No. 1808-1)
- **September 23, 1959: SW ¼ Section 12 and 0.53 cfs** (established under No. 417-1A)
- **November 7, 2014: S ½ NW ¼ Section 12** (established under No. 1948-1)

continued

(4) Pursuant to South Dakota Water Law 46-5-30.1 Tom R or Karen M Seaman, 12941 US Hwy 212, Newell SD 57760 the holders and/or owners of Incorporated Water Right No. 1948-1 are issued a license to appropriate water, the right to use 2.48 cubic feet of water per second from the Belle Fourche River with priority dates of September 23, 1959, September 29, 2003 and November 7, 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 Incorporated Water Right No. 1948-1 and subject to the following qualifications:

- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.
- Diversions under this water right shall be in accordance with any written orders issued by the Chief Engineer.
- This water right is subject to the irrigation water use questionnaire being submitted each year.



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

OCT 18 2018

date

