

WATER PERMIT NO. 1973-1

Name of Applicant: **Meade 46-1 School District**

Address: **1230 Douglas St, Sturgis SD 57785** Phone: **605 347-2649**

Amount of Water Claimed: **0.28 cfs** Total Acres: **13.5**

Source of Water Supply: **groundwater (1 well)**

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

Type of Waste Disposal System:

Location: **east edge of Sturgis**

PRIORITY Date Received: **1-25-18** Application/License Fee: **\$ 700**

Corrected Application Received: Period of Annual Use: **March 1 – October 31**

Remarks: **Water Right No, 1384-1 authorizes irrigation of same area from shallower wells**

Diversion Point: **SE 1/4 SW 1/4 Sec 1-T5N-R5E**

Land to be Irrigated: **S 1/2 SW 1/4 Sec 1 and NW**
1/4 NW 1/4 Sec 12: all T5N-R5E

Depth of Well: **600 feet**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Steve Quissell**

Reviewed and the Number Assigned on: **1-25-18**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

			1		
		⊗			

**SOUTH DAKOTA
WATER PERMIT NO. 1973-1**

Date of first receipt of application January 25, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1973-1 to Meade 46-1 School District, 1230 Douglas St, Sturgis SD 57785 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. 1973-1 appropriates 0.28 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (600 feet deep) located in the SE 1/4 SW 1/4 Section 1 for irrigation of 13.5 acres located in the S 1/2 SW 1/4 Section 1 and NW 1/4 NW 1/4 Section 12; all in T5N-R5E which is located on the east side of Sturgis SD. Water Right No. 1384-1 authorizes irrigation of the same area from a different water source.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – October 31.
3. The date from which applicant may claim right is January 25, 2018.
4. The date of approval of Permit No. 1973-1 is April 9, 2018.
5. One-fifth of the construction is to be completed on or before October 9, 2020.
6. All construction is to be completed on or before April 9, 2023.
7. Water is to be put to beneficial use on or before April 9, 2027.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Permit No. 1973-1 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1973-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 1973-1 authorizes a maximum diversion rate of 0.28 cfs for the irrigation of 13.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

APR 19 2018
date



FORM 2: Application for irrigation in South Dakota

(type or print)

JAN 25 2018

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1973-1</u>	(office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>	
	Newspaper <u>Faith Independent</u>	
	<u>Black Hills Pioneer, Spearfish</u>	

Application For Permit To Appropriate Water For Irrigation

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

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

Same acreage under current application 1384-1

1. Name to Appear on Irrigation Permit Meade 46-1 School District
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in. 1230 Douglas St
Mailing Address 129490 E Highway 34 Sturgis SD 57785
(Address) (City) (State) (Zip Code)
Phone (605) 347-2649 Mobile (605) 490-7963 Email Todd Battles @ K12.SD.US
2. Amount of water claimed 0.28 *CFS or 125 **GPM ~~***AF~~ Total Acreage 13.15
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Deep well
4. Location of point of diversion SE 1/4 SW 1/4 Sec 12 - T5N-R5E
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
County Meade
5. County or counties where water will be used Meade
6. Annual period during which water is to be used March - 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>SE 1/2 SW 1/4 Sec 12 - T5N-R5E</u>	<u>13.1</u>		
<u>NW 1/4 NW 1/4 Sec 12 - T5N-R5E</u>	<u>0.4</u>		

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

Drilling of a deep water well for irrigation of 13.1 acres as on Permit 1384-1. Aerial photo attached - X is the approx. location of said well.

I, Todd Battles
Name of PersonBuilding and Grounds
Title (if applicable)

the applicant, certify under

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.

Supplemental Information
(type or print)

RECEIVED
JAN 25 2018
WATER RIGHTS PROGRAM

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

a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many 3 Provide copy of log(s), if available. Drilled by N/A

For either Existing or Proposed Wells:

c) Well Depth (required) 600? Depth to Top of Water Bearing Material N/A Depth to Water from Surface N/A

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

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)

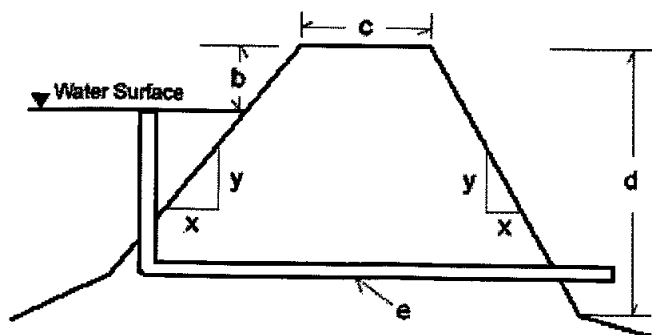
Upstream _____

Downstream _____

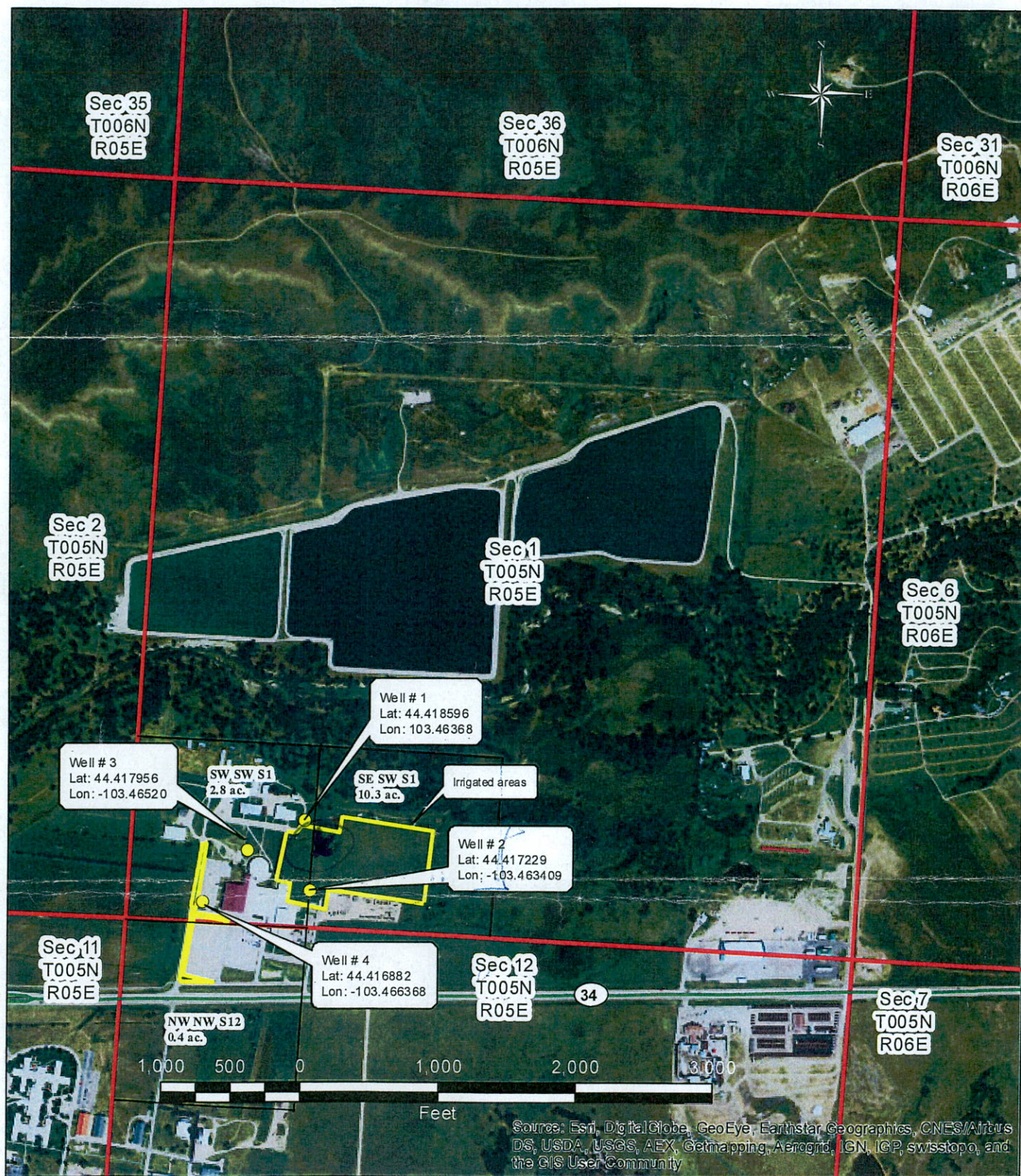
h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



Water Right #1384-1
Meade Co. School District
5/17/17



Steven Quissell

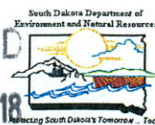
Steven Quissell
Water Rights Inspector
DENR Water Rights Program



RECEIVED

JAN 25 2018

WATER RIGHTS
PROGRAM



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 25, 2018

RECEIVED OF Meade School District 46-1 1230 Douglas Street Sturgis, SD 57785

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

Fee for Application for Permit No. <u>1973-1</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>1973-1</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. **08554**

By

Jeanne Goodman
Chief Engineer

vm

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, March 21, 2018 2:02 PM
To: Battles, Todd
Subject: Application for Water Permit No. 1973-1
Attachments: 1973-1.pdf

Todd Battles,

For your information, attached is a copy of a letter, public notice, recommendation and report on Application for Water Permit No. 1973-1. Paper copy is being mailed today.

The letter states you need to contact the Faith and Spearfish papers to authorize publication and arrange for payment.

You may question why the notice is being published in the Faith paper. State statutes require the notice be published in an official newspaper of the county and the nearest daily newspaper. Since Sturgis no longer has a paper, the Faith Independent is the official paper for Meade County and Black Hills Pioneer is the nearest daily paper.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



RECEIVED

APR 03 2018

WATER RIGHTS
PROGRAM

NOTICE OF
APPLICATION NO.
1973-1 to Appropriate
Water

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
No. 1973-1

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 28th day of March, 2018 and the last publication on the day of , that the full amount of fees charged for publishing same, to-wit: The sum of \$27.72, 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.

[Signature]
Subscribed and sworn to before me this 30th day of March, 2018

[Signature]
Notary Public, Butte County, South Dakota
My commission expires: 3-21-2023

Notice is given that Meade 46-1 School District, Todd Battles, Maintenance Foreman, 1230 Douglas St, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.28 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (600 feet deep) located in the SE 1/4 SW 1/4 Section 1 for irrigation of 13.5 acres located in the S 1/2 SW 1/4 Section 1 and NW 1/4 NW 1/4 Section 12; all in T5N-R5E which is located on the east side of Sturgis SD. This application is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Water Right No. 1384-1 authorizes irrigation of the same area from a different water source.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROV. AL of Application No. 1973-1 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 April 9, 2018.

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
\$27.72.

#157
Mar 28

**NOTICE OF
APPLICATION
NO. 1973-1 to
Appropriate Water**

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }
}SS
COUNTY OF MEADE }

Kris Stocklin-Johnson of said County and State, being duly sworn on oath says: THE FAITH INDEPENDENT is a weekly newspaper of general circulation, published in FAITH, in said County and State and has been such newspaper during the times thereafter mentioned; that the said THE FAITH INDEPENDENT is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned; and has more than 200 bonafide subscribers; that I, the undersigned, am Office Manager of said newspaper, and have personal knowledge of all facts stated in this affidavit; and that the advertisement headed:

Meade County Notice of Application - Appropriate Water
A printed copy of which is hereto attached, was printed and published in said newspaper for one successive issue, the first publication being on the 28th day of March, 2018, and the last publication on the 28th day of March, 2018, that \$25.48 being the full amount of the fee for publication of the annexed notice insures solely to the benefit of the publishers of the said newspaper; that no arrangement 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.

x Kris Stocklin-Johnson

Subscribed and sworn to me before this 28th day of March, 2018.

Tamara Ravellet

Notary Public, State of South Dakota
My Commission Expires
Jan. 24th, 2020

Notice is given that Meade 46-1 School District, Todd Battles, Maintenance Forman, 1230 Douglas St, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.28 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (600 feet deep) located in the SE 1/4 SW 1/4 Section 1 for irrigation of 13.5 acres located in the S 1/2 SW 1/4 Section 1 and NW 1/4 NW 1/4 Section 12; all in T5N-R5E which is located on the east side of Sturgis SD. This application is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Water Right No. 1384-1 authorizes irrigation of the same area from a different water source.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1973-1 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.

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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. Pimer,
Secretary, Department of Environment and Natural Resources

Published March 28, 2018 at the total approximate cost of \$25.48.



NOTICE OF APPLICATION NO. 1973-1 to Appropriate Water

Notice is given that Meade 46-1 School District, Todd Battles, Maintenance Forman, 1230 Douglas St, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.28 cubic feet of water per second (cfs) from one well to be completed into the Inyan Kara aquifer (600 feet deep) located in the SE 1/4 SW 1/4 Section 1 for irrigation of 13.5 acres located in the S 1/2 SW 1/4 Section 1 and NW 1/4 NW 1/4 Section 12; all in T5N-R5E which is located on the east side of Sturgis SD. This application is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Water Right No. 1384-1 authorizes irrigation of the same area from a different water source.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1973-1 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.

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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 _____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, March 22, 2018 9:30 AM
To: Battles, Todd
Subject: Application No. 1973-1

Thank you for bringing the incorrect date to my attention. I have emailed the corrected notice to both papers. Hopefully they publish the right one.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, March 22, 2018 9:26 AM
To: Legals (legals@bhpioneer.com)
Subject: FW: 1973-1, Meade 46-1 School District
Attachments: APPL.docx; 1973-1public.short.docx

Please use the attachment with this email. We had a correction to the notice. The end of the third paragraph should read.....April 9, 2018. (not 2019)

Thank you,
Karen

From: Schlaak, Karen
Sent: Wednesday, March 21, 2018 1:47 PM
To: Legals (legals@bhpioneer.com)
Subject: 1973-1, Meade 46-1 School District

Attached is a notice to be published on March 28, 2018.

Meade 46-1 School District, c/o Todd Battles, Maintenance Foreman, 1230 Douglas St., Sturgis SD 57785 (605 347-2649) 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 to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

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

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, March 22, 2018 9:25 AM
To: faithind@faithsd.com
Subject: 1973-1, Meade 46-1 School District
Attachments: APPL.docx; 1973-1public.short.docx

Please use the attachment with this email. We had a correction to the notice. The end of the third paragraph should read....April 9, 2018. (not 2019)

Thank you,
Karen

From: Schlaak, Karen
Sent: Wednesday, March 21, 2018 1:46 PM
To: 'faithind@faithsd.com'
Subject: 1973-1, Meade 46-1 School District

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

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

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Attachments: 1973-1public.short.docx; APPL.docx

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Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

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

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352





**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.**

March 21, 2018

Meade 46-1 School District
Todd Battles, Maintenance Foreman
1230 Douglas St
Sturgis SD 57785

Dear Mr. Battles:

Water Permit Application No. 1973-1 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 Faith Independent printed at Faith SD (Ph # 605-967-2161) and the Black Hill 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.

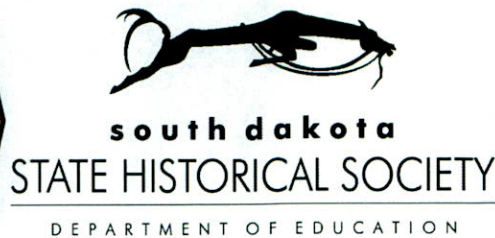
Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to 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.



March 29, 2018

Ron Duvall
SD DENR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501

RECEIVED
APR 03 2018
WATER RIGHTS
PROGRAM

RE: SDCL 1-19A-11.1 Consultation

Project: 180328002S – Water Rights Application # 1973-1 – Meade 46-1 School District
Location: Meade County
(DENR)

Dear Mr. Duvall,

Thank you for the opportunity to comment on the above-referenced project pursuant to SDCL 1-19A-11.1. The South Dakota Office of the State Historic Preservation Officer (SHPO) would like to provide the following comments concerning the effect of the proposed project on the non-renewable cultural resources of South Dakota.

On March 26, 2018, the SHPO received notification of the above-referenced project to drill a 600 foot deep well on the grounds of the Meade 46-1 School District. The school grounds are within the boundary of the Fort Meade Historic District, which is listed in the National Register of Historic Places. SDCL 1-19A-11.1 outlines a specific process that must be followed prior to any governmental action that may harm any historic property that is included in the National or State Registers of Historic Places. On March 28, 2018, our office received photographs taken by Todd Battles, Maintenance Foreman of Meade 46-1 School District, of the general area of the proposed well.

Based upon the information provided, the area of the proposed well has been extensively disturbed by previous construction and maintenance. Therefore, the SHPO has made its final determination that the proposed project will not encroach upon, damage, or destroy historic properties listed in the National or State Registers of Historic Places.

Should you require any additional information, please contact Jenna Carlson Dietmeier at Jenna.CarlsonDietmeier@state.sd.us or at (605)773-8370.

Sincerely,

Jay D. Vogt
State Historic Preservation Officer

Jenna Carlson Dietmeier
Review & Compliance Archaeologist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

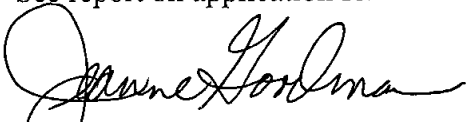
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1973-1, Meade 46-1 School District**

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. 1973-1, Meade 46-1 School District, c/o Todd Battles, Maintenance Foreman, 1230 Douglas Street, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1973-1 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. The well approved under Permit No. 1973-1 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1973-1 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 1973-1 authorizes a maximum diversion rate of 0.28 cfs for the irrigation of 13.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
March 21, 2018

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 1973-1
MEADE 46-1 SCHOOL DISTRICT
C/O TODD BATTLES, MAINTENANCE FOREMAN
MARCH 21, 2018

Water Permit Application No. 1973-1 proposes to irrigate 13.5 acres at a maximum diversion rate of 0.28 cfs from one well approximately 600 feet deep completed into the Inyan Kara aquifer. The well is to be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, and the land to be irrigated is located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 1 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12; all in T5N-R4E on the eastern side of Sturgis. The land to be irrigated under this permit is already authorized for irrigation under Water Right No. 1384-1 from a different water source. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

AQUIFER: Inyan Kara (INKR)

Aquifer Characteristics:

The Inyan Kara aquifer consists of the sufficiently saturated and permeable portions of the Inyan Kara Group, which is comprised of the Fall River Formation and the underlying Lakota Formation (Martin et. al, 2004). The Inyan Kara Group generally consists of interbedded sandstones, siltstones, and mudstones (Martin et. al, 2004). The Fall River and Lakota Formations are hydraulically connected and are considered and managed as one aquifer by the DENR-Water Rights Program.

The Inyan Kara aquifer is a regional scale aquifer underlying portions of Wyoming, North Dakota, South Dakota, and Nebraska. The Inyan Kara aquifer is areally extensive in South Dakota underlying approximately 23,240,000 acres of western South Dakota with over 2,107,000 acres in Meade County alone (Allen et. al, 1984). The Inyan Kara aquifer contains an estimated 324,170,000 ac-ft of recoverable water in storage with 36,355,000 ac-ft of that in Meade County alone (Allen et. al, 1984). The Inyan Kara aquifer outcrops within one mile to the west-southwest of the proposed well site and approximately three miles north at Bear Butte (Carter and Redden, 1999). The depth to the top of the Inyan Kara Group is between 250 feet (Carter and Redden, 1999) and 400 feet (Water Rights, 2018c) at the proposed well site. More than one-half of the water in the Inyan Kara aquifer is moderately saline (Driscoll et al., 2002). The total thickness of the Inyan Kara aquifer near the proposed well site is estimated to be approximately 200 feet thick (Buhler, 2016). In the area of the proposed well site, the Inyan Kara aquifer can flow at ground surface and usually has less than 10 psi of pressure (Strobel et al., 2000; Water Rights, 2018b and 2018c). The aquifer is under confined conditions at the location of the proposed well site.

SOUTH DAKOTA CODIFIED LAW (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 this applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address

the availability of unappropriated water and effects on existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate water from the Inyan Kara aquifer. The probability of unappropriated water available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not consider the recharge/withdrawal issue. In this case, the aquifer is stratigraphically lower than the Greenhorn Formation. However, the applicant is not a water distribution system. Therefore, the withdrawal/recharge issue must be considered.

Hydrologic Budget

Recharge

The Inyan Kara aquifer is primarily recharged through infiltration of precipitation where it outcrops around the Black Hills, and there is evidence that there is some leakage from the underlying Paleozoic aquifer in central South Dakota (Driscoll and Carter, 2001). The average annual recharge to the entire Inyan Kara aquifer has not been quantified. However, the precipitation component of the recharge from the Black Hills outcrop area was estimated to be 11,600 ac-ft/year using data from 1950-1998 (Driscoll and Carter, 2001).

Withdrawals:

There are 184 water rights/permits authorized to withdraw water from the Inyan Kara aquifer and one future use permit, Permit No. 1780-2 for the Town of New Underwood, reserving 142 ac-ft/yr. from the Inyan Kara aquifer for municipal use (Water Rights, 2018b). Buhler (2012) estimated average annual withdrawals from the Inyan Kara aquifer in South Dakota. Buhler (2012) estimated average annual use to be approximately 10,700 ac-ft/yr. Buhler (2012) based this estimate on: 1) annual water use reported in the latest public water system survey for municipal, suburban housing development and rural water system appropriations where applicable, 2) calculated annual use based on permitted animals and rates of 20 gallons per day (gpd) for beef cattle, 5 gpd for swine, 15 gpd per 100 turkeys, and 9 gpd per 100 chickens for large confinement operations permitted by DENR, 3) irrigation questionnaire reporting for irrigation permits, 4) the most current water use reported for non-irrigation appropriations that are required to report, and 5) assuming unreported water rights/permits limited by diversion rate will be used 60 percent of continuous pumping at the maximum diversion rate for their annual use period.

In the years since Buhler (2012) estimated the average annual withdrawal, there have been nine water permits approved to withdraw water from the Inyan Kara aquifer (Water Rights, 2018b). Nine other water rights/permits that authorized the withdrawal of water from the Inyan Kara aquifer have been cancelled (Water Rights, 2018b). Using Buhler’s (2012) methodology, the cancelled permits account for approximately 1,200 ac-ft/yr. that is no longer pumped from the aquifer, and the new permits account for approximately 520 ac-ft/yr. of pumpage not accounted

for by Buhler (2012). Considering the cancellations and new permits, an update of Buhler's (2012) usage estimate is 10,020 ac-ft/yr. Pending Application No. 2686-2 for Powertech (USA) Inc. proposes to appropriate up to 274.2 ac-ft/yr.

Hydrologic Budget

The estimated withdrawals from the aquifer (10,020 ac-ft/yr. plus the proposed use for Application No. 2686-2 (274.2 ac-ft/yr.) and the use proposed by this application (less than 27 ac-ft/yr.) is 10,321.2 ac-ft/yr. which is less than the precipitation component of the recharge from the Black Hills outcrop area (11,600 ac-ft/yr.). Therefore on an aquifer scale, there is a reasonable probability unappropriated water is available for this proposed appropriation. The quantities of both the average annual recharge and the average annual withdrawals are a small percentage of the amount of recoverable water in storage in the Inyan Kara aquifer.

Localized Hydrologic Budget

The proposed well site is located within approximately one mile of the outcrop/recharge area of the Inyan Kara aquifer (see Figure 1). The water rights/permits appropriating water from the Inyan Kara aquifer shown in Figure 1 are listed in Table 1. The estimated average annual water use by the appropriations that are down gradient from the 720 acre section of the Inyan Kara outcrop highlighted in Figure 1 and this proposed appropriation are shown in Table 2. The highlighted Inyan Kara outcrop acreage in Figure 1 is upgradient of the well site proposed by this application and is the portion of the outcrop that serves as the recharge area for the water rights listed in Table 2.

Table 1- Water rights and permits shown in Figure 1 (Water Rights, 2018b; modified from: Buhler, 2016)

Permit No.	Name	Status	Use	CFS
*1487-1	Glencoe Camp Resort II LLC	LC	COM	0.27
*1502-1	USDI Bureau of Land Mgmt	LC	DOM	0.02
*1518A-1	Rod Woodruff	LC	COM	0.1
*1615-1	Glencoe Camp Resort II LLC	LC	COM	0.1
*1706-1	City of Sturgis	LC	MUN	0.06
*1718A-1	Rod Woodruff	LC	COM	0.04
*1724-1	Michael Ballard	LC	COM	0.089
1773-1	Boucher & McCrear Trust	LC	COM	0.044
*1804-1	Ross Lamphere	LC	COM	0.089
1894-1	Smitty LLC	PE	SHD	0.067
*1906-1	City of Sturgis	LC	MUN	0.222
*1958-1	City of Sturgis	LC	MUN	0.088
LC= Water Right, PE= Water Permit, COM= Commercial, DOM= Domestic, MUN= Municipal, SHD= Suburban Housing Development				
*Red text water rights/permits are down gradient from the 720 acre Inyan Kara outcrop area highlighted in Figure 1				

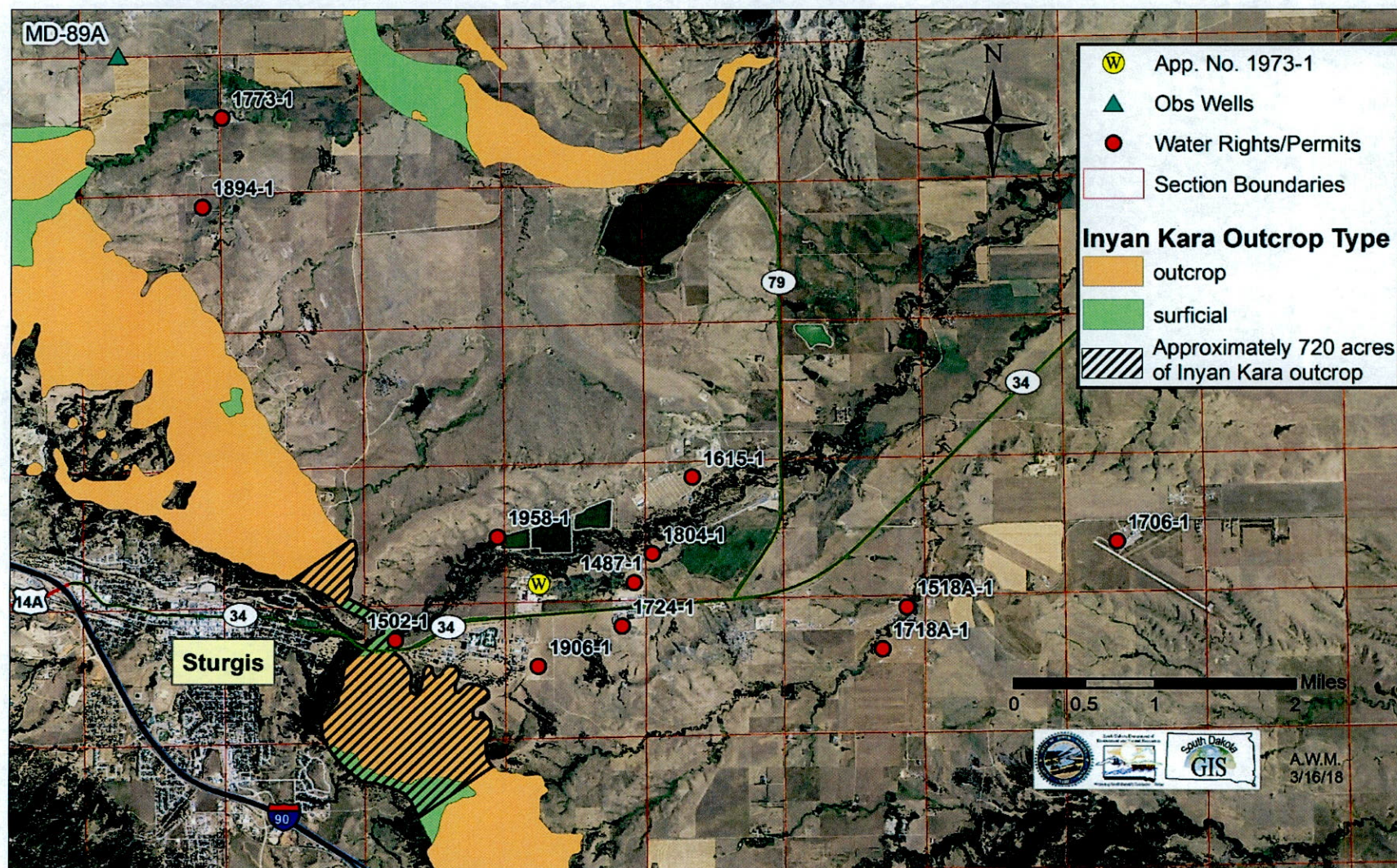


Figure 1- Map of the area near proposed well site including Inyan Kara aquifer water rights/permits (Water Rights, 2018b) and observation wells (Water Rights, 2018a), and the Inyan Kara outcrop (Strobel et al., 1999) and a highlighted area of the Inyan Kara outcrop directly upgradient from the proposed well site that is approximately 720 acres in size

Table 2- Estimated water usage from the Inyan Kara aquifer immediately up and down gradient of the well site proposed by Application No. 1973-1 (Water Rights, 2018b and 2018d; modified from: Buhler, 2016)

Water Right/Permit	Use	Assumption	Estimated Water Use
1487-1, 1518A-1, 1615-1, 1718A-1, 1724-1, 1804-1	Sturgis Rally campgrounds. Combined diversion rate: 0.688	Continuous pumping at authorized rate for three weeks during the Sturgis Motorcycle Rally	28.8
1502-1	Livestock watering from May 1- Nov 1. Maximum diversion rate: 0.02 cfs	Continuous pumping at authorized rate for 184 days authorized period of operation (May 1-Nov 1)	7.3
1906-1	Municipal use (Sturgis Softball complex)	Average reported water use for 2009-2017	2.21
1706-1	Municipal use (bathroom and shop at the Sturgis Airport) Maximum diversion rate: 0.06 cfs	One hour per day pumping (1,615 gal/day)	1.8
1958-1	Municipal use (supply process water for the Sturgis Wastewater Treatment Facility) Maximum diversion rate: 0.088 cfs	Will pump permitted annual volume (8.1 ac-ft/yr.)	8.1
App. No. 1973-1	Irrigation use at Meade 46-1 School District. Acres: 13.5	Maximum of 2 ft/acre water applied	27
*= proposed use		Total (ac-ft/yr.)	75.21

Buhler (2016) estimated the annual precipitation recharge to the Inyan Kara aquifer in this area to be 1.26 inches per acre of outcrop per year. The estimated average annual recharge over the approximately 720 acres of the Inyan Kara outcrop highlighted in Figure 1 is 75.6 ac-ft/yr. As Table 2 shows, the use by existing appropriators and the permitted maximum use for this application, if approved, is 75.21 ac-ft/yr.

An examination of Figure 1 shows that it is reasonable to assume precipitation recharge from an outcrop area even larger than the highlighted 720 acres is available to supply this proposed appropriation and the existing appropriations in its immediate vicinity. Furthermore, it is likely there are other sources of recharge (i.e. stream flow loss recharge and groundwater inflow from adjacent areas) that are not quantified and therefore not accounted for that contribute to the average annual recharge to the aquifer in the area of this proposed appropriation. Therefore, there is a reasonable probability that unappropriated water is available for this proposed appropriation.

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 in addition to 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 nine observation wells completed into the Inyan Kara aquifer (Water Rights, 2018a). Eight of the nine observation wells are within approximately

five miles of the outcrop area in the Black Hills with ED-85B in eastern Edmunds County more than 200 miles away from the outcrop area in the Black Hills. The hydrographs for the three nearest Inyan Kara observation wells are shown in Figures 2, 3, and 4. Observation wells MD-89A, MD-99A, and LA-90B are located 4.8 miles northwest, 15.7 miles southeast, and 16.1 miles northwest of the proposed well site respectively (Water Rights, 2018a).

Observation wells MD-89A is located near several large capacity wells, including two which flow at ground surface. Buhler (2009) noted the upward spikes on the hydrograph are the result of the nearby high capacity flowing wells being shut down at the end of the irrigation season, and additional irrigation development in the area has caused a larger amplitude between the highest and lowest annual measured water levels. Analysis of the water level data since completion of Buhler's (2009) report concurs with his analysis. Observation Well MD-99A has had a history of leaking at the first casing coupling below ground. Typically, the well is under pressure, flowing at ground surface. This means that some of the lower readings may be the result of leakage falsely reducing the measured artesian head pressure of the well. The leak issue has been addressed and the water level data appears to be acceptable with a few exceptions. Observation well LA-90B is near only two relatively low diversion rate and volume appropriative users. The water level shown in the hydrograph for LA-90B is reflective of a relatively stable aquifer that is essentially under static, that is to say no or limited pumping, conditions.

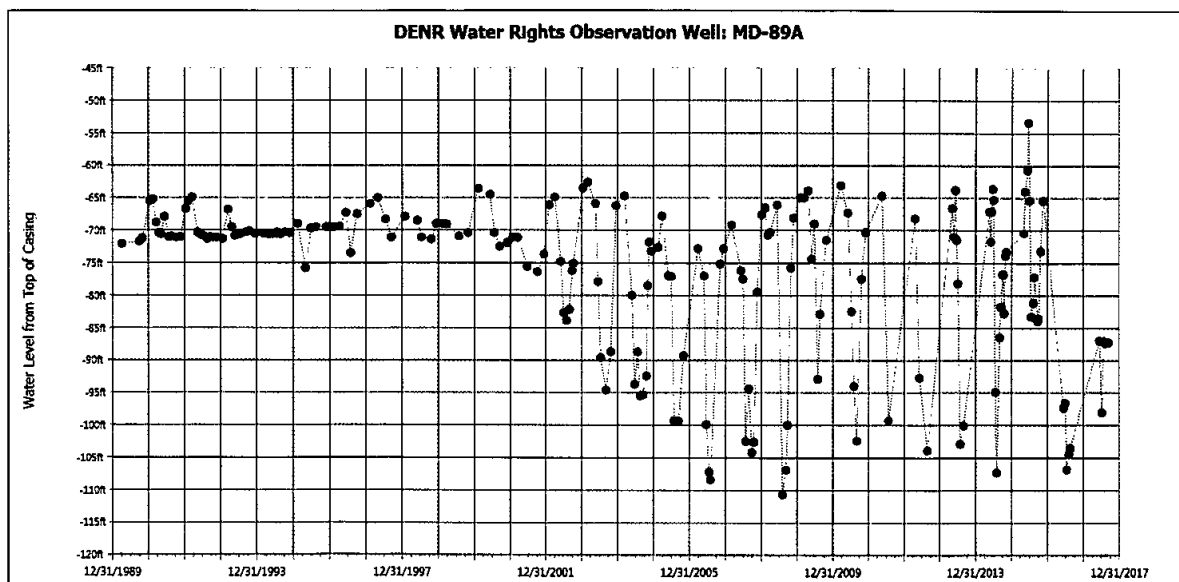


Figure 2- Hydrograph for Observation well MD-89A, approximately 4.8 miles northwest of the proposed well site (Water Rights, 2018a)

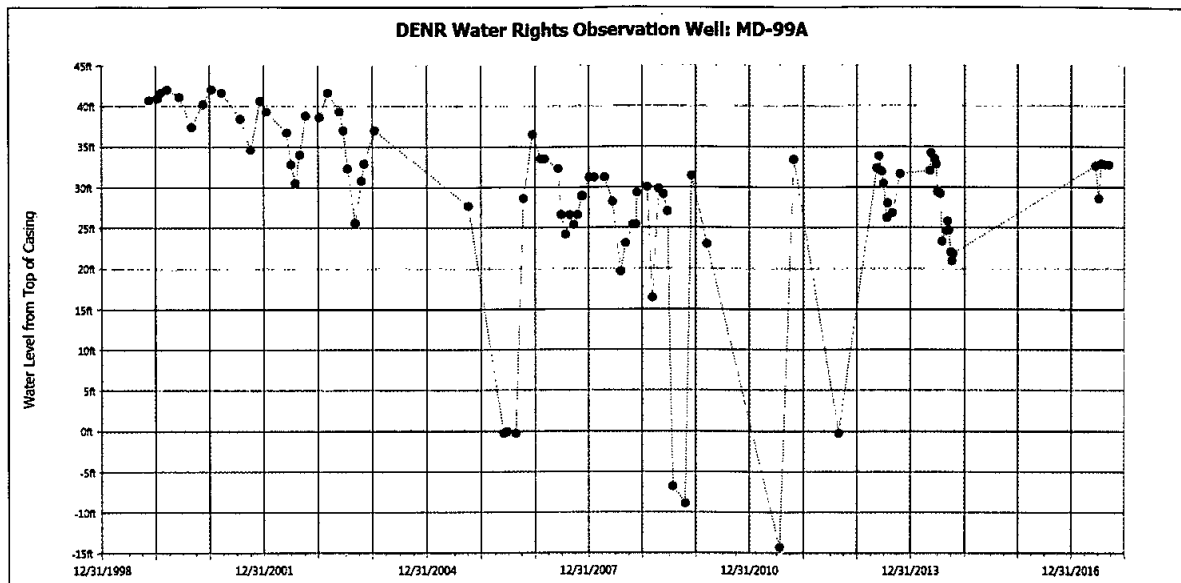


Figure 3- Hydrograph for Observation well MD-99A, approximately 15.7 miles northwest of the proposed well site (Water Rights, 2018a)

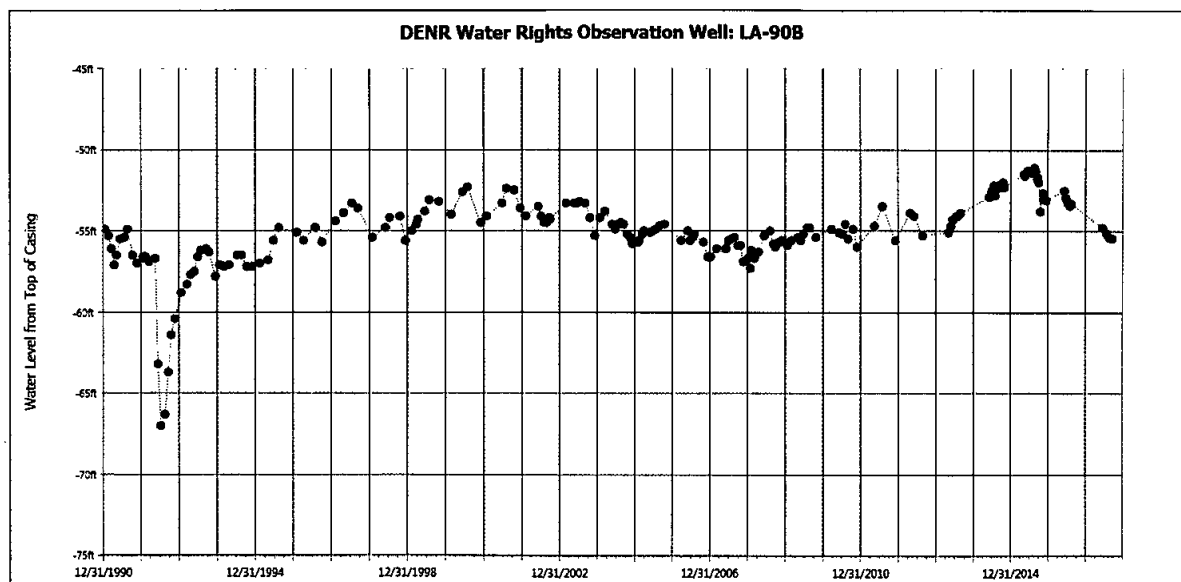


Figure 4- Hydrograph for Observation well LA-90B, approximately 16.1 miles northwest of the proposed well site (Water Rights, 2018a)

The hydrographs for the observation wells completed into the Inyan Kara aquifer show the aquifer is recharged and recovers from pumping. Many of the observation wells show that at their respective locations the aquifer has hundreds of feet of artesian head pressure. Several of the observation wells show the effects of pumping on the artesian head pressure of the aquifer, see Figure 2. The data also shows the water levels in the aquifer readily recover and that as development of the Inyan Kara aquifer in the area of the observation well increases, the aquifer has reached a new equilibrium with the increased pumpage. Furthermore, the effects of climate dominate the overall changes to the water level of the aquifer. Recharge to an aquifer and natural discharge from an aquifer significantly exceed well withdrawals when climatic conditions

dominate. Recognizing that natural discharge from an aquifer (i.e. groundwater outflow) can be captured for pumping and that groundwater outflow is a significant component to the hydrologic budget of the aquifer, the observation well data shows there is a reasonable probability unappropriated water is available for this proposed appropriation and supports the hydrologic budget from earlier in this report.

EXISTING WATER RIGHTS:

Withdrawals from the Inyan Kara aquifer in this area are not expected to affect water rights/permits from other sources because the overlying Skull Creek shale and the underlying Morrison Formation act as confining layers that separate the Inyan Kara aquifer from other overlying or underlying aquifers. The water rights/permits shown in Figure 1 are all authorized to withdraw water from the Inyan Kara aquifer and are within approximately 4.5 miles of the proposed well site and all but Water Right Nos. 1706-1 and 1773-1 and Water Permit No. 1894-1 are within approximately 2.5 miles of the proposed well site (Water Rights, 2018b). There are a number of domestic wells on file with the DENR-Water Rights Program that appear to be completed into the Inyan Kara aquifer within a few miles of the proposed well site (Water Rights, 2018c). In addition to the currently permitted water rights/permits shown in Figure 1, Application Nos. 1476-1 and 1871-1 have been denied in this area.

Application No. 1476-1 was denied because the Water Management Board determined that construction of a dugout in a “dry creek” that would be filled by seepage from artesian well fed irrigation ponds located upstream of the proposed dugout would deprive stock water to a user immediately below the proposed project. Application No. 1871-1 was denied by the Water Management Board because the Board concluded the applicant did not meet his burden of proof to show that the application was in the public interest.

The Inyan Kara aquifer is under confined conditions. That means the water level of the aquifer can be subject to fairly significant fluctuations in water level caused by pumping (see Figure 2). The drawdown created by pumping in a confined aquifer may extend a considerable distance from the pumped well. There is no way to know how far without aquifer testing.

At the proposed well site, there is more than 400 feet of artesian head pressure above the top of the Inyan Kara aquifer. At observation well MD-89A, there is approximately 400 feet of artesian head pressure above the top of the aquifer under static conditions and at least 350 feet of artesian head pressure above the top of the aquifer at the lowest recorded water level (see Figure 2). As shown in Table 1, the diversion rate of the water rights in the area of this proposed well site are relatively small. Given the amount of artesian head pressure and the fairly small diversion rates of the water rights/permits in the area, pumping this proposed diversion is not expected to have adverse effects on other appropriative wells completed into this portion of the Inyan Kara aquifer.

South Dakota Codified Law (SDCL) 46-6-6.1 does not necessarily protect artesian head pressure as a means of delivery and the Water Management Board has recognized that to place water to maximum beneficial use, a certain amount of drawdown may occur. In order to balance interests between irrigation use and delivery of water by artesian head pressure, the Water Management

Board defined an “adversely impacted domestic well” in Administrative Rule of South Dakota (ARSD) 74:02:04:20(7) as:

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

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use of water issue for Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Water Management Board adopted Findings of Facts and Conclusions of Law that noted reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, “general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable...” (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered an adverse impact it would also be in conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to lower their pumps to accommodate for deeper water levels depending on the specific characteristics of this area of the Inyan Kara aquifer. However, when considering the statute (SDCL 46-6-6.1), rule (ARSD 74:02:04:20(7)), and the artesian head pressure, well interference from this proposed diversion is not expected to cause an adverse impact. Therefore, there is a reasonable probability that any interference created by pumping for this proposed appropriation will not be adverse.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cfs for every 70 acres, or “the equivalent thereof.” The statute does provide that: “The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires....” Water Permit Application No. 1973-1 proposes to divert water at a maximum rate of 0.28 cfs for the irrigation of 13.5 acres or at a rate of 1.45 cfs per 70 acres. The applicant did not provide a reason for the request. This application is to irrigate lawn and sports fields. It has been generally accepted that turf has greater water demand and often there are time constraints for application of water that requires a greater diversion rate than the statutory limit. The request by the applicant is reasonable.

CONCLUSIONS:

1. Application No. 1973-1 proposes to irrigate 13.5 acres at a maximum diversion rate of 0.28 cfs from one well to be completed into the Inyan Kara aquifer. The land to be irrigated is already authorized for irrigation under Water Right No. 1384-1 from a different water source.
2. The Inyan Kara aquifer is a viable aquifer and is found under confined conditions in the area of the proposed well site.

3. Based on the observation well data, a regional and a localized hydrologic budget, there is a reasonable probability unappropriated water is available for this proposed appropriation.
4. There is a reasonable probability the diversion proposed by this application can be made without adversely impacting existing appropriative or domestic users with adequate wells.
5. Application No. 1973-1 has requested a diversion rate in excess of the statutory limit of one cfs per 70 acres. This application is for irrigating turf and may require a greater rate of application due to water demand or time constraint on irrigation. This is a reasonable request that has been accepted in the past.



Adam Mathiowetz, PE
SD DENR-Water Rights Program

REFERENCES:

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- Water Rights. 2018a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018d. "Non-Irrigation Yearly Questionnaire". SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DENR-Water Rights Program file for Water Right No. 2313-2. Pierre, South Dakota.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 19 2018

Meade 46-1 School District
1230 Douglas St
Sturgis SD 57785

Dear Sir:

Enclosed is Water Permit No. 1973-1 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,

A handwritten signature in cursive script that reads "Jeanne Goodman".

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

enclosures

1973-1

SD EForm - 1621LD V1

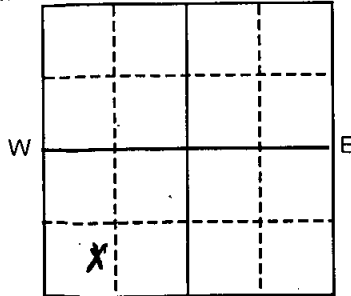
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 SW 1/4 Sec 1 Twp 5N Rg 5ECounty Meade

North

Please mark well location with an "X"



Well Completion Date

20 June 2018 1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.):

1/4 mile ft. from Sturgis Lake (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23</u> LB/FT	<u>7" 1/2</u> IN	<u>18</u> FT	<u>570</u> FT	<u>8 3/4</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Type II</u>	<u>79</u>	<u>6-1</u> Lb/gal	<u>570</u> Ft	<u>0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

pressure Grout thru casing

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ 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?☐ No, Why Not?

Lab to which water quality sample sent for analysis

Will Have Black Hills pure water DO Sample

Chlorine Solution

Well Owner:

Business Name: Meade School Dist 46-1Address: 230 Douglas StCity, State, Zip: Sturgis, S.D. 57785

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Gravel</u>	<u>5</u>	<u>18</u>
<u>Belt Fource Shale</u>	<u>18</u>	<u>115</u>
<u>Mudry</u>	<u>115</u>	<u>230</u>
<u>Skull Creek</u>	<u>230</u>	<u>440</u>
<u>Dakota Fall River</u>	<u>440</u>	<u>550</u>
<u>Fuzon</u>	<u>550</u>	<u>570</u>
<u>Lakota Sand</u>	<u>570</u>	<u>575</u>
<u>- See Remarks -</u>	<u>-</u>	<u>-</u>

STATIC WATER LEVEL

0

FEET

If flowing: closed in pressure

22 1/2

PSI

GPM flow

8

through

2"

Inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other

Reduced flow rate

0

GPM

Can well be completely shut in?

yes

WELL TEST DATA:

☐ Pumped Describe:AIR Dev 8 HR:☐ Bailed4 HR @ 280 - 50-55 gpm☒ Other4 HR @ 400 - 75-80 gpm

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate:

GPM

REMARKS

Fuzon 575 - 612
Brown Sand 612 - 614
Light Gray clay 614 - 626
Dark Gray clay 626 - 662

This well was drilled under license # 197 and this report is true and accurate.

Drilling firm:

Heaton Drilling LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

FEB 01 2019

Date:

WATER RIGHTS PROGRAM

1973-1

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

MAIL TO: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

Date

5/19/2021

FROM:

TOOD BATTLE

(name)

MEADE School District

(address)

Hugis

(city)

S.D

(state)

(zip)

605-490-7963

(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. 1973-1 states that the water use system is to be constructed by

4/9/2023

(date)

, and water is to be put to beneficial use by

4/9/2027

(date)

The water use system was completed on

6/20/2018

(date)

Applying the water to beneficial use was completed on

7/1/2018

(date)

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

X

Tood Battle



1973-1



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES

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

January 20, 2023

NOTICE

TO: MEADE SCHOOL DISTRICT #46-1, TODD BATTLES, 1230 DOUGLAS ST, STURGIS, SD 57785

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1384-1 & 1973-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 1384-1 & 1973-1 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 1384-1 & 1973-1 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 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PPPNFT**

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.

1973-1



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

January 24, 2023

1384-1

1973-1

Todd Battles
Meade School District #46-1
1230 Douglas St
Sturgis SD 57785

Dear Mr. Battles:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1384-1 & 1973-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

You mentioned on the on-line submission for No. 1384-1 that the well had been filled in. Enclosed is a copy of the water right. There are 3 more wells associated with the water right. Are any of those still used?

The difference between the two permits is the wells described in No. 1384-1 are shallow wells from the quaternary alluvium. The well described in Water Permit No. 1973-1 is for a 600 feet deep well into the Inyan Kara Aquifer.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

1973-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: MEADE SCHOOL DISTRICT #46-1, TODD BATTLES, 1230 DOUGLAS ST, STURGIS, SD 57785

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1973-1. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 1973-1 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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) 1973-1 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LDLVQS**

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**

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

February 3, 2026

1973-1

Jeremy Weeldreyer
C/O Meade School District #46-1
1230 Douglas St
Sturgis, SD 57785

Dear Mr. Weeldreyer,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us