

WATER PERMIT NO. 2046-1

Name of Applicant: Nathan R. Howie
Address: PO Box 63, White Owl SD 57792 Phone: 605-890-2717
Amount of Water Claimed: 4.45 cfs Total Acres: 231
Source of Water Supply: Surface
Water to be used for: Irrigation County: Meade
Type of Waste Disposal System:
Location: Approx. 20 miles east of Sturgis

PRIORITY Date Received: 05-06-25 Application/License Fee: \$1,150.00
Corrected Application Received: 06-03-25 Period of Annual Use: April 1 – September 30

Remarks: Underground pipeline to feed 3 center pivots

Diversion Point: NE 1/4 SW 1/4 Sec 30-T6N-R9E

Land to be Irrigated: NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NW 1/4 Sec 30-T6N-R9E, NE 1/4 NE 1/4, SE 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 NE 1/4, S 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4 Sec 25-T6N-R8E, SW 1/4 SW 1/4 Sec 24-T6N-R8E

	24				
	25		30		

Depth of Well:
Well Driller:
Remarks:
Type of Map: aerial

Reviewed and the Number Assigned on: 06-03-25 By: Rachel Rodriguez

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2046-1**

Date of first receipt of application May 6, 2025.

Date of return to applicant for corrections, amendments or changes May 7, 2025.

Date of receipt of corrected application June 3, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2046-1 to Nathan R Howie, PO Box 63, White Owl SD 57792, 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. 2046-1 appropriates 4.46 cubic feet of water per second (cfs) from the Belle Fourche River located in the SE 1/4 NW 1/4 Section 30-T6N-R9E to irrigate 235 acres located in the SW 1/4 SW 1/4 Section 24, N 1/2 Section 25; all in T6N-R8E; W 1/2 NW 1/4, SE 1/4 NW 1/4, N 1/2 SW 1/4 Section 30; all in T6N-R9E. This site is located approximately twenty miles east northeast of Sturgis SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is May 6, 2025.
4. The date of approval of Permit No. 2046-1 is August 11, 2025.
5. One-fifth of the construction is to be completed on or before February 11, 2028.
6. All construction is to be completed on or before August 11, 2030.
7. Water is to be put to beneficial use on or before August 11, 2034.
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 rights must be by-passed. Diversions under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
2. The irrigation intake(s) for this project must be constructed so that the intake velocities at the intake point do not exceed 0.50 feet per second in open water or 0.25 feet per second in an embayment and the intake is screen 1/4 inch diameter or 3/16 inch slotted stainless steel or corrosion resistant screen to avoid entrainment or impinging fish.
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. 2046-1 authorizes a maximum diversion rate of 4.46 cfs for the irrigation of 235 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: _____

Mark Mayer
Mark Mayer, PE
Director of Office of Water
Department of Agriculture and Natural Resources

9/5/2025
date



RECEIVED

MAY 06 2025

Water Rights
Program

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2046-1</u> Hydrologic Unit <u>10120202</u> Basin <u>Belle Fourche</u> Newspaper <u>Faith Independent</u> <u>Rapid City Journal</u> (office use only)
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Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Nathan R Howie

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

Mailing Address PO Box 63 White Owl SD 57792
(Address) (City) (State) (Zip Code)

Phone 6058902717 Mobile 6058902717 Email _____

2. Amount of water claimed 4.46*CFS or 2000**GPM _____***AF Total Acreage 230-235
(*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 1 access point in NE 1/4 of SW 1/4 of S30 T6N R9E
(example - 3 wells in SW1/4 NE1/4 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 April - September ³⁰

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
NW 1/4 of SW 1/4 of S30 T6N R9E	35	SE 1/4 of NW 1/4 of S25 T6N R8E	20
SW 1/4 of NW 1/4 of S30 T6N R9E	40	SW 1/4 of NW 1/4 of S25 T6N R8E	20
SE 1/4 of NE 1/4 of S25 T6N R8E	40	NW 1/4 of NW 1/4 of S25 T6N R8E	20
SW 1/4 of NE 1/4 of S25 T6N R8E	35	NE 1/4 of NE 1/4 of S26 T6N R8E	10

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

Pumping Station out of the Belle Fourche River.

Underground pipeline feeding multiple (current target is 3) center pivot irrigation systems.

Requesting diversion rate greater than statutory limit

I, Nathan R Howie Land Owner _____, the applicant, certify under
Name of Person Title (if applicable)

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

Supplemental Information

(type or print)

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MAY 06 2025

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 _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:

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

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

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

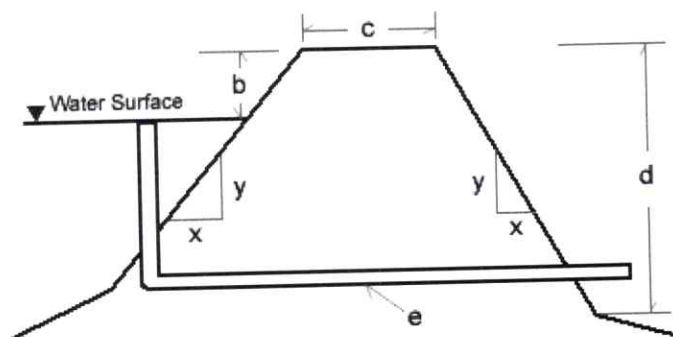
Upstream _____

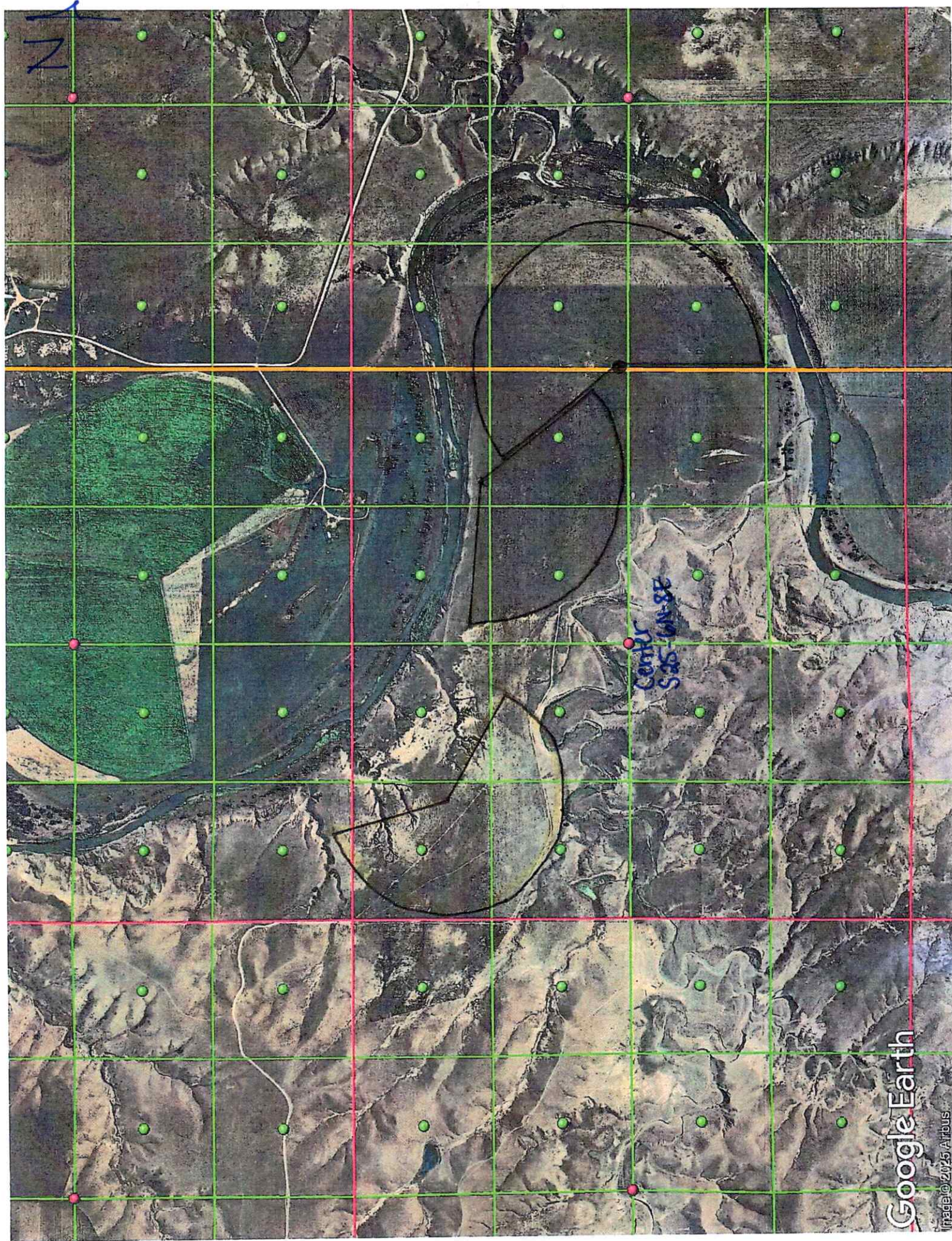
Downstream _____

h) Area of Impoundment _____

i) Storage _____ Acre Feet

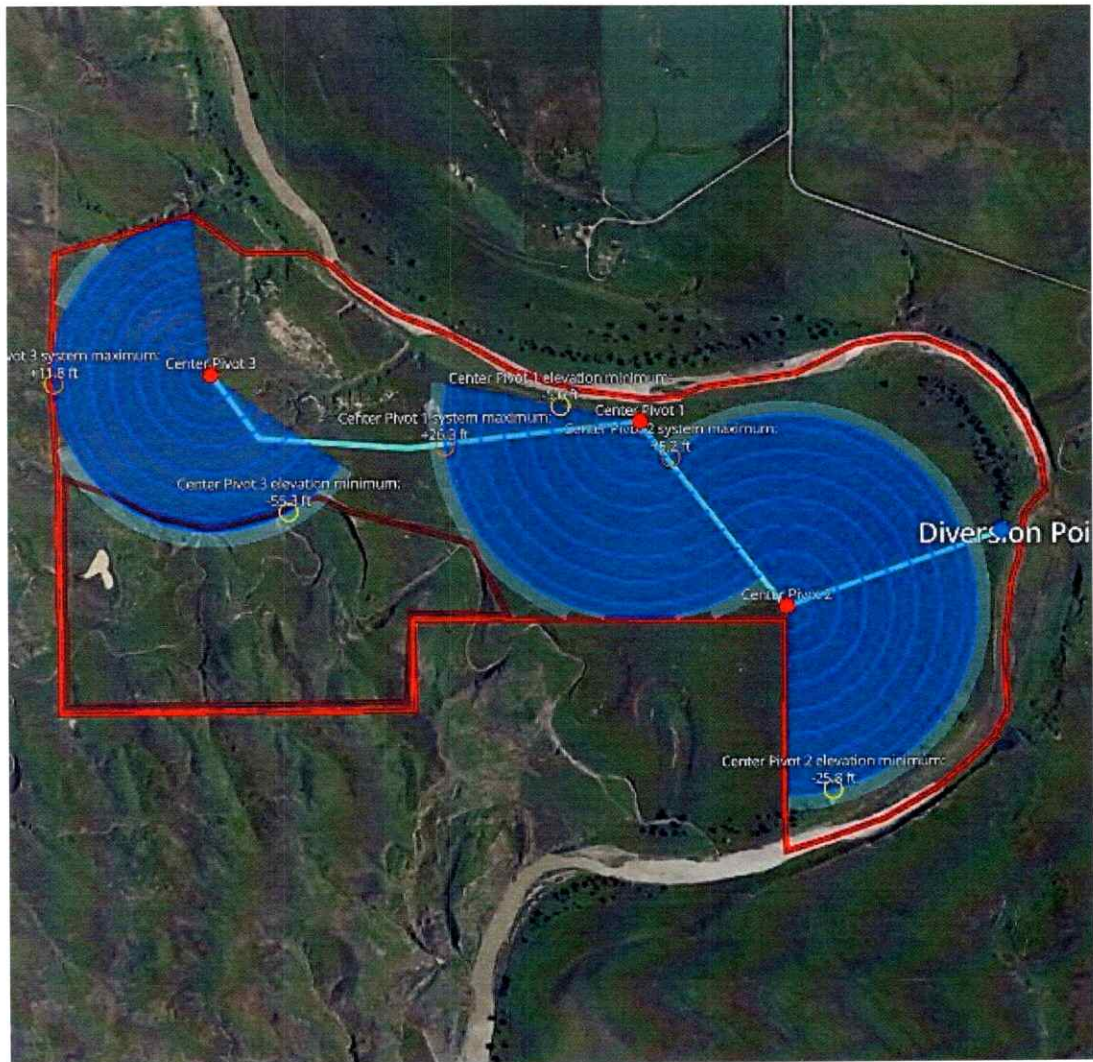
j) Drainage Area Above Dam _____ Acres





Design Details

Grower: Nathan Howie	Field Area: 436.57 acres	Swing Arm: 0 acres
Date: 5/27/2025	Irrigated Area: 230.58 acres	Wrap Span: 0 acres
Field: Kieffer SE Field	System: 200.98 acres	Drop Span: 0 acres
Layout: Layout 2	Primary End Gun: 29.12 acres	Secondary End Gun: 0.48 acres



BELLE VALLEY IRRIGATION LLC
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Field Details

Total Systems: 3	Water Line: 6771 '	Electric Line: 0 '
Field Area: 436.570 acres	Irrigated Area: 230.577 acres	

Center Pivot 1

System Length: 1431 ft	Number of Spans: 8	
Irrigated Area: 64,418 acres	Pivot Area: 57.233 acres	Endgun: 7.186 acres
Swing Arm: N/A	Wrap Span: N/A	Drop Span: N/A

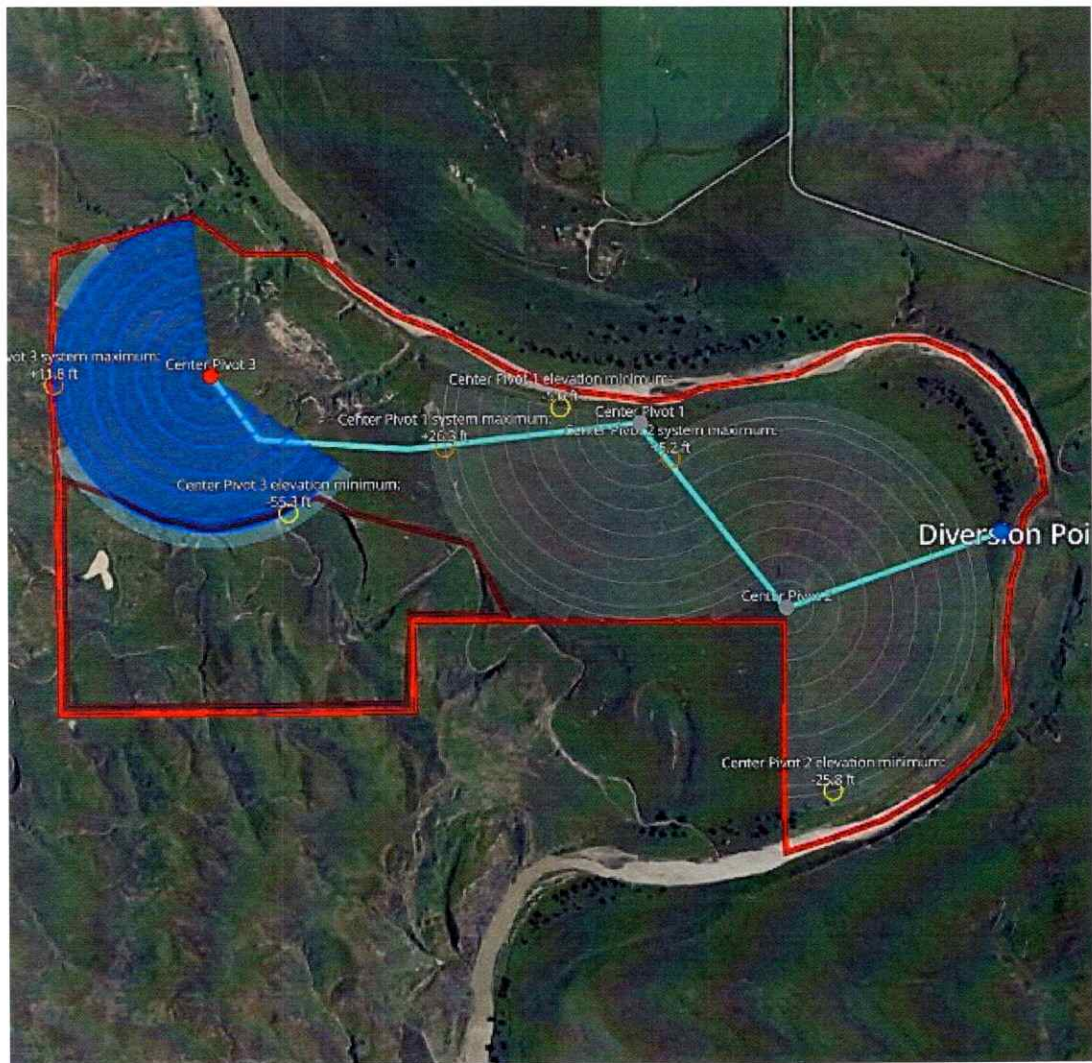
Center Pivot 2

System Length: 1389 ft	Number of Spans: 7	
Irrigated Area: 98,743 acres	Pivot Area: 84.332 acres	Endgun: 14.411 acres
Swing Arm: N/A	Wrap Span: N/A	Drop Span: N/A

Center Pivot 3

System Length: 1138 ft	Number of Spans: 6	
Irrigated Area: 67,415 acres	Pivot Area: 59.415 acres	Endgun: 8.000 acres
Swing Arm: N/A	Wrap Span: N/A	Drop Span: N/A

Design Details - Center Pivot 3

Grower: Nathan Howie**Field Area:** 436.57 acres**Swing Arm:** 0 acres**Date:** 5/27/2025**Irrigated Area:** 67.42 acres**Wrap Span:** 0 acres**Field:** Kieffer SE Field**System:** 59.42 acres**Drop Span:** 0 acres**Layout:** Layout 2**Primary End Gun:** 8.00 acres**Secondary End Gun:** 0 acres

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System Details

System Length: 1138 ft **Number of Spans:** 6
System Model: E2065
Water Line: 6771 ft **Electric Line:** 0 ft
Pivot Center: 44.45751° N / 103.10088° W

Span Information

Span No.	R1	R2	R3	R4	R5	R6	
Model	-	-	-	-	-	-	End Boom
Length	194.0 ft	194.0 ft	137.0 ft	194.0 ft	156.0 ft	175.0 ft	85.0 ft
Dist - Twr.	196.0 ft	390.0 ft	527.0 ft	721.0 ft	877.0 ft	1052.0 ft	-
Pipe Size	-	-	-	-	-	-	-
Outlet Sp.	-	-	-	-	-	-	-

Relative Elevation from Center Point

Highest 12 ft
Lowest -83 ft

Primary End Gun Settings

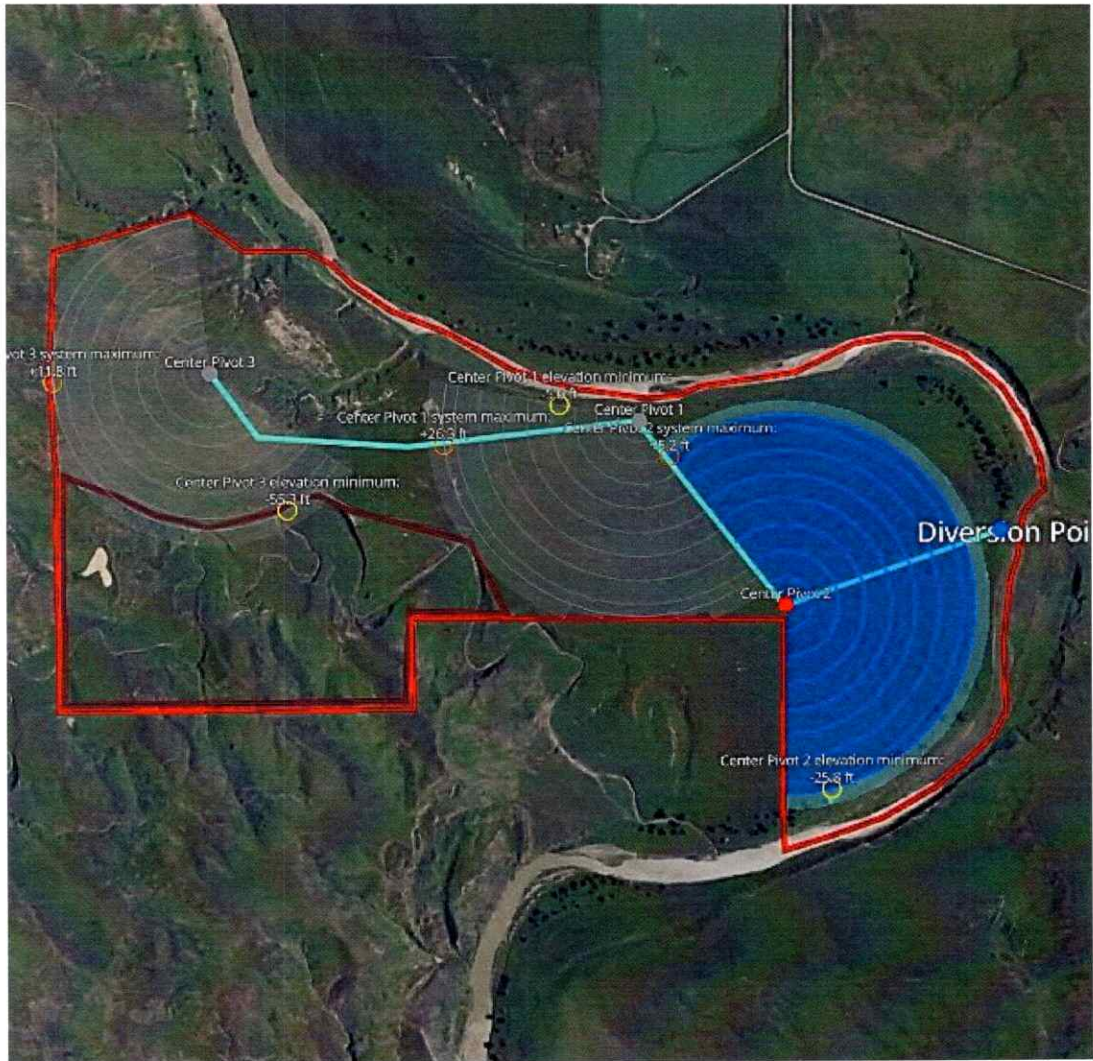
Twin101Ultra	Degrees from North		Area
	Start	Stop	
Area 1	124.70	244.40	6.55 acres
Area 2	294.40	320.94	1.45 acres

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Design Details - Center Pivot 2

Grower: Nathan Howie	Field Area: 436.57 acres	Swing Arm: 0 acres
Date: 5/27/2025	Irrigated Area: 98.74 acres	Wrap Span: 0 acres
Field: Kieffer SE Field	System: 84.33 acres	Drop Span: 0 acres
Layout: Layout 2	Primary End Gun: 14.41 acres	Secondary End Gun: 0 acres



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System Details

System Length: 1389 ft **Number of Spans:** 7
System Model: E2065
Water Line: 6771 ft **Electric Line:** 0 ft
Pivot Center: 44.45287° N / 103.08483° W

Span Information

Span No.	R1	R2	R3	R4	R5	R6	R7	
Model	E2065	E2065	E2065	E2065	E2065	E2065	E2065	End Boom
Length	194.0 ft	194.0 ft	194.0 ft	194.0 ft	175.0 ft	175.0 ft	175.0 ft	85.0 ft
Dist - Twr.	196.0 ft	390.0 ft	584.0 ft	778.0 ft	953.0 ft	1128.0 ft	1303.0 ft	-
Pipe Size	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	-
Outlet Sp.	57 "	57 "	57 "	57 "	57 "	57 "	57 "	-

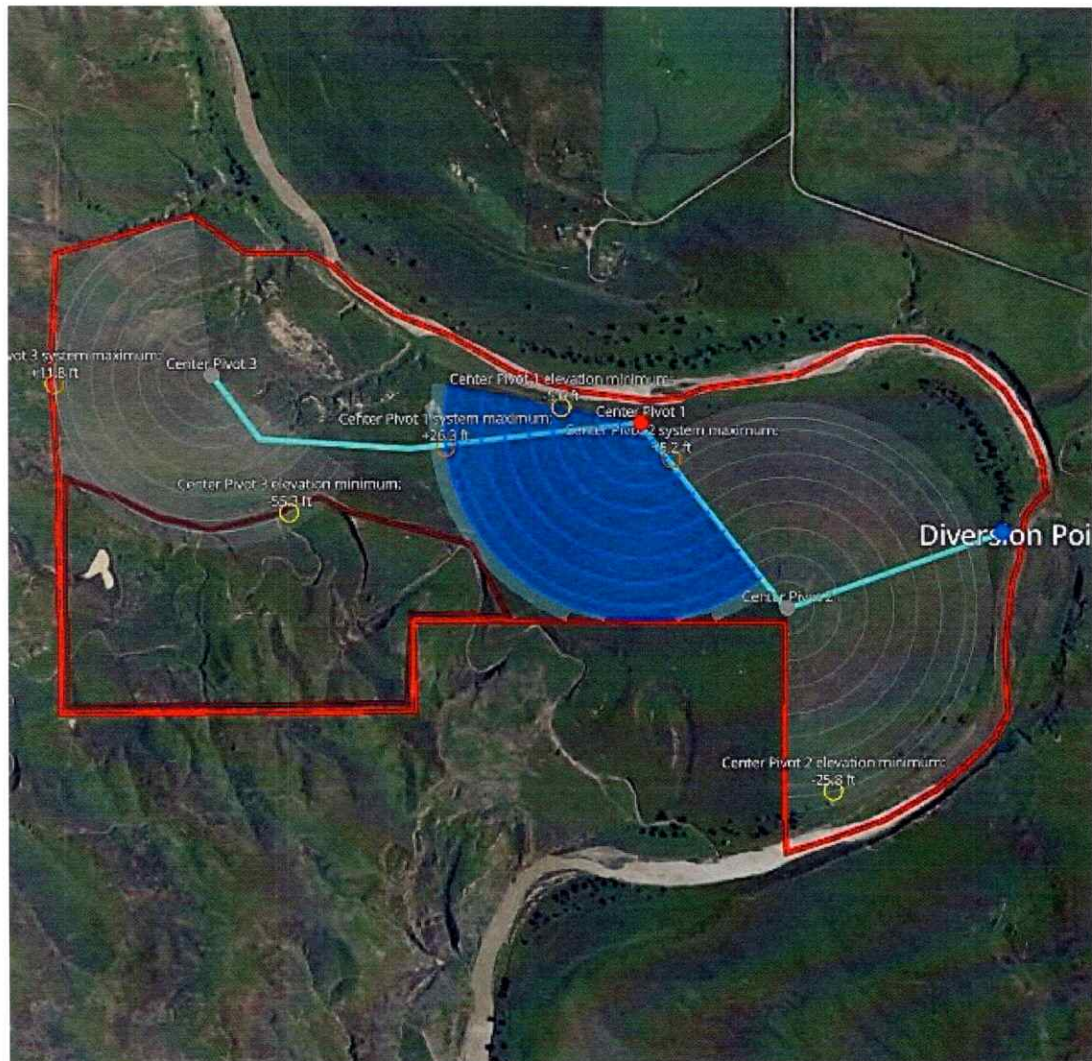
Relative Elevation from Center Point

Highest 5 ft
Lowest -26 ft

Primary End Gun Settings

Twin101Ultra	Degrees from North		Area
	Start	Stop	
Area 1	322.20	539.90	14.41 acres

Design Details - Center Pivot 1

Grower: Nathan Howie**Field Area:** 436.57 acres**Swing Arm:** 0 acres**Date:** 5/27/2025**Irrigated Area:** 64.42 acres**Wrap Span:** 0 acres**Field:** Kieffer SE Field**System:** 57.23 acres**Drop Span:** 0 acres**Layout:** Layout 2**Primary End Gun:** 6.71 acres**Secondary End Gun:** 0.48 acres

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System Details

System Length: 1431 ft **Number of Spans:** 8
System Model: E2065
Water Line: 6771 ft **Electric Line:** 0 ft
Pivot Center: 44.45656° N / 103.08891° W

Span Information

Span No.	R1	R2	R3	R4	R5	R6	R7	R8	
Model	E2065	E2065	E2065	E2065	E2065	E2065	E2065	E2065	End Boom
Length	156.0 ft	156.0 ft	156.0 ft	175.0 ft	175.0 ft	175.0 ft	175.0 ft	175.0 ft	85.0 ft
Dist - Twr.	158.0 ft	314.0 ft	470.0 ft	645.0 ft	820.0 ft	995.0 ft	1170.0 ft	1345.0 ft	-
Pipe Size	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	6 5/8 "	-
Outlet Sp.	57 "	57 "	57 "	57 "	57 "	57 "	57 "	57 "	-

Relative Elevation from Center Point

Highest 27 ft
Lowest -40 ft

Primary End Gun Settings

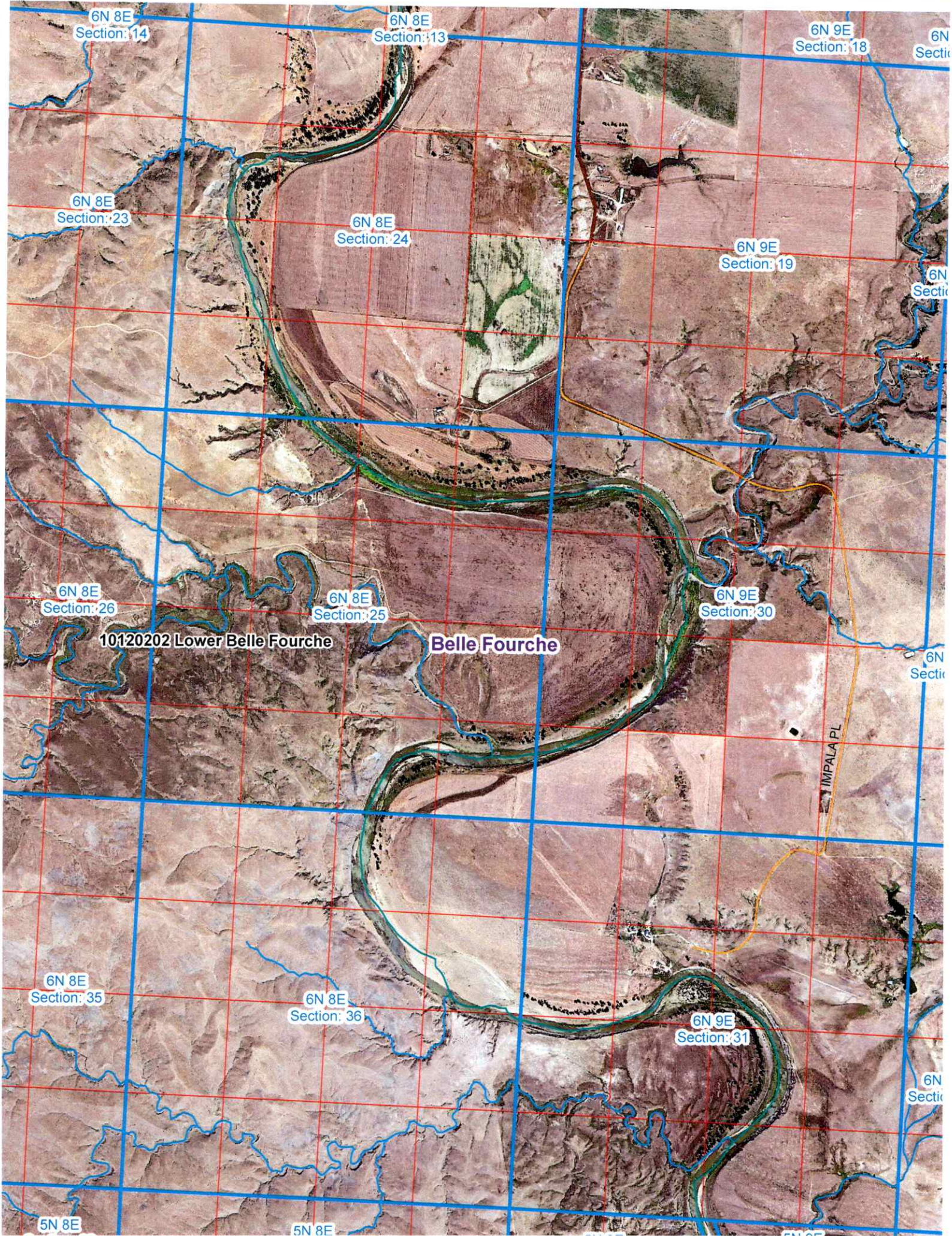
Twin101Ultra	Degrees from North		Area
	Start	Stop	
Area 1	142.00	159.86	1.22 acres
Area 2	200.62	281.20	5.49 acres

Secondary End Gun Settings

R55	Degrees from North		Area
	Start	Stop	
Area 1	159.86	170.16	0.24 acres
Area 2	190.32	200.62	0.24 acres

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RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 3rd, 2025

RECEIVED OF Nathan Howie PO Box 63 White Owl SD 57792

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ <u>950.00</u>
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>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>1150.00</u>

By Mark Mager
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2046-1, Nathan R. Howie**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 2046-1, Nathan R. Howie, PO Box 63, White Owl SD 57792.

The Acting Chief Engineer is recommending APPROVAL of Application No. 2046-1 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. Low flows as needed for downstream domestic use including livestock water and prior rights must be by-passed. Diversions under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
2. The irrigation intake(s) for this project must be constructed so that the intake velocities at the intake point do not exceed 0.50 feet per second in open water or 0.25 feet per second in an embayment and the intake is screen 1/4 inch diameter or 3/16 inch slotted stainless steel or corrosion resistant screen to avoid entrainment or impinging fish.
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. 2046-1 authorizes a maximum diversion rate of 4.46 cfs for the irrigation of 235 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.

Mark Mayer, PE
Director of Office of Water
July 21, 2025

Report to the Chief Engineer
On Water Permit Application No. 2046-1

Nathan R. Howie

July 21, 2025

Water Permit Application No. 2046-1 proposes to divert water at a maximum instantaneous diversion rate of 4.46 cubic feet of water per second (cfs) from the Belle Fourche River located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30-T6N-R9E for the irrigation of 235 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, N $\frac{1}{2}$ of Section 25; all in T6N-R8E; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 30; all in T6N-R9E. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The site of interest is located in Meade County approximately twenty miles east-northeast of Sturgis, SD.

South Dakota Codified Law (SDCL) 46-2A-2 directs the Chief Engineer to make a recommendation to the Water Management Board on a water permit application. Pursuant to SDCL 46-2A-9, the Chief Engineer needs to consider four criteria when making a recommendation on whether a permit should be approved (with or without qualifications), denied, or deferred. They are: 1) there is a 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 domestic water uses and water rights, 3) the proposed use is a beneficial use, and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board.

This report will analyze the best available information and make a recommendation to the Chief Engineer on the first two criteria the Chief Engineer needs to consider in making an official recommendation to the Water Management Board.

Review of Water Source

The Belle Fourche River headwaters in northeast Wyoming and flows northeast around the northern edge of the Black Hills of South Dakota then east to the Cheyenne River confluence north of Wasta, SD, for an approximate distance of 290 river miles. Included in this stretch is the Belle Fourche Reservoir, which is part of the US Department of the Interior's Belle Fourche Project. This project was completed in 1914 and includes a diversion dam, storage dam, and a system of canals that deliver irrigation water to approximately 57,062 acres within the Belle Fourche Irrigation District located in southern Butte County in western SD.

The United States Geological Survey (USGS) maintains several stream flow gaging stations along various points on the Belle Fourche River to monitor real-time flow information, with two gages currently operating near Elm Springs, SD and Sturgis, SD (shown in Figure 1). Water Permit Application No. 2046-1 proposes to irrigate 235 acres from a diversion point located approximately 8.4 river miles downstream of the gage on the Belle Fourche River near Sturgis, SD, and approximately 52 river miles upstream of the gage on the river near Elm Springs, SD.

The USGS stream gage on the Belle Fourche River near Sturgis is located downstream of several Belle Fourche Irrigation District waste ways and tributaries. Large portions of the water in the reach of the river where the diversion point for this application is to be located consist of return flows coming from the Belle Fourche Irrigation District during the irrigation season. Unlike a typical prairie river with flows peaking in March and April as a result of snowmelt and spring precipitation, then trailing off throughout the summer into fall, flows in the Belle Fourche River in this reach are supplemented by irrigation return flows.

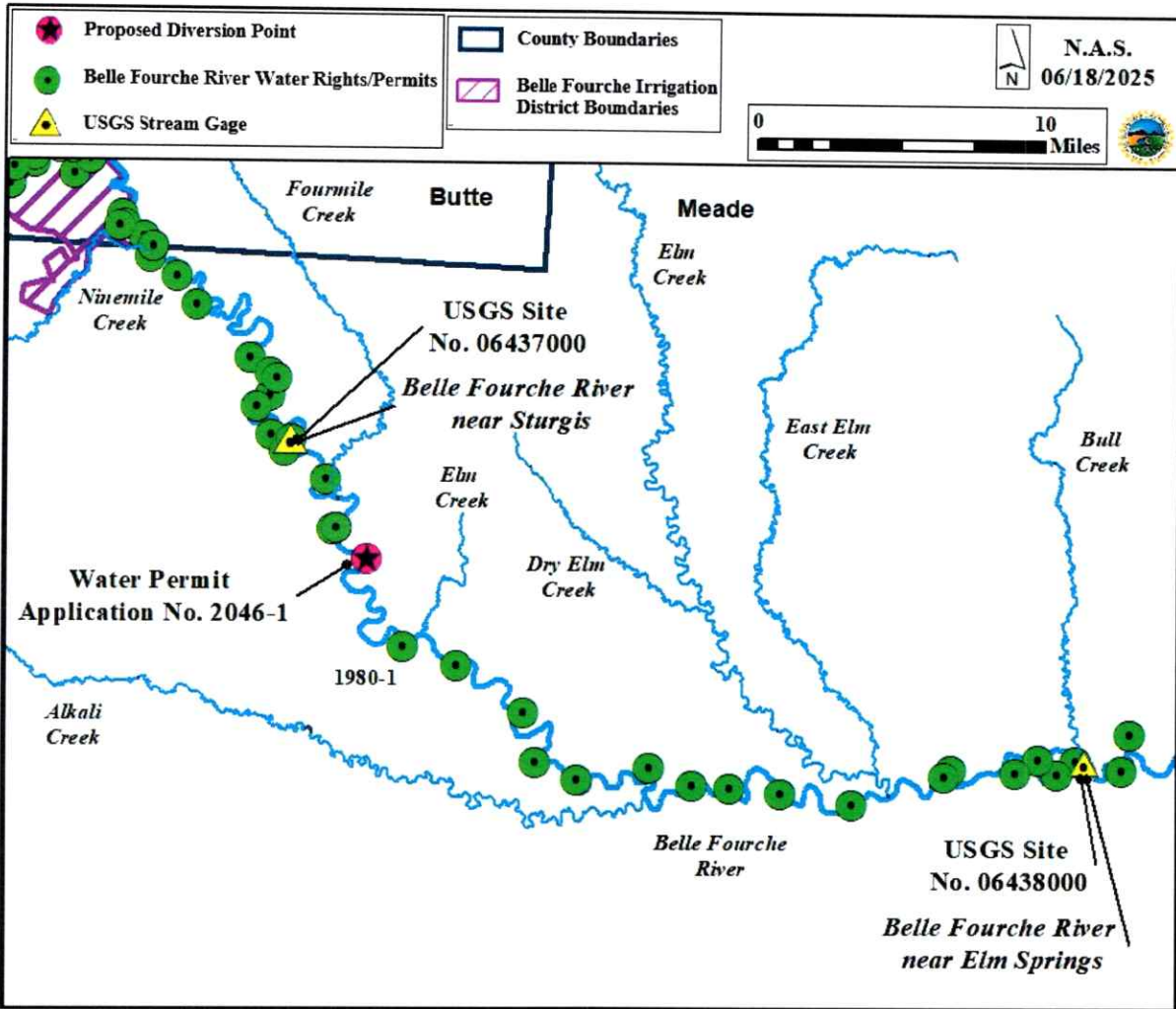


Figure 1. Area map for Water Permit Application No. 2046-1 including the USGS stream gages on the Belle Fourche River near Sturgis and Elm Springs, SD, and the Belle Fourche Irrigation District Boundaries (USGS, 2025; Water Rights, 2025)

Statistical terms, mean and median, have a similar role in understanding the central tendency of a set of statistical results. The mean value, often referred to as average, is calculated by dividing the sum of the data values by the sample size. The disadvantage of using the mean value to describe flow is that the value can be drastically affected by any single value in the data set whether very high or very low compared to the rest of the data values. For example, in the

analysis of long-term flow data, large flood event flow values increase the calculated mean value giving an unreasonable expectation of a higher flow value during a time period. The median (middle/50th percentile) value of flow data separates the higher half of the data set from the lower half based on rank. Median values tend to give a more representative measure of a mid-point value when analyzing river flow data.

Daily mean versus monthly median flow values for the USGS Stream Gaging Station No. 06437000 on the Belle Fourche River near Sturgis, SD are compared in Figure 2. The daily flow data collected by the USGS at that station was evaluated from 1945 to 2024 (USGS, 2025).

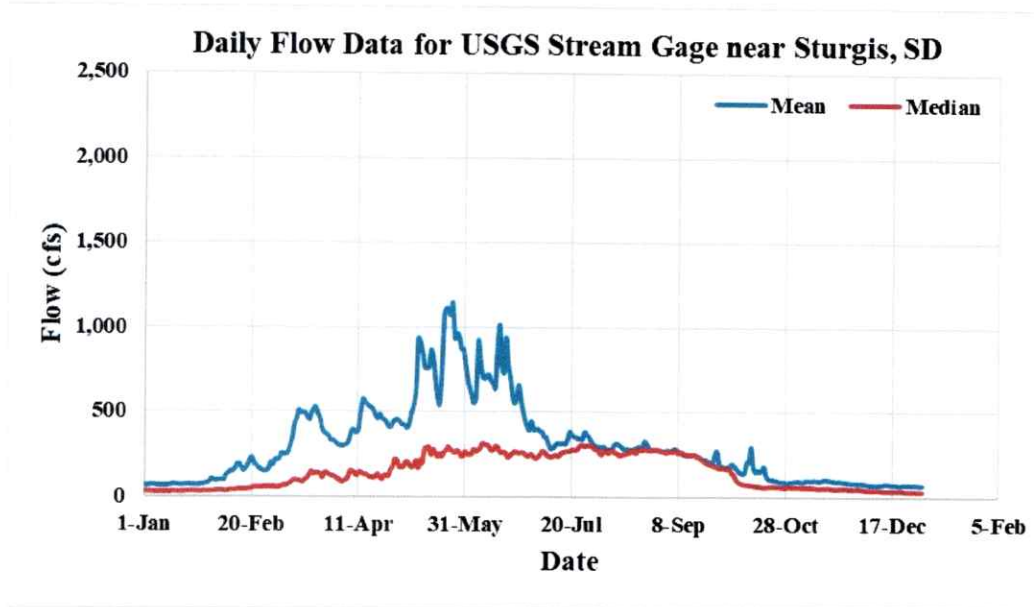


Figure 2. USGS Belle Fourche River gaging station (No. 06437000) near Sturgis, SD, 1945-2024 daily mean versus monthly median flow values, contributing drainage area: 5,792 sq. miles (USGS, 2025)

Daily mean versus monthly median flow values for the USGS Stream Gaging Station No. 06438000 on the Belle Fourche River near Elm Springs, SD are compared in Figure 3. The daily flow data collected by the USGS at that station was evaluated from 1928 to 2024 (USGS, 2025)

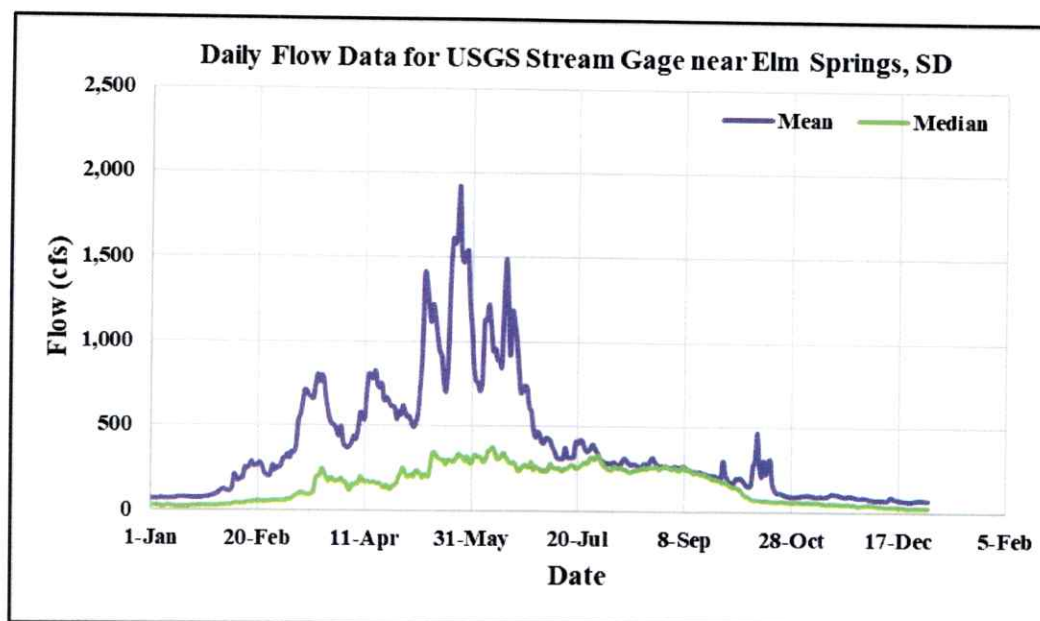


Figure 3. USGS Belle Fourche River gaging station (No. 06438000) near Elm Springs, SD, 1928-2024 daily mean versus monthly median flow values, contributing drainage area: 6,997 sq. miles (USGS, 2025)

Flows on the Belle Fourche River increase downstream, as shown in Figure 3 where median monthly flows near Elm Springs are higher than median monthly flows near Sturgis. Contributing factors include a larger drainage basin, a higher capacity river channel, and tributary runoff. The river has potential for relatively high flows during spring from snowmelt and early summer from thunderstorms. Flows begin decreasing uniformly in July, with peaks occurring again in early fall likely related to irrigation return flows, then flows level out through December. Since most of total flow appropriation on the Belle Fourche River is for irrigation use (Water Rights, 2025), the bulk of the analysis will focus on the months of May through September since these months are the typical irrigation season in South Dakota.

Flow duration curves, or flow exceedance probabilities, are a cumulative frequency curve that show the percent of time that discharges were equaled or exceeded during a given period (USGS, 2025). Lower flows have a high likelihood of being exceeded, and higher flows have a low likelihood. These curves provide context about the range of discharge values that are common and those that are extreme. Tables 1 through 5 show annual exceedance probabilities for flows at gaging stations near Sturgis and near Elm Springs for the months of May through September. For example, there is an 80% chance that daily flow in May for the gage near Sturgis will exceed 77 cfs, calculated using all daily data for that month, from the years 1945 to 2024. The exceedance probabilities were calculated using the Weibull plotting position. By using all the daily data for a certain month, for every available year of data to calculate exceedance probabilities, all recorded low-flow and high-flow scenarios for that month are included in the flow probabilities, providing a well-rounded view of Belle Fourche River flows between the Sturgis and Elm Springs gages.

Table 1. Exceedance probabilities of daily mean flows (cfs) during May at the Sturgis and Elm Springs streamflow gaging stations on the Belle Fourche River in South Dakota (USGS, 2025)

May	Station Name	Years	80%	75%	50%	20%	10%	5%	1%
	Near Sturgis	(1945 to 2024)	77	99	243	925	1,550	2,710	9,790
	Near Elm Springs	(1928 to 2024)	65	83	251	1,050	1,870	3,670	14,800

Table 2. Exceedance probabilities of daily mean flows (cfs) during June at the Sturgis and Elm Springs streamflow gaging stations on the Belle Fourche River in South Dakota (USGS, 2025)

June	Station Name	Years	80%	75%	50%	20%	10%	5%	1%
	Near Sturgis	(1945 to 2024)	149	165	271	928	1,640	2,590	6,090
	Near Elm Springs	(1928 to 2024)	138	160	311	1,210	2,290	4,290	13,000

Table 3. Exceedance probabilities of daily mean flows (cfs) during July at the Sturgis and Elm Springs streamflow gaging stations on the Belle Fourche River in South Dakota (USGS, 2025)

July	Station Name	Years	80%	75%	50%	20%	10%	5%	1%
	Near Sturgis	(1945 to 2024)	180	196	265	409	618	834	1,890
	Near Elm Springs	(1928 to 2024)	152	170	265	446	712	1,000	2,250

Table 4. Exceedance probabilities of daily mean flows (cfs) during August at the Sturgis and Elm Springs streamflow gaging stations on the Belle Fourche River in South Dakota (USGS, 2025)

Aug	Station Name	Years	80%	75%	50%	20%	10%	5%	1%
	Near Sturgis	(1945 to 2024)	186	203	265	350	435	533	837
	Near Elm Springs	(1928 to 2024)	148	166	236	351	434	533	921

Table 5. Exceedance probabilities of daily mean flows (cfs) during September at the Sturgis and Elm Springs streamflow gaging stations on the Belle Fourche River in South Dakota (USGS, 2025)

Sept	Station Name	Years	80%	75%	50%	20%	10%	5%	1%
	Near Sturgis	(1945 to 2024)	149	165	238	316	368	450	677
	Near Elm Springs	(1928 to 2024)	115	138	218	315	389	490	834

A hydrograph was constructed using the 10th, 25th, and 50th percentile flow level data measured at the USGS Stream Gaging Station No. 06437000 on the Belle Fourche River near Sturgis, SD located 8.4 river miles upstream from the proposed diversion point (Figure 4). The impact of the irrigation return water can be observed in Figures 2 and 3 as the hydrographs of the historical percentile data from 1952 to 2024 display a large increase in the flow in the river at these gages during the months of May through September (USGS, 2025).

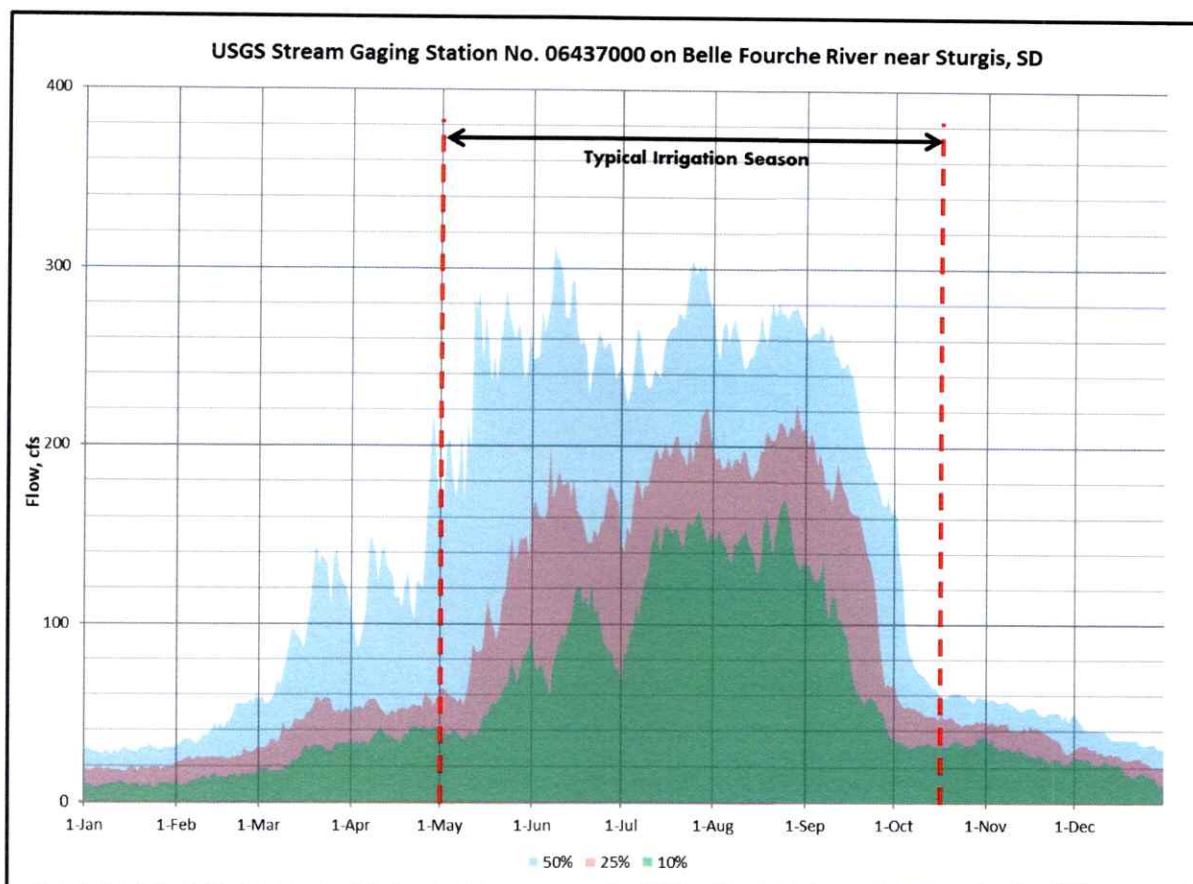


Figure 4. Daily percentile flow hydrographs for the USGS stream gage on Belle Fourche River near Sturgis, SD, 1945-2024, contributing drainage area: 5,792 sq. miles (USGS, 2025)

The median (50th percentile) hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of two years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt, with flow values remaining steady (approximately 100 cfs to 300 cfs) through September and peaking during large rain events. Flow values decrease (below 100 cfs) in early October following the irrigation season and level out to approximately 30 to 50 cfs for the remainder of the year.

The 25th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of four years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt, with consistent flows ranging from approximately 50 to 200 cfs until the end of September with peaks during spring/summer rain events. Flow values decrease (below 50 cfs) in early October following the irrigation season and level out to approximately 20 to 40 cfs for the remainder of the year.

The 10th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of ten years. A similar trend is displayed on this hydrograph when compared to the 25th and 50th percentile hydrographs - an increase in flow values through the spring/summer months (approximately 30 to 170 cfs) before lowering in late September

following the irrigation season and remaining steady (approximately 10 cfs to 35 cfs) for the remainder of the year.

USGS Stream Gage No. 06438000 on the Belle Fourche River near Elm Springs, SD, is located approximately 52 river miles downstream from the proposed diversion point and 24 river miles upstream from the confluence with the Cheyenne River. A hydrograph was constructed using the 10th, 25th, and 50th percentile flow level data measured at this stream gage (Figure 5).

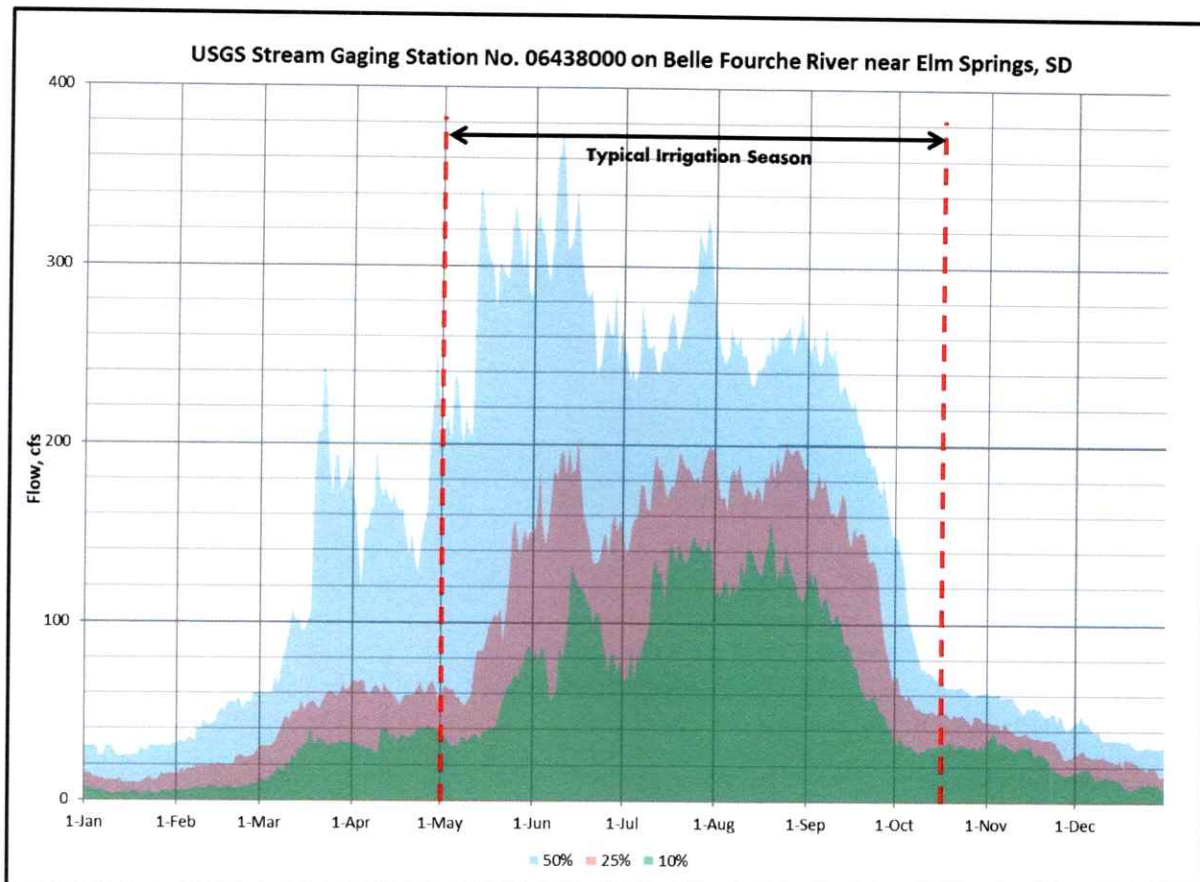


Figure 5. Daily percentile flow hydrographs for the USGS stream gage on Belle Fourche River near Elm Springs, SD, 1928-2024, contributing drainage area: 6,997 sq. miles (USGS, 2025)

The median (50th percentile) hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of two years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt, with flow values remaining steady (approximately 150 cfs to 350 cfs) through September and peaking during large rain events. Flow values decrease (below 150 cfs) in early October following the irrigation season and level out to approximately 30 to 50 cfs for the remainder of the year.

The 25th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of four years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt, with consistent flows ranging from approximately 50 to 200 cfs until the end of September with peaks during spring/summer rain events. Flow values

decrease (below 50 cfs) in early October following the irrigation season and level out to approximately 15 to 40 cfs for the remainder of the year.

The 10th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of ten years. A similar trend is displayed on this hydrograph when compared to the 25th and 50th percentile hydrographs - an increase in flow values through the spring/summer months (approximately 25 to 150 cfs) before lowering in late September following the irrigation season and remaining steady (approximately 5 cfs to 35 cfs) for the remainder of the year.

Review of Existing Water Rights

To give a sense of the appropriations currently authorized between the Sturgis and Elm Springs gages, and downstream of the Elm Springs gage to the confluence of the Belle Fourche and Cheyenne Rivers, Table 6 summarizes the six existing water rights/permits between the proposed diversion point and the USGS Stream Gaging Station on the Belle Fourche River near Sturgis, SD located 8.4 river miles upstream from proposed diversion point (Table 6) (Water Rights, 2025).

Table 6. Water rights/permits authorized to divert water from the Belle Fourche River between the gage near Sturgis, SD and the proposed diversion point (Water Rights, 2025)

Permit No.	Name	Status	Use	Authorized Acres if IRR	Authorized Diversion Rate (cfs)	Priority Date
440-1	Jon L & Breanna S Millar	LC	IRR	416	5	11/16/1959
553-1	Richard W Kieffer	LC	IRR	203.7	2.91	03/21/1961
1944-1	Morris Inc	LC	COM	0	0.67	02/05/2014
1979-1	Homestake Mining Company	PE	IRR	566.9	8	06/04/2018
2042-1	Broken Bridge Ranch LLC	PE	IRR	90	0	12/20/2024
2017-1	Broken Bridge Ranch LLC	PE	IRR	221	3	04/04/2022
TOTAL:				1,498	19.6	
LC: Licensed Water Right; PE: Water Permit; COM: Commercial; IRR: Irrigation						

There are seventeen existing water rights/permits between the proposed diversion point and the USGS Stream Gaging Station on the Belle Fourche River near Elm Springs, SD located 52 river miles downstream from proposed diversion point (Table 7) (Water Rights, 2025). It was noted in the file for Water Right No. 1153-1 that as of 1995, the permit holder no longer utilizes the Belle Fourche River for their irrigation system (spreader dikes fed through runoff); therefore, the estimated use was not included with this analysis. Water Permit Nos. 1980-1 and 1981-1 are past their construction periods and may be subject to cancellation (Water Rights, 2025).

Table 7. Water rights/permits authorized to divert water from the Belle Fourche River downstream of proposed diversion point to the gage near Elm Springs, SD (Water Rights, 2025)

Permit No.	Name	Status	Use	Authorized Acres if IRR	Authorized Diversion Rate (cfs)	Annual Volume (acre-feet)	Priority Date
199-1	Glenn McPherson	LC	IRR	203	2.65		03/22/1950
248-1	Sam & Cary Johnston	LC	IRR	64	0.9		09/17/1952
310A-1	HBW LLC	LC	IRR	189.6	2.71		11/07/1957
310B-1	Sam & Cary Johnston	LC	IRR	283.7	4.05		09/08/1956
311A-1	HBW LLC	LC	IRR	1,089.8	15.27		09/08/1956
311B-1	Sam & Cary Johnston	LC	IRR	93.8	0		09/08/1956
437-1	McNenny Ranches LLC	LC	IRR	418	5.9		11/07/1959
449-1	Patrick Deering	LC	IRR	365	5		01/08/1960
821-1	Jeff & Shelane Graham	LC	IRR	279	4		10/11/1967
985-1	WM Scott Phillips	LC	IRR	119	1.7		05/08/1973
1077-1	Lonnie R Arneson	LC	IRR	131	1.44		12/10/1975
1152-1	Homestake Mining Company	LC	IRR	226	3.23		09/06/1977
1153-1*	WM Scott Phillips	LC	IRR	153	2.19		09/06/1977
1477-1	Lynn M Fields	LC	IRR	157	2.2		11/08/1989
1980-1	Homestake Mining Company	PE	IRR	752.56	10.7		06/04/2018
1981-1	Homestake Mining Company	PE	IRR	675.18	9.6		06/04/2018
1988A-1	Western Construction Inc	PE	IND	0	2.67	43	04/02/2022
*No longer diverts from Belle Fourche River			Total:	6,004	85.8		
LC: Licensed Water Right; PE: Water Permit; COM: Commercial; IRR: Irrigation							

There are four water rights downstream of the USGS gage on the Belle Fourche River near Elm Springs, SD to the confluence with the Cheyenne River (Table 8) (Water Rights, 2025).

Table 8. Water rights/permits authorized to divert water from the Belle Fourche River downstream of the gage near Elm Springs, SD on the Belle Fourche River to the confluence with the Cheyenne River (Water Rights, 2025)

Permit No.	Name	Status	Use	Authorized Acres if IRR	Authorized Diversion Rate (cfs)	Priority Date
165-1	Lonnie R Arneson	LC	IRR	301	4.3	04/17/1912
302-1	Stanley & Kenny Matt	LC	IRR	263	3.7	12/13/1928
1939-1	Magic Canyon LP	LC	IRR	142.9	2.04	05/01/2013
1939A-1	Magic Canyon LP	LC	IRR	97	1.5	04/11/2018
LC: Licensed Water Right; IRR: Irrigation			TOTAL:	804	11.5	

Unlawful Impairment of Existing Rights, Discussion, and Recommendation

The nearest downstream water right from the proposed diversion point is Water Permit No. 1980-1 located approximately seven river miles downstream (shown in Figure 1) (Water Rights, 2025). If Water Permit Application No. 2046-1 is approved, it will have a priority date that is junior to the existing water rights/permits and will be subject to bypassing low flows to downstream domestic water users and senior water right holders. Therefore, if approved, Water Permit Application No. 2046-1 is not expected to unlawfully impair existing domestic water uses and water rights/permits.

At the Sturgis gage, one out of every ten years, only approximately 30 to 170 cfs is expected during the irrigation season. Five out of every ten years, approximately 100 to 300 cfs is expected during the irrigation season. When omitting Water Right No. 1153-1, 103.2 cfs is authorized to be diverted between the two gages (Sturgis and Elm Springs), plus an additional 11.5 cfs authorized to be diverted after the gage near Elm Springs to the confluence with the Cheyenne River. At the Elm Springs gage, one out of every ten years, only approximately 25 to 150 cfs is expected during the irrigation season. Five out of every ten years, approximately 150 to 350 cfs is expected during the irrigation season.

If Water Permit Application No. 2046-1 is approved, approximately 107.7 cfs would be authorized to be diverted from the Belle Fourche River between the USGS stream gages near Sturgis and Elm Springs, SD, plus an additional 11.5 cfs authorized to be diverted after the gage near Elm Springs to the confluence with the Cheyenne River. Based upon an assessment of the historical flow data, there is a reasonable probability that unappropriated water is available for the applicant's proposed use during normal years (five out of every ten years).

It is worth noting that the measured flows at the stream gages reflect the authorized diversion rates listed above being withdrawn from the Belle Fourche River for many of the years over the respective periods of record.

There may be times when water is not available in the Belle Fourche River for the applicant's proposed use. If drier climatic conditions cause a considerable reduction of flow in the Belle Fourche River, use by the applicant should be restricted to protect downstream domestic use, including livestock watering and senior water rights/permits from unlawful impairment.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of 1.0 cfs per 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..."

If approved, Water Permit Application No. 2046-1 would authorize a maximum instantaneous diversion rate of 4.46 cfs from one well for the irrigation of 235 acres, or at a rate of 1.33 cfs per 70 acres. The applicant did not provide a reason for the exceedance, but it appears to be due to the potential of irrigating the proposed area with center pivots that do not make full rotations. A center pivot making a partial rotation uses water at the same rate as a center pivot making a full

rotation while irrigating fewer acres. This reason falls within SDCL 46-5-6 which allows the Water Management Board to allow a greater diversion rate and has been accepted by the Water Management Board and the Water Rights Program in the past.

CONCLUSIONS:

1. Water Permit Application No. 2046-1 proposes to divert water at a maximum instantaneous diversion rate of 4.46 cfs from the Belle Fourche River for the irrigation of 235 acres. The site of interest is located in Meade County approximately twenty miles east-northeast of Sturgis, SD.
2. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres due to the partial rotations of the center pivots. This reason falls within SDCL 46-5-6 which allows the Water Management Board to allow a greater diversion rate and has been accepted by the Water Management Board and the Water Rights Program in the past.
3. An analysis of historical flow data for Belle Fourche River demonstrates the river is a reliable source of surface water during normal years.
4. Based upon an assessment of the historical flow data, there is a reasonable probability that unappropriated water is available for the applicant's proposed use during normal years.
5. If approved, this application is subject to Belle Fourche River shut off orders.
6. If drier climatic conditions cause a considerable reduction of flow in the Belle Fourche River, use by the applicant should be restricted to protect downstream domestic use, including livestock watering and senior water rights/permits from unlawful impairment.
7. If this application is approved, it should contain the following qualification: Low flows as needed for downstream domestic use, including livestock watering and senior water rights/permits must be by-passed. Diversions under this Permit shall be in accordance with any written orders by the Chief Engineer.

Nakaila Steen

Nakaila Steen
Natural Resources Engineer III
SD DANR - Water Rights Program

References

- USGS. 2025. United States Geological Survey, National Water Information System – Stream Gaging Station Network for South Dakota. Accessed July 8, 2025.
- Water Rights, 2025. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Rodriguez, Rachel

From: jeremy@bellevallyirrigation.com
Sent: Thursday, May 29, 2025 9:50 AM
To: Rodriguez, Rachel
Cc: howiewelding@icloud.com
Subject: Re: [EXT] Water Permit Application

Hi Rachel,

Thanks for your patience on this...

Agreed on the area to be irrigated.

Agreed on the total acreage.

Can you confirm who the check payment for the application fees needs to be addressed to?

Thank you!

Jeremy Dyck

Strategy, Development, and Solutions
605.490.2562

Belle Valley Irrigation
605.456.1888
313 Rosander Ave
Vale SD 57788

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Thursday, May 29, 2025 6:40 AM
To: jeremy@bellevallyirrigation.com <jeremy@bellevallyirrigation.com>
Subject: RE: Water Permit Application

Good morning,

Yes, I received the attachments. Based on the maps you submitted, the area to be irrigated is actually in the NW 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NW 1/4 Sec 30-T6N-9E, NE 1/4 NE 1/4, SE 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 NE 1/4, S 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4 Sec 25-T6N-R8E, SW 1/4 SW 1/4 Sec 24-T6N-8E. Do you agree?

As for the total acreage of 230.58, I will round up to 231. Do you agree?

The fees are still, application fee \$950 + inspection fee \$200 = \$1,150.00.

Once, I received your reply and the fees, I can begin processing your application.

Thank you,

Rachel Rodriguez
DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: jeremy@bellevallyirrigation.com <jeremy@bellevallyirrigation.com>

Sent: Tuesday, May 27, 2025 6:36 PM

To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Subject: Re: [EXT] Water Permit Application

Hi Rachel,

See attached design maps for total acreage.... Would you like me to specify further?

There will be no wells drilled. Water will be diverted or extracted by means of a floating suction device.... Do you still need information regarding this device?

See attached maps...

Alfalfa reasonably requires around 6" of water per harvest cycle, or every 30 days. One week of this 30 day cycle is spent harvesting. This leaves 3 weeks to apply the required 6" of water. At 3.28 CFS it will take almost 18 days of non-stop operation within the 21 days period to apply the 6" of water. That being said, we can apply for the standard limit of 3.28 CFS for now and increase later of necessary...

I will wait to hear back...

Thanks!

Jeremy Dyck

Strategy, Development, and Solutions

605.490.2562

Belle Valley Irrigation

605.456.1888

313 Rosander Ave

Vale SD 57788

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Sent: Wednesday, May 7, 2025 10:01 AM

To: jeremy@bellevallyirrigation.com <jeremy@bellevallyirrigation.com>

Subject: Water Permit Application

Good afternoon,

In looking over your application, there are a few issues:

- On the first page, number 2 total acreage 230 however, when I add the total acres from the Land Description it comes to 220. These two must match, please provide the actual acreage total.
- Please complete the top portion of the 2nd page, see attachment with highlighted section in yellow.
- A map needs to be submitted that references a government section corner or quarter corner including section, township and range. For your use, I have enclosed a map with those designations. Please outline the acres to be irrigated and mark the proposed diversion point with an "X".
- You have requested a pump rate greater than the statutory limit of 1 cubic feet per second (cfs) per 70 acres. The application states $230 \text{ acres} / 70 = 3.28 \text{ gallons per minute (gpm)}$. You applied for 2000 gpm (4.45 cfs), which is over the limit. It is possible to apply for a greater rate than 1 cfs per 70 acres. Usually, a typical low-pressure pivot can operate in the 700 to 800 gpm range so there is no need to justify a greater amount if it is not needed. If the system you intend to install requires 2000 gpm, please indicate so, then we have a basis for proceeding with the higher amount.
- The fees are based on the 230 acres, the application fee \$950 + inspection fee \$200 = \$1,150.00.

Thank you,

Rachel Rodriguez
 DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPERS RIGHT AWAY.**

July 22, 2025

Nathan R. Howie
PO Box 63
White Owl SD 57792

Dear Mr. Howie:

Water Permit Application No. 2046-1 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 Rapid City Journal printed at Rapid City (see attachment for contact number). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Acting 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have 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,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 2046-1 to Appropriate Water

Notice is given that Nathan R. Howie, PO Box 63, White Owl SD 57792, has filed an application for a water permit to appropriate 4.46 cubic feet of water per second (cfs) from the Belle Fourche River located in the SE 1/4 NW 1/4 Section 30-T6N-R9E to irrigate 235 acres located in the SW 1/4 SW 1/4 Section 24, N 1/2 Section 25; all in T6N-R8E; W 1/2 NW 1/4, SE 1/4 NW 1/4, N 1/2 SW 1/4 Section 30; all in T6N-R9E. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately twenty miles east northeast of Sturgis SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2046-1 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by August 11, 2025.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 11, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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.

Published once at the total approximate cost of_

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, July 22, 2025 9:22 AM
To: Faith Ind
Subject: 2046-1 Nathan Howie - Public Notice
Attachments: 2046-1 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on July 30, 2025.

Nathan R. Howie, PO Box 63, White Owl SD 57792, 605-890-2717, 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, July 22, 2025 9:23 AM
To: legals@rapidcityjournal.com
Subject: 2046-1 Nathan Howie - Public Notice
Attachments: 2046-1 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on July 29, 2025.

Nathan R. Howie, PO Box 63, White Owl SD 57792, 605-890-2717, 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





Invoice

Column Software PBC
PO Box 208098
Dallas, TX 75320-8098
help.column.us

Bill to
Nathan R. Howie

Invoice number CFC1A06D-0046
Notice ID IqNykkbNi1oYSWYf6ypv
Publisher The Rapid City Journal
Date of issue Jul 22, 2025
Date due Aug 22, 2025
Amount due **\$81.68**

Description	Qty	Unit price	Amount
07/29/2025: General Legal Notice	1	81.68	81.68
=== Notes === Notice Name: 2046-1 Nathan Howie - Public Notice Order Number: COL-SD-2957			Net Subtotal \$81.68
=== How to pay this invoice === Column Software PBC accepts online payment via credit or debit card, or ACH bank transfers. Please click here to pay online: https://www.column.us/invoices/D0NI4LaCTdJzewoyikEA/pay			Tax 0.00
			Amount due \$81.68

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Questions? Visit help.column.us

CFC1A06D-0046 - Page 1 of 1

STATE OF SOUTH DAKOTA)
) SS
County of Meade)

certify that the attached printed Notice was taken
from the Faith Independent

state of South Dakota. The notice was published
in the newspaper on the following date:

Cost of Printing \$45.82

(Signature)

Owner

(Title)

07/31/25

(Date Signed)

Continued from previous page
hr., \$23.19 hr., 7/09/2025

Cammack Barry, Yvonne, Legal Assistant (PTP, State's Attorney, New Hire, \$21.19 hr., 7/16/2025

Messner, Grant, Correctional Officer, Jail, Step Increase, \$24.26 hr., \$24.82 hr., 7/07/2025

Casey, Michael, Correctional Officer, Jail, Step Increase, \$23.19 hr., \$23.71 hr., 7/21/2025

Meints, Clay, IT Technician, IT, Step Increase, \$24.82 hr., \$25.39 hr., 7/21/2025

Witcraft, Paul, Deputy Sheriff/Certified, Sheriff's Office, Step Increase, \$27.18 hr., \$27.81 hr., 7/21/2025

11. Volunteer Fire & Ambulance – Fire Department, Volunteers – Added, Volunteers - Removed
Faith Fire Department, McLoughlin, Shane

L. Executive Session

1. Executive Session -1-2-2

Motion to go into Executive Session at 1:59pm for personnel, contractual matters and legal.

Motion by Wiecezorek, second by Severn. Motion carries. Vote unanimous. Motion to come out of Executive Session at 3:25.

Motion by Severn, second by Wiecezorek. Motion carries. Vote unanimous.

2. Personnel & Contracts

J 1. 2026 Provisional Budget Continued

MEADE COUNTY 2026
PROVISIONAL BUDGET
EXPENDITURES, 2026 Provisional
General Government

Legislative

111 Board of Commissioners, 295,974

112 Contingency, 500,000

120 Elections, 160,849

130 Judicial Financial Administration, 88,350

141 Auditor, 383,643

142 Treasurer, 437,029

Legal Services

151 States Attorney, 733,594

153 Court-Appointed Attorney, 640,000

154 Abused & Neglected Child, 32,000

Other General Government

161 General Government Building, 930,141

162 Director of Equalization, 657,524

163 Register of Deeds, 301,814

165 Veteran Services, 46,125

166 Predatory Animal (GFP), 10,000

169 Insurance and Bonding, 220,000

171 Information Technology, 443,511

172 Human Resources, 211,711

Public Safety

211 Sheriff, 3,094,578

212 Jail, 2,597,090

215 Juvenile Services Center, 135,000

221 Fire Protection, 40,000

Protective and Emergency Services

222 Emergency Management, 61,776

225 Communications, 896,238

227 FireWise

Public Works

311 Highways, Roads, and Bridges, 11,083,648

313 Snow Removal

Health & Welfare

411 Support of Poor, 12,750

Health Assistance

421 Community Health, 24,300

Social Services

434 Domestic Abuse, 8,000

Mental Health Services

441 Mentally Ill, 15,000

442 Developmentally Disabled, 500

443 Drug Abuse, 90,000
445 Mental Illness Board, 95,100
446 Opioid Settlement Druge

Abuse

Culture & Recreation

Culture

511 Public Library, 54,700

Recreation

524 County Fair, 8,500

525 Senior Citizens, 2,000

Conservation of Natural Resources

Soil Conservation

611 County Extension, 35,958

612 Soil Conservation District, 15,000

614 Soil Conservation District, 10,000

615 Weed & Pest Control, 170,889

Urban & Economic Development

711 Planning, 455,499

Urban Development

712 Urban & Rural Development, 16,540

Economic Development

721 Economic Development, 18,500

750 Intergovernmental Expenditures

Debt Service

810 Principal

820 Interest

Other Uses

911 Transfers Out, 3,062,390

TOTAL EXPENDITURES, 28,096,221

REVENUES

TOTAL

311, Current Property Tax Levy, 13,456,031

Less 25% to Cities, (8,629)

312-319, Other Taxes 966,600

320, Licenses and Permits, 368,300

330, Intergovernmental Revenue, 4,736,800

340, Charges for Goods & Services, 1,756,350

350, Fines & Forfeits, 48,800

360, Miscellaneous Revenue, 606,500

370, Other Financing Sources, 3,042,390

371, Residual Equity Transfers-In, 35,000

TOTAL REVENUES, 25,008,142

MEANS OF FINANCE

EXPENDITURES TOTAL, 28,096,221

5% (SDCL 7-21-18), 1,417,774

TOTAL APPROPRIATIONS, 29,513,995

CASH BALANCE APPLIED, 4,505,853

REVENUE TOTAL, 25,008,142

MEANS OF FINANCE, 29,513,995

/s/ Rhea Crane

Published once at an estimated cost of \$

Motion to adopt the Provisional Budget as modified.

Motion by Wiecezorek, second by Severn. Motion carries. Vote unanimous.

M. Adjourn

1. Adjourn the Meeting

Chairman Deering declared the meeting adjourned at 3:42pm.

Date Approved

Gary Deering, Chairman

Attest:

Rhea Crane, Auditor

Published July 30, 2025 at the approximate cost of \$777.14 and may be viewed free of charge at www.sdpublic-notices.com.

NOTICE OF APPLICATION NO. 2046-1 to Appropriate Water

Notice is given that Nathan R. Howie, PO Box 63, White Owl SD 57792, has filed an application for a water permit to appropriate 4.46 cubic feet of water per second (cfs) from the Belle Fourche River located in the SE 1/4 NW 1/4 Section 30-T6N-R9E to irrigate 235 acres located in the SW 1/4 SW 1/4 Section 24, N 1/2 Section 25; all in T6N-R8E; W 1/2 NW 1/4, SE 1/4 NW 1/4, N 1/2 SW 1/4 Section 30; all in T6N-R9E. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately twenty miles east northeast of Sturgis SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2046-1 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by August 11, 2025.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling

(605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 11, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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.

Published July 30, 2025 at the approximate cost of \$45.82 and may be viewed free of charge at www.sdpublic-notices.com.

NOTICE OF PUBLIC HEARING OF THE MEADE COUNTY PLANNING COMMISSION ON THE CREATION OF THE TAX INCREMENT DISTRICT NUMBER FOUR,

Notice is hereby given pursuant to § 11-9-3 of the South Dakota Codified Laws, that a public hearing shall be conducted at the Commission Meeting Room, 2nd floor, Erskine Office Building, 1300 Sherman Street, Sturgis, South Dakota, on August 11th, 2025, at 3:30 p.m. or as soon thereafter as can be heard by the Meade County Planning Commission on the question of whether to recommend the formation of a tax increment district includes the real property as more particularly described to be all in Black Hills Meridian (B.H.M.), Meade County, South Dakota, including within and adjacent rights-of-ways herein;

Section 1, T2N, R7E to include the following:
Government Lots 3 & 4; S1/2NW1/4; NW1/4SW1/4; S1/2SW1/4; LESS Right-of-ways; AND

Section 2, T2N, R7E to include the following:
Government Lots 1, 2, 3, & 4; SW1/4NW1/4; LESS Right-of-ways; AND

Section 12, T2N, R7E to include the following:

NW1/4; Lot A of the NE1/4SW1/4; E1/2SW1/4 LESS Nike Site and Parcels; SW1/4SE1/4 Less Fractions; Lot 1 of North Port Estates; Lot A Revised and Lot B of Lot A, Lot A of Lot 3 Less Portion in Pennington County; Lot B1 and Lot B2 of Lot B of Lot 3 all in Ponderosa Hill Estates; LESS Right-of-ways; AND

Section 2, T3N, R7E to include the following:

Government Lot 3 and Lot 4; SW1/4NW1/4; NW1/4SW1/4; AND

Section 3, T3N, R7E to include the following:

All; AND

Section 10, T3N, R7E to include the following:

All; AND

Section 11, T3N, R7E to include the following:

East 528 Feet of the SW1/4SW1/4; SW1/4SE1/4; SE1/4SW1/4; N1/2SE1/4SE1/4; Remainder of the S1/2SE1/4SE1/4; Tract A of the S1/2SE1/4SE1/4; AND

Section 12, T3N, R7E to include the following:

Tract A of West River Addition of the SW1/4SW1/4; AND

Section 13, T3N, R7E to include the following:

NE1/4; Remainder of the NW1/4 Less Lots A thru N, Lot 01, Lot 9 thru 46 all of Prairie Haven Subdivision; Lots 47 thru 62 of Prairie Haven Subdivision of the SW1/4; Remainder of the S1/2; AND

Section 14, T3N, R7E to include the following:

Lot 1 and Lot 2 of Vita-Royal Subdivision of the SE1/4SE1/4SE1/4; Lot 1R, 2 thru 5, and Well Lot of Bear View Estates of the W1/2SE1/4; Lot 1 of Wild Joy Acres of the SE1/4SE1/4; NE1/4; NW1/4; SW1/4; Remainder of the NW1/4SE1/4; NE1/4SE1/4; N1/2SE1/4SE1/4; AND

Section 15, T3N, R7E to include the following:

Lots 1 thru 14, Well Lot of Hawkins Development of the NW1/4NE1/4; Lot A of Tract 1, Lot B of Tract 1, Tract 3 Revised, Tract 4A & 4B of Tract 4, Tract 5, Lot 1 & Lot 2 of Tract 6, Lot 3 of Tracts 6 & 7, Lot 4A and 4B of Tract 7, all of Golden Arrow Subdivision of the SE1/4, NE1/4, NW1/4; NE1/4NE1/4; S1/2NE1/4; SE1/4; West 243' of N 331' of the NW1/4NW1/4 and including Lot A of the NW1/4NW1/4; S1/2N1/2SW1/4; Lot A of the SW1/4SW1/4; SW1/4SW1/4; SE1/4SW1/4; AND

Section 22, T3N, R7E to include the following:

E1/2NE1/4; NE1/4SE1/4; Lot A of the NW1/4NW1/4; Lot A1 and Lot A2, Lot A & B of Tract 10, Lot 1 of Lot B of Tract 10, Lot B & C of Tract 12, Tract 13A, 13B, 13C, Tracts 14, 15, 16 & 17, all of Golden Arrow Subdivision of the SE1/4, NE1/4 and the NW1/4; AND

Section 23, T3N, R7E to include the following:

NW1/4NE1/4; NE1/4NW1/4; E1/2E1/2NW1/4NW1/4; Lots 12, 13, 14 & 15 of Elk Valley Ranchettes of the NE1/4; AND

Section 24, T3N, R7E to include the following:

All; AND

Section 25, T3N, R7E to include the following:

All; AND

Section 26, T3N, R7E to include the following:

S1/2SW1/4; SE1/4; AND

Section 35, T3N, R7E to include the following:

Lot 1 of Word of Truth Subdivision of the NE1/4SE1/4; NW1/4; NE1/4; SW1/4; Remainder of the SE1/4; AND

Section 36, T3N, R7E to include the following:

All; AND

The purpose of Tax Increment District is to help offset county infrastructure related to the growth in the District.

At said time and place, the County Planning Commission shall give all parties who appear or submit written comments an opportunity to express their views with respect to the proposed creation of the District and its proposed location. Written comments will be received at the office of the Planning Department until the date and time set for the public hearing.

Published July 30, 2025 at the approximate cost of \$59.29 and may be viewed free of charge at www.sdpublic-notices.com.

AFFIDAVIT OF PUBLICATION

Department of Agriculture and Natural Resources
523 E Capitol Avenue
Pierre South Dakota 57501

State of Florida, County of Orange, ss:

I, Anjana Bhadoriya, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of The Rapid City Journal, a corporation of Rapid City, South Dakota, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, 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 daily, and has been printed and published for at least one year prior to the first date of the published notice. This affidavit is a true and corrected copy of notice which appeared in said newspaper on the following dates.

Publication Dates:

- Jul 29, 2025

NOTICE ID: lqNykbbNi1oYSWYf6ypv

NOTICE NAME: 2046-1 Nathan Howie - Public Notice

TOTAL AD COST: \$81.68

Anjana Bhadoriya

Agent

VERIFICATION

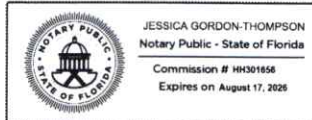
State of Florida
County of Orange

Signed or attested before me on this: 07/29/2025



Notary Public

Notarized remotely online using communication technology via Proof.



NOTICE OF APPLICATION NO. 2046-1 to Appropriate Water

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(Published July 29, 2025 for a total approximate cost of \$81.68 and may be viewed for free at www.sd-publicnotices.com)
Legal No: COL-SD-2957

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, July 23, 2025 11:34 AM
To: howiewelding@icloud.com
Cc: jeremy@bellevallleyirrigation.com
Subject: 2046-1 Nathan Howie - Public Notice
Attachments: 2046-1 Rec.pdf; 2046-1 Ltr.pdf; 2046-1 PubNotice.pdf; Invoice_Rapid City Journal.pdf; Re: [EXT] 2046-1 Nathan Howie - Public Notice

Good morning,

Attached is a copy of the report, acting chief engineer's recommendation, and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. I have also attached the email from the Rapid City Journal. Once you open the email, open the invoices PDF and you will be able to click on the link to view and pay for the notice. This information is also being mailed to you today.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

SEP 05 2025

Nathan R. Howie
PO Box 63
White Owl SD 57792

Dear Mr. Howie:

Enclosed is Water Permit No. 2046-1 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,

Mark Mayer, PE
Director of Office of Water

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
Posting on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 2046-1

Name of Applicant: Nathan R. Howie

Date of Posting: 7/28/2025

Date of Removal: 9/5/2025



Ron Duvall, Engineer III

9/5/2025

Date

Subscribed and sworn to before me, a notary public, this 5th day of Sep, 2025.



Notary Public - South Dakota
My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)

