

# WATER PERMIT NO. 2681-2

Name of Applicant: Justin Edwards

Address: 25330 Yellow Eagle Rd, White River SD 57579

Phone: 605 452-3436

Amount of Water Claimed: 15.34 cfs

Total Acres: 1,074 acres

Source of Water Supply: White River

Water to be used for: irrigation

County: Mellette

Type of Waste Disposal System:

Location: 20 miles northwest of White River

PRIORITY

Date Received: 10-11-2011

Application/License Fee: \$ 2,550

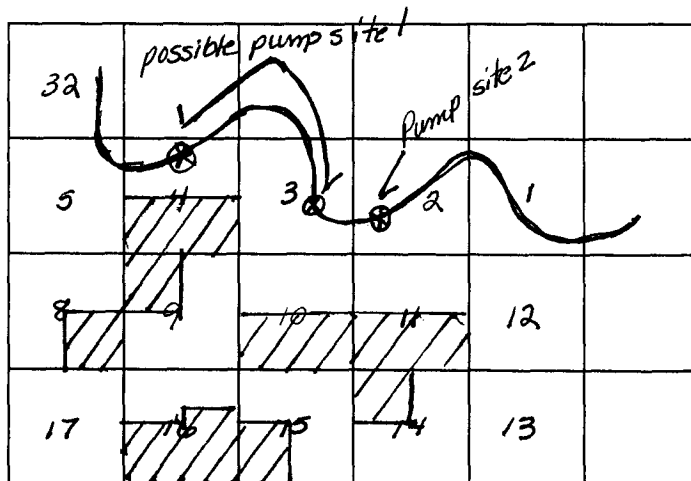
Corrected Application Received: 2-27-12

Period of Annual Use: March 1 – October 31

Remarks:

Diversion Point: N ½ Sec 4 or N ½ SE ¼ Sec 3 and  
S ½ SW ¼ Sec 2; all in T43N-R27W

Land to be Irrigated: S ½ Sec 4, SE ¼ Sec 8; NW  
¼ Sec 9, S ½, S ½ NE ¼ Sec 16, SW ¼ Sec 15, S ½  
Sec 10, S ½ Sec 11 and NW ¼ Sec 14; all in T43N-  
R27W



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 2-28-12

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

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

|                                                                                                                 |                                                                     |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Mail to:<br>PMB 2020<br>DENR - Water Rights<br>523 E Capitol Ave<br>Pierre, SD 57501-3182<br>ph. (605) 773-3352 | No. <u>2681-2</u> (office use only) Hydrologic Unit <u>10140204</u> |
|                                                                                                                 | Basin <u>White River</u>                                            |
|                                                                                                                 | Newspaper <u>Mellette Co. News P.O. Box F White River 57579</u>     |
|                                                                                                                 | <u>605-259-3642</u>                                                 |

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## Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. \_\_\_\_\_

(Use predates Mar 2, 1955)

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

- Name of Applicant Justin Edwards Phone 605 452-3436  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address 25330 Yellow Eagle Road White River SD 57579  
(Address) (City) (State) (Zip Code)
- Amount of water claimed 14.4 \*CFS or \*\*GPM \*\*\*AF Total Acreage 1920  
(\*Cubic Feet per Second) (\*\*Gallons per minute) (\*\*\*) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply White River ms
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Mellette  
Pump St 1 - N 1/2 SE 1/4 Sec. 3, T43N R27W, No. 2 - S 1/2 SW 1/4 Sec. 2, T43N, R27W  
OR N 1/2 Sec 4 T43N R27W
- County or counties where water will be used Mellette
- Annual period during which water is to be used March 1 - October 31
- 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 |
|--------------------|-------|------------------|-------|
| See attached sheet |       |                  |       |
|                    |       |                  |       |
|                    |       |                  |       |
|                    |       |                  |       |

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

Develop irrigation. Intend to pump from the White River at a maximum rate of 6,900 GPM

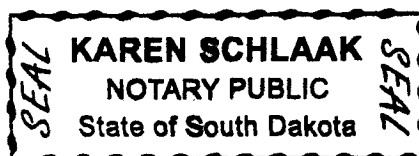
STATE OF SOUTH DAKOTA )  
County of Hughes ) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Justin Edwards, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature [Signature]

Subscribed and sworn to before me this 11<sup>th</sup> day of October 20 11



Karen Schlaack  
Notary Public signature

Commission expires 4/1/2013

**SOUTH DAKOTA  
WATER PERMIT NO. 2681-2**

Date of first receipt of application October 11, 2011.

Date of receipt of corrected application February 27, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2681-2 to Justin Edwards, 25330 Yellow Eagle Road, White River SD 57579 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. 2681-2 appropriates 14.4 cubic feet of water per second (cfs) from the White River located between the SW 1/4 Section 2 to the NW corner Section 4; all in T43N-R27W. This permit authorizes irrigation of 1,074 acres located in portions of the S 1/2 Section 4, SE 1/4 Section 8, NW 1/4 Section 9, S 1/2 Section 10, S 1/2 Section 11 and NW 1/4 Section 14 and S 1/2, S 1/2 NE 1/4 Section 16; all in T43N-R27W. The project will incorporate two dams to act as settling ponds prior to application of water for irrigation. The dams are located in the NE 1/4 SE 1/4 Section 10 capable of storing 28 acre feet and the NE 1/4 SW 1/4 Section 4 capable of storing 20 acre feet of water; all in T43N, R27W.
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 February 27, 2012.
4. The date of approval of Permit No. 2681-2 is June 18, 2012.
5. One-fifth of the construction is to be completed on or before December 18, 2014.
6. All construction is to be completed on or before June 18, 2017.
7. Water is to be put to beneficial use on or before June 18, 2021.
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. Water Permit No. 2681-2 authorizes the diversion of water from the White River for irrigation to the land directly or to two storage dams until June 1 of each calendar year. After June 1<sup>st</sup>, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion of water under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
2. Diversions from the White River are authorized only when the flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs while pumping under this permit.
3. Water Permit No. 2681-2 authorizes two dams with a combined storage capacity of 48 acre feet of water. Water may be diverted from the White River to the dams subject to qualification No.1. Diversion of stored water from the dams for irrigation of the authorized land is not subject to the June 1<sup>st</sup> shut-off.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

**WATER MANAGEMENT BOARD**

By: Garland Erbele  
Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

AUG 10 2012  
date



# Supplemental Information

(type or print in ink)

Dam #1  
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## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter \_\_\_\_\_ Depth \_\_\_\_\_
- b) Casing Type \_\_\_\_\_ Diameter \_\_\_\_\_
- c) Screen Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material \_\_\_\_\_
- f) Depth to Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well: \_\_\_\_\_

On applicants property \_\_\_\_\_ On 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

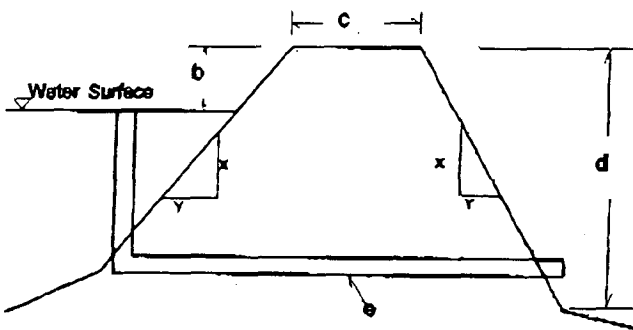
- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

## 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 4 feet
- c) Crest Width 12 feet  
Crest Length 200 feet
- d) Height 12 feet
- e) Primary Outlet Capacity \_\_\_\_\_  
If pipe, diameter 18"
- f) Secondary Spillway Capacity none  
Spillway Width \_\_\_\_\_
- g) X & Y Slope \_\_\_\_\_  
Upstream 2 to 1  
Downstream 2 to 1
- h) Surface Area of Impoundment 100,000 ft<sup>2</sup>
- i) Storage 21.67 Acre Feet
- j) Drainage Area Above Dam 250 Acres

# Supplemental Information

(type or print in ink)

Dam #2

## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter \_\_\_\_\_ Depth \_\_\_\_\_
- b) Casing Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- c) Screen Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material \_\_\_\_\_
- f) Depth to Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well: \_\_\_\_\_

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On applicants property \_\_\_\_\_ On 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

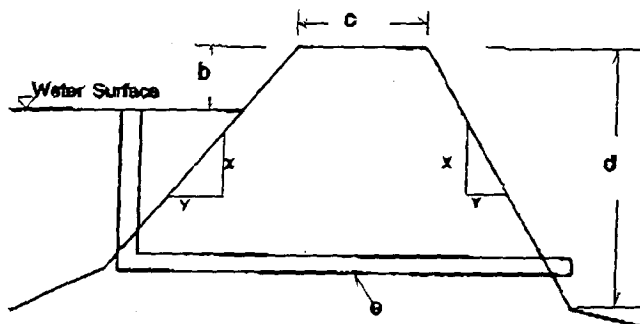
- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

## 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:

\_\_\_\_\_  
\_\_\_\_\_



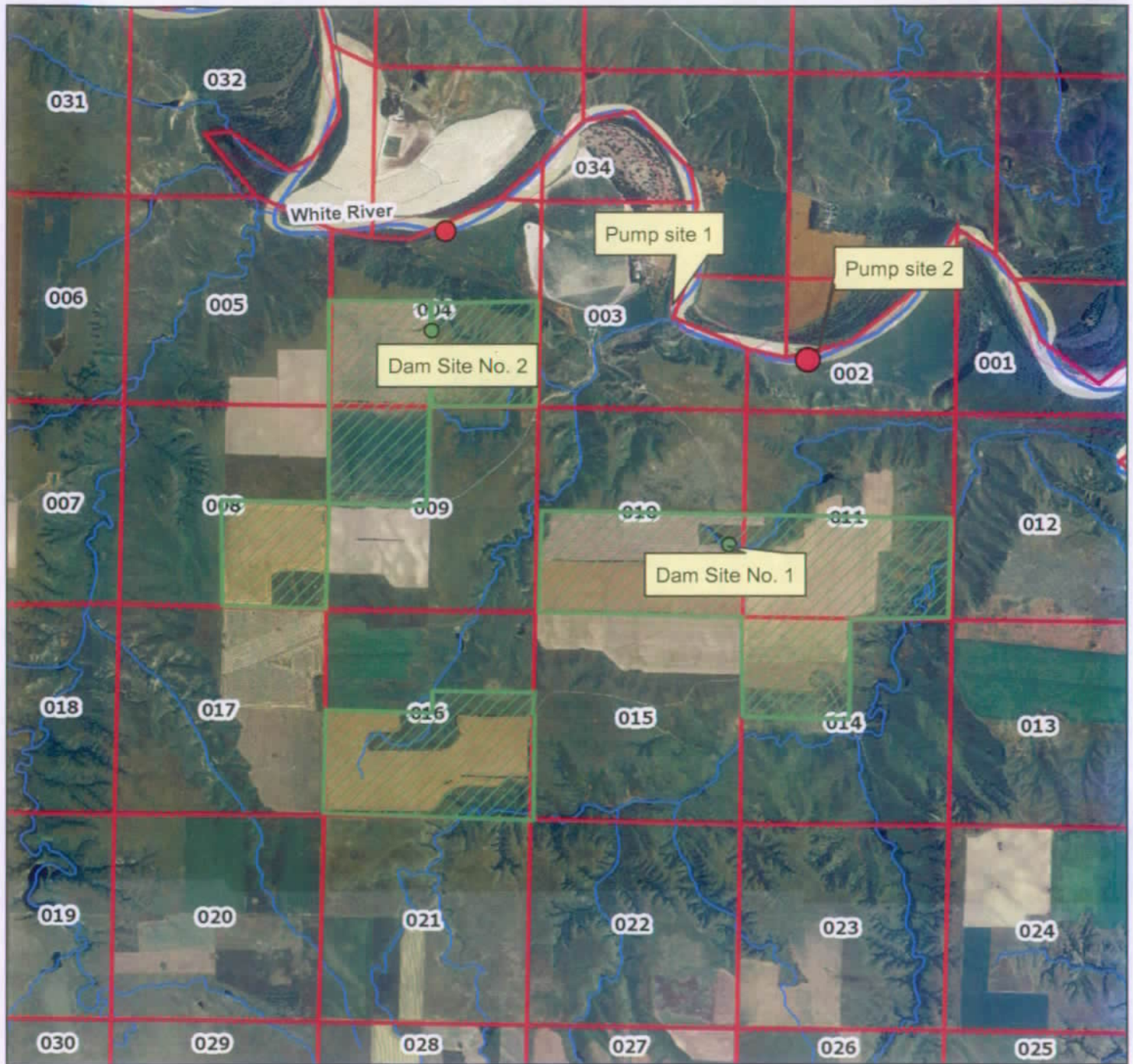
- b) Freeboard 4 feet
- c) Crest Width 8 feet  
Crest Length 130 feet
- d) Height 16 feet
- e) Primary Outlet Capacity \_\_\_\_\_  
If pipe, diameter 18"
- f) Secondary Spillway Capacity none  
Spillway Width \_\_\_\_\_
- g) X & Y Slope \_\_\_\_\_  
Upstream 2 to 1  
Downstream 2 to 1
- h) Surface Area of Impoundment 52,000 ft<sup>2</sup>
- i) Storage 19.19 Acre Feet
- j) Drainage Area Above Dam 200 Acres

Acreage proposed for irrigation by Justin Edwards – October 11, 2011

|                                          |                      |                 |
|------------------------------------------|----------------------|-----------------|
| SW ¼ Section 4, T43N, R27W               | <del>160</del> acres | - 135 ac.       |
| SE ¼ Section 4, T43N, R27W               | <del>160</del> acres | - 32 ac.        |
| SE ¼ Section 8, T43N, R27W               | <del>160</del> acres | - 82 ac.        |
| ? NW ¼ Section 9, T43N, R27W             | <del>160</del> acres | - 134 ac.       |
| SW ¼ Section 16, T43N, R27W              | <del>160</del> acres | - 234 ac.       |
| SE ¼ and S ½ NE ¼ Section 16, T43N, R27W | <del>160</del> acres |                 |
| SW ¼ Section 15, T43N, R27W              | <del>160</del> acres | - 0             |
| S ½ Section 10, T43N, R27W               | <del>320</del> acres | - 238 ac.       |
| S ½ Section 11, T43N, R27W               | <del>320</del> acres | - 109 ac.       |
| NW ¼ Section 14, T43N, R27W              | <del>160</del> acres | - 110 ac.       |
| Total                                    | 1,920 acres          | <u>1074 ac.</u> |

Eric,

- Pump site #1 may move to location in Sect. 004. Waiting on E-Z ment, will be at that location or at present site in #003. Pump #002 is correct.
  - There will be 6480 gpm required.
  - Not sure on the Ron Edwards land at this time.
  - If we are not submitted + in the process please let me know what else we need to do.
- thk ya JLE



6,250 3,125 0 6,250 Feet

ALL in T43N, R27W



Proposed Pump Sites



Proposed Irrigated Acres

Dam No. 1 is an existing structure to be cleaned out  
 Dam No. 2 is a small structure that will be upgraded  
 Both dams are to be use a settling dams prior to applying water

*Eric Gronlund*

Eric Gronlund  
 Water Rights Program, DENR  
 Based on represented of Justin Edwards  
 amended March 30, 2012



Eric Garland  
773-3352

R 27 W

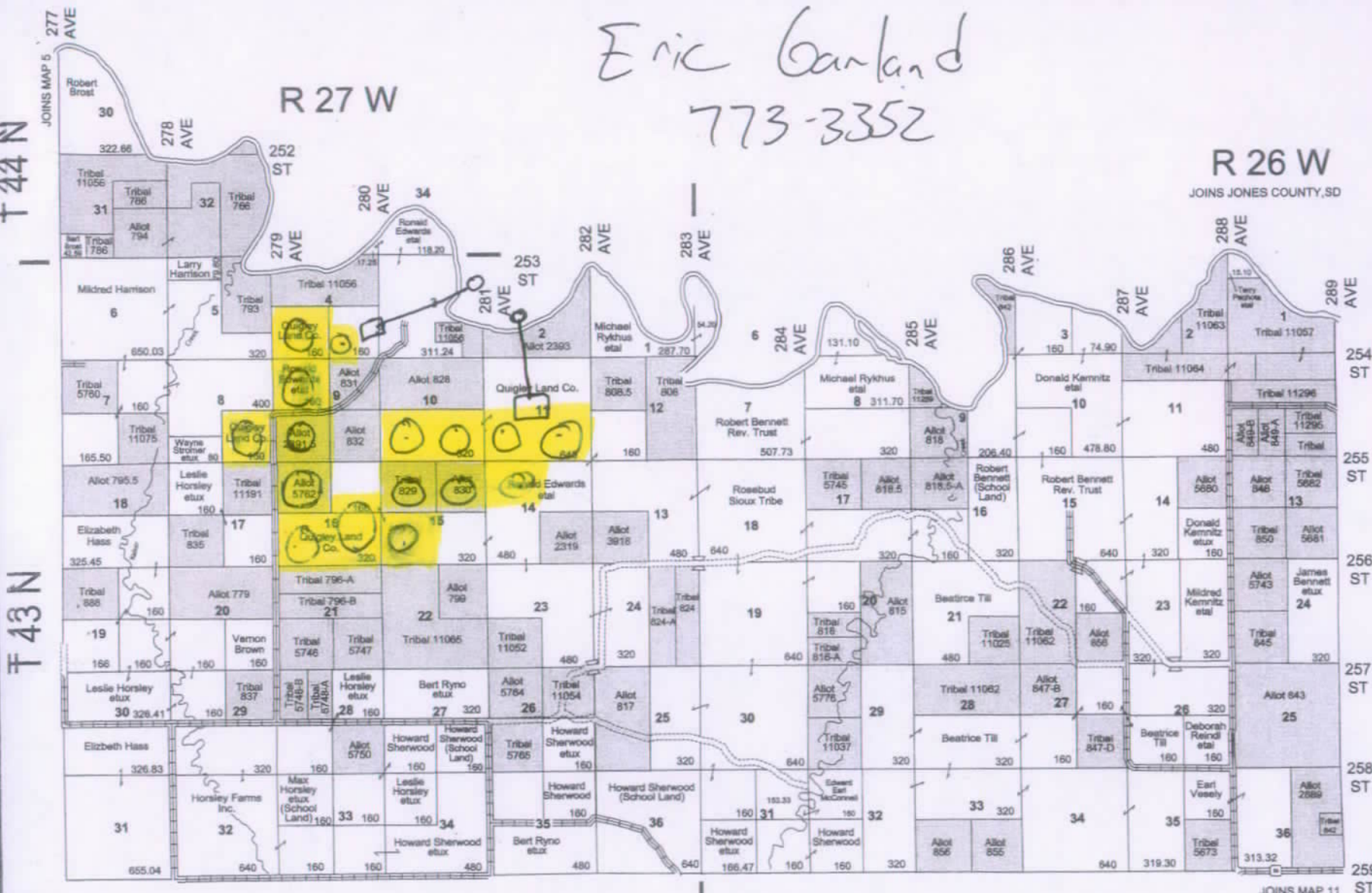
R 26 W

JOINS JONES COUNTY, SD

JOINS MAP 7

MAP 6

JOINS MAP 11



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VISIT US ONLINE AT: [www.countywidedirectories.com](http://www.countywidedirectories.com)



Dam #1

2-16-12 Edwards exsting dam size  
Guess off Goggle

$$200' \times 500' = 100,000 \text{ Sq. ft.}$$

$$100,000 \text{ Sq. ft.}$$

$$\frac{100,000 \text{ Sq. ft.}}{43,360 \text{ sqft in an acre}} = 2.306 \text{ Acre}$$

Dam Grade appears to be 12' in height.

$$2.306 \text{ Acre}$$

$$\times 12'$$

$$27.67 \text{ Acre feet of water} \times 325,850 \text{ Gals} =$$

$$9,016,269 \text{ Gals}$$

$$75\% = 6.7 \text{ million Gals}$$

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**Reinke Manufacturing Company, Inc.**

"Our Mission... to exceed our customers' expectations of quality, service, and innovation."



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

February 14, 2012

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

Dear Mr. Edwards:

On October 11, 2011 you submitted an *Application for a Permit to Appropriate Water* for irrigation in Mellette County (copy enclosed). At that time, you visited with Eric Gronlund and indicated you would be contacting an engineering consultant for the design of the dam and the configuration of the pivots. Below are listed some of the required information you will need to complete and proceed with the application.

- Plans and specifications for the dams are required pursuant to Safety of Dams Rules Chapter 74:02:01.
- An agreement/easement will be required from neighboring property owner if water backs on to his land.
- Make any changes to the number of acres and locations listed, if necessary. The aerial photo map with acreage to be irrigated outlined, will need to match the application.

It is our understanding that you have enlisted the services of a consulting firm who is in the process of getting core samples. However, since you submitted the application in October, we wanted to send a reminder letter on what is necessary for DENR to proceed with the application.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosure



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FEB 27 2012

WATER RIGHTS  
PROGRAMDEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCESPMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.govJustin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. Edwards:

used  
February 16, 2012  
6480 gpm  
15.34 cfs.  
6886.9 gpm Allowed

Last October you filed a water permit application for irrigation in Mellette County. The application included diversion from the White River to two proposed storage dams for irrigation use. In our phone conversation you indicated a desire to delete the dams from the application and reduce the number of irrigated acres requested. The intent now is to divert directly from the White River for application of water to the land. Attached is the original application that was filed.

I am attaching a map that shows the originally requested 1,920 acres of irrigation. Please address the following:

- ✓ 1. Indicate the number and location of the acres now intended for irrigation.
- ✓ 2. Are the two pump sites still correct? If not, mark on the map the location of the intended pump sites.
- ✓ 3. What is the intended maximum pump rate from White River? State law provides 1 cubic feet of water per second (448.8 gpm) per 70 acres irrigated. As an example, an application for 640 acres is authorized 9.14 cfs (4,100 gpm) [640 divided by 70].

Finally, on a somewhat related matter - Did you acquire the Ron Edwards property held under WR No. 881-2 which is located in this area? Last December, we sent transfer of ownership forms to Ron Edwards thinking that the property ownership had changed and anticipated receiving a transfer of ownership. Attached are a copy of the water right, our December 19<sup>th</sup> letter and a partially completed transfer of ownership form. If you did not acquire this property, please disregard.

Please let me know if you have any questions.

  
Eric Gronlund  
Water Rights Program, DENR  
605 773-3352  
[eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us)

enclosures

Justin Edwards water permit application

- I expect this application to change – lower acreage as Morris is finalizing how pivot will be configured in fields. As can be seen, due to terrain some pivots won't make full rotation.
- He's having an engineer design the dams and we'll likely need P& S. That should also provide information on the storage capacity
- Dam No. 1 will likely back water on to the neighboring property (tribal). He's aware we need an agreement/easement
- I did not finalize the map thinking there may be changes once we get the stuff from Morris and the engineering consultant.

Hold for a few weeks and if we don't get anything, we should write to Mr. Edwards regarding what is necessary to complete application.

Eric

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/11, 20 11

RECEIVED OF Justin Edwards 25330 Yellow Eagle Rd White River SD 57579

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 | 3750  | 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. _____            | 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 | 3950 00 |

No. **05039**

By Justin Edwards  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 2681-2, Justin Edwards**

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. 2681-2, Justin Edwards, 25330 Yellow Eagle Road, White River SD 57579.

The Chief Engineer is recommending APPROVAL of Application No. 2681-2 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 qualification:

1. Water Permit No. 2681-2 authorizes the diversion of water from the White River for irrigation to the land directly or to two storage dams until June 1 of each calendar year. After June 1<sup>st</sup>, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion of water under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
2. Diversions from the White River are authorized only when the flow at the USGS Gaging Station No. 06452000 -White River near Oacoma is at least 20 cfs while pumping under this permit.
3. Water Permit No. 2681-2 authorizes two dams with a combined storage capacity of 48 acre feet of water. Water may be diverted from the White River to the dams subject to qualification No.1. Diversion of stored water from the dams for irrigation of the authorized land is not subject to the June 1<sup>st</sup> shut-off.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer  
May 17, 2012

# REPORT ON WATER PERMIT APPLICATION NO. 2681-2

Justin Edwards

April 23, 2012

Application No. 2681-2, Justin Edwards, has filed an application for a water permit to appropriate 14.4 cubic feet of water per second (cfs) from the White River located between the SW ¼ Section 2 to the NW corner Section 4; all in T43N-R27W. The application proposes to irrigate 1,074 acres located in portions of the S ½ Section 4, SE ¼ Section 8, NW ¼ Section 9, S ½ Section 10, S ½ Section 11 and NW ¼ Section 14 and S ½, S ½ NE ¼ Section 16; all in T43N-R27W. The project will incorporate two dams with a combined storage capacity of 48 acre-feet (ac-ft) to act as settling ponds prior to applying water for irrigation. The first pond, 28 ac-ft, is located in the NE ¼ SE¼ of Section 10 T43N-R27W and the second pond, 20 ac-ft, is located in the NE ¼ SW ¼ Section 4 T43N-R27W. The water will be used for irrigation. The proposed project is located approximately 15 miles northeast from the town of White River in Mellette County.

## Review of the Proposed Project and Water Source

The applicant proposes to irrigate 1,074 acres from the White River at a diversion rate of 14.4 cfs during the months of March through October. The location of the proposed project is located approximately 12 river miles downstream of the confluence of the little White River with the White River. The United States Geologic Survey (USGS) maintains stream gaging stations on the White River and Little White River above and below the proposed project (Tables 1,2,&3).

Table 1. White River near White River, 10 years of record, 2001 - 2012.

| Probability | Jan   | Feb    | Mar    | Apr    | May    | Jun    | Jul    | Aug   | Sep   | Oct   | Nov   | Dec   |
|-------------|-------|--------|--------|--------|--------|--------|--------|-------|-------|-------|-------|-------|
| 90%         | 0.1   | 2.9    | 65.0   | 49.5   | 43.6   | 28.0   | 1.4    | 3.1   | 1.4   | 1.3   | 4.4   | 1.2   |
| 75%         | 2.1   | 17.3   | 100.3  | 95.9   | 107.6  | 73.8   | 5.5    | 14.8  | 7.7   | 9.8   | 15.2  | 3.1   |
| 50%         | 23.8  | 94.6   | 303.8  | 282.9  | 211.9  | 200.2  | 68.8   | 64.9  | 25.7  | 28.2  | 38.2  | 30.9  |
| 25%         | 69.0  | 308.4  | 912.2  | 675.4  | 866.8  | 592.0  | 267.3  | 288.8 | 105.8 | 102.5 | 99.3  | 65.8  |
| 10%         | 145.8 | 1894.9 | 3168.0 | 2273.4 | 2725.4 | 2331.5 | 1052.0 | 980.1 | 960.4 | 652.5 | 544.3 | 145.3 |

Table 2. Little White River near White River, 62 years of record, 1949 - 2012.

| Probability | Jan   | Feb   | Mar   | Apr   | May   | Jun   | Jul   | Aug   | Sep   | Oct   | Nov   | Dec   |
|-------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 90%         | 55.1  | 71.2  | 95.7  | 104.9 | 93.6  | 69.5  | 45.4  | 39.7  | 43.9  | 56.9  | 58.5  | 54.0  |
| 75%         | 68.7  | 84.1  | 126.9 | 136.4 | 120.4 | 92.2  | 59.5  | 51.5  | 53.1  | 65.6  | 71.7  | 67.5  |
| 50%         | 83.6  | 110.3 | 179.4 | 186.9 | 163.4 | 130.9 | 85.4  | 68.3  | 68.0  | 77.5  | 88.3  | 85.2  |
| 25%         | 113.8 | 157.3 | 276.7 | 273.3 | 243.2 | 215.3 | 136.4 | 98.1  | 88.3  | 97.0  | 110.7 | 110.6 |
| 10%         | 151.5 | 230.3 | 447.1 | 404.8 | 365.0 | 347.8 | 205.0 | 135.9 | 114.5 | 122.5 | 137.8 | 144.5 |

Table 3. White River near Oacoma, 83 years of record, 1928 - 2012.

| Probability | Jan   | Feb   | Mar    | Apr    | May    | Jun    | Jul    | Aug   | Sep   | Oct   | Nov   | Dec   |
|-------------|-------|-------|--------|--------|--------|--------|--------|-------|-------|-------|-------|-------|
| 90%         | 14.0  | 29.0  | 168.5  | 184.7  | 146.8  | 125.6  | 33.7   | 19.3  | 22.7  | 35.6  | 42.7  | 18.0  |
| 75%         | 31.2  | 58.7  | 299.4  | 287.8  | 258.4  | 239.4  | 110.8  | 62.0  | 44.3  | 54.4  | 69.5  | 39.7  |
| 50%         | 61.9  | 132.9 | 587.7  | 533.2  | 477.5  | 527.2  | 246.6  | 147.0 | 79.8  | 90.3  | 107.3 | 71.3  |
| 25%         | 107.5 | 341.1 | 1384.7 | 1109.9 | 1147.0 | 1319.9 | 536.8  | 325.1 | 180.5 | 184.0 | 171.6 | 120.1 |
| 10%         | 173.9 | 854.5 | 3286.1 | 2587.0 | 2985.5 | 3547.0 | 1161.8 | 739.6 | 452.6 | 446.1 | 371.2 | 210.5 |

The statistical flow data from these gages indicate that the White River typically has good flow during the spring likely due to plains snow pack melt and spring rain events. The data also shows flows during the summer months tend to decline. The Water Rights Commission, a predecessor to the Water Management Board, addressed concerns over low summer flows in the river in 1977 when the Commission set a June 1<sup>st</sup> cutoff for direct diversions from the White River for all new water permits. The Commission adopted the following qualification:

This Permit authorizes the diversion of water from the White River for irrigation to the land directly until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this Permit shall be in accordance with any written orders issued by the Commission or its representative.

If this permit is issued, there is possibility the permit holder may request a variance from the Chief Engineer to allow him to continue irrigating after the June 1 shutoff date. Prior to issuing a variance, the Chief Engineer would evaluate the flows in the river to determine if adequate water is available. Once the variance is issued the permit holder would be allowed to divert water subject to permit qualifications and any additional conditions the Chief Engineer deems appropriate to maintain a base flow in the river for domestic use which includes livestock watering after pumping. As part of this application review a recommendation for protect the base flow of the river would be to set a minimum 20 cfs bypass after pumping as measured at the USGS gaging station, White River near Oacoma. If approved this permit should contain the qualification:

Diversions from the White River are authorized only when the flow at the USGS Gaging Station No. 06452000 - White River near Oacoma is at least 20 cfs while pumping under this Permit.

The public can easily access this flow information for this gaging station via the internet. The current address to access the USGS stream flow data is: <http://waterdata.usgs.gov/sd/nwis/rt>.

There may also be times during extremely dry periods when flows decrease during the spring months. At those times the Chief Engineer may need to issue shutoff orders to protect senior water rights and domestic use.

### Review of Existing Water Rights

There are 83 existing water rights/permits appropriating 195.8 cfs from White River from the Nebraska border to the confluence with the Missouri River. From the location of this proposed project downstream to the Missouri River, there are 23 existing water permit/rights appropriating 51.45 cfs. There may be times when water availability becomes a problem, in order to address periods of low flow, the permit if approved should contain the June 1 shutoff qualification to protect senior water rights and domestic use.

## Conclusions

1. This application proposes to appropriate 14.4 cfs from the White River to irrigate 1,074 acres.
2. The applicant intends to utilize 2 dams with a combined capacity of 48 acre-feet to act as settling ponds prior to applying the water for irrigation.
3. The water source for the project is the White River which has historically displayed periods of seasonable availability problems. The Water Rights Commission in 1977 addressed concerns over low seasonal flows by setting a June 1<sup>st</sup> cutoff for direct diversions from the White River for all new water permits. If approved this permit should contain a similar qualification to address periods of low flow.
4. If approved this permit should also contain the following qualification to protect base river flows:

Diversions from the White River are authorized only when the flow at the USGS Gaging Station No. 06452000 - White River near Oacoma is at least 20 cfs while pumping under this Permit.
5. During extremely dry periods when flows significantly decrease, the Chief Engineer may need to issue shutoff orders to protect senior water rights and domestic use.



Mark D. Rath

Natural Resources Engineer III

DENR

**RECEIVED**

**JUN 11 2012**

**WATER RIGHTS  
PROGRAM**

**Affidavit of Publication**

State of South Dakota

County of Mellette

Jill Potter, being, first duly sworn, on oath, says: That he/she is an employee of Huether Brothers Publishing, Inc., and that the Mellette County News is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Mellette and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 2 successive week(s) to wit:

**May 30, 2012**

**June 6, 2012**

That the full amount of the fee charged for the publication of the attached public notice, \$55.35, insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

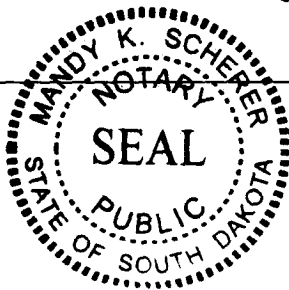
Signed: \_\_\_\_\_

*Jill Potter*

Subscribed and sworn to before me this 10th day of June, 2012.

Notary Public

My Commission Expires  
December 9, 2015



**- Murdo Ford Mercury -**  
**www.murdofordmercury.com**  
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DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov

May 18, 2012

Mellette County News  
PO Box F  
White River SD 57579

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2681-2 to Appropriate Water to be published twice. Please publish the first notice on May 30, 2012 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Justin Edwards, 25330 Yellow Eagle Rd., White River SD 57579 (Ph # 605-452-3436).

**Please send the Water Rights Program the first publication immediately.** The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----

No. 2681-2

TO: Eric Gronlund  
Water Rights Program  
Joe Foss Building  
Pierre SD 57501-3181

Date \_\_\_\_\_

We are in receipt of your letter of May 18, 2012 enclosing Notice to Appropriate Water by Application No. 2681-2 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
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 RIGHT AWAY.

May 18, 2012

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

Dear Mr. Edwards:

Water Permit Application No. 2681-2 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 Publisher of the Mellette County News printed at White River SD (Ph # 605-259-3642). You will need to contact the newspaper 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.

Please read over the qualifications carefully. If opposed to the qualifications and you want to present to the Water Management Board alternate qualifications, you will need to file a petition. This will cause a hearing to be scheduled before the Water Management Board.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. 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 applications.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on May 30, 2012 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

---

NOTICE OF APPLICATION NO. 2681-2 to Appropriate Water

Notice is given that Justin Edwards, 25330 Yellow Eagle Rd, White River SD 57579 has filed an application for a water permit to appropriate 14.4 cubic feet of water per second from the White River located between the SW  $\frac{1}{4}$  Section 2 to the NW corner Section 4; all in T43N-R27W. The application proposes to irrigate 1,074 acres located in portions of the S  $\frac{1}{2}$  Section 4, SE  $\frac{1}{4}$  Section 8, NW  $\frac{1}{4}$  Section 9, S  $\frac{1}{2}$  Section 10, S  $\frac{1}{2}$  Section 11 and NW  $\frac{1}{4}$  Section 14 and S  $\frac{1}{2}$ , S  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 16; all in T43N-R27W. The project will incorporate two dams to act as settling ponds prior to application of water for irrigation. The dams are located in the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 10 capable of storing 28 acre feet and the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 4 capable of storing 20 acre feet of water; all in T43N, R27W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2681-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 18, 2012

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of\_\_\_\_\_.

8/10/12

PAYMENT REQUEST FORM

PAYEE: Justin Edwards  
25330 Yellow Eagle Trail  
White River SD 57579

FROM: DENR Water Rights Program  
523 E. Capitol Ave  
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund on Water Permit 2681-2 (overpayment)

AMOUNT: \$1,400.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

*Barla Ebel*

AUG 10 2012

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov

AUG 10 2012

Justin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. & Mrs. Sparks:

Enclosed is Water Permit No. 2681-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

This application was submitted with a \$3,950.00 fee. The number of acres to be irrigated was reduced. The correct fee for irrigation of 1,074 acres is \$2,550.00. Therefore, \$1,400.00 will be refunded to you. The refund check should be received within the next couple of weeks.

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,

Garland Erbele, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures



2681-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 24, 2013

NOTICE

TO: JUSTIN EDWARDS, 25330 YELLOW EAGLE RD, WHITE RIVER, SD 57579

FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2681-2. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 2681-2 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 2681-2 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 on/or before **March 4, 2013**, 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**NOTE:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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[www.denr.sd.gov](http://www.denr.sd.gov)

January 24, 2013

2681-2

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

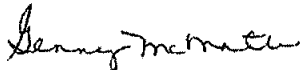
Dear Mr. Edwards:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Permit No. 2681-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2681-2  
DEPARTMENT of ENVIRONMENT  
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January 24, 2014

NOTICE

TO: JUSTIN EDWARDS, 25330 YELLOW EAGLE RD, WHITE RIVER, SD 57579

FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2681-2. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 2681-2 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 2681-2 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 on/or before **March 3, 2014**, 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 [genney.mcmath@state.sd.us](mailto:genney.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**NOTE:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

March 4, 2014

2681-2

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

Dear Mr. Edwards:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit No. 2681-2. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2681-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 16, 2015

NOTICE

TO: JUSTIN EDWARDS, 25330 YELLOW EAGLE RD, WHITE RIVER, SD 57579  
FROM: Ron Duvall, Natural Resources Engineer  
for Garland Erbele, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2681-2. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 2681-2 qualification:

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

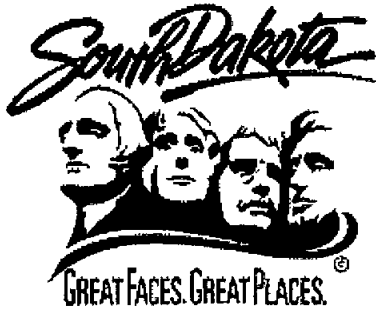
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According 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) 2681-2 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, 2015** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**NOTE:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182

February 17, 2015

2681-2

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

Dear Mr. Edwards:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit No. 2681-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2681-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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523 EAST CAPITOL  
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[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 20, 2017

**NOTICE**

TO: JUSTIN EDWARDS, 25330 YELLOW EAGLE RD, WHITE RIVER, SD 57579

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2681-2. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 2681-2 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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) 2681-2 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 1, 2017** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**NOTE:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2681-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

February 15, 2017

2681-2

Justin Edwards  
25330 Yellow Eagle Rd  
White River SD 57579

Dear Mr. Edwards:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit No. 2681-2. 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,

A handwritten signature in cursive script that reads 'Genny McMath'.

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



2681-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

April 13, 2017

Justin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. Edwards:

Water Permit No. 2681-2 held in your name appropriates water from the White River in Mellette County for irrigation. The SD Department of Environment and Natural Resources has received inquiries regarding the water permit associated with the potential sale of the property. A sale brochure for the property was found on the website for Total Auctions & Real Estate.

With spring planting season beginning and the irrigation season not far off I want to take this opportunity to remind you of the qualifications on the water permit (copy enclosed).

- The permit authorized diversion of water from the White River for irrigation to the land directly or to two storage dams until June 1<sup>st</sup> each calendar year. After June 1<sup>st</sup> there shall be no diversion from the White River unless written authorization is issued by the Chief Engineer.
- Diversions from the White River are authorized only when the flow at the USGS Gaging Station on the White River near Oacoma is at least 20 cubic feet of water per second (cfs) while pumping is occurring.
- White River water can be diverted to two storage dams with a combined storage capacity of 48 acre feet of water. Diversion of stored water from the dams for irrigation is not subject to the June 1<sup>st</sup> shut-off.

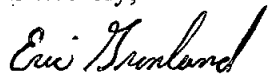
A review of the irrigation questionnaires submitted each year indicates that irrigation has taken place after June 1<sup>st</sup> in the years 2012 through 2016 without written authorization being granted by the Chief Engineer. Please be aware of this requirement to the water permit.

I also note from the sale brochure that there are 6 Cornelle irrigation pumps with 220 horse Perkins engines @ 17,000 gallons per minute (gpm). Water Permit No. 2681-2 authorizes a peak pump rate from the White River of 14.4 cfs which equates to 6,462 gpm. I am uncertain of the how the 17,000 gpm was arrived at and it may include the pumps at the storage dams that are not part of the river pump station. However, the listed pump rate in the sale brochure is over 2 ½ times the authorized pump rate from the White River which causes me to remind you of the amount you are authorized to divert from the White River. The pump rate of 6,500 gpm listed on your 2015 irrigation questionnaire is more in line with the permitted pump rate.

(continued)

If you have any questions regarding the water permit and what is authorized, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Eric Gronlund". The signature is written in a cursive style with a large, sweeping "E" and a long, horizontal stroke at the end.

Eric Gronlund  
Water Rights Program, DENR  
(605) 773-3352  
[eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us)

enclosure

c: Brad Swenson, Total Auctions & Real Estate, 6140 S Lyncrest Ave, Sioux Falls SD  
57108

**SOUTH DAKOTA  
WATER PERMIT NO. 2681-2**

Date of first receipt of application October 11, 2011.

Date of receipt of corrected application February 27, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2681-2 to Justin Edwards, 25330 Yellow Eagle Road, White River SD 57579 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. 2681-2 appropriates 14.4 cubic feet of water per second (cfs) from the White River located between the SW 1/4 Section 2 to the NW corner Section 4; all in T43N-R27W. This permit authorizes irrigation of 1.074 acres located in portions of the S 1/2 Section 4, SE 1/4 Section 8, NW 1/4 Section 9, S 1/2 Section 10, S 1/2 Section 11 and NW 1/4 Section 14 and S 1/2, S 1/2 NE 1/4 Section 16; all in T43N-R27W. The project will incorporate two dams to act as settling ponds prior to application of water for irrigation. The dams are located in the NE 1/4 SE 1/4 Section 10 capable of storing 28 acre feet and the NE 1/4 SW 1/4 Section 4 capable of storing 20 acre feet of water; all in T43N, R27W.
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 February 27, 2012.
4. The date of approval of Permit No. 2681-2 is June 18, 2012.
5. One-fifth of the construction is to be completed on or before December 18, 2014.
6. All construction is to be completed on or before June 18, 2017.
7. Water is to be put to beneficial use on or before June 18, 2021.
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. Water Permit No. 2681-2 authorizes the diversion of water from the White River for irrigation to the land directly or to two storage dams until June 1 of each calendar year. After June 1<sup>st</sup>, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion of water under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
2. Diversions from the White River are authorized only when the flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs while pumping under this permit.
3. Water Permit No. 2681-2 authorizes two dams with a combined storage capacity of 48 acre feet of water. Water may be diverted from the White River to the dams subject to qualification No.1. Diversion of stored water from the dams for irrigation of the authorized land is not subject to the June 1<sup>st</sup> shut-off.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

**WATER MANAGEMENT BOARD**

By: Garland Erbele  
Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

AUG 10 2012  
date



# FOR SALE

## WHITE RIVER FARMS

Mellette County, South Dakota



### Summary

2240 breathtaking acres located South of Murdo SD. It consists of 800 +/- irrigated acres 540 +/- acres dryland farm and 910 +/- acres of pasture. The irrigation was done in 2012. The owner is currently using all of the property for grazing cattle and it offers a very affordable grazing opportunity. It is located in the White River bluffs and offers excellent hunting. It also appeals to the investor due to the seller offering a 4% lease back on the property if the new buyer would like a turn key investment. There are 2 newer 60,000 bushel grain bins. Six Cornell pumps with 220 horse Perkins engines provide water to the irrigated fields. According to the owners there are two water taps from Lyman/Jones water plus four hydrants and a free flowing spring. All water permits and easements are in place. The soil maps show good soil for many different kind of crops and with the availability of water.

- 2,240 deeded acres with 1330 +/- tillable
- 910 acres of pasture
- 4 Reinke pivots cover +/- 450 acres, 340 acres sub surface with drip pip
- 6 Cornelle irrigation pumps with 220 horse Perkins engines @17000 GPM

**Offered at \$6,500,000**

**Brad Swenson**  
Land Broker  
Cell: 605-310-6202

**TOTAL**  
**AUCTIONS & REAL ESTATE**



**Andy Harr**  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

**6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108**

# FOR SALE

## INCREDIBLE CATTLE GRAZING OPPORTUNITY

### Think About it

Irrigated grazing is just like traditional pasture **except** you can graze more cattle over the same amount of land compared to traditional pasture. *Approximately 1 acre per animal unit. When traditional pasture is 10 – 15 acres per animal unit and in some cases up to 40 acres per animal unit.*

### Dollars and Cents

For roughly 1/3 the cost of traditional animal unit cost you can build net worth by owning and utilizing the property for approximately 1/2 the cost. See the three scenario example's below.

#### 1. Irrigated Pasture Scenario

*If a prospective buyer paid \$4,000 per acre for irrigated pasture and held the property for 20 years the land cost of \$200 per acre per year. And if you run cow's for 180 days the cost would be approximately \$1.11 per head.*

#### 2. Traditional Pasture Scenario

*If a perspective buyer paid \$12,000 per animal unit and held the property for 20 years the land cost would be \$600 per acre. And if you run cow's for 180 days the cost would be approximately \$3.33 per head.*

#### 3. Pasture Rental Scenario

*That compares to rancher's paying \$70 per head per month is approximately \$2.33 per cow.*

### No Brainer

You can run your cow for half the cost and build net worth at the same time by owning the land!

*Disclaimer: All information deemed reliable but not guaranteed. Prospective Buyers are encouraged to calculate their own number's in regards to each situation.*



**Andy Harr**  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

**6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108**

# FOR SALE

## **Mineral Rights**

Any minerals owned will transfer

## **Water Rights**

Will Transfer

## **Recreation**

The area offers many different kinds of recreation including Hunting, fishing, hiking, rodeos, golf, etc. Jump on I-90 and you are 1.5 hours From the Black Hills or an hour from The State Capitol Pierre.

## **Location**

10 miles south of Murdo on Hwy 83 to  
Yellow Eagle Road, East 8 miles  
Road winds to south and east

## **Climate**

White River, SD, gets 18 inches of rain per year. The US Average is 37. Snowfall is 36 inches. The average US City 25 inches of snow per year. The number of days With any measurable precipitation is 70. On average, There are 227 sunny days per year in White River, SD. The July high is around 91 degrees. The January low is 10. Our comfort index, which is based on humidity during the Hot months is a 38 out of 100, were higher is more Comfortable. The US average on the comfort index is 44

## **Improvements**

Grain bins, Quonset, pivots, and sub irrigation with drip lines.

## **Taxes**

Approximately \$9,000

## **Fences and Boundaries**

The seller is making known to all potential purchasers that there may be variations between the deeded property lines and the location of the existing fence boundary lines on the subject property. Seller makes no warranties with Regard to location of the fence lines in relationship to the deeded property lines, nor does the seller make any warranties or representations with regard to specific acreage within the fenced property lines. Seller is selling the property in an "as is" condition which includes the location of the fences as they exist. Boundaries shown on accompanying maps are approximate based on legal description and may not indicate a survey. Maps are not to scale and are for visual aid only. Their accuracy is not guaranteed.

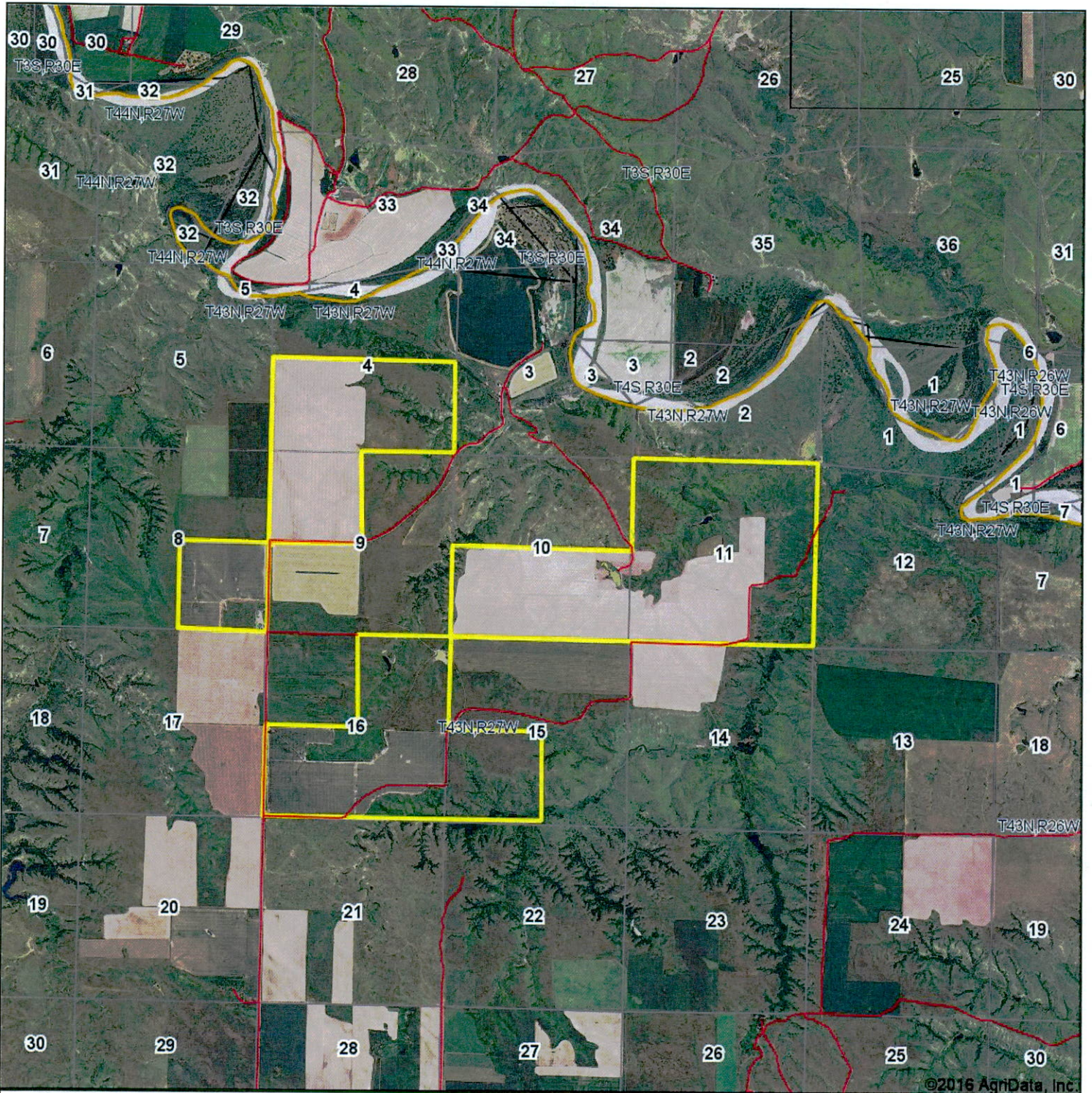


**Brad Swenson**  
Land Broker  
Cell: 605-310-6202

**Andy Harr**  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

**6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108**

# Aerial Map



**TOTAL**  
AUCTIONS & REAL ESTATE

map center: 43° 43' 3.4, 100° 31' 13.17

0ft 4455ft 8911ft

Maps Provided By:

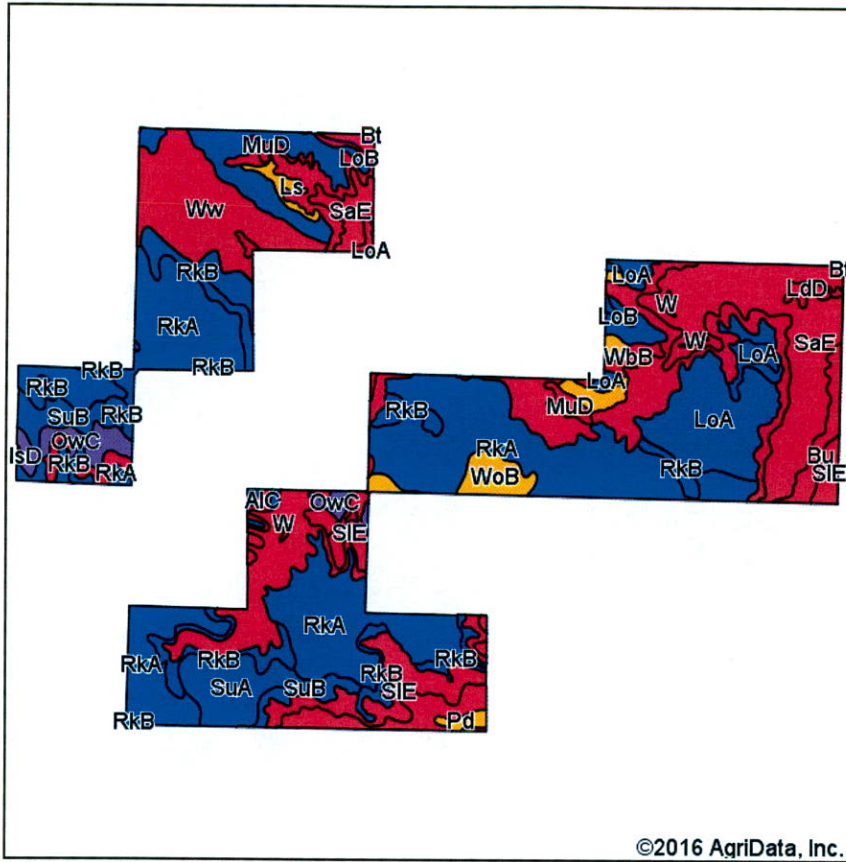
**surety**  
CUSTOMIZED ONLINE MAPPING  
© AgriData, Inc. 2016 www.AgriDataInc.com

**10-43N-27W**  
**Mellette County**  
**South Dakota**

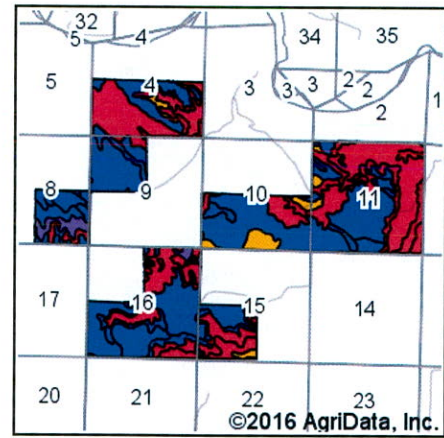


7/12/2016

# Soils Map



Soils data provided by USDA and NRCS.



State: **South Dakota**  
 County: **Mellette**  
 Location: **10-43N-27W**  
 Township: **Cody**  
 Acres: **2223.19**  
 Date: **7/12/2016**

**TOTAL**  
 AUCTIONS & REAL ESTATE

Maps Provided By:

**surety**  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2016 www.AgriDataInc.com



Area Symbol: SD095, Soil Area Version: 14

| Code | Soil Description                                  | Acres  | Percent of field | PI Legend | Non-Irr Class °c | Irr Class °c | Range Production (lbs/acre/yr) | Productivity Index | State Productivity Index | Alfalfa hay | Brome grass alfalfa | Cool season grasses | Corn | Corn Irrigated | Grain sorghum | Oat s | Sm bro |
|------|---------------------------------------------------|--------|------------------|-----------|------------------|--------------|--------------------------------|--------------------|--------------------------|-------------|---------------------|---------------------|------|----------------|---------------|-------|--------|
| RkA  | Ree and Keya loams, 0 to 2 percent slopes         | 618.46 | 27.8%            |           | IIc              |              | 2977                           | 88                 | 57                       | 1.6         | 2.7                 |                     | 36   |                | 44            | 51    |        |
| SnE  | Sansarc-Schamber complex, 9 to 35 percent slopes  | 343.97 | 15.5%            |           | VIIe             | VIIe         | 2015                           | 13                 | 8                        |             |                     |                     |      |                |               |       |        |
| SaE  | Sansarc clay, 6 to 35 percent slopes              | 233.05 | 10.5%            |           | VIIe             | VIIe         | 1910                           | 15                 | 10                       |             |                     |                     |      |                |               |       |        |
| LoA  | Lowry silt loam, 0 to 2 percent slopes            | 230.07 | 10.3%            |           | IIc              |              | 2649                           | 90                 | 59                       | 1.8         | 3.3                 |                     | 36   |                | 41            | 49    |        |
| Ww   | Wortman-Wanblee silt loams, 0 to 6 percent slopes | 186.26 | 8.4%             |           | IVs              |              | 1306                           | 25                 | 16                       |             |                     |                     |      |                |               |       |        |
| RkB  | Ree and Keya loams, 2 to 5 percent slopes         | 132.77 | 6.0%             |           | IIe              |              | 2988                           | 83                 | 54                       | 1.5         | 2.5                 |                     | 33   |                | 41            | 49    |        |
| SuA  | Reliance silty clay loam, 0 to 2 percent slopes   | 103.58 | 4.7%             |           | IIc              |              | 2975                           | 89                 | 58                       | 1.7         |                     |                     | 38   |                | 45            | 48    |        |

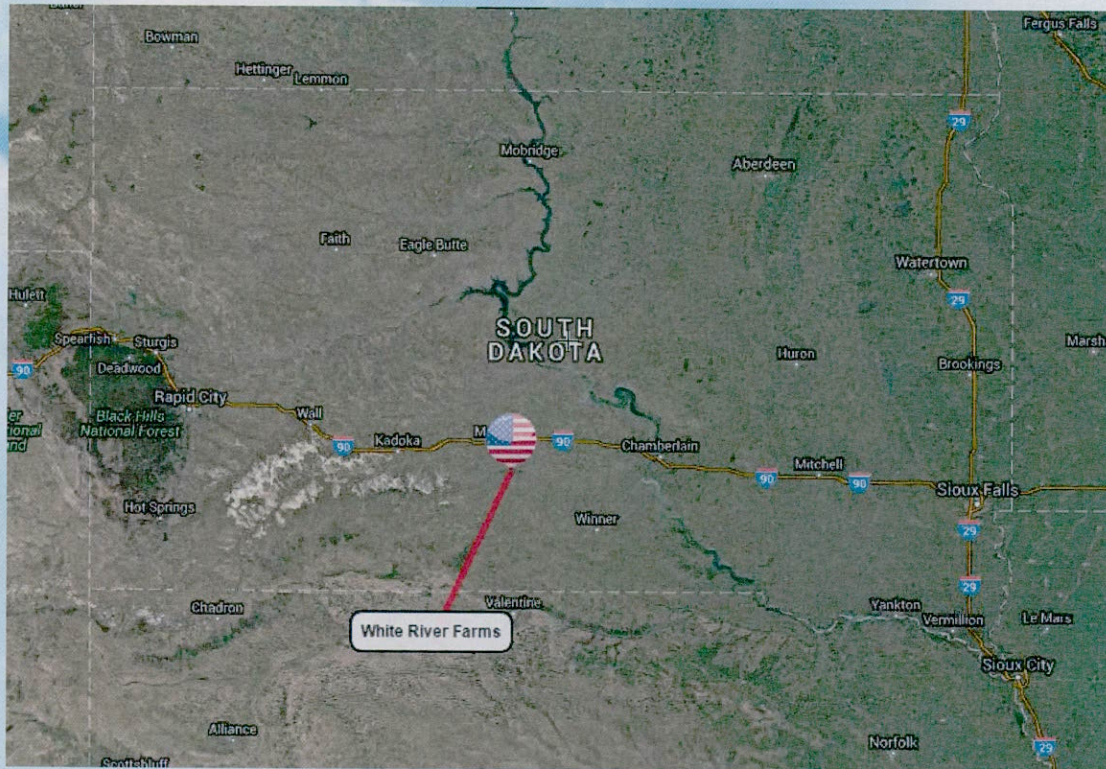
|                  |                                                       |       |      |  |      |      |        |      |      |     |     |   |      |     |  |      |      |
|------------------|-------------------------------------------------------|-------|------|--|------|------|--------|------|------|-----|-----|---|------|-----|--|------|------|
| SIE              | Okaton-Lakoma silty clays, 15 to 40 percent slopes    | 75.67 | 3.4% |  | VIIe | VIIe | 1905   | 11   | 7    |     |     |   |      |     |  |      |      |
| SuB              | Reliance silty clay loam, 2 to 5 percent slopes       | 50.55 | 2.3% |  | IIe  |      | 2995   | 81   | 53   | 1.5 |     |   | 36   |     |  | 43   | 46   |
| OwC              | Opal-Woodly complex, 3 to 9 percent slopes            | 40.95 | 1.8% |  | IVe  |      | 2741   | 57   | 37   | 1.3 |     |   | 21   |     |  | 24   | 33   |
| WoB              | Woodly-Opal complex, 2 to 5 percent slopes            | 34.28 | 1.5% |  | IIIe |      | 2600   | 80   | 52   | 1.6 |     |   | 33   |     |  | 46   | 44   |
| Ls               | Lowry-Slickspots complex                              | 32.74 | 1.5% |  | IIc  |      | 2410   | 71   | 46   | 1.8 | 3.3 |   | 36   |     |  | 41   | 49   |
| Bu               | Wendte silty clay, channeled                          | 28.69 | 1.3% |  | VIw  |      | 2890   | 30   | 20   |     |     |   |      |     |  |      |      |
| LoB              | Lowry silt loam, 2 to 5 percent slopes                | 27.11 | 1.2% |  | IIe  |      | 2609   | 84   | 55   | 1.7 | 3.2 |   | 33   |     |  | 37   | 46   |
| LaD              | Lakoma-Murdo complex, 9 to 15 percent slopes          | 18.20 | 0.8% |  | VIe  |      | 2140   | 25   | 16   |     |     |   |      |     |  |      |      |
| MuD              | Murdo-Schamber gravelly loams, 9 to 15 percent slopes | 17.87 | 0.8% |  | VIe  |      | 1610   | 8    | 5    |     |     |   |      |     |  |      |      |
| WbB              | Wanblee-Wortman association, 0 to 5 percent slopes    | 11.40 | 0.5% |  | VIc  |      | 1420   | 26   | 17   |     |     |   |      |     |  |      |      |
| AIC              | Altvan loam, 5 to 9 percent slopes                    | 8.94  | 0.4% |  | VIe  |      | 2948   | 43   | 28   | 1   |     | 2 | 15   | 100 |  | 21   |      |
| LdD              | Lakoma-Okaton silty clays, 6 to 15 percent slopes     | 7.47  | 0.3% |  | IVe  | IVe  | 2294   | 33   | 21   |     |     |   |      |     |  |      |      |
| Pd               | Wendte soils                                          | 7.08  | 0.3% |  | IIIs |      | 2933   | 71   | 46   | 1.8 |     |   | 30   |     |  | 38   | 50   |
| W                | Water                                                 | 6.38  | 0.3% |  |      |      | 0      | 0    | 0    |     |     |   |      |     |  |      |      |
| OcC              | Opal clay, 6 to 9 percent slopes                      | 6.02  | 0.3% |  | IVe  | IVe  | 2418   | 49   | 32   |     |     |   |      |     |  |      |      |
| MsD              | Murdo-Lakoma complex, 6 to 15 percent slopes          | 0.87  | 0.0% |  | VIe  |      | 1963   | 21   | 14   |     |     |   |      |     |  |      |      |
| Bt               | Hilmoe silty clay                                     | 0.81  | 0.0% |  | IIc  |      | 2795   | 73   | 47   | 1.8 |     |   | 30   |     |  | 38   | 50   |
| Weighted Average |                                                       |       |      |  |      |      | 2443.8 | 56.6 | 36.7 | 0.9 | 1.3 | * | 20.3 | 0.4 |  | 24.4 | 28.2 |

Area Symbol: SD095, Soil Area Version: 14

\*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.

# FOR SALE



**TOTAL**  
AUCTIONS & REAL ESTATE

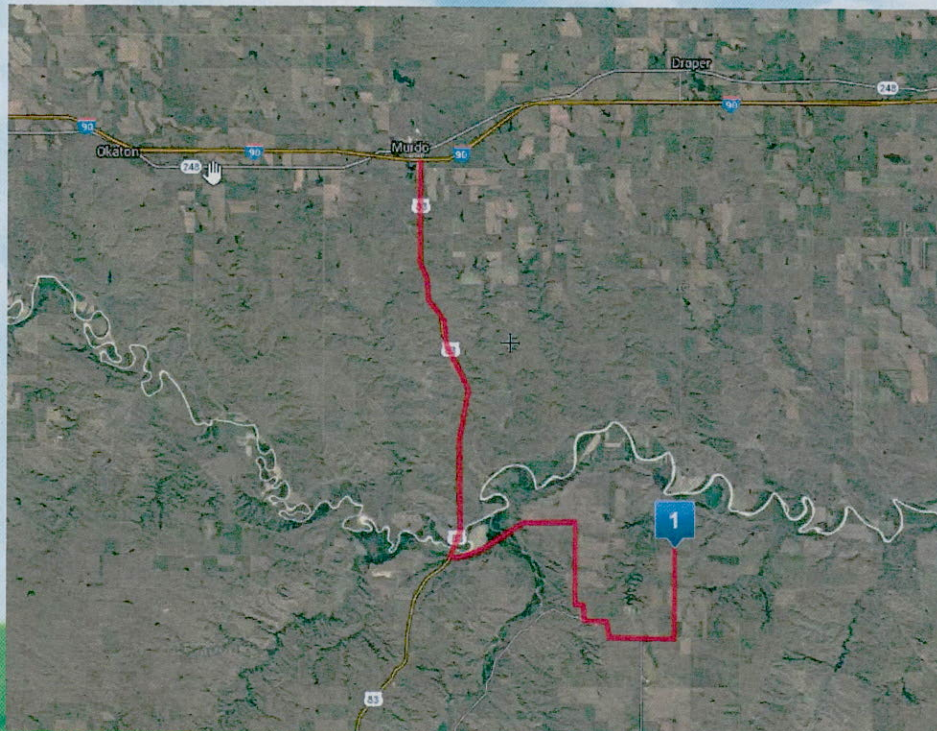
Andy Harr  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108

# FOR SALE

## DIRECTIONAL MAP

Directions: 10 miles South of Murdo on Hwy 83 to Yellow Eagle Road, go east 8 miles. Road winds to south and east. Then South to property



**TOTAL**  
AUCTIONS & REAL ESTATE

Andy Harr  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108

# FOR SALE



Disclaimer: Potential purchaser acknowledges that the property contained in this brochure will be sold on an "as is, where is" basis without any representation or warranty except as may be expressly provided for in the Purchase Agreement. All information is from sources deemed reliable, but is not guaranteed by Total Auctions and Real Estate, seller, or agent. Offering is subject to error, omissions, prior sale, price change or withdrawal without notice. The seller further reserves the right to reject any and all offers without liability to any buyer or cooperating broker. Total Auctions and Real Estate recommends that every item of interest to the purchaser (i.e. water laws, mineral laws, zoning, use regulations, easements) be independently verified to the satisfaction of any prospective buyer.

**TOTAL**  
AUCTIONS & REAL ESTATE

**Brad Swenson**  
Land Broker  
Cell: 605-310-6202

**Andy Harr**  
Broker - Auctioneer - Owner  
Cell: 605-201-1559

**6140 S. Lyncrest Ave. • Sioux Falls, SD • 57108**



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

June 01, 2017

2681-2

Justin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. Edwards:

This letter is in reference to your June 1, 2017 email requesting an extension to pump water from the White River beyond the June 1 shutoff date. Flows in the White River continue to be strong. Because there is sufficient flow in the White River, I am granting your request to extend the shutoff date for your water permit out of the White River and allow you to divert until July 1, 2017. If you wish to continue pumping from the White River after July 1, you will need to make another request for another extension and we will reevaluate water availability in the river at that time.

If you have any questions, please contact Mark Rath or Aaron Tieman of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Jeanne Goodman, Chief Engineer  
Water Rights Program



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

July 05, 2017

2681-2

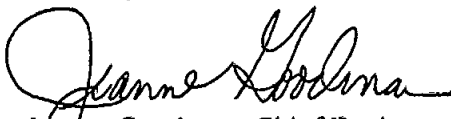
Justin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. Edwards:

This letter is in reference to your June 28, 2017 email requesting an extension to pump water from the White River beyond the June 1 shutoff date. Flows in the White River continue to be strong. Because there is sufficient flow in the White River, I am granting your request to extend the shutoff date for your water permit out of the White River and allow you to divert until July 21, 2017. If you wish to continue pumping from the White River after July 21, you will need to make another request for another extension and we will reevaluate water availability in the river at that time.

If you have any questions, please contact Mark Rath or Aaron Ticman of the Water Rights Program at phone (605) 773-3352.

Sincerely,

  
Jeanne Goodman, Chief Engineer  
Water Rights Program



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

[denr.sd.gov](http://denr.sd.gov)

July 31, 2017

2681-2

Justin Edwards  
25330 Yellow Eagle Road  
White River SD 57579

Dear Mr. Edwards:

This letter is in reference to your July 30, 2017 email requesting an extension to pump water from the White River beyond the June 1 shutoff date. There looks like there will be sufficient flow in the White River for the next couple weeks to allow you to continue pumping. I am granting your request to extend the shutoff date for your water permit out of the White River and allow you to divert until August 14, 2017. If you wish to continue pumping from the White River after August 14, you will need to make another request for another extension and we will reevaluate water availability in the river at that time.

If you have any questions, please contact Mark Rath or Aaron Tieman of the Water Rights Program at phone (605) 773-3352.

Sincerely,

  
Jeanne Goodman, Chief Engineer  
Water Rights Program

**WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**

---

On October 23<sup>rd</sup> and December 13<sup>th</sup>, 2017, ownership changes were filed with Water Permit No. 2681-2. Based on these ownership changes, the permit was divided and reissued as follows:

- **Water Permit No 2681A-2, Farm Credit Services of America, PCA, 5015 S 118<sup>th</sup> St, Omaha NE 68137:** authorizing 12.92 cfs from the White River located between the SW  $\frac{1}{4}$  Section 2 to the NW corner Section 4; all in T43N-R27W to irrigate 964 acres located in portions of the S  $\frac{1}{2}$  Section 4, SE  $\frac{1}{4}$  Section 8, NW  $\frac{1}{4}$  Section 9, S  $\frac{1}{2}$  Section 10, S  $\frac{1}{2}$  Section 11 and S  $\frac{1}{2}$ , S  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 16; all in T43N-R27W.
- **Water Permit No. 2681B-2, Ryan Edwards, 25331 Yellow Eagle Road, White River SD 57579:** authorizing 1.48 cfs from the White River located between the SW  $\frac{1}{4}$  Section 2 to the NW corner Section 4; all in T43N-R27W to irrigate 110 acres located in the NW  $\frac{1}{4}$  Section 14, T43N, R27W.