

WATER PERMIT NO. 2700-2

Name of Applicant: Vernon and Marlys Walkling

Address: 29832 267th Ave, Crookston NE 69212

Phone: 605 429-3315

Amount of Water Claimed: 1.94 cfs

Total Acres: 136

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation

County: Todd

Type of Waste Disposal System:

Location: 10 miles west of Mission

PRIORITY

Date Received: 12-4-12

Application/License Fee: \$ 1050

Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: S 1/2 Sec 11-T36N-R30W

Land to be Irrigated: E 1/2 SW 1/4, W 1/2 SE 1/4

Sec 11-T36N-R30W

Depth of Well: 280 feet deep

Well Driller: Sargent Irrigation

Remarks:

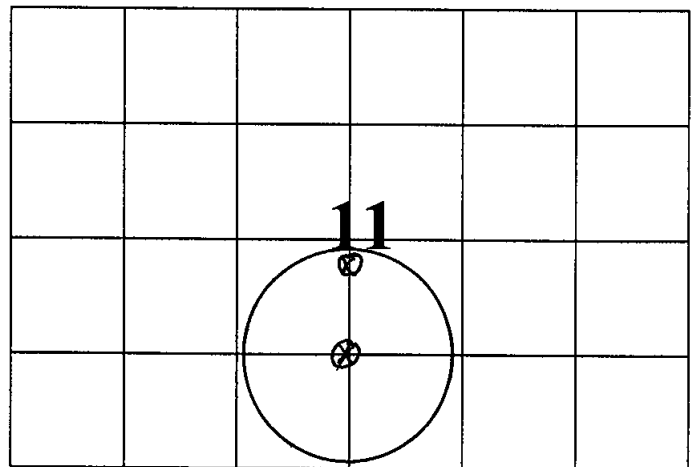
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 12-4-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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DEC - 4 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. <u>2700-2</u> Hydrologic Unit <u>10150004</u>
	Basin <u>Niobrara Trib</u>
	Newspaper <u>Todd County Tribune,</u> <u>Capital Journal</u>

Application For Permit To Appropriate Water For Irrigation

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

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

develop portion of the land once authorized by cancelled Water Right No. 1302-2

1. Name to Appear on Irrigation Permit Vernon and Marlys Walkling

(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 29832 267th Avenue Crookston NE 69212
(Address) (City) (State) (Zip Code)

Home Phone 605 429-3315 Cell 402 389-1507 Email _____

2. Amount of water claimed 1.94 *CFS or 870 **GPM _____ ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater - 2 wells

4. Location of point of diversion approximately 150 feet and 1,320 feet south of the center of

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

Section 11, T36N, R30W (S1/2) County Todd

5. County or counties where water will be used Todd

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

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.

(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 SW 1/4 Section 11, T36N, R30W	34		
SE 1/4 SW 1/4 Section 11, T36N, R30W	34		
NW 1/4 SE 1/4 Section 11, T36N, R30W	34		
SW 1/4 SE 1/4 Section 11, T36N, R30W	34		

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

Land once authorized under Water Right No. 1302-2. Well and test hole information should still be available on the record for the old water right.

I, Vernon Walkling, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

SOUTH DAKOTA
WATER PERMIT NO. 2700-2

Date of first receipt of application December 4, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2700-2 to Vernon and Marlys Walkling, 29832 267th Ave, Crookston NE 69212 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. 2700-2 appropriates 1.94 cubic feet of water per second from two wells completed into the Ogallala Aquifer (280 feet deep) located along quarter line in the S 1/2 Section 11 for irrigation of 136 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 11; all in T36N-R30W.
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 – October 31.
3. The date from which applicant may claim right is December 4, 2012.
4. The date of approval of Permit No. 2700-2 is February 19, 2013.
5. One-fifth of the construction is to be completed on or before August 19, 2015.
6. All construction is to be completed on or before February 19, 2018.
7. Water is to be put to beneficial use on or before February 19, 2022.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

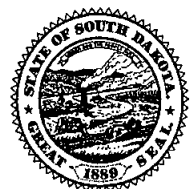
1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 2700-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

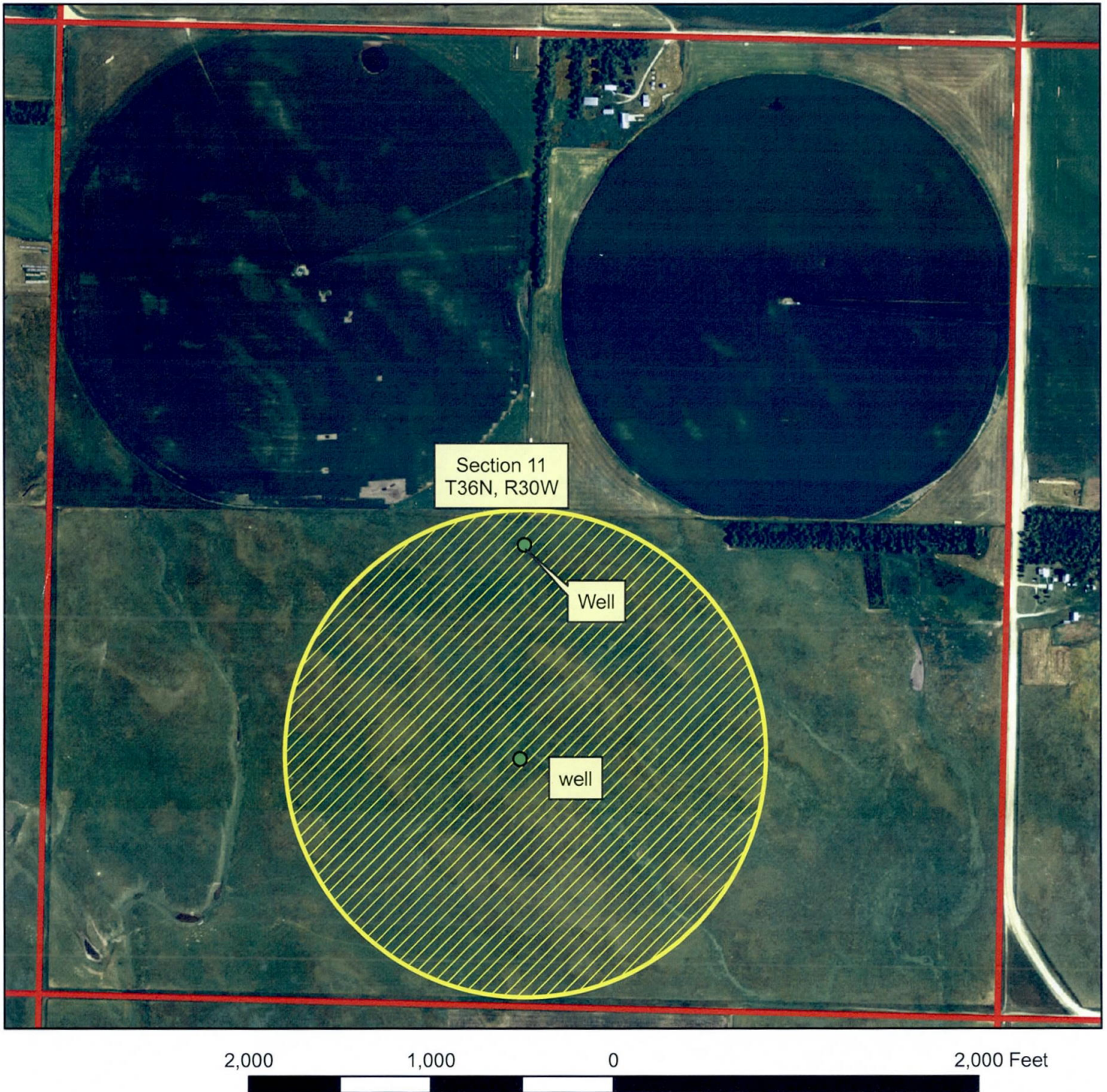
By: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 12 2013

date



Vernon and Marlys Walkling Water Permit Application



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Eric Gronlund

Eric Gronlund
Water Rights Program, DENR
based on representation by
Mr. Walkling on December 4, 2012

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/4, 20 12

RECEIVED OF Vernon L Walking 29832 267th Ave Crookston NE 69212

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

Fee for Application for Permit No. <u>2700-2</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2700-2</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. **05735**

By


Chief Engineer

TERMS

20		Top Soil Sand							
40	"	Sand							
60		Sand							
80		Co. Subso Sand							
100	"	Co. Subso Sand							
120		12 ft Sandstone / limestone							
140		14 ft Sandstone / limestone							
160		16 ft Sandstone / limestone							
180		18 ft Sandstone / limestone							
200		20 ft Sandstone / limestone							
220		22 ft Sandstone / limestone							
240		24 ft Sandstone / limestone							
260		26 ft Sandstone / limestone							
280		28 ft Sandstone / limestone							
300		30 ft Sandstone / limestone							
320		32 ft Sandstone / limestone							
340		34 ft Sandstone / limestone							
360		36 ft Sandstone / limestone							
380		38 ft Sandstone / limestone							
400		40 ft Sandstone / limestone							
420		42 ft Sandstone / limestone							
440		44 ft Sandstone / limestone							
460		46 ft Sandstone / limestone							
480		48 ft Sandstone / limestone							
500		50 ft Sandstone / limestone							
520		52 ft Sandstone / limestone							
540		54 ft Sandstone / limestone							
560		56 ft Sandstone / limestone							
580		58 ft Sandstone / limestone							
600		60 ft Sandstone / limestone							
620		62 ft Sandstone / limestone							
640		64 ft Sandstone / limestone							
660		66 ft Sandstone / limestone							
680		68 ft Sandstone / limestone							
700		70 ft Sandstone / limestone							
720		72 ft Sandstone / limestone							
740		74 ft Sandstone / limestone							
760		76 ft Sandstone / limestone							
780		78 ft Sandstone / limestone							
800		80 ft Sandstone / limestone							
820		82 ft Sandstone / limestone							
840		84 ft Sandstone / limestone							
860		86 ft Sandstone / limestone							
880		88 ft Sandstone / limestone							
900		90 ft Sandstone / limestone							
920		92 ft Sandstone / limestone							
940		94 ft Sandstone / limestone							
960		96 ft Sandstone / limestone							
980		98 ft Sandstone / limestone							
1000		1000 ft Sandstone / limestone							

Project #1

12. Principal Features of the Proposed Water Supply System. (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 10", Depth 280'
(2) Casing, Type Steel, Diameter 12", Thickness 3/16"
(3) Perforated Screen, Type concrete slot, Diameter 12", Length 40'
(4) Gravel Pack, Thickness 4", Length of gravel pack 80'

E. Dugout Information or Estimates.

- (1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials See attached log

Depth to top of water bearing material 60'

Depth to bottom of water bearing material 280'

Thickness of water bearing material 5.50'

Depth to water (ground surface to water level) 80'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property No water rds. On property owned by others 320 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.



**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. 2700-2, Vernon and Marlys Walkling**

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. 2700-2, Vernon and Marlys Walkling, 29832 267th Avenue, Crookston NE 69212.

The Chief Engineer is recommending APPROVAL of Application No. 2700-2 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 qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 2700-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. 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
January 25, 2013

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2700-2
VERNON & MARLYS WALKLING
JANUARY 22, 2013**

Water Permit Application No. 2700-2 proposes to appropriate up to 272 acre-feet per year (ac-ft/yr) at a maximum diversion rate of 1.94 cubic feet of water per second (cfs) from two wells to be completed into the Ogallala aquifer. The wells are expected to be 280 feet deep and are to be located along the quarter line in the S½ of Section 11, T37N-R34W to irrigate 136 acres located in the E½ SW¼, W½ SE¼ of Section 11, T36N-R30W in Todd County.

AQUIFER: Ogallala (OGLL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Ogallala aquifer is part of the High Plains aquifer that underlies 174,000 square miles of the United States, spanning eight states from Texas to South Dakota. In South Dakota, the High Plains aquifer underlies approximately 4,750 square miles, contains an estimated 700 million acre feet (ac-ft) of water in storage, and is generally under water table conditions (Gutentag and others, 1984).

The majority of Todd County is underlain by the High Plains aquifer, which consists of the hydraulically connected Arikaree, White River, and Ogallala Groups, and overlying alluvial deposits (Carter, 1998). The Ogallala Formation consists of clays, silts, sands, and surface gravel deposits, and is the most productive part of the High Plains aquifer (Gutentag and others, 1984). The Ogallala aquifer is estimated to underlie 950 square miles and contain 17 million ac-ft of recoverable water in Todd County. The average thickness is 137 feet, the maximum is 239 feet, and the top can be encountered from ground surface to 164 feet below ground surface (Carter, 1998).

Test hole reports were not submitted with this application; however, sufficient information is available to evaluate the aquifer at the proposed well sites. In general, below top soil, approximately 300 feet of sand layers are present with some siltstone and clay layers intermixed until red rock is encountered, which is probably the Arikaree Group (Hammond, 1994; "Lithologic Logs Database;" Water Rights, 2013b; Water Rights, 2013c). The static water level of the Ogallala aquifer is expected to be approximately 100 feet below ground surface in the area of the proposed well sites (Carter, 1998). A nearby well completion report document an April, 2000 static water level of 138 feet below ground surface (Water Rights, 2013c).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

This application proposes to appropriate 272 ac-ft/yr from the Ogallala aquifer. If this application is approved, the actual water use will likely be less than the appropriation. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.”

HYDROLOGIC BUDGET:

Recharge to the Ogallala aquifer in Todd County occurs mainly through infiltration of precipitation, stream losses, and inflow from the aquifer outside the county (Carter, 1998). Kolm and Case (1983) estimated recharge to be 1.3 to 1.8 inches per year (in/yr) using a digital model. Hedges and Burch (1985) estimated recharge to be 2.2 to 3.4 in/yr using observation well data and 1.88 in/yr using a baseflow recession analysis.

Discharge from the Ogallala aquifer in Todd County occurs through evapotranspiration, seepage to streams and rivers, outflow to the aquifer outside the county, and well withdrawals (Carter, 1998). Currently there are 66 water rights/permits appropriating water from the Ogallala aquifer in Todd County. One is authorized to institutional use and the remainder are authorized for irrigation use. There are no water permit applications currently pending authorization from the Ogallala aquifer in Todd County (Water Rights, 2013b).

The irrigation use water right/permit development of the Ogallala aquifer in Todd County has remained fairly constant over the period of record, 1982 to present (Water Rights, 1983-2011; Water Rights, 2013b). In 2011, there was 29,694 ac-ft/yr of water appropriated from the aquifer. The annual withdrawal due to irrigation use fluctuates greatly, which is probably due more to yearly growing season climatic conditions. Over the period of record, 1982 to 2011, the average pumpage reported equals 9,877 ac-ft/yr. The maximum and minimum pumpage reported was 15,605 and 5,465 ac-ft/yr, respectively (Water Rights, 1983-2011).

Irrigation pumpage has been reported up to the year 2011. Since then, three water permits were approved for the Ogallala aquifer in Todd County. One water permit was a reinstatement and has been included in the historic irrigation pumpage reported. The remaining two water permits appropriate a total of up to 560 ac-ft/yr (Water Rights, 2012b). Also, this water permit application proposes to appropriate up to 272 ac-ft/yr. The full use of these approved and proposed appropriations is assumed for this hydrologic budget.

The Rosebud Sioux tribe operates a number of irrigation wells completed into the Ogallala aquifer in Todd County. Comparing 2010 aerial photography for the area to the SD DENR-Water Rights Program records indicates that most of the irrigation in Todd County is authorized by South Dakota water rights (Buhler, 2012).

Non-irrigation use water rights/permits for the Ogallala aquifer in Todd County authorize 0.033 cfs (Water Rights, 2013b). There are several completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Ogallala aquifer in

Todd County (Water Rights, 2013c). The annual withdrawal due to institutional or domestic use is not significant to the hydrologic budget of the aquifer.

Water Balance:

The average annual withdrawal from the Ogallala aquifer in Todd County is estimated to be less than 11,000 ac-ft/yr. To balance the hydrologic budget, recharge must equal withdrawal. And so, recharge to this aquifer must equal 0.22 in/yr. This required recharge rate is much lower than the recharge range estimated by Hedges and Burch (1985) and Kolm and Case (1983). Therefore, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer for this proposed appropriation of 272 ac-ft/yr.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The SD DENR-Water Rights Program monitors 78 observation wells completed into the Ogallala aquifer, with 21 of these in Todd County (Water Rights, 2013a). Of these, the nearest observation well, TD-76E, is located approximately two-thirds of a mile southeast of the proposed well sites, respectively. The hydrograph of this observation well is shown in Figure 1.

The observation well data documents cyclic conditions of water levels, rising during wet years and declining during dry years. The hydrograph also shows the effects of nearby pumping on the aquifer. At the current level of development, temporal well withdrawal is masked by climatic conditions, indicating that recharge to and natural discharge from the Ogallala aquifer greatly exceeds well withdrawal. Therefore, unappropriated water is available from the Ogallala aquifer in Todd County to support this proposed appropriation of 272 ac-ft/yr.

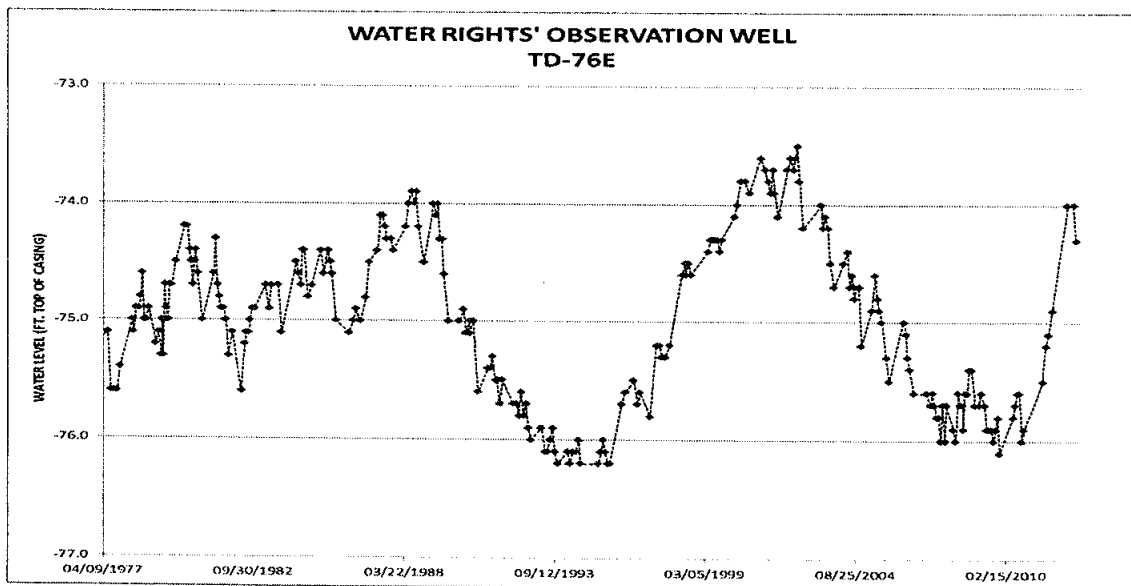


Figure 1: Hydrograph observation well TD-76E (Water Rights, 2013a)

EXISTING WATER RIGHTS:

Nine water rights are located within two miles of the proposed well sites; two are within one half mile (Water Rights, 2013b). Five domestic wells are on record with the SD DENR-Water Rights Program that appear to be completed into the Ogallala aquifer within two miles of the proposed well sites (Water Rights, 2013c). As previously discussed, the Rosebud Sioux tribe operates a number of irrigation wells completed into the Ogallala aquifer in Todd County. Comparing 2010 aerial photography for the area to the SD DENR-Water Rights Program records indicates that the irrigated acreage in the area of the proposed well sites is authorized through the South Dakota water rights. The majority of water right/permit development into the Ogallala aquifer is west and northwest of the proposed well sites (Water Rights, 2013b).

The water table conditions of the aquifer dictate that any drawdown due to pumping would probably not extend far from the proposed well sites. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur.

Observation well TD-76D is located approximately four miles northeast of the proposed well sites and within two miles of 28 wells authorized by ten water rights/permits completed into the Ogallala aquifer. The hydrograph for this observation well, shown in Figure 2, documents the effects of pumping; however, these are minimal relative to climatic conditions. Over the period of record, water levels in this observation well fluctuated at maximum 15 feet (Water Rights, 2013a). The aquifer in this area probably retains at least one hundred feet of saturated thickness (Carter, 1998).

Therefore, at the distances involved between the proposed well sites and wells of existing water rights/permits and domestic users, interference is not expected to be a concern. A nearby adequate well defined by ARSD 74:02:20(7), which states that the pump intake must be set 20 feet below the top of the aquifer or, if the aquifer is less than 20 feet thick, as near to the bottom of the aquifer as is practical, is not expected to be adversely or unlawfully impaired.

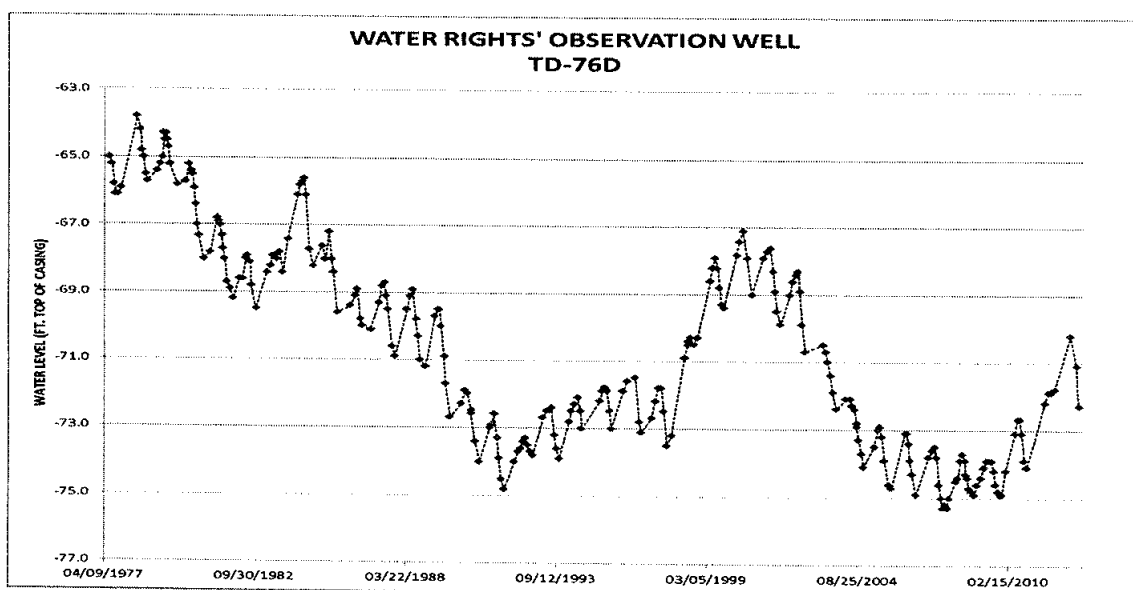


Figure 2: Hydrograph observation well TD-76D (Water Rights, 2013a)

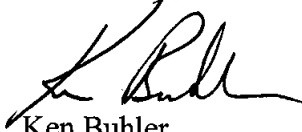
CONCLUSIONS:

1. This application proposes to appropriate 272 ac-ft/yr for irrigation; however, the actual water used will likely be much less.
2. There is a reasonable probability that unappropriated water is available from the Ogallala aquifer in Todd County to supply the proposed appropriation.
3. There is a reasonable probability that the proposed wells will not cause a significant impact, nor adversely or unlawfully impair existing nearby wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Buhler, K. 2012. Report on Water Permit Application No. 2559A-3 for John Markus: SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Carter, J.M. 1998. Water Resources of Mellette and Todd Counties, South Dakota: U.S. Geological Survey Water Resources Investigations Report 98-4146, 68p.
- Gutentag, E.D., Hiemes, F.J., Krothe, N.C., Luckey, R.R., Weeks, J.B. 1984. Geohydrology of the High Plains Aquifer in Parts of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming: U.S. Geological Survey Professional Paper 1400-B, 63 p.
- Hammond, P.D. Ground Water Quality Investigation in Selected Areas of Todd and Mellette Counties, South Dakota: SD DENR Geological Survey. Vermillion, South Dakota.
- Hedges, L.S., and Burch, S.L. 1985. Analysis of Ground-Water and Streamflow Data Western Dakota Region of South Dakota, Task 3.D and 4.C: Ground-Water Recharge: SD DENR Geological Survey. Vermillion, South Dakota.
- Kolm, K.E. and H.L. Case III. 1983. A Two-Dimensional, Finite-Difference Model of the High Plains Aquifer in Southern South Dakota. Water-Resources Investigations Report 83-4175. U.S. Geological Survey. Lakewood, Colorado.
- “Lithologic Logs Database.” South Dakota Department of Environment & Natural Resources Geological Survey. 22 January 2013
- Water Rights. 1983-2011. “Annual Irrigation Summaries by Aquifer”: SD DENR-Water Rights Program, Joe Foss Building, Pierre, South Dakota.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

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FEB 19 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marylinn Baker

certify that the attached printed Notice was
taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was
published

in the newspaper on the following date:

2-6-13

Cost of Printing \$29.11

Marylinn Baker
(Signature)

Bookkeeper
(Title)

2-13-13
(Date Signed)

NOTICE OF APPLICATION NO. 2700-2 to Appropriate Water
Notice is given that Vernon and Marya Walking, 28832 267th Ave, Crookston NE 58212 have filed an application for a water permit to appropriate 1.94 cubic feet of water per second from two wells completed into the Ogallala Aquifer (280 feet deep) located along quarter line in the S 1/2 Section 11 for irrigation of 136 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 11; all in T36N-R30W.
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2700-2 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 op-

Public Notice
posing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.
Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 19, 2013.
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. Pinner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$29.11.

FEB - 8 2013

WATER RIGHTS
PROGRAM**Affidavit of Publication**

State of South Dakota

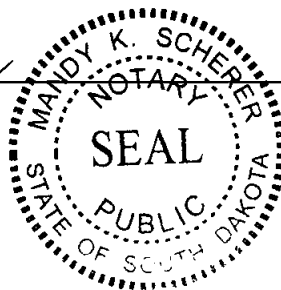
County of Todd

Jill Potter, being, first duly sworn, on oath, says: That he/she is an employee of Huether Brothers Publishing, Inc., and that the Todd County Tribune 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 Todd 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 1 successive week(s) to wit:

February 6, 2013

That the full amount of the fee charged for the publication of the attached public notice, **27.20**, 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: _____

Subscribed and sworn to before me this 6th day of February, 2013.Mandy K. Scherer
Notary PublicMy Commission Expires
December 9, 2015

Legal Notices

Request for Third Party Comments

Sinte Ojaska University is seeking comments from the public about the University in preparation for its periodic evaluation by its regional accrediting agency. The University will host a visit March 11-13, 2013, with a team representing the Higher Learning Commission of the North Central Association. Sinte Ojaska University has been accredited by the Commission since 1983. The Team will review the institution's ongoing ability to meet the Commission's Criteria for Accreditation.

The public is invited to submit comments regarding the university: Third-Party Comment on Sinte Ojaska University
The Higher Learning Commission
230 South LaSalle Street, Suite 7-500
Chicago, IL 60604-1411

The public may also submit comments on the Commission's website at www.ncahbo.org. Comments must address substantive matters related to the quality of the institution or its academic programs. Comments must be in writing.

All comments must be received by February 20, 2013. Published once at the total approximate cost of \$17.68. Published: February 6, 2013

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota) In Children's Court
)
The People of the Rosebud
Sioux Tribe in the Interest of:) Docket #C010-143
)
S.F.H.,) SUMMONS
Minor child(ren) and concerning,)
TO: ROSELENE LANCE

PLEASE TAKE NOTICE that the ADJUDICATION Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 26th Day of February, 2013 at 9:00 a.m. in the Rosebud Sioux Children's Court at Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

Dated this 1st day of February, 2013.
BY THE COURT:
JANEL Y. SULLY
Children's Court Judge
ATTEST:
Clerk of Courts
Published three times at the total approximate cost of \$55.18
Published: February 6, 13, and 20, 2013

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota) In Children's Court
)
The People of the Rosebud
Sioux Tribe in the Interest of:) Docket #C012-99
)
T.H.,) SUMMONS
Minor child(ren) and concerning,)
TO: THOMAS HACKER SR.

PLEASE TAKE NOTICE that the ADJUDICATION Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 27th Day of February, 2013 at 11:00 a.m. in the Rosebud Sioux Children's Court at Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

Dated this 1st day of February, 2013.
BY THE COURT:
JANEL Y. SULLY
Children's Court Judge
ATTEST:
Clerk of Courts
Published three times at the total approximate cost of \$55.18
Published: February 6, 13, and 20, 2013

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota) In Children's Court
)
The People of the Rosebud
Sioux Tribe in the Interest of:) Docket #C009-64
)
D.V.,) SUMMONS
Minor child(ren) and concerning,)
TO: TAMMY YOUNG
OSRDL BAD COB

PLEASE TAKE NOTICE that the TERMINATION Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 28th Day of February, 2013 at 9:00 a.m. in the Rosebud Sioux Children's Court at Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

Dated this 1st day of February, 2013.
BY THE COURT:
JANEL Y. SULLY
Children's Court Judge
ATTEST:
Clerk of Courts
Published three times at the total approximate cost of \$56.96
Published: February 6, 13, and 20, 2013

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota) In Children's Court
)
The People of the Rosebud
Sioux Tribe in the Interest of:) Docket #C012-120
)
T.D.,) SUMMONS
Minor child(ren) and concerning,)
TO: WINONA BECKER DESERSA

PLEASE TAKE NOTICE that the ADJUDICATION Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 28th Day of February, 2013 at 10:00 a.m. in the Rosebud Sioux Children's Court at Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

Dated this 1st day of February, 2013.
BY THE COURT:
JANEL Y. SULLY
Children's Court Judge
ATTEST:
Clerk of Courts
Published three times at the total approximate cost of \$55.18
Published: February 6, 13, and 20, 2013

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota) In Children's Court
)
The People of the Rosebud
Sioux Tribe in the Interest of:) Docket #C011-95/96
)
L.S. & W.S.,) SUMMONS
Minor child(ren) and concerning,)
TO: SARAH BLACK BULL
WILBUR SMITH

PLEASE TAKE NOTICE that the ADJUDICATION Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 27th Day of February, 2013 at 2:00 p.m. in the Rosebud Sioux Children's Court at Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

Dated this 1st day of February, 2013.
BY THE COURT:
JANEL Y. SULLY
Children's Court Judge
ATTEST:
Clerk of Courts
Published three times at the total approximate cost of \$56.96
Published: February 6, 13, and 20, 2013

Public Notice

Due to a numerous amount of complaints regarding unintended livestock on the highways and communities and the potential "Safety Hazard," the Bureau of Indian Affairs is providing notice to the general public in accordance with the following provisions in 25 Code of Federal Regulations.

Part 166.800(b) and Part 166.800(h):
If we determine that the alleged trespasser or possessor of trespass property is unknown or refuses delivery of the written notice, a public trespass notice will be posted at the tribal community building, U.S. Post Office, and published in the local newspaper nearest to the Indian agricultural lands where the trespass is occurring.

Part 166.800(f):
Trespass notices under this subpart are not subject to appeals under 25 Code of Federal Regulations Part 2.

Part 166.800e:
If the trespasser fails to take the corrective actions specified by us, we may take one or more of the following actions, as appropriate:
(a) Seize, impound, sell or dispose of unauthorized livestock or other property involved in the trespass. We may keep such property we seize for use as evidence.
(b) Assess penalties, damages, and costs, under §166.812 of this subpart.

Part 166.800f:
We will impound unauthorized livestock or other property under the following conditions:
(c) Any time after five days of providing notice of impoundment if you failed to correct the trespass.

Any questions regarding this notice can be directed to Elton Hawk Wing, Deputy Superintendent for Trust Services at (605)856-2334 or the Bureau of Indian Affairs Office, Room 31 located in Mission, South Dakota.

Published one time at the total approximate cost of \$28.56
Published: February 6, 2013

Request for Proposal

SWA 13-02R

Security Cameras Elderly Complex

The Sicangu Wiciti Aawayankapi (SWA), P.O. Box 69, Rosebud, South Dakota is accepting written proposals from Indian Owned Economic Enterprises as well as non-Indian Organization to provide installation for security equipment, security system and installing for Rosebud 20-plex, St Francis 20-plex, Antelope 20-plex and Parmelee 10-plex.

Scope of Work
The scope of the work is as set forth on Appendix A Scope of Work (consisting of fourteen (14) pages) attached to this Request for Proposal. Anyone submitting a proposal for this work is required to visit the job site(s) prior to bidding to ascertain the nature and location of work and to satisfy itself as to the general and local conditions which can affect the work and to independently verify for itself all measurements pertaining to the project. Please contact Archie Brown at (605) 828-3266 to make arrangement to visit the sites.

The selected contractor will be responsible for the clean up.
Indian Preference
Pursuant to Section 7(b) if the Indian Self Determination and Education Assistance Act (25 U.S.C. 450-454) and HUD requirements set forth at 24 CFR 100.448-100.54, in awarding this contract preference shall be given to qualified Indian enterprises and organizations.
All firms Indian and non-Indian alike must submit a prequalification application with their proposal.

PROPOSAL PROCESS
Interested firms or individuals must submit their proposal in writing to the SWA Corporation, P.O. Box 69, Rosebud, SD 57570. Proposals must be received by the SWA Corporation no later than 2:00 p.m., (CST) on February 15, 2013. Proposals submitted via FACSIMILE will not be accepted and will not be considered. Emailed proposals will be accepted with one (1) original and two (2) copies mailed or hand delivered.

SELECTION PROCESS
The SWA reserves the right to interview some or all of the parties submitting proposals. Selection by the SWA will be based on the following factors and points to evaluate the offerer's proposal as follows:

1. Capability and experience installation of security equipment 0-20 pts
2. Experience in providing established work performance 0-10 pts
3. Ability to provide warranty and inspections on the cameras 0-20 pts
4. Potential Costs for Services 0-20 pts
5. Indian preference (if applicable) 0 or 15 pts
6. Statement detailing preferences in Indian employment and training, and the number of Indians anticipated being employed and trained 0-15 pts

Any proposal submitted must state that it will remain open for sixty (60) days.

RIGHT TO REJECT ANY AND ALL PROPOSALS
The SWA reserves the right to accept, reject and all proposals. No member of the governing body, or persons directly involved with the SWA will have any neither relationship nor submittal privileges.

Any further question please contact Danielle Burnette, Procurement Officer at SWA Corporation (605) 747-2203 ext. 236 or email to swapro2@gwtc.net.
Published twice at the total approximate cost of \$83.64
Published: February 6 and 13, 2013

Notice of Application No. 2700-2 to Appropriate Water

Notice is given that Vernon and Marlya Waukling, 29832 267th Ave, Crookston NE 69212 have filed an application for a water permit to appropriate 1.94 cubic feet of water per second from two wells completed into the Ogallala Aquifer (280 feet deep) located along quarter line in the S 1/2 Section 11 for irrigation of 136 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 11; all in T36N-R30W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2700-2 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 set 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, Rose Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 19, 2013.

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. Pirmer, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$27.20
Published: February 6, 2013

Public Notice To Take Land "In Trust"

ACTION: Notice of final agency determination to take land into trust under 25 Code of Federal Regulations, Part 151.

SUMMARY: The Superintendent, Rosebud Agency, Bureau of Indian Affairs, U.S. Department of the Interior on the below date, has made a final determination to acquire real property "in trust" for the Rosebud Sioux Tribe.

DATE: This determination was made on December 12, 2012.
FOR FURTHER INFORMATION CONTACT: Ira D. Wilson, Realty Officer, Rosebud Agency, PO Box 550, Rosebud, South Dakota 57570, telephone (605) 856-4649.

SUPPLEMENTARY INFORMATION: This notice is published to comply with the requirement of 25 CFR, Part 151.12(b) that notice be given to the public of the decision by the authorized representative of the Secretary of the Interior to acquire land "in trust" at least 30 days prior to signatory acceptance of land "in trust." The purpose of the 30-day waiting period is to afford interested parties the opportunity to seek judicial review of administrative decisions to take land "in trust" for Tribes or individual Indians before transfer of title to the properties occurs. On December 12, 2012, the Superintendent issued a Decision Notice to accept land "in trust" for the Rosebud Sioux Tribe under the authority of Section 5, of the Indian Reorganization Act of 1934, 25 United States Code, 465.

The Superintendent, on behalf of the Secretary of the Interior, shall acquire title in the name of the United States of America in trust for the Rosebud Sioux Tribe of South Dakota no sooner than 30 days after the initial date this notice is published in a newspaper. The land referred to as "Pup Lot" property, A-345-2012-0002, herein and is described as: Lot 2 of Block 3, original Township of Parmelee, as platted in Plat Book 1 on page 6, located in the SW 1/4 of Section 30, Township 39 North, Range 31 West of the 6th Principal Meridian, Todd County, South Dakota, containing 0.21 acres, more or less. The subject property includes both surface and sub-surface resources. This land is located within the exterior boundaries of the Rosebud Reservation.

Published four times at the total approximate cost of \$95.53
Published: January 30, February 6, 13 and 20, 2013

Rapid Foundation Repair, Inc

Rapid City

FOUNDATION ISSUES?

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- *Bowed Walls?
- *Foundation Cracks?
- *Foundation Settling?

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Nathan Parkin

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www.blackburnbasement.com

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www.sdpublicnotices.com

Search government public notices published by South Dakota newspapers for free.

Minutes. Bid notices. Zoning notices. And more.

Website made possible by newspapers of South Dakota and S.D. Newspaper Association.

Keep the Todd County Tribune coming to your mailbox!

Please notify us as soon as possible of any address changes.

Call 605-856-4469 or e-mail at tribnews@gwtc.net

Legal Ad Deadline - Fridays 5 p.m.

Todd County Tribune

(605) 856-4469 - email: tribnews@gwtc.net

gm

**Notice of Application No. 2700-2
to Appropriate Water**

Children's Court

cket #CC11-95/96

SUMMONS

ITION Hearing on the
ing the above named
bruary, 2013 at 2:00
t Wanbli Wiconi Tipi
Thunder Community,
d hearing.

BY THE COURT:
JANEL Y. SULLY
Children's Court Judge

cost of \$56.96

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ected to Elton Hawk
at (605)856-2334 or
located in Mission,

Notice is given that Vernon and Marlys Walkling, 29832 267th Ave, Crookston NE 69212 have filed an application for a water permit to appropriate 1.94 cubic feet of water per second from two wells completed into the Ogallala Aquifer (280 feet deep) located along quarter line in the S 1/2 Section 11 for irrigation of 136 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 11; all in T36N-R30W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2700-2 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.

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Published once at the total approximate cost of \$27.20
Published: February 6, 2013

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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

January 29, 2013

Todd County Tribune
PO Box 229
Mission SD 57555

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2700-2 to Appropriate Water. Please publish the notice once on February 6, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Vernon and Marlys Walkling, 29832 267th Ave., Crookston NE 69212 (Ph # 605-429-3315).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

Capital Journal
PO Box 878
Pierre SD 57501

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



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

January 29, 2013

Vernon and Marlys Walkling
29832 267th Ave
Crookston NE 69212

Dear Sir:

Water Permit Application No. 2700-2 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 Todd County Tribune printed at Mission SD (Ph # 605-856-4469) and the Capital Journal printed at Pierre SD (Ph # 605-224-7301). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on February 6, 2013. 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. 2700-2 to Appropriate Water

Notice is given that Vernon and Marlys Walkling, 29832 267th Ave, Crookston NE 69212 have filed an application for a water permit to appropriate 1.94 cubic feet of water per second from two wells completed into the Ogallala Aquifer (280 feet deep) located along quarter line in the S 1/2 Section 11 for irrigation of 136 acres located in the E 1/2 SW 1/4, W 1/2 SE 1/4 Section 11; all in T36N-R30W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2700-2 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.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

APR 12 2013

Vernon & Marlys Walkling
29832 267th Ave
Crookston NE 69212

Dear Sir:

Enclosed is Water Permit No. 2700-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

11- 02

Well Owner: **Vernon & Marlys Walkling**

North

A 4x4 grid with a solid horizontal line across the middle and a solid vertical line down the middle. The left side is labeled 'W' and the right side is labeled 'E'.

August 7, 2013

1 Mile

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

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

CASING DATA: ☐ Steel ☒ Plastic ☐ Other
If other describe _____

PIPEWEIGHT	DIAMETER		FROM	TO	HOLE DIAMETER
LB/FT	16.00	IN	0.0	FT	260.0 FT
LB/FT	IN	FT	FT	FT	IN
LB/FT	IN	FT	FT	FT	IN

Grout Type	No. of Sacks	Grout Weight	From	To
Grout		Lb/gal	0.0 Ft	24.0 Ft
Gravel		Lb/gal	24.0 Ft	260.0 Ft
Describe grouting procedure				
Cement Grout				

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16.00 Inches Length 140.0 Feet

Material SDR-26 PVC

Slot Size .085 Set From 120.0 Feet to 260.0 Feet

Other information

If so, what material? _____

Describe packer(s) and location. _____

☒ Yes, How? Chlorine

Lab to which water quality sample sent for analysis ☐ No, Why Not?

Business Name:

City, State, Zip: Crookston NE 69212

DEPTH

[illegible]

STATIC WATER LEVEL	103.0 FEET
--------------------	------------

If flowing: closed in pressure 35.00 PSI

GPM flow 700.0 through 8.00 Inch pipe

Controlled by ☐ Valve ☐ Reducers ☒ Other Elect. Hollow Shaft

Reduced flow rate GPM

Can well be completely shut in?

☐ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

Ft. After	Hrs. pumped	GPM
-----------	-------------	-----

Ft. After	Hrs. pumped	GPM
-----------	-------------	-----

If pump installed, pump rate: _____ GPM

N43° 06' 26.6"
W100° 49' 03.0"

RECEIVED

SEP 11 2013

**WATER RIGHTS
PROGRAM**

This well was drilled under license # 273 and this report is true and accurate.

Drilling firm: Charles Sargent Irrigation Company, Inc

Signature of License Representative _____

Signature of Well Owner or Equitable Property Holder:

Date:

9/2/13

Sargent Irrigation Company

IRRIGATION ENGINEERING

TEST HOLES AND IRRIGATION WELLS PUMPS & SERVICE

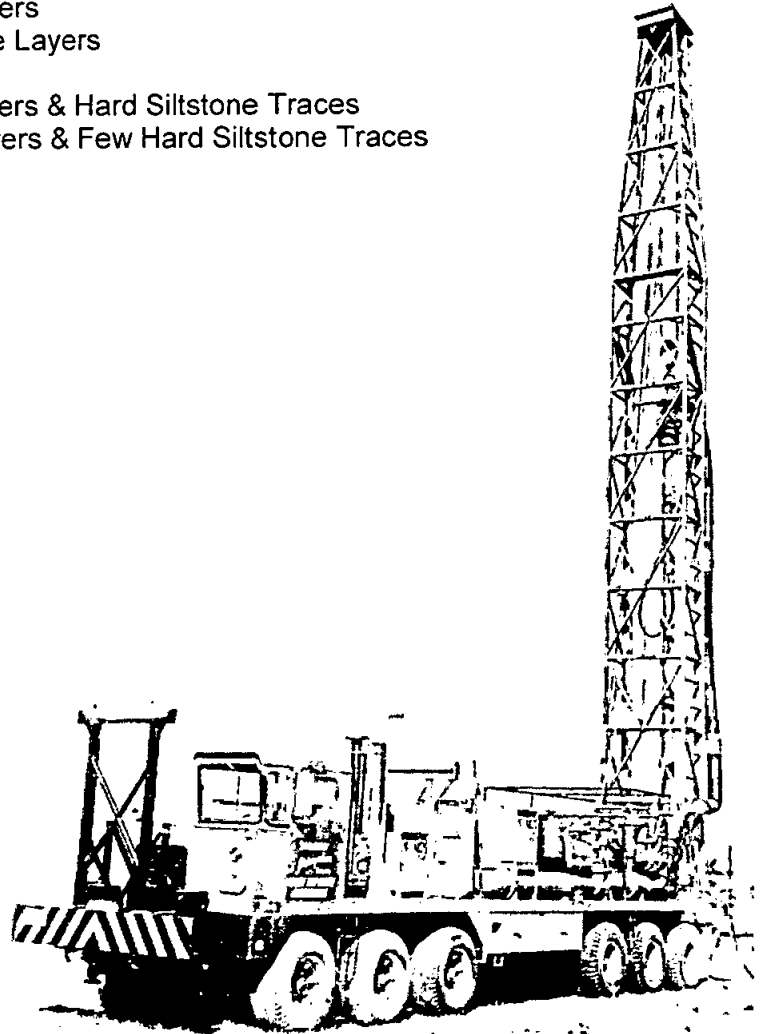
Box 627
South Highway 21

Broken Bow, Nebraska
68822

Phone 308-872-6451
FAX 308-872-6912

Vernon Walkling
N43° 06' 26.9" W100° 49' 03.1"

0	2 Sandy Top Soil
2	17 Fine Sand
17	20 Fine Sand & Soft Sandstone Traces
20	40 Stiff Brown Sandstone w/ Few Clay Streaks
40	50 Stiff Brown Sandstone w/ Few Clay Streaks
50	56 Fine Sand
56	60 Stiff Sandstone
60	80 Stiff Brown Sandstone w/ Sand Streaks
80	100 Fine Sand w/ Stiff Sandstone Layers
100	120 Stiff Brown Sandstone w/ Sand Streaks
120	134 Stiff Brown Sandstone
134	138 Fine Sand
138	140 Stiff Brown Sandstone
140	160 Stiff Brown Sandstone w/ Fine Sand Layers
160	200 Fine Sand w/ Stiff Sandstone Layers
200	220 Fine Sand w/ Few Stiff Sandstone Layers
220	236 Fine Sand w/ Siltstone Traces
236	240 Fine Sand w/ Stiff Sandstone Layers & Hard Siltstone Traces
240	260 Fine Sand w/ Few Sandstone Layers & Few Hard Siltstone Traces



Report of Examination of Works and/or Application of Water to Beneficial Use

To: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, November 23, 2015 made a thorough examination of the water system used by Vernon and Marlys Walkling, 29832 267th Ave. Crookston, NE 69212, holder of Water Permit No. 2700-2, bearing the priority date of December 4, 2012. Water Permit No. 2700-2 authorizes the diversion of 1.94 cubic feet per second (cfs) or 870 gallons per minute (gpm) from two wells completed into the Ogallala aquifer for the purpose of irrigating 136 acres in Todd County as follows: 34 acres in the NW ¼ SE ¼ of Section 11, 34 acres in the NE ¼ SW ¼ of Section 11, 34 acres in the SE ¼ SW ¼ of Section 11, and 34 acres in the SW ¼ SE ¼ of Section 11, all in T36N-R30W.

I have the following conditions to report for the system in question:

- 1) Works used to divert water:
One submersible pump, manufactured by Sargent.
- 2) Works used to transport water to a place of use:
Underground and above ground pipes, 8 inch diameter.
- 3) Works used to apply water to beneficial use:
One Valley Pivot

The system is in the following condition: well maintained. The well associated with Water Permit No. 2700-2 is located in the E ½ SW ¼ of Section 11, T36N-R30W. The exact location the well is as follows:

- 1) **1,350 feet north and 2,830 feet west of the southeast corner of Section 11, T36N-R30W.**
Lat 43.10745N Lon 100.81748W.

The lands irrigated by the fore mentioned well are as follows:

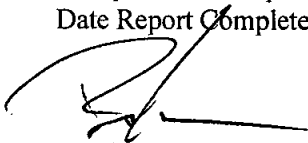
- 1) 28 acres in the NW ¼ SE ¼ of Section 11, T36N-R30W.
 - 2) 40 acres in the NE ¼ SW ¼ of Section 11, T36N-R30W.
 - 3) 40 acres in the SE ¼ SW ¼ of Section 11, T36N-R30W.
 - 4) 28 acres in the SW ¼ SE ¼ of Section 11, T36N-R30W.
- For a total of 136 acres.**

License should be issued for the developed diversion rates of: **1.56 cfs or 700 gpm.**

Applicable permit qualifications have been complied with: **Yes, but only one well constructed.**

Exceptions to compliance are: **None**

Date Report Completed: **December 1, 2015**



Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2700-2

DATE OF INVESTIGATION:	November 23, 2015
NAME & ADDRESS OF PERMIT HOLDER	Vernon and Marlys Walkling 29832 267th Ave. Crookston, NE 69212
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Vernon Walkling
DIVERSION POINT LEGAL LOCATIONS	1,350 feet north and 2,830 feet west of the southeast corner of Section 11, T36N-R30W. Lat 43.10745N Lon 100.81748W.

WELL INFORMATION:

- 1) Well Drilling Firm:
**Charles Sargent Irrigation Company.
Inc**
- 2) Number of Wells: **1**
- 3) Depth: **260 feet**
- 4) Well Logs Available: **Yes**
- 5) Comment:

Pumps

- 1) Make: **Sargent**
- 2) Model:
- 3) Size:
- 4) Capacity: **700 gpm (1.56 cfs)**

Casing

- 1) Diameter: **16 inches**
- 2) Length: **120 feet**
- 3) Type: **Plastic**

Screen

- 1) Type: **Perforated Pipe**
- 2) Length: **140 feet**
- 3) Static Water Level: **103 feet**

Motor

- 1) Make: **US Electric**
- 2) Model No:
- 3) Power:

System Type

- 1) Make: **Valley Pivot**
- 2) Overall length: **1,300 feet**
- 3) Number of Towers: **8 towers**
- 4) Distance Between Towers:
- 5) End Gun: **Yes**
- 6) Pressure:
- 7) Capacity: **700 gpm**

CHEMIGATION EQUIPMENT: Yes

- 1) Mainline Check Valve: **Yes**
- 2) Low Pressure Drain: **Yes**
- 3) Inspection Port/Air Relief: **Yes**
- 4) Discharge 20 Feet Away: **No**
- 5) Injection Line Check Valve or Positive
Displacement Pump: **Injection line
check valve**
- 6) Injection Check Valve: **Yes**
- 7) Properly Installed: **Yes, except the 20
feet hose on discharge.**

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by: **N/A**
- 2) All structures, wells, and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period: **Yes, irrigated from 2013 to present.**

COMMENTS: Applicant applied to construct two wells but only constructed one.

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

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

Date 11/23/15

FROM: Vernon Wallcling
(name)
29832 267th Ave.
(address)
Crookston NE 69212 605-429-3315
(city) (state) (zip) (phone)

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

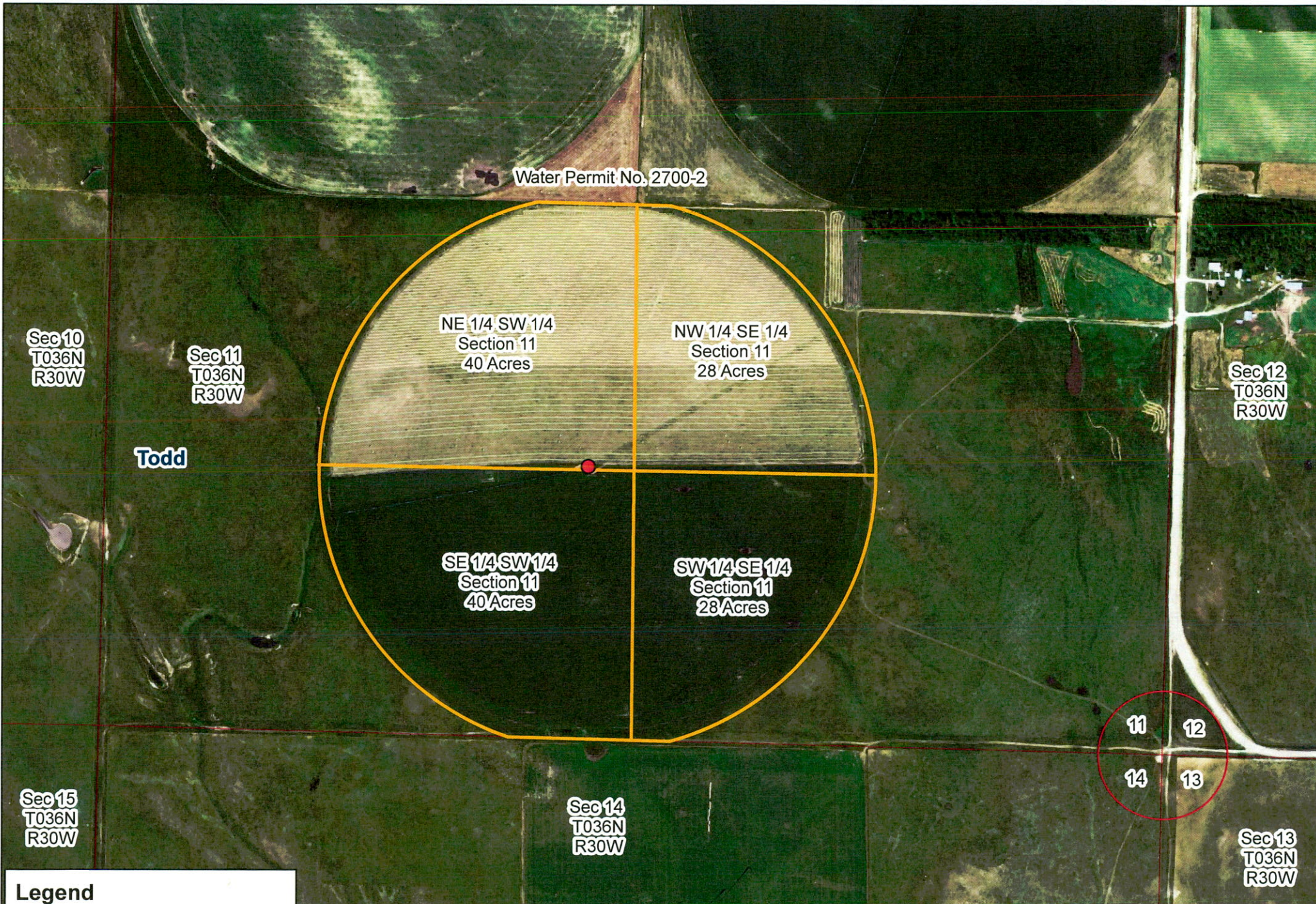
Water Permit No. 2700-2 states that the water use system is to be constructed by
12-4-17, and water is to be put to beneficial use by 12-4-21
(date) (date)

The water use system was completed on 8-4-13
(date)

Applying the water to beneficial use was completed on 8-4-13
(date)

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





Sec 10
T036N
R30W

Sec 11
T036N
R30W

Sec 12
T036N
R30W

Todd

NE 1/4 SW 1/4
Section 11
40 Acres

NW 1/4 SE 1/4
Section 11
28 Acres

SE 1/4 SW 1/4
Section 11
40 Acres

SW 1/4 SE 1/4
Section 11
28 Acres

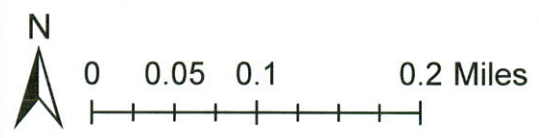
Sec 15
T036N
R30W

Sec 14
T036N
R30W

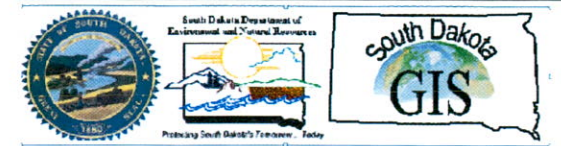
Sec 13
T036N
R30W

Legend

- Irrigated_Acres
- Section Boundaries - PLSS
- Well Location



Bracken Capen
Prepared by Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

DEC 22 2015

2700-2

Vernon & Marlys Walkling
29832 267th Ave
Crookston NE 69212

Dear Mr. & Mrs. Walkling:

Enclosed is your Water License No. 2700-2. This is the final water right document completing your process of obtaining a water right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by your water right, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

In regard to the equipment used for applying chemicals and/or fertilizer through your irrigation system, the staff engineer found the system did not have a hose to allow for discharge at least 20 feet from the water source. Enclosed is a copy of Water Management Board rules dealing with chemigation. "Appendix A" shows the minimum requirements for the equipment. If after reading through the rules you have questions concerning placement of the equipment, please contact Ron Duvall with our program at 605 773-3352.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2700-2**

(1) Vernon and Marlys Walkling, 29832 267th Ave., Crookston NE 69212 made Application No. 2700-2, December 4, 2012 for a water permit to divert 1.94 cubic feet of water per second from ground water (two wells – Ogallala Aquifer), Todd County, South Dakota for irrigation purposes. Permit No. 2700-2, with a priority date of December 4, 2012 was approved February 19, 2013 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 19, 2018 and for the application to beneficial use of water on or before February 19, 2022.

On November 23, 2015, a "Notice of Completion of Works and Application of Water to Beneficial Use" was submitted indicating the water use system was completed and the water placed to beneficial use in August, 2013.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,350 feet north and 2,830 feet west of the SE corner of Section 11, T36N, R30W (NE ¼ SW ¼)

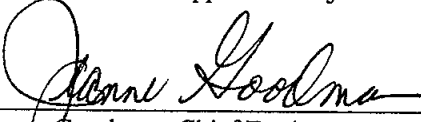
(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T36N, R30W Section 11	NW ¼ SE ¼	28 acres
	SW ¼ SE ¼	28 acres
	NE ¼ SW ¼	40 acres
	SE ¼ SW ¼	40 acres
	Total	136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Vernon and Marlys Walkling, 29832 267th Ave., Crookston NE 69212 the holders and/or owners of Water Right No. 2700-2 are issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water (one well – Ogallala Aquifer) with a priority date of December 4, 2012 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2700-2 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 2700-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was completed in August, 2013 by Charles Sargent Irrigation Company Inc. A copy of the well log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


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

DEC 22 2015

date



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212



9590 9402 6392 0303 3261 40

2. Article Number (Transfer from service label)

7021 1970 0000 9489 8230

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Marlys Walkling

☐ Agent☐ Addressee

B. Received by (Printed Name)

Marlys Walkling

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

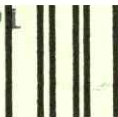
3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery
(over \$500)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted
Delivery☐ Signature Confirmation™☐ Signature Confirmation
Restricted Delivery

USPS TRACKING# NORTH PLATTE NE 691



16 MAR 2026 PM 2 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6392 0303 3261 40

United States
Postal Service

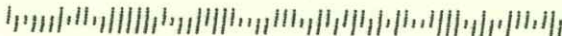
RECEIVED

MAR 19 2026

OFFICE OF
WATER

• Sender: Please print your name, address, and ZIP+4® in this box •

DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 17th, 2026

2700-2, 2783-2

Dakota Walkling
29650 266th Ave
Pure Water Township, SD 69212

Dear Ms. Walkling:

After receiving the 2025 Irrigation Questionnaire for Water Permit No. 2783-2 stating that you now own this property, you and I communicated through email that you also own Water Right No. 2700-2.

I have emailed both Transfer of ownership forms to you, and I highlighted the areas that you need to fill out. You can either mail them back with a check for \$100.00 (\$50.00 each) made payable to "SD Water Rights Program," or you can email them back to me. If you would like to pay with a credit card, you may call our Fiscal Office at 605.773.5559.

These forms will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

Konst, Shannon

From: Walkling, Dakota
Sent: Monday, March 16, 2026 12:39 PM
To: Konst, Shannon
Subject: Re: Water Rights

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, I will be taking over the ownership on both water permits. #2783-2 and #2700-2. The address does have an Ave. Our current address will be 29650 266th Ave. Pure Water Township, SD 69212. If you have any other questions please let me know.

Thank You!
Dakota Walkling

From: Konst, Shannon <Shannon.Konst@state.sd.us>
Sent: Monday, March 16, 2026 10:49 AM
To: Walkling, Dakota <Dakota.Walkling@k12.sd.us>
Subject: Water Rights

Hello Dakota, thank you for reporting the Irrigation Questionnaire for 2025 for Permit #2783-2 that is owned by Vernon and Marlys Walkling. You had notes that said you now own this property. I just have a couple of questions for you, Vernon and Marlys Walking also own #2700-2, are you also taking this Water right over? And I just want to make sure that I have the new address correct.

Dakota, you live at 29650 266th (is there a St, or Ave?) Pure Water Township, SD 69212. I will be emailing you a Transfer of Ownership form(s), I just want to make sure that I am mailing 1 or 2? And that the address is correct for our system for that permit(s).

Thanks, 🌻



Shannon Konst
Program Assistant I
Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.8204
danr.sd.gov

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2700-2

Date: 4-10-26

I/We request that Water Right/Permit No. 2700-2 formerly owned by:

Vernon & Marlys Walkling be transferred to:

New Owner Name: Dakota & Kayla Walkling

Address: 29650 266th Ave mobile: 402-389-0436

City, State, Zip Pure Water Township, SD email: dakota.walkling@K12.sd.us
69212

Title to the following described land(s)/property has been transferred as described above:

NW 1/4 SE 1/4 - 28 acres

SW 1/4 SE 1/4 - 28 acres

NE 1/4 SW 1/4 - 40 acres

SE 1/4 SW 1/4 - 40 acres

Total of 136 acres located in Section 11-T36N-R30W

☒ I understand that the validity of Water Right/Permit No. 2700-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Dakota Walkling, the new owner, certify that the above information is true and correct.

Dakota Walkling
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

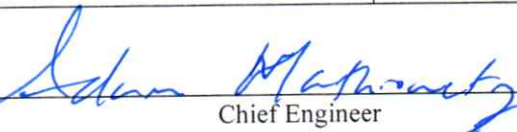
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date April 15, 2026

RECEIVED OF Dakota & Kayla Walkling 29650 266th Ave Pure Water Township, SD 69212

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	\$ _____
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. _____	\$ _____
Fee for Filing Transfer Form #2700-2 _____	\$ <u>50.00</u>
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>50.00</u>

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 15, 2026

2783-2, 2700-2

Dakota & Kayla Walkling
29650 266th Ave
Pure Water Township, SD 69212

Dear Walkling's:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the fees you submitted for Water Permit No. 27832, & Water Right No. 2700-2, enclosed is a \$50.00 receipt for each Transfer of Ownership for your records.

Water Permit No. 2783-2 & Water Right No. 2700-2, previously held by Vernon & Marlys Walkling, are now listed under Dakota & Kayla Walkling. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Permit No. 2783-2 & Water Right No. 2700-2 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures