

WATER PERMIT NO. 2744-2

Name of Applicant: **Rocking J Taylor Company**

Address: **439690 E 170th Rd, Blue Jacket OK 74333** Phone: **918 256-6640**

Amount of Water Claimed: **no additional** Total Acres: **10 additional acres**

Source of Water Supply: **groundwater (2 existing wells)**

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

Type of Waste Disposal System:

Location: **13 miles south of Mission**

PRIORITY Date Received: **11-9-15** Application/License Fee: **\$ 500**

Corrected Application Received: Period of Annual Use: **April 1 – September 30**

Remarks: **Additional acres to Water Permit No. 2717-2 – based on inspection by Bracken**

Diversion Point: **Lot 4 and SE 1/4 SE 1/4 Sec 1-T36N-R29W**

Land to be Irrigated: **Lot 3, Lot 4 and SE 1/4 Section 1-T36N-R29W**

Depth of Well: **228 and 231 feet deep**

Well Driller: **Grosch Irrigation Co, Inc.**

Remarks:

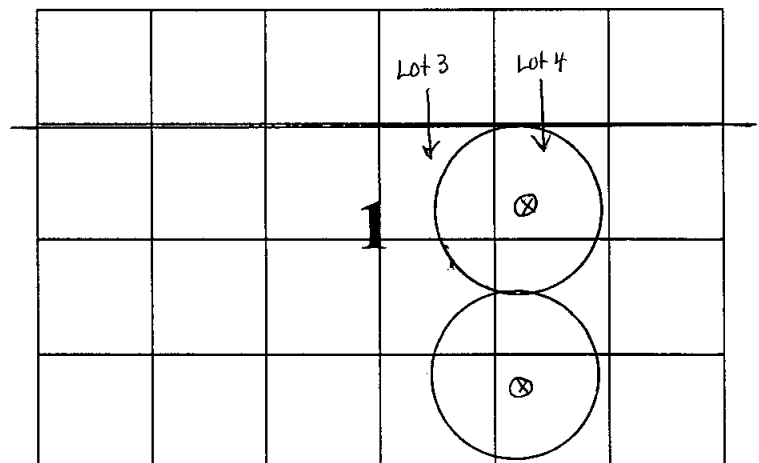
Type of Map: **aerial**

Prepared by: **Bracken Capen**

Reviewed and the Number Assigned on: **11-9-15**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>27442</u>	(office use only) Hydrologic Unit <u>10150006</u>
	Basin <u>Niobrara Trib</u>	
	Newspaper <u>Todd Co Tribune, Mission SD</u>	
	<u>Capital Journal, Pierre SD</u>	

RECEIVED
NOV - 9 2015
WATER RIGHTS
PROGRAM

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.)

During a licensing inspection of Water Permit No. 2717-2 it was discovered that an additional 10 acres are being irrigated under that permit. This application is to increase the authorized acreage from 140 to 150 acres

1. Name to Appear on Irrigation Permit Rocking J Taylor Company

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

(name and complete address if different than above name)

Mailing Address 439690 E 170th Rd

(Address)

Blue Jacket

(City)

OK

(State)

74333

(Zip Code)

Home Phone (918) 256-6640

Cell _____

Email rockingj@live.com

2. Amount of water claimed None *CFS or None **GPM None ***AF Total Acreage 10 add'l
(*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, Ogallala Aquifer

4. Location of point of diversion Two existing wells in Lot 4 and the SE 1/4 SE 1/4 of Section 1, T36N-R29W

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

County Todd

5. County or counties where water will be used Todd

6. Annual period during which water is to be used April 1- Sept 30

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
Lot 3 of Section 1, T36N-R29W	14	SW 1/4 SE 1/4 of Section 1, T36N-R29W	17
Lot 4 of Section 1, T36N-R29W	36	SE 1/4 SE 1/4 of Section 1, T36N-R29W	36
NW 1/4 SE 1/4 of Section 1, T36N-R29W	13		
NE 1/4 SE 1/4 of Section 1, T36N-R29W	34		

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

This application is intended to increase the number of acres authorized under Water Permit No. 2717-2 from 140 acres to 150 acres. No increase in the maximum diversion rate is being requested.

I, Taylor Adamson (Taylor Adamson) 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. 2744-2

Date of first receipt of application November 9, 2015.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2744-2 to Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Rd, Blue Jacket OK 74333 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. 2744-2 authorizes irrigation of 10 new acres and corrects the legal description for the wells and irrigated acres. Water Permit No. 2717-2 appropriates 2.0 cubic feet of water per second (cfs) from two wells completed into the Ogallala Aquifer (228 and 231 feet deep) located in the N 1/2 SE 1/4 Section 1 for irrigation of 140 acres located in the Lots 1, 2, 3, 4 and the N 1/2 SE 1/4 Section 1; all in T36N-R29W. An inspection of Water Permit No. 2717-2 found 150 acres being irrigated located in Lots 3, 4 and the SE 1/4 Section 1 from two wells located in Lot 4 and the SE 1/4 SE 1/4 Section 1; all in T36N-R29W. This permit and Water Permit No. 2717-2 will authorize a total diversion rate of 1.78 cfs from the existing two wells to irrigate 150 acres.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is November 9, 2015 for 10 additional acres.
4. The date of approval of Permit No. 2744-2 is January 11, 2016.
5. 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 Permit Nos. 2717-2 and 2744-2 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Water Permit No. 2744-2 incorporates Water Permit No. 2717-2.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*
Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

FEB 23 2016

date



Supplemental Information

(type or print)

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

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

b) If existing wells, how many 2 Provide copy of log(s), if available. Drilled by Grosch Irrigation Co. Inc

c) Well Depth 240' Depth to Top of Water Bearing Material 142' Depth to Water from Surface 48'

d) Distance to nearest existing domestic well:

On applicant's property _____ On property owned by others 1.6 miles

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

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

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

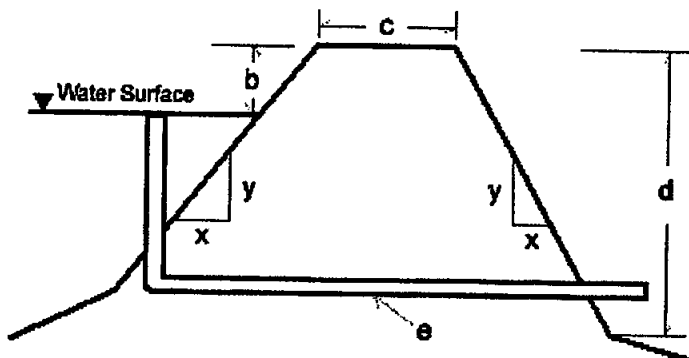
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11-9, 20 15

RECEIVED OF Rocking J Taylor Co, 439690 E 170th Rd, Blue Jacket OK 74333

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

Fee for Application for Permit No. <u>2744-2</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	500.00

No. 07525

By Janne Goodman
Chief Engineer

(KS)

Capen, Bracken

To: rockingj@live.com
Cc: McMath, Genny
Subject: Regarding South Dakota Water Permit No. 2717-2

Taylor Adamson,

This email is to follow up on several licensing inspections that I recently completed for Water Permit Nos. 2714-2, 2715-2, 2716-2, and 2717-2 which authorize the diversion of water for irrigation of lands that you own in South Dakota. As we had discussed, I met with Chris Danielski on 9/28/15 and looked at the systems in question. You will be receiving documentation regarding the inspections of 2714-2, 2715-2, and 2716-2 in the mail. However, during the inspection I discovered that the irrigated lands authorized by Water Permit No. 2717-2 are 10 acres greater than what was initially applied for. Unfortunately, we cannot increase the acreage in the license beyond what was initially applied for. Consequently, you will need to submit a new water permit application to reflect the additional acreage (in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1, T39N-R29W). Please call the Water Rights Program at (605) 773-3352 if you have any questions regarding the submission of a new Water Permit Application.

On another issue, we have two distinct addresses for you on file. One is:

439690 E. 170 Rd.
Blue Jacket, OK 74333

The other is:

439656 E. 170 Rd.
Blue Jacket, OK 74333

Can you please tell me which of these is correct?

Sincerely,

Bracken Capen
Natural Resources Engineer
South Dakota Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2744-2, Rocking J Taylor Company**

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. 27442, Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Road, Blue Jacket OK 74333.

The Chief Engineer is recommending APPROVAL of Application No. 2744-2 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 Permit Nos. 2717-2 and 2744-2 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Water permit No. 2744-2 incorporates Water Permit No. 2717-2

See report on application for additional information.

Jeanne Goodman, Chief Engineer
December 21, 2015

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2744-2
ROCKING J TAYLOR COMPANY
DECEMBER 7, 2015**

Water Permit No. 2717-2 authorizes diversions from the Ogallala aquifer from two wells at a maximum rate of 2.0 cubic feet of water per second (cfs) to be used for irrigation. The wells were to be located in the N½ SE¼ Sec. 1, T36N-R29W. Water Permit No. 2717-2 authorizes the irrigation of 140 acres located in the Lots 1, 2, 3, 4 and the N½ SE¼ Sec.1, T36N-R29W. An inspection of Water Permit No. 2717-2 found 150 acres located in Lots 3, 4 and the SE¼ Sec. 1, T36N-R29W were being irrigated, from two wells, 228 and 231 feet deep, respectively, located in Lot 4 and the SE ¼ SE¼ Sec. 1, T36N-R29W. This permit, if approved, in conjunction with Water Permit No. 2717-2 will authorize a total diversion rate of 1.78 cfs from the existing two wells to irrigate 150 acres and correct the legal description for the wells and irrigated acres.

AQUIFER: Ogallala aquifer (OGLL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The High Plains aquifer system underlies 174,000 square miles of the United States, extending from southern South Dakota to Texas (Gutentag and others, 1984). The High Plains aquifer is generally considered to be composed of upper sandstone units of the Arikaree Formation, the overlying Ogallala and Sand Hills Formations, and any terrace or alluvial deposits, all of which are hydraulically connected (Kolm and Case, 1983). In South Dakota, the High Plains aquifer includes the Arikaree Group, Batesland Formation, Ogallala Group, and overlying alluvial and eolian deposits (Filipovic, 2011). For water management purposes, the South Dakota Department of Environment and Natural Resources-Water Rights Program, and the South Dakota Water Management Board have historically considered appropriations from the High Plains aquifer either from the Ogallala aquifer or from the Arikaree aquifer. The Ogallala aquifer is considered the source for this proposed appropriation.

The Ogallala Group consists of clays, silts, sands, and surface gravel deposits, and is the most productive part of the High Plains aquifer (Filipovic, 2011; Gutentag and others, 1984). The Ogallala aquifer is estimated to underlie 1,140,360 acres and contain 19,929,600 ac-ft of recoverable water in South Dakota (Allen and others, 1985). Allen and others, (1985) estimated the Ogallala aquifer to underlie 412,800 acres and contain 12,384,000 ac-ft of recoverable water in Todd County. Long and Putnam (2010) estimate the Ogallala aquifer underlies 608,000 acres of Todd County. The completion reports on file for the existing wells that are to be used to supply this appropriation indicate the base of the Ogallala is approximately 224 feet below grade in this area (Water Rights, 2015c). The aquifer is under unconfined conditions and the water table was reported to be approximately 50 feet below grade in the spring of 2014. Groundwater flow in this area is generally to the east-northeast but locally topographically controlled and is towards the Keya Paha River (Long and Putnam, 2010).

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:

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." If the source of the water is older or lower than the greenhorn formation and the water is to be used by a water distribution system, the Board need not consider the recharge/withdrawal issue. Here, a water distribution system is not involved and the aquifer is not older or lower than the greenhorn formation therefore withdrawal/recharge issue must be considered.

This application proposes to authorize the irrigation of 10 additional acres from the Ogallala aquifer. The average annual diversion rate associated with this proposed appropriation can be expected to be less than 10 acre-feet per year.

Hydrologic Budget:

Recharge:

Recharge to the Ogallala aquifer occurs from precipitation on the outcrop areas. Estimates for the average annual recharge to the Ogallala aquifer are shown in Table 1.

Table 1. Average annual recharge estimates for the Ogallala aquifer

ESTIMATED AVERAGE ANNUAL RECHARGE	METHOD	SOURCE
2.2-3.4 inches/year	Observation Well Data	Hedges and Burch, 1985
1.88 inches/year	Base flow Recession Analysis	Hedges and Burch, 1985
1.3-1.8 inches/year	Digital Model	Kolm and Case, 1983
2.91 inches/year	Digital Model	Long and Putnam, 2010

Therefore, recharge to the Ogallala aquifer in South Dakota is estimated to range from 124,000 to 323,000 ac-ft/yr. Recharge to Todd County only, is estimated to be approximately 147,770 ac-ft/yr based on the most recent steady state digital model (Long and Putnam, 2010)

Discharge:

Discharge from the Ogallala aquifer occurs through evapotranspiration, seepage through springs and to streams, and well withdrawals. Within the Rosebud Indian Reservation (Todd County), discharge rates for a steady-state simulation from the Ogallala aquifer and the underlying Arikaree aquifer combined, were 171.3 cfs for evapotranspiration, 74.4 cfs for net outflow to streams and springs, and 11.6 cfs for well withdrawals (Long and Putnam, 2010). Total irrigation for the Rosebud Indian Reservation (Todd County) was less than five percent of the

estimated recharge in the area (Long and Putnam, 2010). Irrigated land in Todd County from 1985 to 2005 ranged from 10,000 to 11,000 acres (Long and Putnam, 2010). Long and Putnam (2010) estimated groundwater withdrawals for irrigation and public water use from the Rosebud Indian Reservation are shown in table 2.

Table 2. Estimated groundwater withdrawals for irrigation and public supply from the Rosebud Indian Reservation (modified from Long and Putnam, 2010).

Year	Acres-feet	Cubic feet per second*		
	Total	Ogallala aquifer	Arikaree aquifer	Total
1979	6,796	28.1	0	28.1
1980	6,796	28.1	0	28.1
1981	6,852	28.3	0	28.3
1982	7,054	29.2	0	29.2
1983	5,504	22.7	0	22.7
1984	7,751	32.0	0.05	32.0
1985	6,818	28.2	0	28.2
1986	7,481	30.7	.23	30.9
1987	5,437	22.2	.23	22.5
1988	7,054	29.2	0	29.2
1989	14,524	59.5	.56	60.0
1990	10,020	41.1	.28	41.4
1991	6,234	25.8	0	25.8
1992	5,178	21.4	0	21.4
1993	5,886	24.0	.28	24.3
1994	8,256	33.8	.28	34.1
1995	7,088	29.2	.09	29.3
1996	11,862	49.0	.00	49.0
1997	10,053	41.4	.14	41.5
1998	6,459	26.5	.19	26.7
1999	6,470	26.6	.19	26.7
2000	7,593	31.1	.28	31.4
2001	9,267	38.2	.14	38.3
2002	13,255	54.4	.37	54.8
2003	12,761	52.5	.23	52.7
2004	12,783	52.5	.37	52.8
2005	10,772	44.2	.28	44.5
2006	10,772	44.2	.28	44.5
2007	10,772	44.2	.28	44.5
2008	10,772	44.2	.28	44.5
Average	8,611	35.4	.17	35.6

*Withdrawal rate based on a 4-month season (June-September).

There are currently 170 water rights/permits appropriating water, and three future use permits reserving water from the Ogallala aquifer in South Dakota, with 72 water rights/permits in Todd County alone (Water Rights, 2015b). There are a number of completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Ogallala aquifer; however, the annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer (Water Rights, 2015c). The Pine Ridge and Rosebud Indian Reservations operate a number of irrigation wells completed into the Ogallala aquifer. When

investigating 2014 aerial photography for the area, most of the irrigation is authorized by SD DENR-Water Rights Program and the Water Management Board.

There are currently 25,647.3 acres authorized for irrigation from the Ogallala aquifer with SD Water Rights/permits. The 2014 reported pumpage from the state permits was 22,157.13 acre-feet or 10.438 inches per permitted acre.

With the exception of Water Right No. 2505-2, Lakeview Christian Reformed Church, all of the South Dakota water rights/permits appropriating water from the Ogallala aquifer in Todd County are for irrigation use. The water use by Water Right No. 2505-2 is not significant to the hydrologic budget for the aquifer.

South Dakota water rights/permits currently authorize the irrigation of 14,005.5 acres in Todd County. The 2014 appropriation for irrigation for Todd County was 32,814 acre-feet/year and the reported pumpage was 12,132.24 acre-feet for an application rate of 10.395 inches per permitted acres.

Annual irrigation water use from the Ogallala aquifer from Todd County is shown in Table 3. The average irrigation pumpage from the Ogallala aquifer reported from South Dakota water right/permit holders is 10,238.81 ac-ft/yr in Todd County (Water Rights, 1983-2015). There are four water permits appropriating water from the Ogallala in Todd County with 2012 priority dates, four Ogallala water permits in Todd County with 2013 priority dates and one Ogallala water permit in Todd County with a 2015 priority date, therefore the average use will likely increase (Water Rights, 2015b).

Table 3. Irrigation use reported from Todd County by SD water rights/permit holders (Water Rights, 1983-2015)

Year	Number of Permits Reporting	Appropriation (ac-ft)	Pumpage (ac-ft)
2014	66	32814	12132.24
2013	62	31694	12254.7
2012	60	31102	18788.51
2011	55	29694	8356
2010	54	29694	12861.52
2009	55	30014	12824.47
2008	55	30014	13512.22
2007	54	29742	12595.2
2006	54	29742	13720.14
2005	50	28598	10560.62
2004	49	28334	13717.08
2003	47	27790	13869.53
2002	49	29254	14353.5
2001	52	31586.8	10118.13
2000	52	31586.8	8480.35
1999	51	31326.8	7374.33
1998	50	31066.8	7238.91
1997	51	31326.8	10650
1996	49	30798.8	12925.48
1995	49	30798.8	5163.39
1994	49	30798.8	8497.71
1993	48	30229.3	6280.3
1992	50	31069.3	5979
1991	50	31813.6	8738.74
1990	50	31813.6	8475.9
1989	48	31813.6	15604.9
1988	49	33268.3	8845.15
1987	49	33268.3	5891
1986	49	32794.3	7870
1985	52	30086.4	9801.5
1984	53	39697.1	7930
1983	52	42271.7	5464.27
1982	49	40716.7	7006.04
Min	47	27790	5163.39
Max	66	42271.7	18788.51
Avg	51.88	31715.72	10238.81

Water Balance:

Currently, the average annual well withdrawal from the Ogallala aquifer in Todd County is approximately 10,250 ac-ft/yr and the maximum annual well withdrawal from the aquifer from the county was reported to be 18,788 ac-ft/yr. These quantities are both much lower than the recharge estimates, indicating that unappropriated water is available from the Ogallala aquifer for these proposed appropriations.

Observation Well Data:

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

The DENR-Water Rights Program monitors 78 observation wells completed into the Ogallala aquifer. Eleven of these observation wells are located within five miles of the project area described in Application No. 2744-2. The observation well locations are shown in Figure 1 and hydrographs for the observation wells are shown in Figures 2-12.

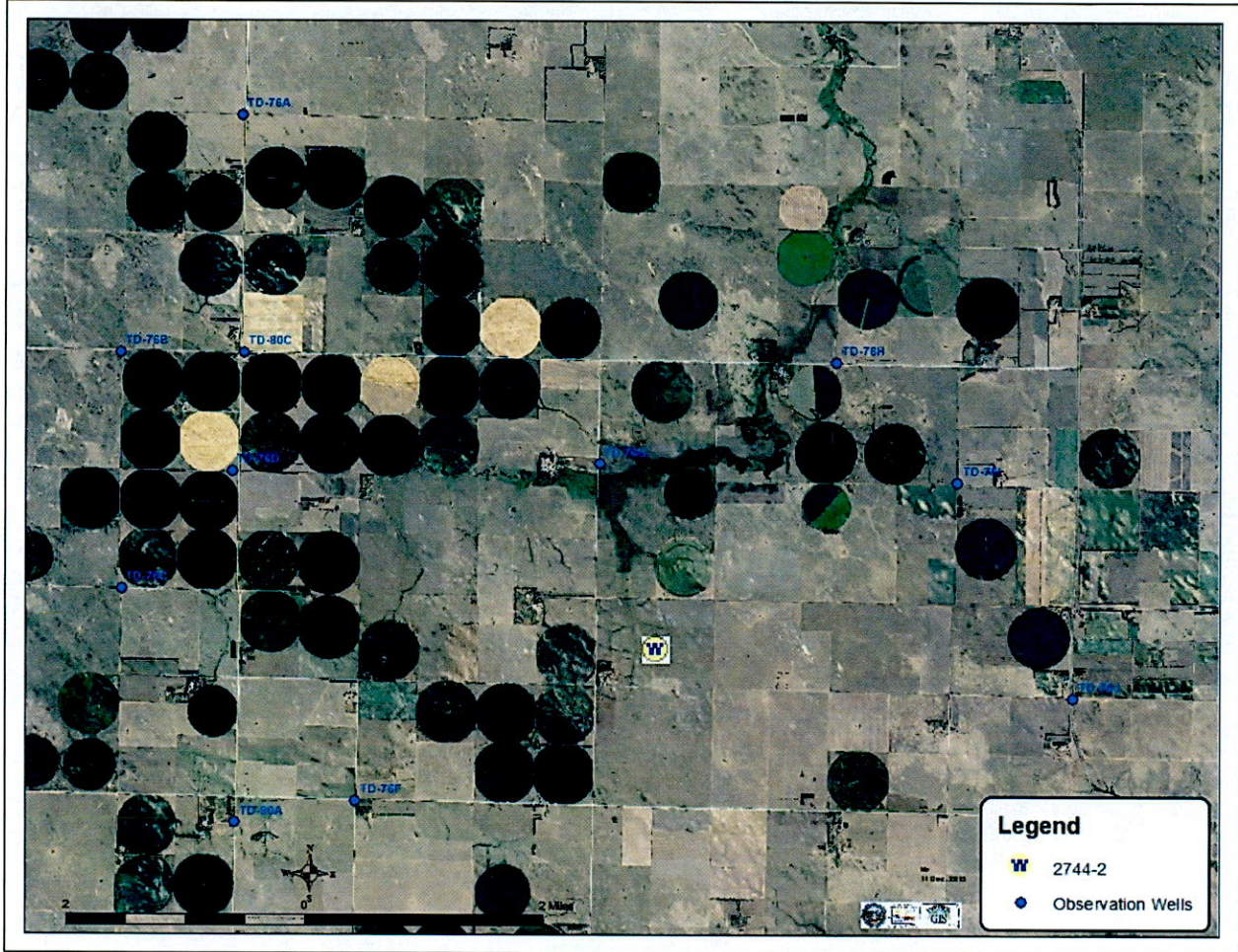


Figure 1. Location of 2744-2 and DENR-Water Rights' observation wells within approximately five miles of 2744-2.

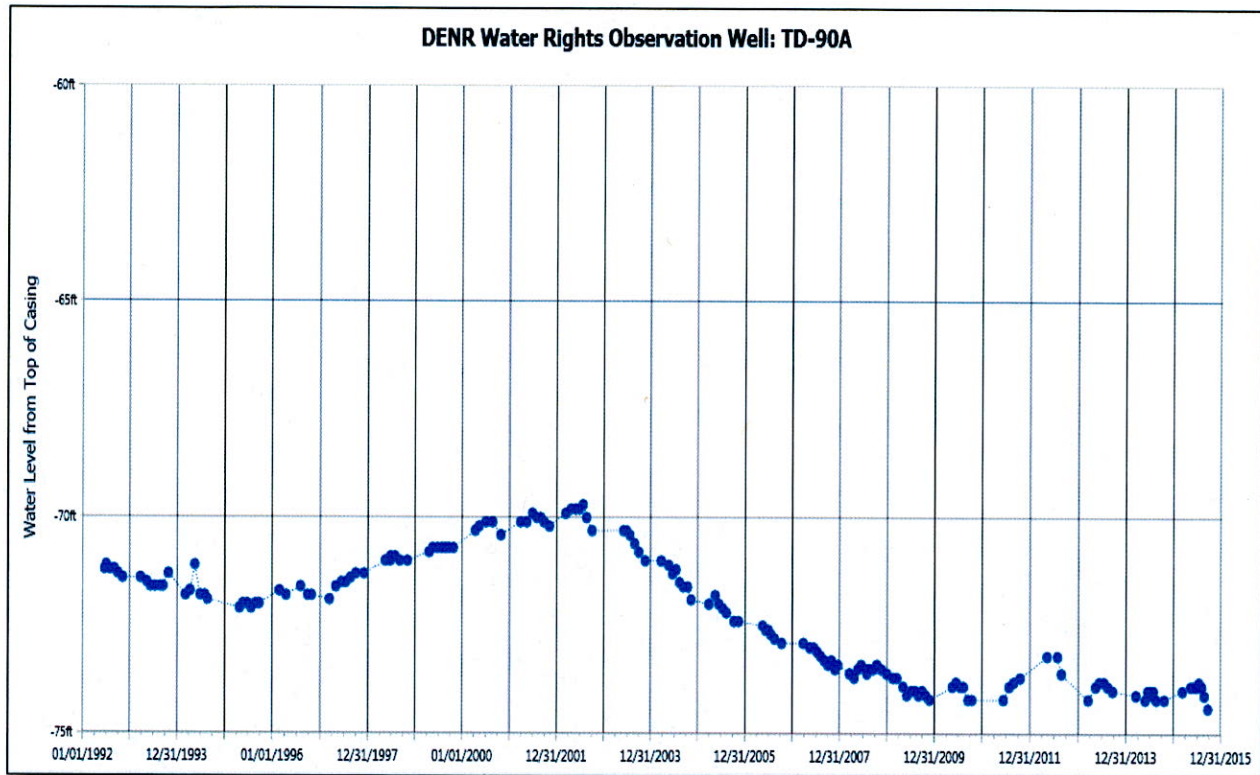


Figure 2. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

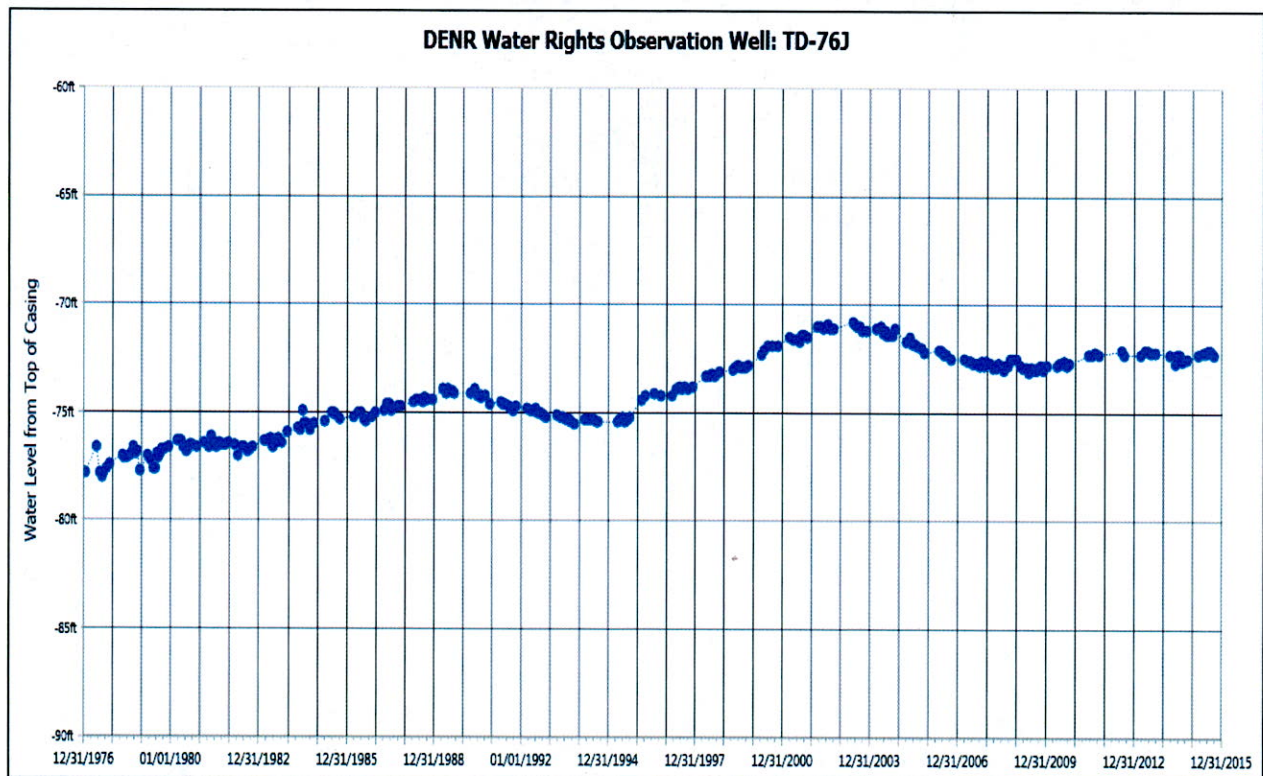


Figure 3. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

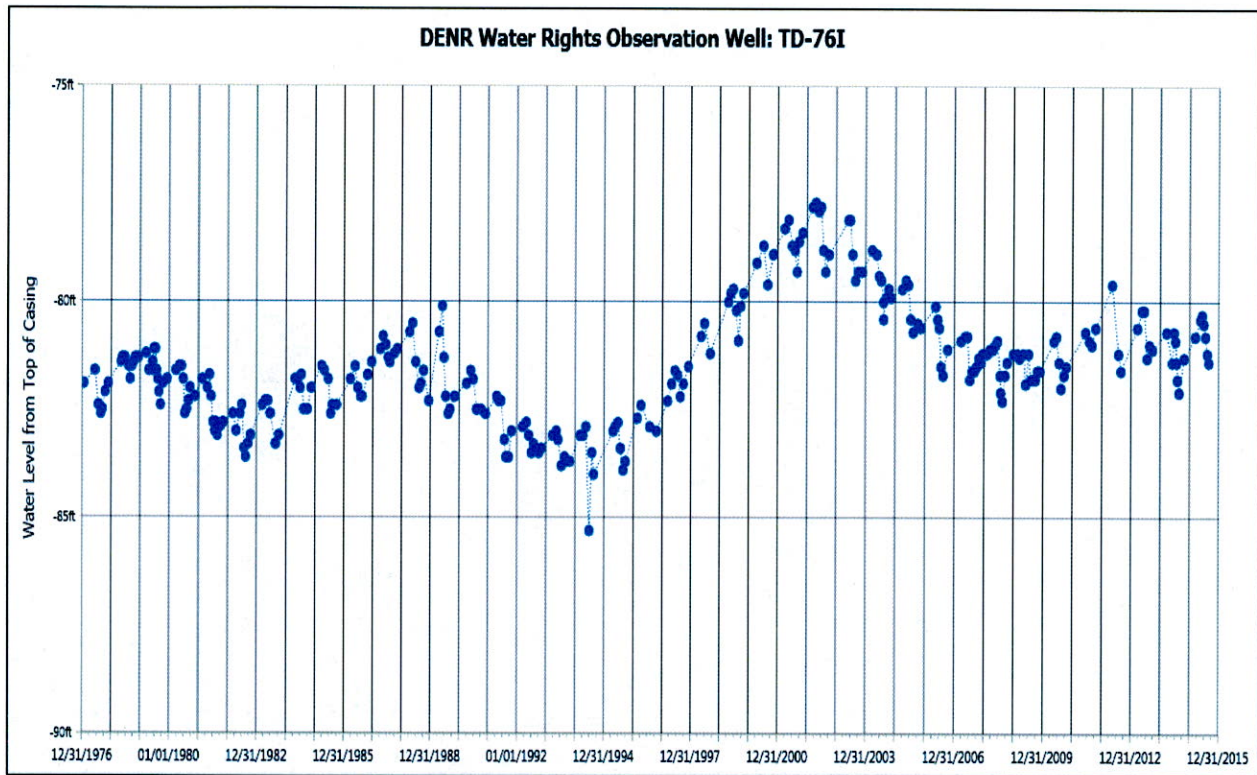


Figure 4. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

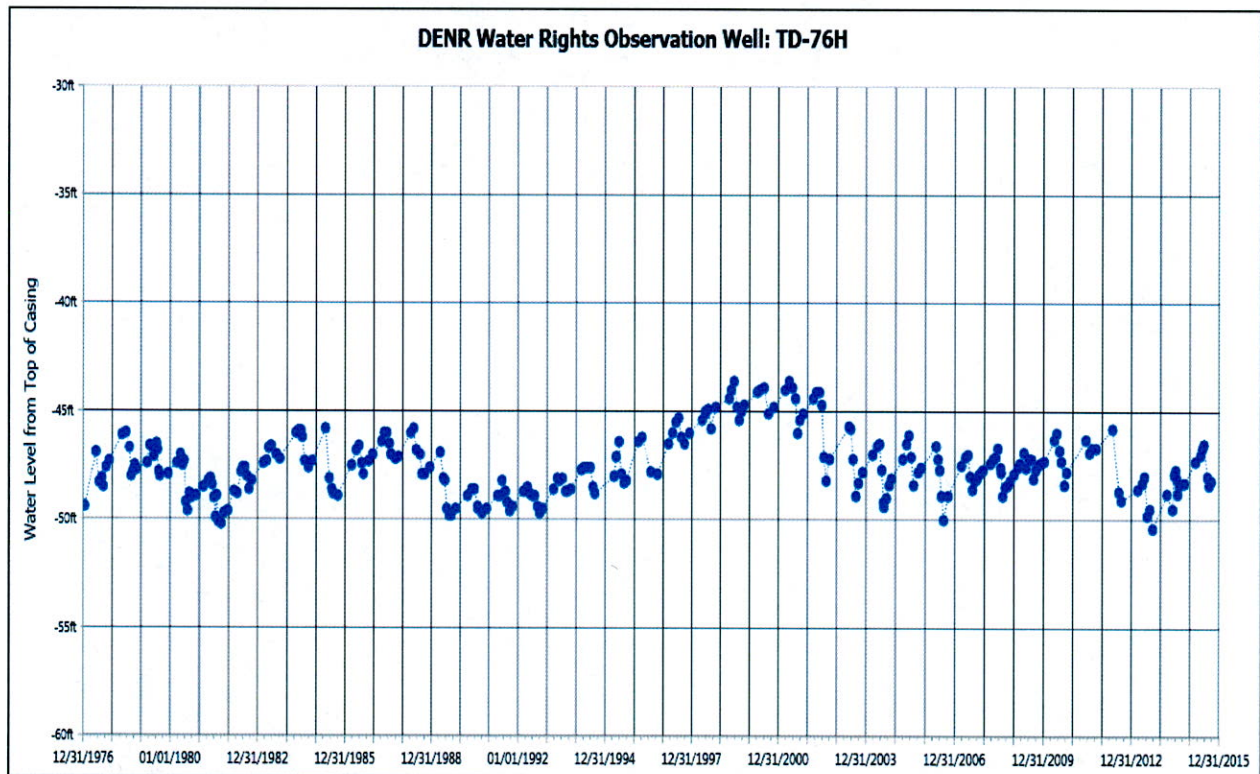


Figure 5. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

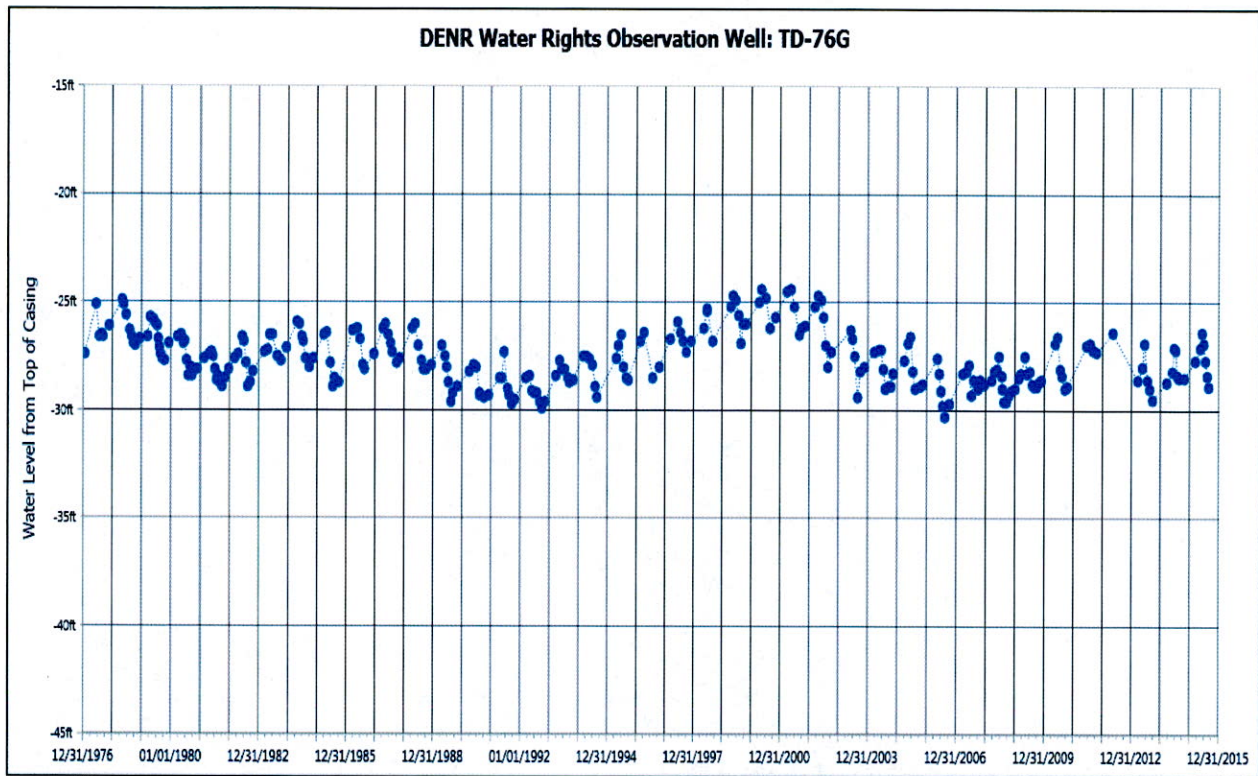


Figure 6. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

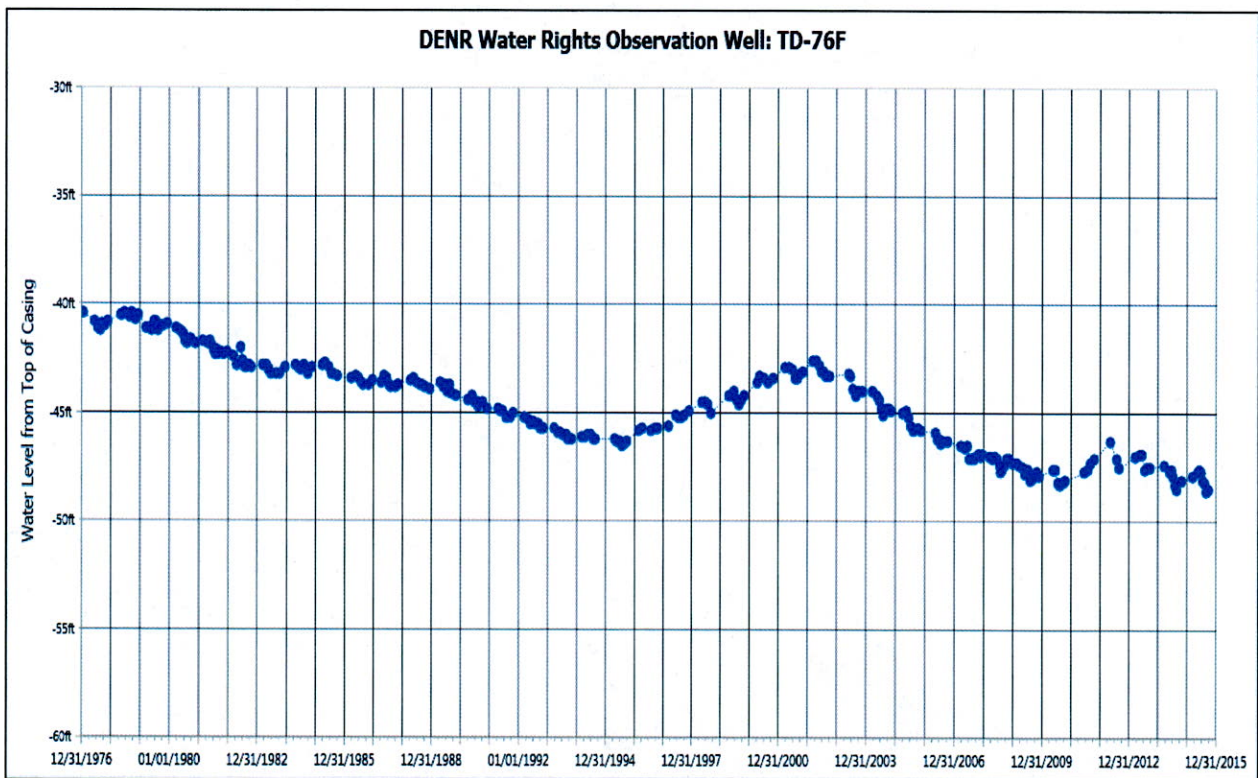


Figure 7. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

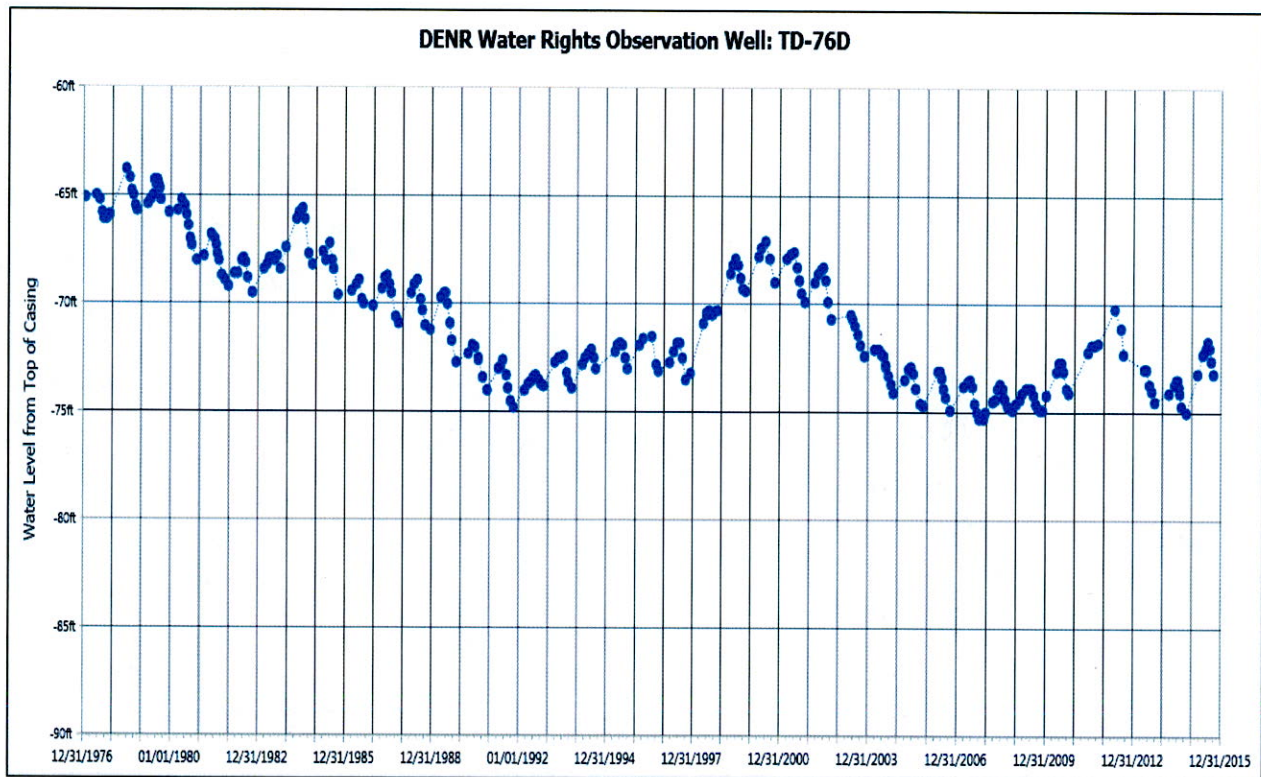


Figure 8. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

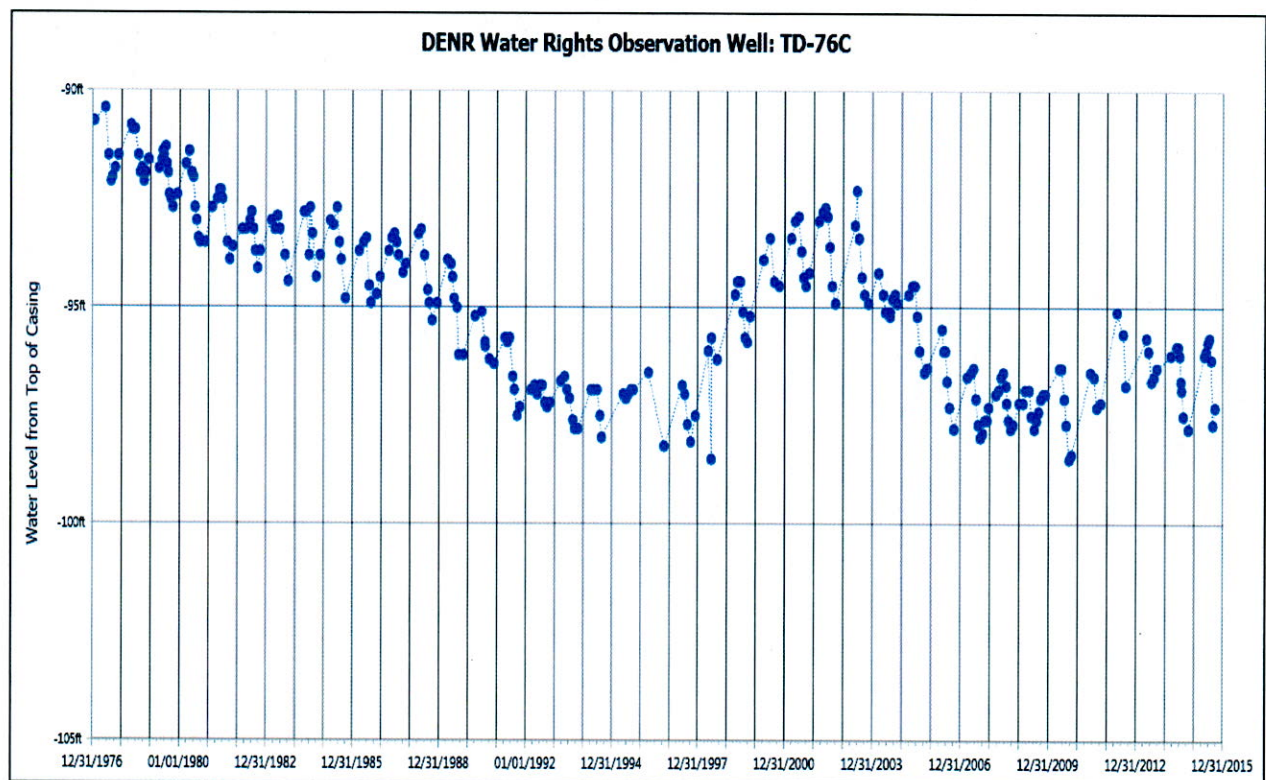


Figure 9. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

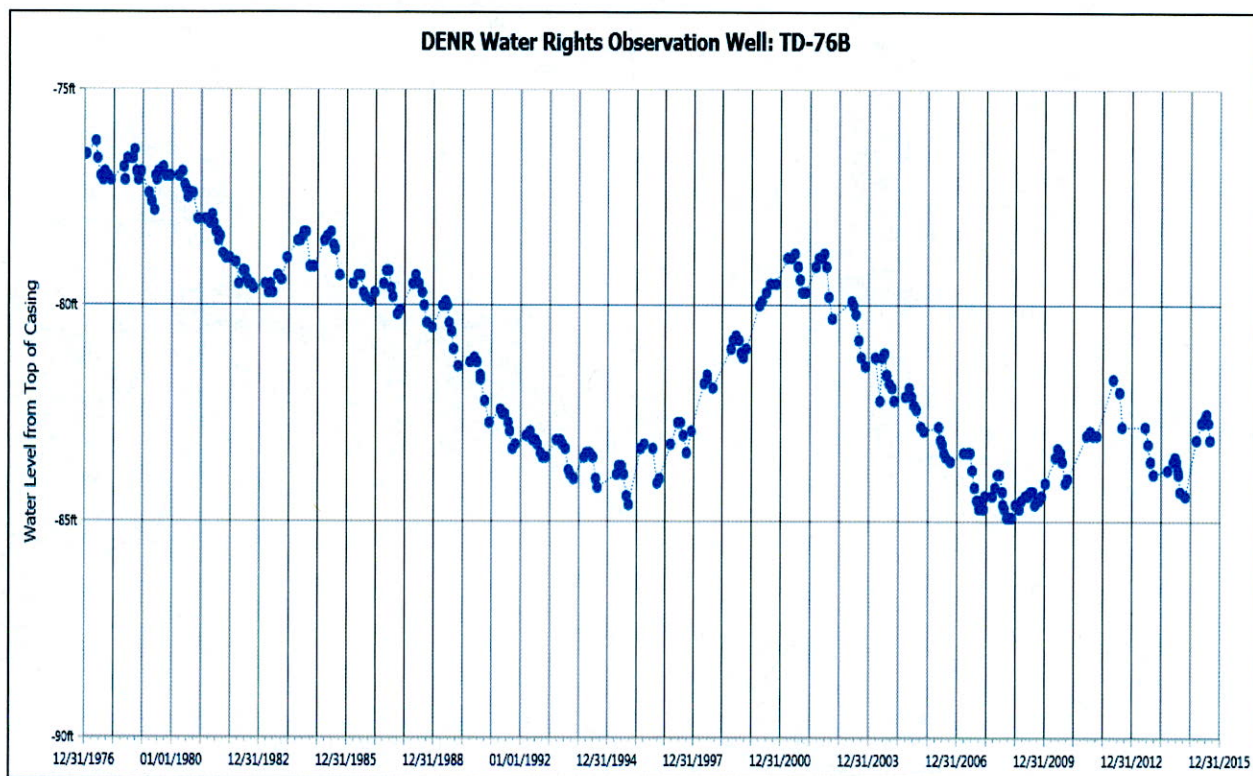


Figure 10. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

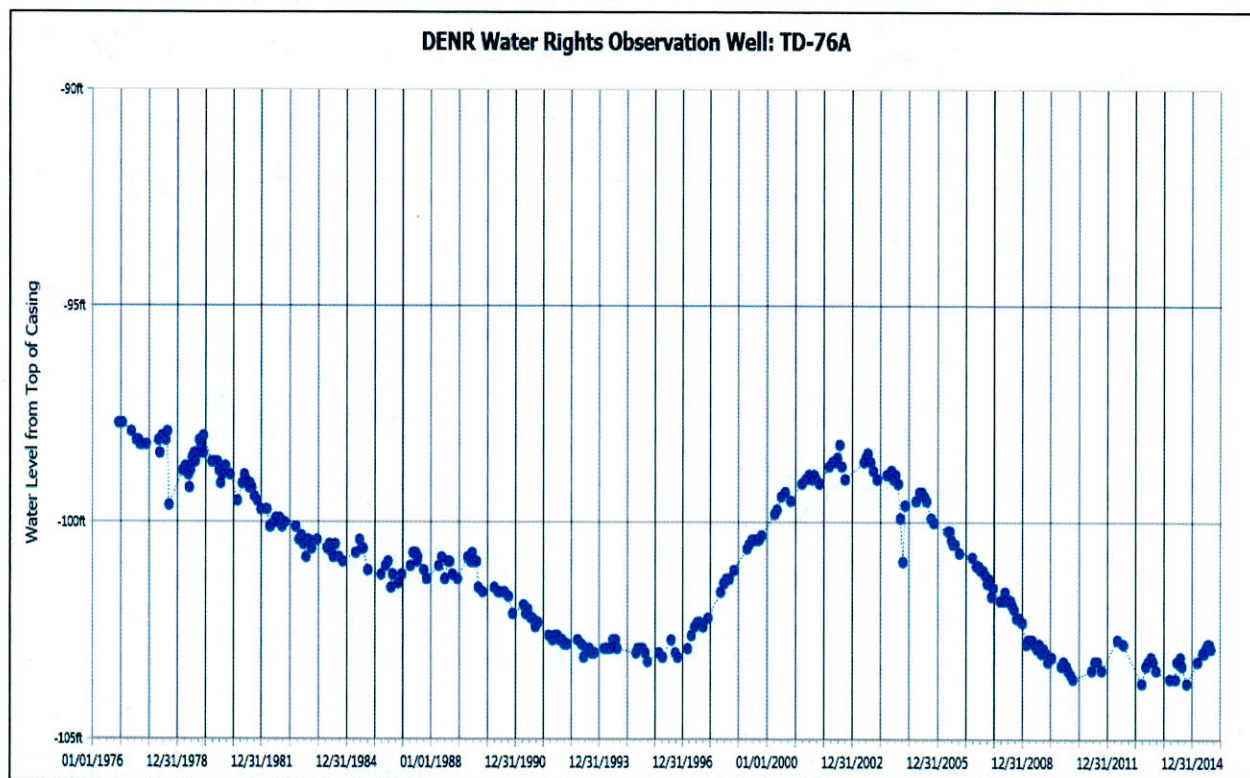


Figure 11. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

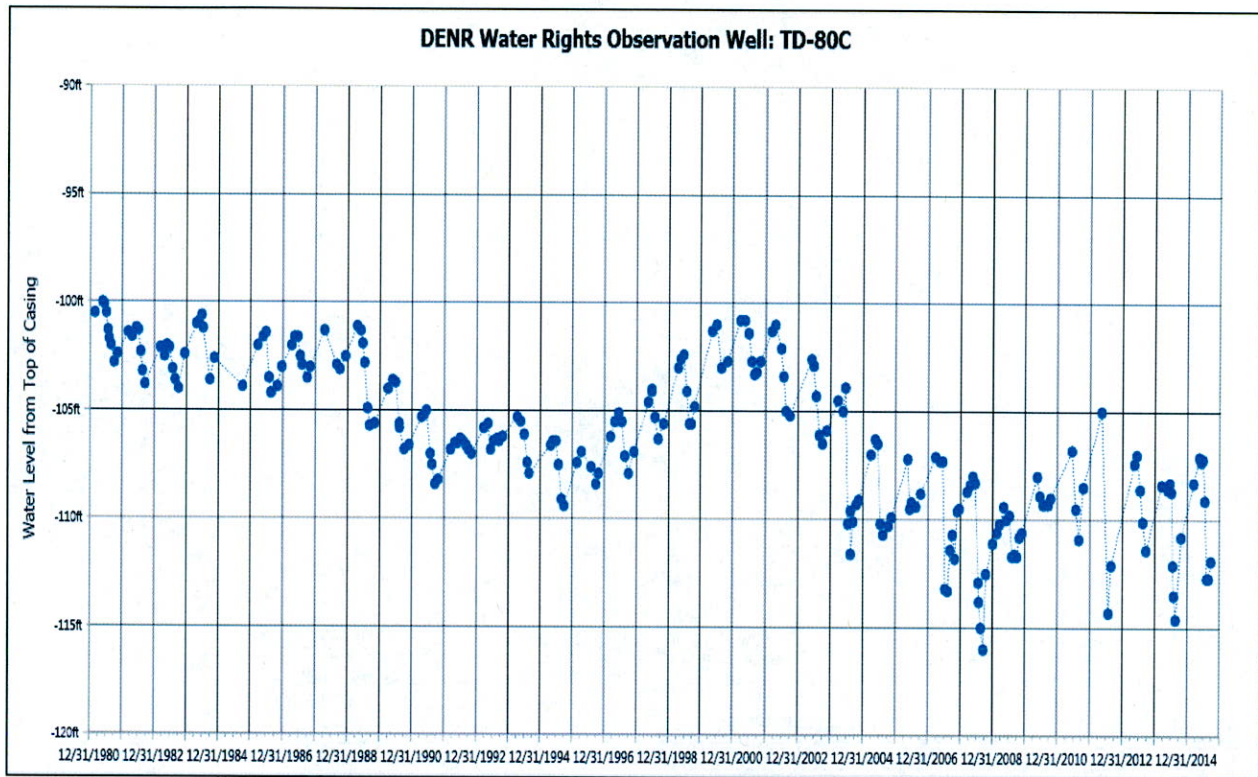


Figure 12. Hydrograph of Ogallala aquifer observation well, see Figure 1 for location.

The observation well data documents cyclic conditions of water levels, rising during wet years and declining during dry years. The hydrographs show some effects of nearby pumping on the aquifer, however, observation well data indicates that 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 to support these proposed appropriation.

EXISTING WATER RIGHTS:

Water rights/permits in the vicinity of the site associated with Water Permit No. 2744-2 are shown in Figure 13 and identified in Table 4.

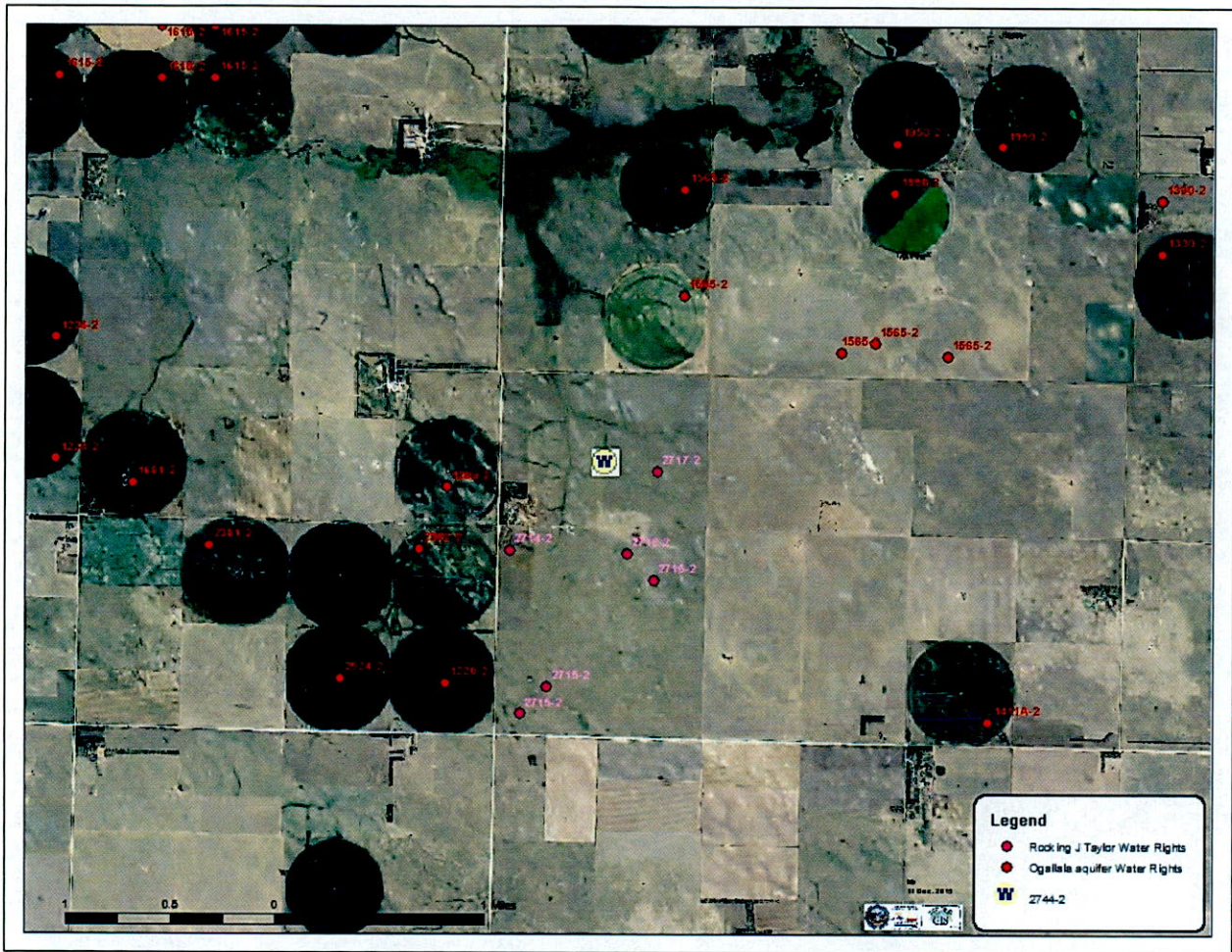


Figure 13. Approximate location of diversion points for Water Rights/Permits in the vicinity of 2744-2.

Table 4. Water Rights/ Permits shown in Figure 13.

PERMIT NO	NAME	STATUS	CFS	ACRES
1220-2	ALICE HILL	LC	1.84	129
1224-2	MISSION FARMS	LC	14.3	1048
1289-2	EDWARD/MARILYN HILL	LC	3.68	268
1330-2	REAGLES FARM & RANCH INC	LC	1.3	132.7
1411A-2	ALVIN PAHLKE	LC	1.5	131
1565-2	BOBBI REAGLE	LC	7.6	554
1615-2	DANIELSKI HARVESTING & FARMING	LC	13.4	993
1681-2	GUNNINK FARM INC	LC	1.78	128
1950-2	BOBBI REAGLE	LC	5.53	450.9
2381-2	EDWARD HILL	LC	1.56	132
2382-2	EDWARD HILL	LC	1.56	132
2624-2	EDWARD HILL	LC	1.78	136
2714-2	ROCKING J TAYLOR COMPANY	LC	1.78	140
2715-2	ROCKING J TAYLOR COMPANY	PE	2	140
2716-2	ROCKING J TAYLOR COMPANY	PE	2	140
2717-2	ROCKING J TAYLOR COMPANY	PE	2	140
LC= Water Right, PE= Water Permit				

The Notice of Completion of Works and Application of Water to Beneficial Use that was included with this permit application indicates the system associated with Permit No. 2717-2 and this application was completed on May 15, 2014, and water was put to beneficial use on July 1, 2014.

This application does not propose an increase of the instantaneous diversion rate authorized from the existing wells that are to be used for this appropriation. Approval of this application will authorize the irrigation of the additional 10 acres that were irrigated in 2014 and 2015. Assuming an average application rate of 12 inches per acre per year, the average annual diversion rate increase that would result from approval of this application would be 0.027 cfs over a 185 day irrigation season.

There are a number of completion reports on file with the DENR-Water Rights Program for domestic wells in this area. The unconfined conditions of the aquifer in this area dictate that drawdown due to pumping will not be significant far from the proposed well site. Observation well data documents minimal drawdown from withdrawals of fairly concentrated irrigation wells (for example, see Figures 4, 5, 6, 8, 9, 10, and 12). The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. However, reasonable domestic use must be assured before irrigation use is allowed. At the distances involved, a nearby adequate well defined by ARSD 74:02:20(7) is not expected to be adversely or unlawfully impaired.

CONCLUSIONS:

1. The licensing inspection of Water Permit No. 2717-2 found one of the wells for the irrigation project was completed in a location that was not authorized by the permit.
2. The licensing inspection of Water Permit No. 2717-2 identified the irrigation project is capable of irrigating 150 acres although the permit was approved for 140 acres.
3. The licensing inspection found the acreage irrigated by the system does not meet the description of the acreage authorized for irrigation by Water Permit No. 2717-2.
4. Water Permit Application No. 2744-2 proposes to correct the legal description of the wells and the irrigated acres for the irrigation system.
5. Water Permit Application No. 2744-2 proposes a permit to authorize the irrigation of 10 additional acres.
6. Water Permit Application No. 2744-2 does not propose any additional instantaneous diversion rate for the existing irrigation system, or over what is currently authorized.
7. Approval of this water permit would result in an additional appropriation from the Ogallala aquifer of less than 10 acre-feet annually.
8. There is a reasonable probability that unappropriated water is available from the Ogallala aquifer.
9. There is a reasonable probability that this appropriation can be made without adversely impacting existing water rights or nearby wells.



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Allen, J.C., Iles, D.L., and Peters, A.K. 1985. Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3A.B.C. and 4A.B.: Groundwater Resource Inventory: Final Report. U.S. Army Corp of Engineers Contract DAWC 45-82-C-015. SD DENR-Geological Survey. Vermillion, South Dakota.
- Filipovic, D. 2011. Hydrologic Assessment of the High Plains Aquifer in Bennett County, South Dakota. Open-File Report 92-UR. SD DENR-Geological Survey Program, Vermillion, South Dakota.
- 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.
- 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.
- Long, A.J., and Putnam, L.D., 2010, Simulated groundwater flow in the Ogallala and Arikaree aquifers, Rosebud Indian Reservation area, South Dakota—Revisions with data through water year 2008 and simulations of potential future scenarios: U.S. Geological Survey Scientific Investigations Report 2010–5105, 64 p.
- Water Rights, 1983-2015. “1982-2014 Irrigation Summaries by Aquifer”: SD DENR-Water Rights Program, Joe Foss Building, Pierre, South Dakota.
- Water Rights, 2015a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights, 2015b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights, 2015c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Affidavit of Publication

State of South Dakota

County of Todd

Taylor Kratovil, 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:

December 30, 2015

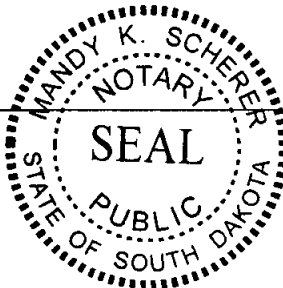
That the full amount of the fee charged for the publication of the attached public notice, **\$36.72** insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: _____

Subscribed and sworn to before me this 30 day of December, 2015.

Notary Public

My Commission Expires
December 9, 2021



Legal Notices

Notice of Hearing

Roschold Sioux Tribal Court
Roschold Indian Reservation
Roschold, South Dakota

IN CIVIL COURT

IN THE MATTER OF THE NAME CHANGE:

Logan J. Post Horne,
MINOR CHILD

Docket# CIV 15-469

NOTICE OF HEARING
ON NAME CHANGE

TO: THE PUBLIC

Please take notice that on the 5th day of January, 2016, at 10:00 a.m. a hearing shall be held to change the name of Logan J. Post Horne to Logan J. McDaniel at the Roschold Sioux Tribal Court House, Roschold, South Dakota. All persons seeking to enter objections should appear at such time. Dated this 28th day of December, 2015.

/s/ Rhonda Black Lance
Clerk of Courts
Roschold Sioux Tribal Court
Published: December 9, 16, 23, 30, 2015.

Notice of Hearing

Roschold Sioux Tribal Court
Roschold Indian Reservation
Roschold, South Dakota

IN CIVIL COURT

IN THE MATTER OF THE NAME CHANGE:

Teresa Maria Heese
ADULT

Docket# CIV 15-480

NOTICE OF HEARING
ON NAME CHANGE

TO: THE PUBLIC

Please take notice that on the 11th day of January, 2016, at 9:30 a.m. a hearing shall be held to change the name of Teresa Maria Heese to Teresa Marie Borensen at the Roschold Sioux Tribal Court House, Roschold, South Dakota. All persons seeking to enter objections should appear at such time. Dated this 8th day of December, 2015.

/s/ Rhonda Black Lance
Clerk of Courts
Roschold Sioux Tribal Court
Published: December 16, 23, 30, 2015 and January 6, 2016.

Public Notice

In accordance with 25 Code of Federal Regulations, Part §166.808 (b) the Bureau of Indian Affairs, Roschold Agency, is providing notice that all livestock on trust land on the Roschold Reservation that become a Safety Hazard may be impounded. The animals impounded will be transported and held for verification of ownership. If impounded animals are unclaimed within ten days of capture and penning are not paid, the animals will be sold at next scheduled auction and proceeds will be distributed to lawless persons involved in the trespass. In accordance with 25 CFR, part §166.807, the agency is authorized to take the following actions:

(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 25 CFR §166.812 of this subpart.

In accordance with 25 CFR, Part §166.807 (c) the unauthorized livestock will be impounded "Any time after five days of posting this 'Notice of Impoundment' if you failed to correct the trespass."

There are no appeal rights to this action under the authority of 25 CFR §166.803 (f) (3).

If you have any questions or require further information, please contact Jan Dawn Wilson, Acting Deputy Superintendent, at 605-856-2334 or stop in at the Range Office located in Mission, South Dakota.

Lee A. Beardi
Superintendent
Published: twice at the total approximate cost of \$32.15
Published: December 23, 30, 2015

Notice to Creditors

STATE OF SOUTH DAKOTA

COUNTY OF TODD
In the matter of the estate of
Jane Lynn Nisoleben,
Deceased.

IN THE CIRCUIT COURT
SOUTH JUDICIAL CIRCUIT
60FR015-000005

Notice to Creditors
Notice is given that on November 24, 2015, Larne M. Podoll, of PO Box 1413, Aberdeen, SD 57402, was appointed as Personal Representative of the Estate of Jane Lynn Nisoleben. Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Clerk, and a copy of the claim mailed to the Personal Representative.
Dated this 24th day of November, 2015.

/s/ Larne M. Podoll
Personal Representative
PO Box 1413
Aberdeen, SD 57402
(605) 226-8177

Jodi Callison
Todd County Clerk of Court
200 East 3rd St.
Winnier, SD 57580
605-842-2266

Abrin Pahlke
Attorney at Law
PO Box 432
Winnier, SD 57580
605-842-1000

Published three times at the total approximate cost of \$74.76
Published: November 23, 30, 2015 and January 6, 2016

**Get your Plat Maps
of counties:
Todd, Mellette, Gregory,
Bennett, Tripp
at The Todd County Tribune
605.856.4469**

Request for Bid Proposals

White Buffalo Cal Women's Society is soliciting bid proposals from qualified CPA firms for accounting services for fiscal years 2015 to 2020. These general accounting services will require the selected CPA firm to assist the organization in preparation for the financial management services, payroll, 941 taxes, accounts payable the years listed.

Responses to the Request for Proposals (RFP) should include:
1. The firm's legal name, address and telephone number.
2. Firm's headquarters where the work will be performed and from which expenses and mileage will be charged.

3. The applicant must provide documentary proof of ability to obtain professional liability insurance of not less than one million dollars (\$1,000,000.00) if elected, e.g. copy of insurance binder or letter from carrier promising to provide the required coverage.

4. The principal(s) of the firm and their experience and qualifications.
5. The experience and qualifications of the "key" staff to be assigned to the project.

6. A description of the firm's prior experience, including any similar projects.
7. A description of the firm's current work activities and how these would be coordinated with the project, as well as the firm's anticipated availability during the term of the project.

Written proposals shall be limited to a maximum of 10 pages plus a cover letter and resumes of key personnel. Each firm will be judged on a basis of value as presented in the proposal. Selection will be based as described below:

1. White Buffalo Cal Women's Society will select the consultant based solely on the evaluation of the written proposals as outlined above. Therefore no interviews will be conducted.

2. The award will be to the most qualified firm whose proposal is deemed most advantageous to the White Buffalo Cal Women's Society, all factors considered.

Bid proposals will be "sealed". Therefore, face, email, or phone bid proposals will not be accepted. All bid proposals must be submitted by January 14, 2016 at 4:30 p.m. (CST). Bid proposals should be marked "White Buffalo Cal Women's Society Accounting Services" and sealed.

White Buffalo Cal Women's Society PO Box 227 Mission, SD 57553
Attn: Sealed Bid Janet Routen
Published five times at the total approximate cost of \$129.60
Published: December 16, 23, 30, 2015, January 6, 13, 2016

Notice of Application No. 2744-2 to Appropriate Water

Notice is given that Working J 2 The Company, c/o Taylor Adamsen, 43960 E 170th Rd. Blue Jacket OK 74333 has filed an application for a water permit to irrigate 10 new acres and correct the legal description for the wells and irrigated area. Water Permit No. 2717-2 appropriate 2.0 acre-foot of water per second (cfs) from two wells completed into the Ogallala Aquifer (228 and 231 feet deep) located in the N 1/2 SE 1/4 Section 1 for irrigation of 140 acres located in the Lots 1, 2, 3, 4 and the N 1/2 SE 1/4 Section 1, all in T36N-R27W. An inspection of Water Permit No. 2717-2 found 150 acres being irrigated located in Lots 3, 4 and the SE 1/4 Section 1 from two wells located in Lot 4 and the SE 1/4 SE 1/4 Section 1, all in T36N-R27W. This application, if approved, and Water Permit No. 2717-2 will authorize a total diversion rate of 1.78 cfs from the existing two wells to irrigate 150 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2744-2 with qualifications because: 1) unappropriated water is available; 2) existing rights will not be unlawfully impaired; 3) it is a beneficial use of water; and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at http://dnt.dak.gov/public or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Rose Building, 522 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 January 11, 2016.

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 signatures and mailing addresses of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Steven M. Pinner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$36.72
Published: December 30, 2015

More ranchers sue feds over spread of 2013 prescribed burn

RAPID CITY, S.D. (AP) — More northwestern South Dakota ranchers are suing the U.S. Forest Service over a 2013 prescribed burn that escaped its boundaries and scorched private land. A third lawsuit has been filed in federal court alleging that the U.S. Forest Service committed numerous errors in its preparation and execution of the fire. Two similar lawsuits were filed last week in federal court, the Rapid City Journal reports.

Some of the ranchers are alleging damages to grassland, hay, crops, soil, fences, trees, wildlife, cattle and the market value and fertility of surviving cattle. Some ranchers also cited other costs related to post-fire cleanup, invasive weed control, rental of alternative pasture land and medical care for injured cattle.

Agriculture Secretary Tom Vilsack, in a June letter to U.S. Sen. John Thune, said the Forest Service relied on weather forecasts from the National Weather Service's Rapid City office that proved inaccurate. Affected landowners previously filed more than \$50 million worth of administrative claims that were denied by the U.S. Department of Agriculture, which oversees the Forest Service.

Paying Down Debt To Make College More Affordable



By Gov. Dennis Daugard

About 15 years ago, Linda and I added a small addition to our house near Dell Rapids. We took out a small mortgage on our home to pay for that improvement. Until about three years ago, we were making a monthly payment against that debt. Every once in a while, when we had extra cash, we paid more than was required so that we could pay it off faster. When state government builds a building, we "issue bonds" rather than "take out a mortgage." But it works in exactly the same way. The state commits to making regular payments for many years to repay these debts. And if we repay early, we can stop making the payments.

A couple of years ago, our state received some unexpected, one-time revenue. I joined with the Legislature to dedicate that money to early repayment of tens of millions of dollars in debt. The payments we'd been making were repurposed to

increase state aid for K-12 schools, Medicaid providers and state employees.

This year, I am proposing something similar. Our state's rainy day funds have increased beyond our targets, and the state again has some one-time revenues. In my budget, I proposed that the state use \$42 million to repay debts from building projects at our state universities and technical schools.

The state universities and the technical institutes will no longer need to make payments against these debts. They have committed to use the annual savings to avoid increasing tuition. If my budget proposal is adopted, tuition and fees will be frozen — there will be no increase next fall.

We all read about the increasing cost of education and about student loan debt. We do not want students to be forced to leave school because they cannot afford it, or to graduate with a "heavy" debt load. The best way to avoid that is to make school more affordable by holding down tuition.

This is a very wise use of state money. We cannot use these funds to pay for ongoing costs, such as teacher salaries or Medicaid payments. The best use of one-time funds is to pay off a debt, secure an asset, or create an asset. By eliminating these debts this year, we are making college more affordable and putting our state on a stronger financial footing for years to come.

news from the . . .

USDA Mellette - Todd Service Center

David M. Klingberg
County Executive Director
Farm Service Agency - USDA
Jones/Mellette-Todd Counties

Ranchers Workshop In Mission January 12, 2016
The 37th Annual Ranchers Workshop is January 12, 2016 at the St. John's University Multipurpose Building near Mission, SD. Plan to attend! More details in next week's article.

2015 Marketing Assistance Loans (M&L) Marketing Assistance Loans provide 7.2 percent financing to meet cash flow needs during harvest, allowing producers to store production rather than market the commodity when prices may be low. M&Ls have a 9 percent interest rate and low interest rates. The interest rate for loans disbursed in December is 1.375% the disbursement rate remains in effect until the first of the year, at which time it changes to the January rate for the remainder of the loan.

Enrollment Period For The General Crop Program Continues
FSA would like to remind farmers and ranchers that the next general enrollment period for the Conservation Reserve Program (CRP) started Dec. 1, 2015, and ends on Feb. 26, 2016.

This month also marks the 30th anniversary of CRP, a federally funded program that assists agricultural producers with the cost of restoring, enhancing and protecting certain grasses, shrubs and trees to improve water quality, prevent soil erosion and reduce loss of wildlife habitat.

Reporting Land And Operational Changes To FSA
Have you bought any land or sold any land? Will you be farming different land than you did in 2015? Have you worked with a financial advisor, attorney or other professional regarding your farmland to create a corporation, LLP, LLC, Trust or other entity? Does your new entity now own or operate farm land? Please report these and any other

operational changes to FSA as soon as possible so that our records can be updated prior to any 2016 program signups.

Farm Loan Year End Reviews
Producers that have a farm loan with FSA are reminded they must provide data for their Year-End Analysis (YEA) for their loan officer each year. Borrowers are urged to provide this information timely so that their files can be maintained. The office will contact you for the data you will need to provide us.

Producers and ranchers that intend to apply to the Farm Service Agency for loan assistance for the upcoming crop year are encouraged to file their applications as early as possible. Filing early will help ensure that your loan is processed and approved as early as possible so that planting decisions can be made. Failure to apply early can result in a delay in processing loans due to the volume of applications that must be processed in date order. Contact your local FSA Farm Loan Manager or Officer for more details and assistance in applying.

Dates to Remember/Deadlines:
Office Closed Due to New Year's 1/1/16
Ranchers Workshop in Mission - 1/12/16

**Print Your
Photos
on our Kodak
Photo Kiosk at
the
Todd County
Tribune
Mission, SD**

RECEIVED

JAN - 7 2016

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hughes) SSI, Marilyn Baker
certify that the attached printed Notice was taken
from the Capital Journalprinted and published in Pierre
County of Hughes and
state of South Dakota. The notice was published
in the newspaper on the following date:12 - 30 - 15Cost of Printing \$ 37.93Marilyn Baker
(Signature)Bookkeeper
(Title)1-4-16
(Date Signed)

Public Notice

proved, and Water
Permit No. 2717-2
will authorize a to-
tal diversion rate
of 1.78 cfs from
the existing two
wells to irrigate
150 acres.Pursuant to
SDCL 46-2A-2,
the Chief Engineer
recommends AP-
PROVAL of Appli-
cation No. 2744-2
with qualifications
because 1) unap-
propriated water is
available, 2) exist-
ing rights will not
be unlawfully im-
paired, 3) it is a
beneficial use of
water, and 4) it is
in the public inter-
est. The Chief En-
gineer's recom-
mendation with
qualifications, the
application, and
staff report are
available at
<http://denr.sd.gov/>
public or contact
Eric Grontund for
this information, or
other information,
at the Water
Rights Program
address provided
below.Any person inter-
ested in opposing
or supporting this
application or rec-
ommendation
must file a written
petition with
BOTH the appli-
cant and Chief En-
gineer. The appli-
cant must file a
petition if contest-
ing the Chief En-
gineer's recom-
mendation. The Chief
Engineer's ad-
dress 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 ei-
ther an interested
person or the ap-
plicant must be
filed by January
11, 2016.The petition may
be informal, but
must include a
statement describ-
ing the petitioner's
interest in the ap-
plication, the peti-
tioner's reasons
for opposing or
supporting the ap-
plication, and the
signature and
mailing address of
the petitioner or
the petitioner's le-
gal counsel, if le-
gal counsel is ob-
tained.If the applicant
does not contest
the recommendation
of the ChiefEngineer and no
petition to oppose
the application is
received, the
Chief Engineer
shall act on the
application pursu-
ant to the recom-
mendation with no
hearing held be-
fore the WaterPublic Notice
SNAXLP 14663
12/30NOTICE OF
APPLICATION
NO. 2744-2 to
Appropriate
WaterNotice is given
that Rocking J Management
Taylor Company, Board, if a petition
of Taylor Adam opposing the ap-
plication or con-
170th Rd, Blue
Jacket OK 74333 mendation is filed,
has filed an appli- then a hearing will
cation for a water be scheduled and
permit to irrigate the Water Man-
10 new acres and agement Board
correct the legal will consider this
description for the application. Notice
wells and irrigated of the hearing will
acres. Water Per- be given to the ap-
mit No. 2717-2 ap- plicant and any
propriates 2.0 cu- person filing a pe-
bic feet of water tion.per second (cfs)
from two wells
completed into the
Ogallala Aquifer
(228 and 231 feet
deep) located in
the N 1/2 SE 1/4
Section 1 for irri-
gation of 140
acres located in
the total approxi-
mately 1, 2, 3, 4
mated cost of
and the N 1/2 SE
1/4 Section 1; all
in T36N-R29W.An inspection of
Water Permit No.
2717-2 found 150
acres being irri-
gated located in
Lots 3, 4 and the
SE 1/4 Section 1
from two wells lo-
cated in Lot 4 and
the SE 1/4 SE 1/4
Section 1; all in
T36N-R29W. This
application, if ap-Steven M. Pimer,
Secretary,
Department of
Environment and
Natural
Resources.Published once at
the total approxi-
mately 1, 2, 3, 4
mated cost of
\$37.93.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, December 22, 2015 9:30 AM
To: legals@capjournal.com
Subject: 2744-2, Rocking J Taylor Company
Attachments: 2744-2nov2015newpublic.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on December 30, 2015.

Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Rd, Blue Jacket OK 74333 (918 256-6640) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

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

Merry Christmas!

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, December 22, 2015 9:29 AM
To: tribnews@gwtc.net
Subject: 2744-2, Rocking J Taylor Company
Attachments: 2744-2nov2015newpublic.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on December 30, 2015.

Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Rd, Blue Jacket OK 74333 (918 256-6640) has been notified to contact you to authorize publication and arrange for payment.

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

Merry Christmas!

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

Instruction to Newspaper - Publish the Notice on December 30, 2015. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2744-2 to Appropriate Water

Notice is given that Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Rd, Blue Jacket OK 74333 has filed an application for a water permit to irrigate 10 new acres and correct the legal description for the wells and irrigated acres. Water Permit No. 2717-2 appropriates 2.0 cubic feet of water per second (cfs) from two wells completed into the Ogallala Aquifer (228 and 231 feet deep) located in the N 1/2 SE 1/4 Section 1 for irrigation of 140 acres located in the Lots 1, 2, 3, 4 and the N 1/2 SE 1/4 Section 1; all in T36N-R29W. An inspection of Water Permit No. 2717-2 found 150 acres being irrigated located in Lots 3, 4 and the SE 1/4 Section 1 from two wells located in Lot 4 and the SE 1/4 SE 1/4 Section 1; all in T36N-R29W. This application, if approved, and Water Permit No. 2717-2 will authorize a total diversion rate of 1.78 cfs from the existing two wells to irrigate 150 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2744-2 with qualifications because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 11, 2016.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

December 22, 2015

Rocking J Taylor Company
Taylor Adamson
439690 E 170th Rd
Blue Jacket OK 74333

Dear Mr. Taylor:

Water Permit Application No. 2744-2 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.

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, September 28, 2015 made a thorough examination of the water system used by Rocking J Taylor Company (Owned by Taylor Adamson), 439690 E. 170 Rd., Bluejacket, OK 74333, holder of Water Permit No. 2717-2, bearing the priority date of August 19, 2013. Water Permit No. 2717-2 authorizes the diversion of 2.0 cubic feet per second (cfs) from two wells completed into the Ogallala aquifer at approximately 250 feet below ground surface for the purposes of irrigating 140 acres in Todd County as follows: 70 acres Lots 3 and 4, 70 acres in the N ½ SE ¼ of Section 1, both in T36N-R29W.

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

- 1) Works used to divert water:
Irrigation pumps, manufacturer unknown.
- 2) Works used to transport water to a place of use:
Eight Inch Underground Pipes.
- 3) Works used to apply water to beneficial use:
Two Valley Pivots.

The system is in the following condition: new. The well is in the following location:

- 1) **1,000 feet south and 1,000 feet west of the northeast corner of Section 1, T36N-R29W. Lat 43.12643N Lon 100.67269W. Well #1**
- 2) **1,000 feet north and 1,000 feet west of the southeast corner of Section 1, T36N-R29W. Lat 43.12082N Lon 100.67278W. Well #2**

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

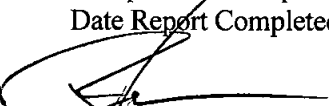
- 1) **14 acres in Lot 3 of Section 1, T36N-R29W.**
 - 2) **36 acres in Lot 4 of Section 1, T36N-R29W.**
 - 3) **13 acres in the NW ¼ SE ¼ of Section 1, T36N-R29W.**
 - 4) **34 acres in the NE ¼ SE ¼ of Section 1, T36N-R29W.**
 - 5) **17 acres in the SW ¼ SE ¼ of Section 1, T36N-R29W.**
 - 6) **36 acres in the SE ¼ SE ¼ of Section 1, T36N-R29W.**
- For a total of 150 acres.**

License should be issued for the diversion rate of: **1.78 cfs or 800 gpm.**

Applicable permit qualifications have been complied with: **No**

Exceptions to compliance are: **10 additional acres are being irrigated under Water Permit No. 2717-2.**

Date Report Completed: **October 27, 2015**


Bracken Capen
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR WATER PERMIT NO. 2717-2

DATE OF INVESTIGATION:	September 28, 2015
NAME & ADDRESS OF PERMIT HOLDER	Rocking J Taylor Company (Owned by Taylor Adamson), 439690 E. 170 Rd., Bluejacket, OK 74333
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Chris Danielski, Current Leasee of Land
DIVERSION POINT LEGAL LOCATIONS	1) 1,000 feet south and 1,000 feet west of the northeast corner of Section 1, T36N-R29W. Lat 43.12643N Lon 100.67269W. 2) 1,000 feet north and 1,000 feet west of the southeast corner of Section 1, T36N-R29W. Lat 43.12082N Lon 100.67278W.

WELL INFORMATION:

- 1) Well Drilling Firm: **Grosch Irrigation Co. Inc.**
- 2) Number of Wells: **2**
- 3) Depth: **228 feet, 231 feet**
- 4) Well Log Available: **Yes (x2)**
- 5) Comment:

Pumps

- 1) Make: **Unknown**
- 2) Model:
- 3) Size:
- 4) Capacity: **400 gpm (x2)**

Casing

- 1) Diameter: **16 inches (x2)**
- 2) Length: **68 feet, 61 feet**
- 3) Type: **Plastic (x2)**

Screen

- 1) Type: **Perforated Pipe (x2)**
- 2) Length: **160 feet, 170 feet**
- 3) Static Water Level: **48 feet, 49 feet**

Motor

- 1) Make: **US Motors (x2)**
- 2) Model No: **BF55A (x2)**
- 3) Power: **50 hp (x2)**

System Type

- 1) Make: **Valley (x2)**
- 2) Overall length: **1,000 feet (x2)**
- 3) Number of Towers: **6 towers (x2)**
- 4) End Gun: **Yes (x2)**
- 5) Capacity: **400 gpm (x2)**

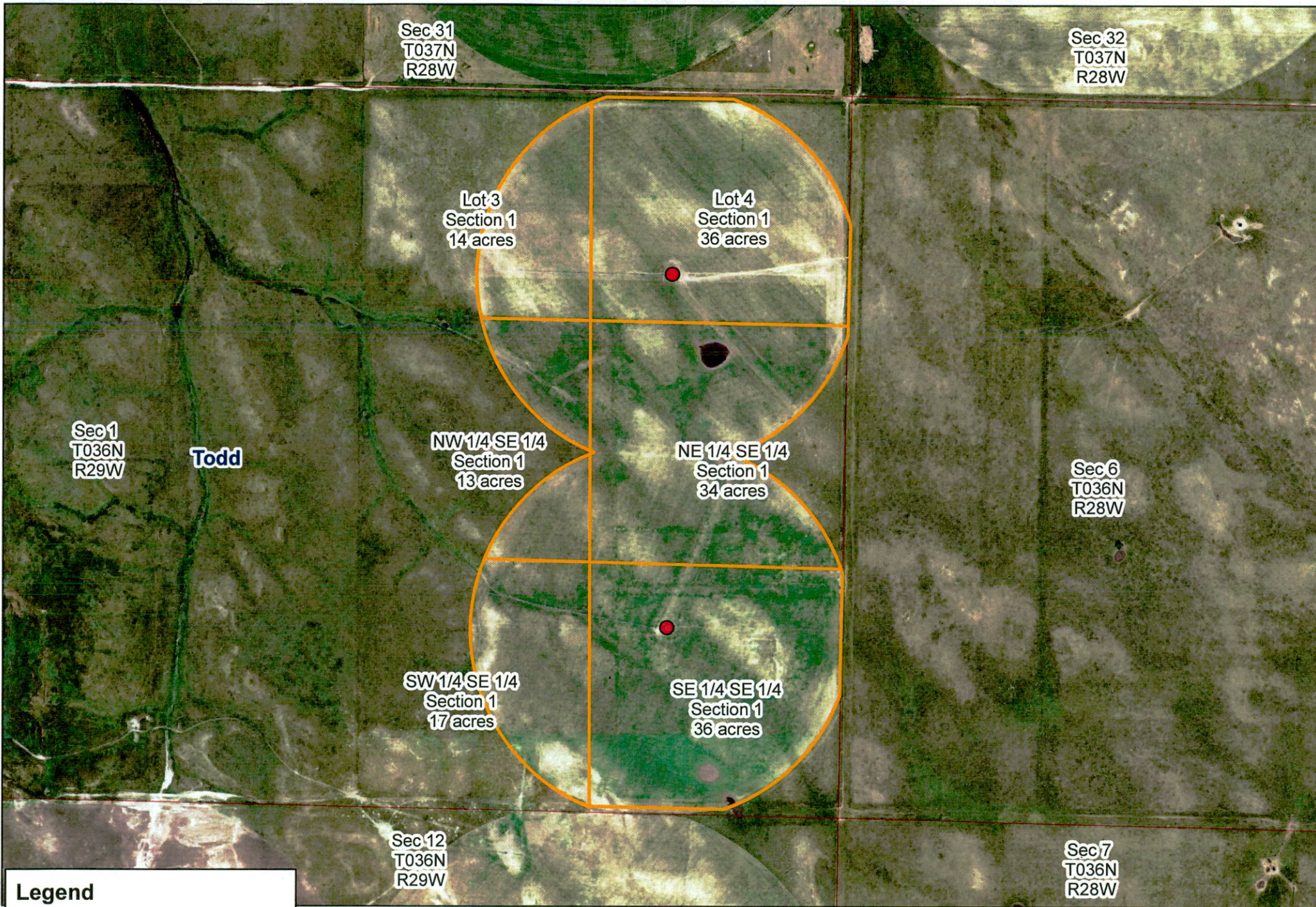
CHEMIGATION EQUIPMENT: No

- 1) Mainline Check Valve:
- 2) Low Pressure Drain:
- 3) Inspection Port/Air Relief:
- 4) Discharge 20 Feet Away:
- 5) Injection Line Check Valve or Positive Displacement Pump: **Injection Check Valve:**
- 6) Properly Installed:

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: **Reported irrigation from 2014 to present.**

COMMENTS: License should be issued for the maximum allowable 140 acres. However, the current system is irrigated 150 acres. A new water permit application will need to be submitted for the additional 10 acres.



Legend

- Irrigated_Acres
- Section Boundaries - PLSS
- Existing Well Locations



0 0.05 0.1 0.2 Miles

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



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2744-2

(1) Rocking J Taylor Company, c/o Taylor Adamson, 439690 E 170th Rd, Blue Jacket OK 74333 made Application No. 2744-2, November 9, 2015 for a water permit to irrigate 10 additional acres and correct the location of wells and irrigated acreage located in Todd County, South Dakota for irrigation purposes. Permit No. 2744-2, with a priority date of November 9, 2015 was approved January 11, 2016 and issued to the applicant with construction of the described water supply system and the application to beneficial use of water completed.

Water Permit No. 2717-2, with a priority date of August 19, 2013 authorizes 2.0 cubic feet of water per second from two wells - Ogallala Aquifer to irrigate 140 acres. The applicable portions of Water Permit No. 2717-2 are incorporated into No. 2744-2.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 2744-2 is issued a license, bearing priority dates of August 19, 2013 (140 acres) and November 9, 2015 (10 acres) to appropriate 1.78 cubic feet of water per second from two wells - Ogallala Aquifer to irrigate 150 acres.

The diversion points are located: 1,000 feet south and 1,000 feet west of the NE corner Section 1 (Lot 4) and 1,000 feet north and 1,000 feet west of the SE corner of Section 1(SE 1/4 SE 1/4); all in T36N-R29W.

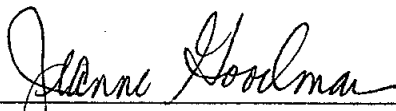
The acres authorized for irrigation are as follows: All in **Section 1-T36N-R29W**

Lot 3	14 acres	NW 1/4 SE 1/4	13 acres
Lot 4	36 acres	NE 1/4 SE 1/4	34 acres
		SW 1/4 SE 1/4	17 acres
		SE 1/4 SE 1/4	36 acres

Total 150 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2744-2 including the following qualifications:

- The wells approved under Permit Nos. 2717-2 and 2744-2 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.
- 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

FEB 23 2016

date





2744-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

FEB 23 2016

2744-2

Rocking J Taylor Company
c/o Taylor Adamson
439690 E 170th Rd
Blue Jacket OK 74333

Dear Mr. Adamson:

Enclosed are Water Permit and License No. 2744-2. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 2744-2, 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.

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

Note: The applicable portions of No. 2717-2 are incorporated into Water License No. 2744-2.

enclosures