

WATER PERMIT NO. 2783-2

Name of Applicant: Vernon and Marlys Walkling

Address: 29832 267th Ave, Crookston NE 69212

Phone: 402 389-1507

Amount of Water Claimed: no additional

Total Acres: 40

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation

County: Todd

Type of Waste Disposal System:

Location: approximately 15 miles southwest of Mission

PRIORITY

Date Received: 2-12-18

Application/License Fee: \$ 700

Corrected Application Received:

Period of Annual Use: April 1 – Oct 31

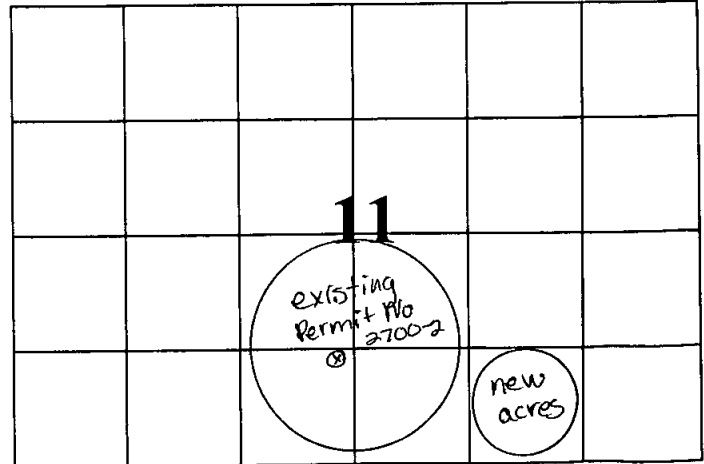
Remarks: Utilizing well & diversion rate authorized by Water Right No. 2700-2

Diversion Point: NE 1/4 SW 1/4 Sec 11-T36N-

R30W

Land to be Irrigated: SE 1/4 SE 1/4 Sec 11-T36N-

R30W



Depth of Well: 260

Well Driller: Charles Sargent Irrigation Co.

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 2-13-18

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

RECEIVED

FEB 12 2018

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2783-2</u> (office use only) Hydrologic Unit <u>10150004</u>
	Basin <u>Nebraska Trib</u>
	Newspaper <u>Todd County Tribune, mission</u> <u>Capital Journal, Pierre</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.)

Utilize well & diversion rate authorized on
Water Right No. 2700-2

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

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

Mailing Address 29832 267ave Crookston Ne 69212
(Address) (City) (State) (Zip Code)

Phone 605-429-3315 Mobile 402-389-1507 Email _____

2. Amount of water claimed no add -1.94 *CFS or **GPM ***AF Total Acreage 40
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Irrigating well

4. Location of point of diversion along the quarter line in the south half of section 11-T36N-R30W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
(NE1/4 SW1/4) County Todd

5. County or counties where water will be used Todd

6. Annual period during which water is to be used April 1 to Oct 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
South east quarter of section section 11 <u>T36N R30W</u>	40		
<u>SE 1/4 SE 1/4</u>			

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

Pipe water underground from existing well on quarter line on south half of section 11. To a new 40 acre pivot located in the SE corner of SE quarter of section 11. T36N R30W

I, Vernon Walkling, the applicant, certify under
Name of Person Title (if applicable)

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

**SOUTH DAKOTA
WATER PERMIT NO. 2783-2**

Date of first receipt of application February 12, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2783-2 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. 2783-2 authorizes irrigation of 40 new acres. Water Right No. 2700-2 authorizes 1.56 cubic feet of water per second from one well completed into the Ogallala Aquifer (260 feet deep) located in the NE 1/4 SW 1/4 Section 11 to irrigate 136 acres located in the W 1/2 SE 1/4, E 1/2 SW 1/4 Section 11; all in T36N-R30W. This permit authorizes irrigation of 40 new acres located in the SE 1/4 SE 1/4 Section 11-T36N-R30W from the existing well. The site is located approximately 15 miles southwest of Mission SD. This permit does not authorize any increase in the developed diversion rate.
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 February 12, 2018.
4. The date of approval of Permit No. 2783-2 is May 7, 2018.
5. One-fifth of the construction is to be completed on or before November 7, 2020.
6. All construction is to be completed on or before May 7, 2023.
7. Water is to be put to beneficial use on or before May 7, 2027.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Water Right No. 2700-2 and Water Permit No. 2783-2 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.

WATER MANAGEMENT BOARD

By: Jeanne Goodman

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

MAY 17 2018

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 1 Provide copy of log(s), if available. Drilled by Sargent Irrigation company

For either Existing or Proposed Wells:

c) Well Depth (required) 280' Depth to Top of Water Bearing Material ____ Depth to Water from Surface ____d) Distance to nearest domestic well on applicant's property 1/4 mile Property owned by others 1/2 mile**2. Wastewater Disposal System Information**

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

b) System Capacity (gallons) ____ Year Constructed ____

c) Connected to the City of ____ Sanitary System

3. Dugout Information

a) Surface Dimensions ____ Depth ____

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

4. Water Storage Dams

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

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

b) Freeboard ____

c) Crest Width ____

Crest Length ____

d) Height ____

e) Primary Outlet Capacity ____

If pipe, diameter ____

f) Secondary Spillway Capacity ____

Spillway Width ____

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

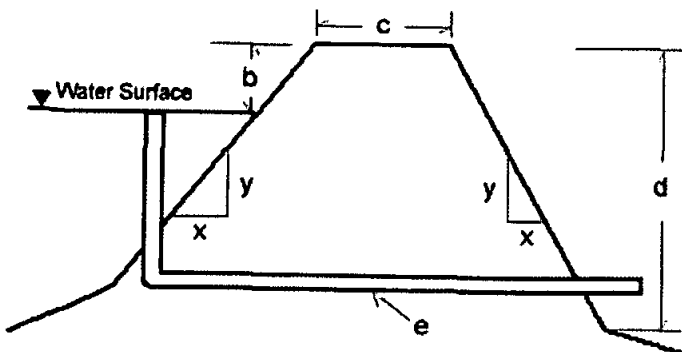
Upstream ____

Downstream ____

h) Surface Area of Impoundment ____

i) Storage ____ Acre Feet

j) Drainage Area Above Dam ____ Acres



Sargent Irrigation Company

IRRIGATION ENGINEERING

**TEST HOLES AND IRRIGATION WELLS
PUMPS & SERVICE**

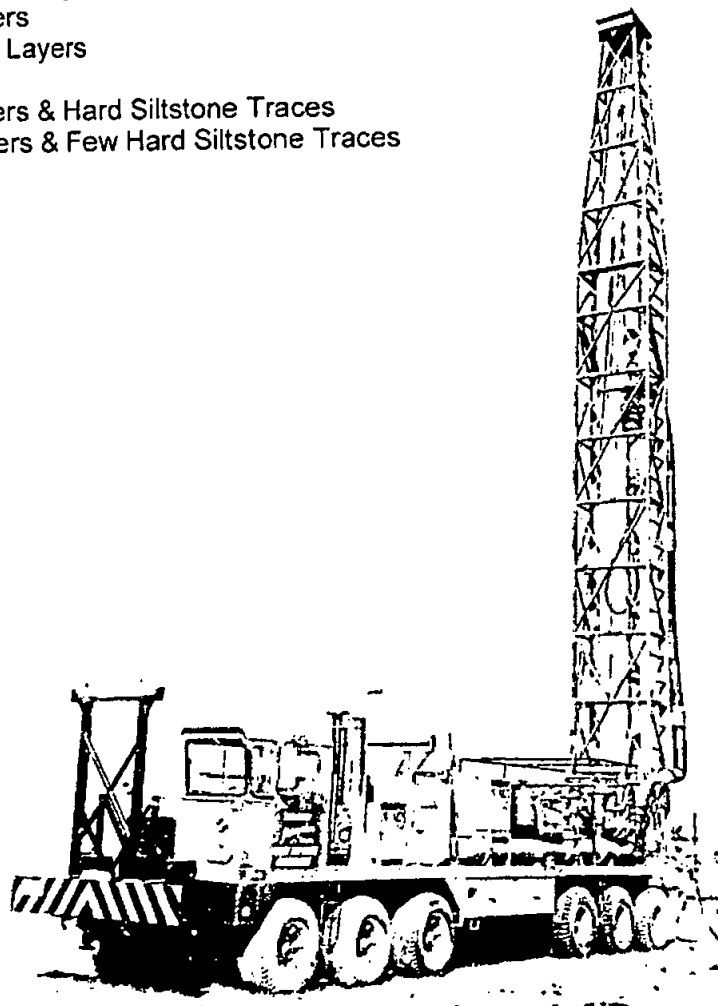
Box 627
South Highway 21

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



N

W

E

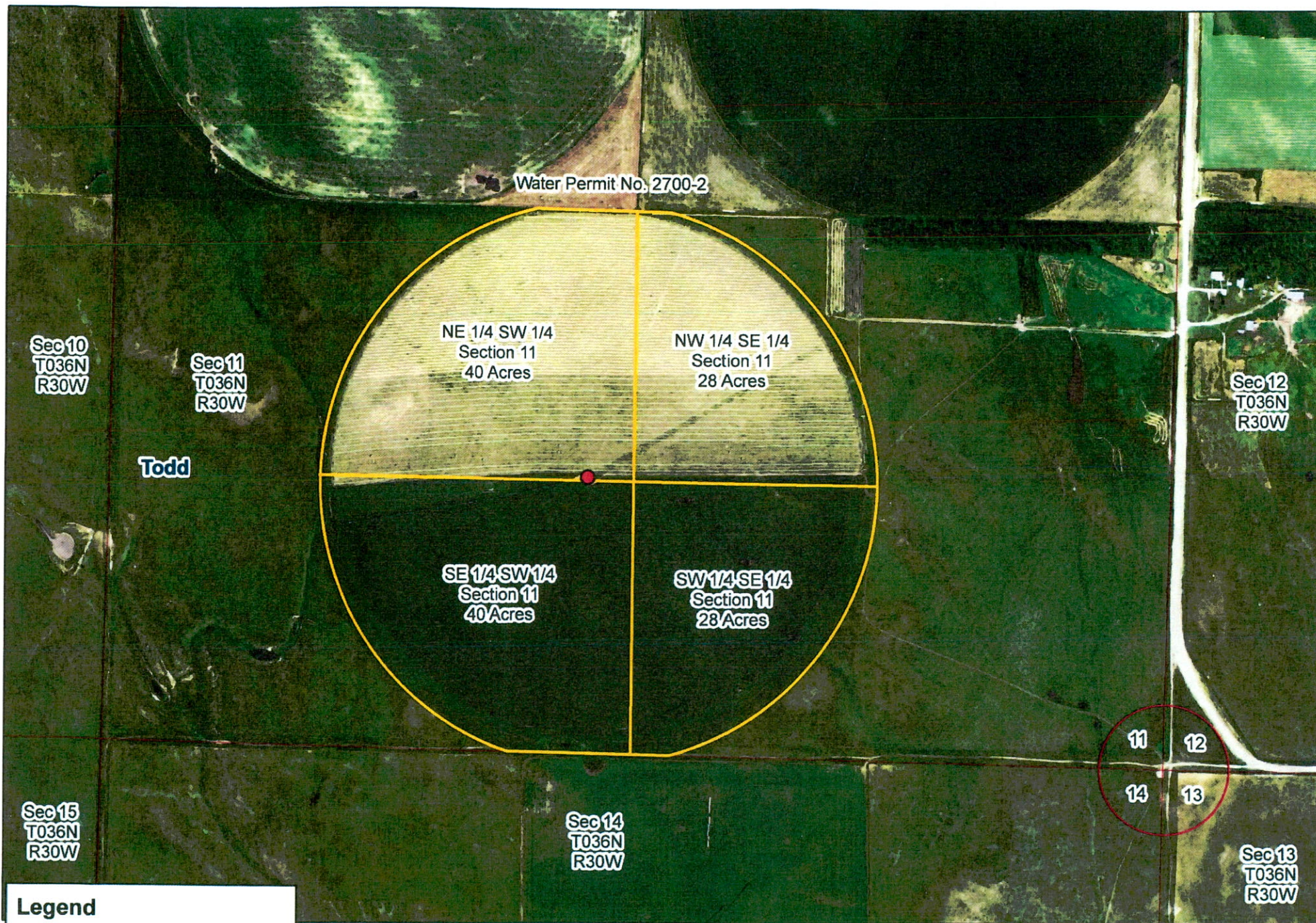
Dry Creek

0 8,000 ft

S

South half of section 11
T36N R30W





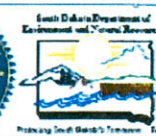
Legend

-  Irrigated_Acres
-  Section Boundaries - PLSS
-  Well Location



0 0.05 0.1 0.2 Miles

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



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 12, 20 18

RECEIVED OF Matthew Walking 26601 299th Avenue Crookstone, NE 69212

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

Fee for Application for Permit No. <u>2783-2</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. <u>2783-2</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	700 00

No. **08597**

By Jeanne Goodman
Chief Engineer cm

Water Rights Program - File Documentation

NAME: Vernon Walking

ADDRESS: Crookston NE

DATE: 2-13-18 **COUNTY:** Todd **TELEPHONE:** 402 389-1507

RE: Pending application

COMMENTS:

I called Vernon Walking to clarify the amount of water claimed on this application. Mr. Walking stated they will be using the existing well authorized by Water Right No. 2700-2. They will not be using any additional water. Mr. Walking stated he was aware that Water Right No. 2700-2 was licensed for 1.56 cfs (700 gpm). He said his son filled out the application and listed the amount of water as 1.94 cfs as originally permitted on No. 2700-2.



Karen Schlaak
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

March 14, 2018

Syed Huq, Director
Rosebud Sioux Tribe Water Resources
PO Box 910
Rosebud SD 57570

Dear Mr. Huq:

Please find enclosed a water permit application for irrigation filed by Vernon and Marlys Walking in Todd County. The application seeks to irrigate new acres from an existing well authorized by South Dakota Water Right No. 2700-2. No increase in the diversion rate from the well is requested.

This information is being sent to you as part of the DENR's commitment to keep the Rosebud Sioux Tribe informed of water permitting issues in Todd County.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

April 16, 2018

Syed Huq, Director
Rosebud Sioux Tribe Water Resources
PO Box 910
Rosebud SD 57570

Dear Mr. Huq:

Please find enclosed the staff report, recommendation and public notice for a water permit application for irrigation filed by Vernon and Marlys Walkling in Todd County. The application seeks to irrigate new acres from an existing well authorized by South Dakota Water Right No. 2700-2. No increase in the diversion rate from the well is requested.

The public notice will be published April 25, 2018, in the Todd County Tribune printed at Mission and the Capital Journal printed in Pierre.

This information is being sent to you as part of the DENR's commitment to keep the Rosebud Sioux Tribe informed of water permitting issues in Todd County.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

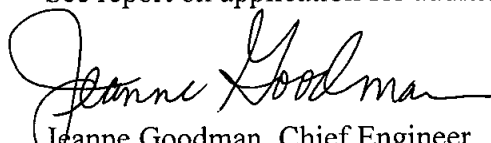
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2783-2, Vernon and Marlys Walkling**

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. 2783-2, Vernon and Marlys Walkling, 29832 267th Avenue, Crookston NE 69212.

The Chief Engineer is recommending APPROVAL of Application No. 2783-2 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 well approved under Water Right No. 2700-2 and Water Permit No. 2783-2 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.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
April 16, 2018

REPORT TO THE CHIEF ENGINEER

Water Permit Application No. 2783-2

Vernon and Marlys Walkling

April 6, 2018

Water Permit Application No. 2783-2 proposes to appropriate water for irrigation of 40 additional acres with no increase in the diversion rate authorized by Water Right No. 2700-2. Water Right No. 2700-2 is for the irrigation of 136 acres located in the E ½ SW ¼ and W ½ SE ¼ Section 11, T36N-R30W. This application is seeking to irrigate 40 additional acres, located in SE ¼ SE ¼ Section 11, T36N-R30W. These 40 additional acres were previously approved under Water Permit No. 1302-2 held by John Walkling and canceled in 1983 due to the system not being constructed. The water source for Water Right No. 2700-2 and this application, if approved, is one well (260 feet deep), licensed for a maximum diversion rate of 1.56 cubic feet per second (cfs) from the Ogallala aquifer, and located in the NE ¼ SW ¼ Section 11, T36N-R30W. While there is no increase in the maximum diversion rate, additional acres will increase the total pumpage from this well. The diversion point is located approximately 15 miles southwest of Mission, SD, and approximately 5 miles east of St. Francis, SD in Todd County.

AQUIFER: Ogallala (OGLL)

HYDROGEOLOGY

The High Plains aquifer is a regional aquifer that extends from southern South Dakota to Texas and underlies approximately 174,000 square miles (Gutentag et al, 1984). Within South Dakota, the High Plains aquifer underlies approximately three million acres (4,750 square miles) (Gutentag et al, 1984). Within Todd County, the High Plains aquifer is present throughout, with the exception of the extreme northeast corner of the county (Martin et al, 2004). The High Plains aquifer system consists mainly of one or more late Tertiary or Quaternary age geologic units that are hydraulically connected (Gutentag et al, 1984). Within South Dakota, the Tertiary aged portions of the High Plains aquifer are made up of the Arikaree Group, the Batesland Formation and the Ogallala Group. The overlying Quaternary aged deposits consist of alluvial and eolian deposits (Filipovic, 2011). The aquifer material in each of these formations can vary greatly, so the extent of individual water bearing deposits cannot be determined (Carter, 1998). 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 to be either from the Ogallala aquifer or from the Arikaree aquifer.

Mapping at the 1:500,000 scale by Martin et al. (2004) shows that in the area of these applications, the Ogallala Group is overlain by eolian deposits (Figure 1). Within Todd County, the Ogallala Group primarily consists of poorly consolidated, fine to medium grained sandstone with some interbedded clay and silt (Carter, 1998). Allen et al. (1985) estimated that the area that the Ogallala aquifer underlies in South Dakota is 1,140,360 acres and that the aquifer contains approximately 19,929,600 acre-ft of recoverable water. Narrowing the focus to Todd County, Allen et al. (1985) estimated that the Ogallala Aquifer underlies 412,800 acres and contains 12,384,000 acre-ft of recoverable water. The amount of water in storage was estimated by Allen et al. (1985) using a specific yield of 25%, a porosity of 35%, and an estimated

thickness of 40 feet. Carter (1998) estimated the Ogallala aquifer as underlying 950 square miles (608,000 acres) of Todd County and containing 17,000,000 acre-ft of water in storage. The Ogallala aquifer is mostly unconfined in Todd County, with an area in the southwestern portion of the county being under confined conditions. The depth to the top of the aquifer ranges from 0 to 164 feet below land surface, with an average thickness of 137 feet (Carter, 1998). In the area of the application, the direction of groundwater flow is variable as it is near a high point in the potentiometric surface of the Ogallala aquifer (Carter, 1998; Water Rights, 2018c). The well log submitted for Water Right No. 2700-2 shows that the aquifer is unconfined at the applicant's location with a static water level of 103 feet at the time of completion (August 7, 2013).

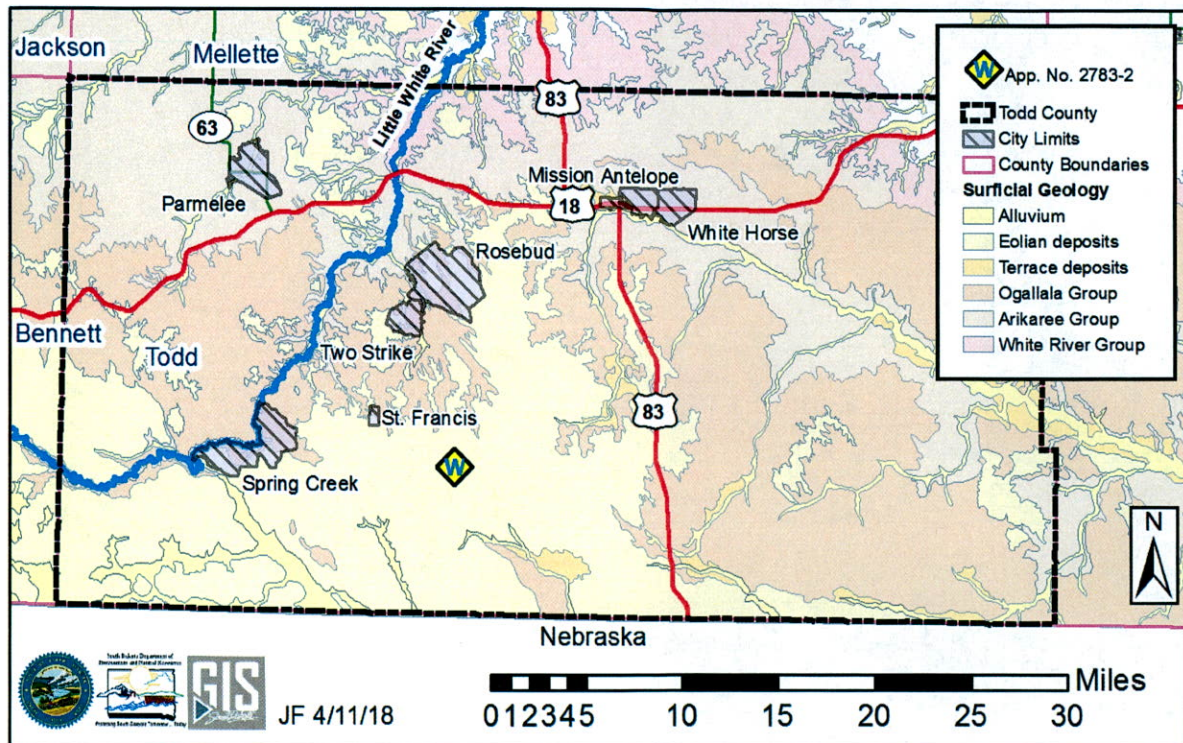


Figure 1. Map showing the location of the application and the surficial geology in Todd County (modified from Martin et al., 2004).

South Dakota Codified Law 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 and existing rights within the Ogallala aquifer.

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 that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source." If the source of the

water is older than or stratigraphically lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not take into consideration the balance of aquifer recharge and withdrawal. Here, the water source is not older or lower than the Greenhorn Formation and a water distribution system is not involved. Therefore, the balance of withdrawal and recharge must be considered.

Hydrologic Budget

Recharge

Recharge to the Ogallala aquifer in South Dakota occurs through infiltration of precipitation on the outcrop of the Ogallala Group or the overlying eolian deposits and losses from streams (Carter, 1998). Although recharge is spatially variable across the entire aquifer, several estimates of the average recharge rate have been made and are shown in Table 1.

Table 1: Average Annual Recharge Estimates for the Ogallala Aquifer

Estimated Average Annual Recharge Rate (inches per year)	Method	Source	Estimated Average Annual Recharge (ac-ft per year)
1.3 - 1.8	Computer Model	Kolm and Case, 1983	123,540 – 171,050
2.2 - 3.4	Observation Well Data	Hedges and Burch, 1985	209,070 – 323,100
1.88	Base-Flow Recession	Hedges and Burch, 1985	178,660
2.91	Computer Model	Long and Putnam, 2010	276,540

From the values in Table 1, the estimated average annual recharge to the Ogallala aquifer ranges from 123,540 to 323,100 acre-ft per year. Applying the recharge rates to the Ogallala aquifer within Todd County produces an estimated average annual recharge range of 65,870 to 172,270 acre-ft per year.

Discharge

Discharge from the Ogallala aquifer occurs naturally in areas where the water table is near the land surface through evapotranspiration, and by discharge from springs to alluvial aquifers and streams (Carter, 1998). Discharge also occurs through well withdrawals for irrigation, municipal, domestic, and stock use. Within Todd County, the State of South Dakota Water Rights Program manages non-tribal water use, and the Rosebud Sioux Tribe manages tribal water use.

Irrigation accounts for 143 of the 176 water rights/permits authorized by the South Dakota Water Rights Program for the Ogallala aquifer. Of the remaining 33 appropriations, 19 are for municipal systems, 4 are appropriations for future use, 5 are for rural water systems, 2 are for institutional use and there is one each for commercial use, domestic use, and fish and wildlife propagation. These non-irrigation water rights/permits are displayed in Table 2.

For non-irrigation appropriations, some are limited by an annual volume and others are limited by the permitted instantaneous diversion rate. For determining the average annual withdrawal, water rights/permits that are limited by an annual volume are assumed to use the entire volume, while rights/permits limited by diversion rate are estimated to pump 60% of the time. Reservations for the future use of water are assumed to eventually use the entire reserved

amount. Many of the municipal water rights/permits are maintained for emergency or standby use, as their water supply systems are either supplied by a rural water system, or a rural water system has replaced the municipal system and provided connections to individual users. Water use for non-irrigation purposes in the Ogallala aquifer would then be an estimated 6,874.9 ac-ft per year with future use reservations totaling 3,683 ac-ft per year. Actual usage may be less if the actual reported usage was analyzed, instead of using the estimation. Within Todd County, there is one non-irrigation water right/permit, with an estimated annual use of 14.4 ac-ft per year.

Table 2: Non-irrigation water rights/permits authorized to withdraw water from the Ogallala aquifer including estimated annual volume pumped (Water Rights, 2018a)

PERMIT NO.	NAME	COUNTY	STATUS	USE	CFS	ACRES	ESTIMATED ANNUAL PUMPAGE (AC-FT)
256-2	TOWN OF FAIRFAX	GY	LC	MUN	0.25	N/A	*
455-2	CITY OF BURKE	GY	LC	MUN	0.33	N/A	*
521-2	CITY OF WINNER	TR	LC	MUN	4.11	N/A	1,785.3
551-2	CITY OF WINNER	TR	FU	MUN	2.44	N/A	1,568++
632-2	CITY OF COLOME	TR	LC	MUN	0.22	N/A	*
872-2	CITY OF BURKE	GY	LC	MUN	0.26	N/A	*
882-2	CITY OF WINNER	TR	FU	MUN	2.55++	N/A	1,846++
976-2	CITY OF COLOME	TR	LC	MUN	0.33	N/A	*
1031-2	CITY OF GREGORY	GY	LC	MUN	0.6	N/A	260.6
1038-2	CITY OF WINNER	TR	LC	MUN	0.87	N/A	377.9
1085-2	SCHMITZ WELL	GY	LC	RWS	0.06	N/A	26.1
1285-2	CITY OF WINNER	TR	LC	MUN	0.67	N/A	291.0
1286-2	CITY OF WINNER	TR	LC	MUN	0.72	N/A	312.8
1416-2	CITY OF WINNER	TR	LC	MUN	0.69	N/A	299.7
1603-2	CITY OF BONESTEEL	GY	LC	MUN	0.07	N/A	*
1622-2	CITY OF GREGORY	GY	FU	MUN	N/A	N/A	269++
1660-2	CITY OF BURKE	GY	FU	MUN	N/A	N/A	*
1661-2	CITY OF BURKE	GY	LC	MUN	0.1	N/A	*
1668-2	CITY OF GREGORY	GY	LC	MUN	0.14	N/A	60.8
1719-2	TRIPP CO. WATER USER DISTRICT	GY	LC	RWS	0.2	N/A	*
1842-2	TOWN OF HERRICK	GY	LC	MUN	0.16	N/A	*
1942-2	LITTAU & MASSA ET AL	TR	LC	DOM	0.09	N/A	39.1
2065A-2	CITY OF BURKE	GY	LC	MUN	0.21	N/A	*
2091-2	CITY OF BONESTEEL	GY	LC	MUN	0.1	N/A	*
2293-2	TRIPP CO. WATER USER DISTRICT	TR	LC	RWS	3.88	N/A	1,685.4
2339-2	TOWN OF HERRICK	GY	LC	MUN	0.22	N/A	*
2435-2	TRIPP CO. WATER USER DISTRICT	GY	LC	RWS	0.28	N/A	121.6
2455-2	MARTIN J VANDERPLOEG	GY	LC	FWP	0.045	N/A	19.5
2505-2	LAKEVIEW CHRISTIAN REFORM	TD	LC	INS	0.033	N/A	14.4
2515-2	TRIPP CO. WATER USER DISTRICT	TR	LC	RWS	2.68	N/A	1,200**
2621-2	TUTHILL COMMUNITY PRESBYTERIAN CHURCH	BT	LC	INS	0.02	N/A	8.7
2728-2	CITY OF GREGORY	GY	LC	MUN	0.7	N/A	309**
2758-2	STEFFEN FARMS LLC	GY	PE	COM/LCO	0.14	N/A	63**
BT = Bennett, GY = Gregory, TD = Todd, TR = Tripp							
FU = Future Use, LC = Water Right, PE = Water Permit							
COM = Commercial, DOM = Domestic, FWP = Fish and Wildlife Production, INS = Institutional, LCO = Livestock Confinement Operation, MUN = Municipal							
* = Connected to rural water/standby use, ** = Limited to an Annual Volume, ++ = Future Use Remaining							

From 1982 to 2017, the average withdrawal for non-tribal irrigation from the entire Ogallala aquifer has been 18,968 ac-ft per year but has varied from 9,217 ac-ft/yr to 33,224 ac-ft/yr. Annual reported irrigation data from the entire period of record, 1982 to 2017, is displayed in Figure 2, which shows the reported pumpage. This application seeks to irrigate 40 additional acres. Historically, the average annual application rate in South Dakota is less than one acre-ft/acre, so this application, if approved, will increase the estimated average annual withdrawal by less than 40 acre-feet/year. The total estimated average annual withdrawal for irrigation purposes is likely less than 19,008 ac-ft per year for the entire Ogallala aquifer, if this application is approved.

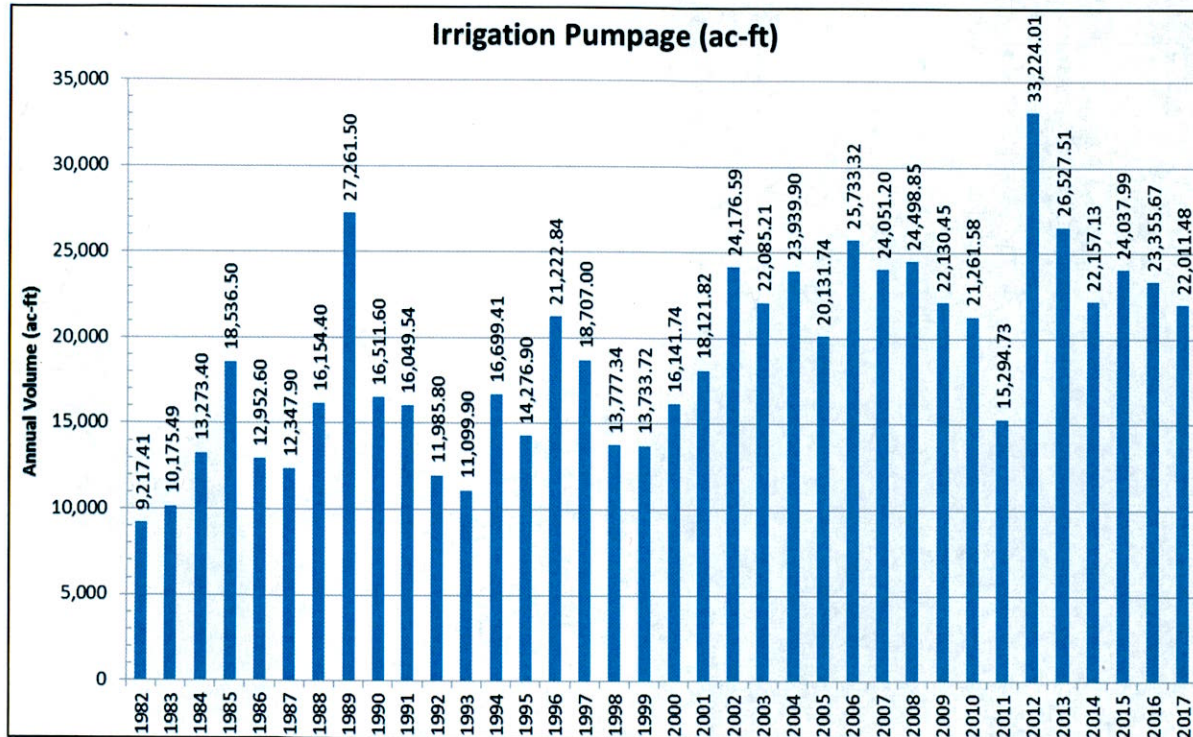


Figure 2: Reported annual irrigation data for the Ogallala aquifer (Water Rights, 1983-2018)

There are a number of well completion reports on record with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Ogallala aquifer; however, due to the low population density and a rural water system available, the annual withdrawal from domestic wells is not significant to the hydrologic budget of the aquifer (Water Rights, 2018b). It is currently unknown how much water is withdrawn from the Ogallala aquifer for tribal use, but given the large amount of recharge to the aquifer and, as will be discussed further, little impact to the amount of water in storage as seen from the observation well record, there is likely water available to use.

Hydrologic Budget

The lowest estimated annual recharge to the Ogallala aquifer is 123,540 acre feet per year, and the estimated annual withdrawals are 25,883 acre feet per year with 3,683 acre-ft per year reserved for future use. The lowest estimated annual recharge is much greater than the estimated

annual discharge from well withdrawals, showing that there is a reasonable probability that unappropriated water is available in the Ogallala aquifer to support the proposed application.

Observation Well Data

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

The Water Rights Program monitors 77 observation wells completed in the Ogallala aquifer (Water Rights, 2018c). The Rosebud Sioux Tribe has several monitoring wells within Todd County, of which 20 have been identified as being in the Ogallala aquifer (Long and Putnam, 2010). The nearest observation well monitored by the Water Rights Program is TD-76E, located approximately 0.6 miles to the southwest of the well location. The nearest observation well monitored by the Rosebud Sioux Tribe is RST-13, located approximately 2 miles to the northeast of the well location. The hydrograph for RST-13 (Figure 3) was obtained from a 2010 report by Long and Putnam and does not contain data newer than 2008. Figure 4 is the hydrograph for observation well TD-76E. Figure 5 shows the hydrographs for all but two of the Water Rights Program observation wells in the Ogallala aquifer in Todd County.

The hydrographs for these monitoring wells show that the aquifer readily responds to climatic conditions and that these monitoring wells respond in a fashion similar to the rest of the monitoring wells in the Ogallala aquifer. The water levels rise during periods when recharge to the aquifer exceeds the sum of withdrawals and natural discharge from the aquifer, and the water levels decline when the sum of withdrawals and natural discharge from the aquifer is greater than the recharge to the aquifer. Over the period of record, the water levels shown in the individual hydrographs has remained stable with climatic variability showing a maximum difference of about 10 feet between wetter and drier periods. The overall difference shown at an individual observation well between the maximum and minimum may be greater due to the temporal impacts caused by irrigation pumping, however between irrigation seasons, the aquifer generally returns to a level similar to the pre-pumping condition. This means that the combined recharge to and the natural discharge from the aquifer greatly exceeds withdrawals from pumping. Although shown in Figures 4 and 5, observation well data collected in 2017 is still under review, pending inspection of the equipment and subsequent data corrections. The observation well data indicates that there is a reasonable probability that there is unappropriated water available from the Ogallala aquifer.

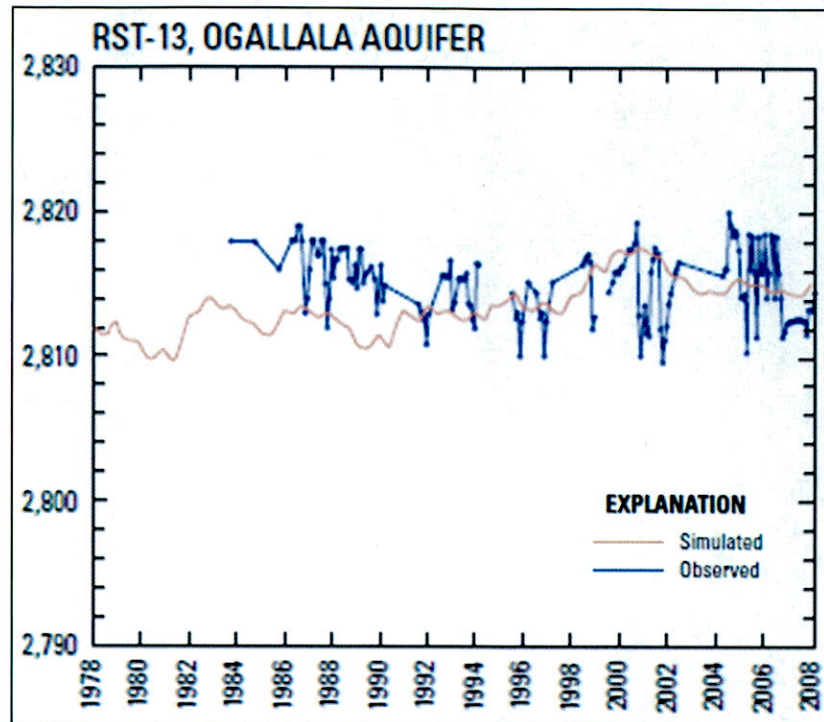


Figure 3: Hydrograph for tribal observation well RST-13 showing simulated and observed data for the calibrated transient groundwater model (Long and Putnam, 2010)

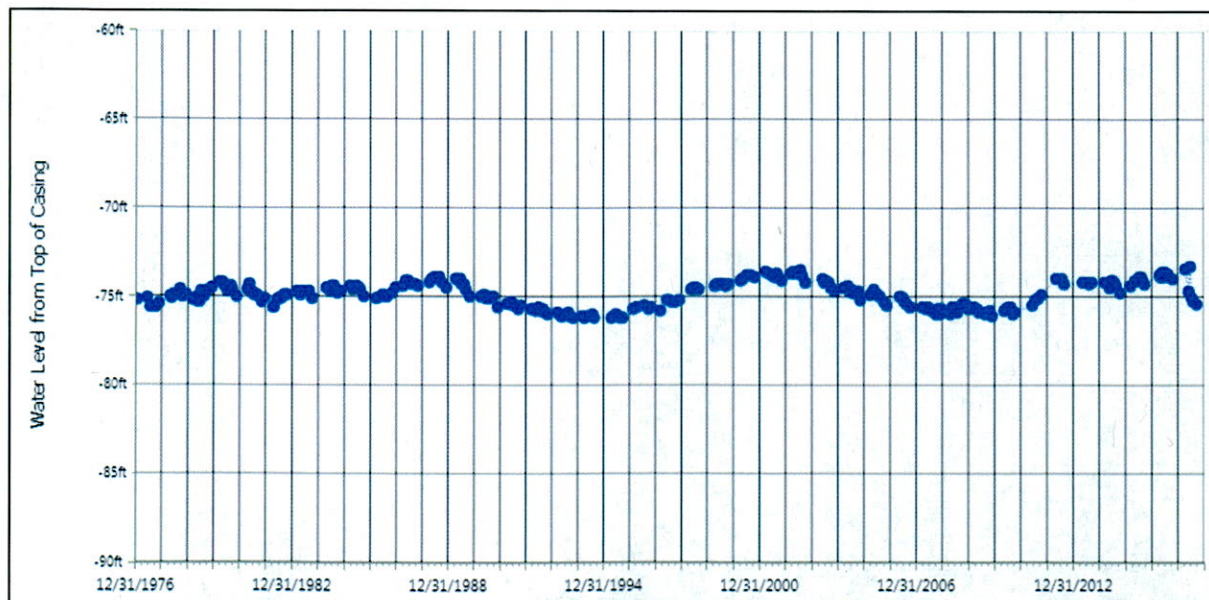


Figure 4: Hydrograph for DENR Water Rights Observation Well TD-76E (Water Rights, 2018c)

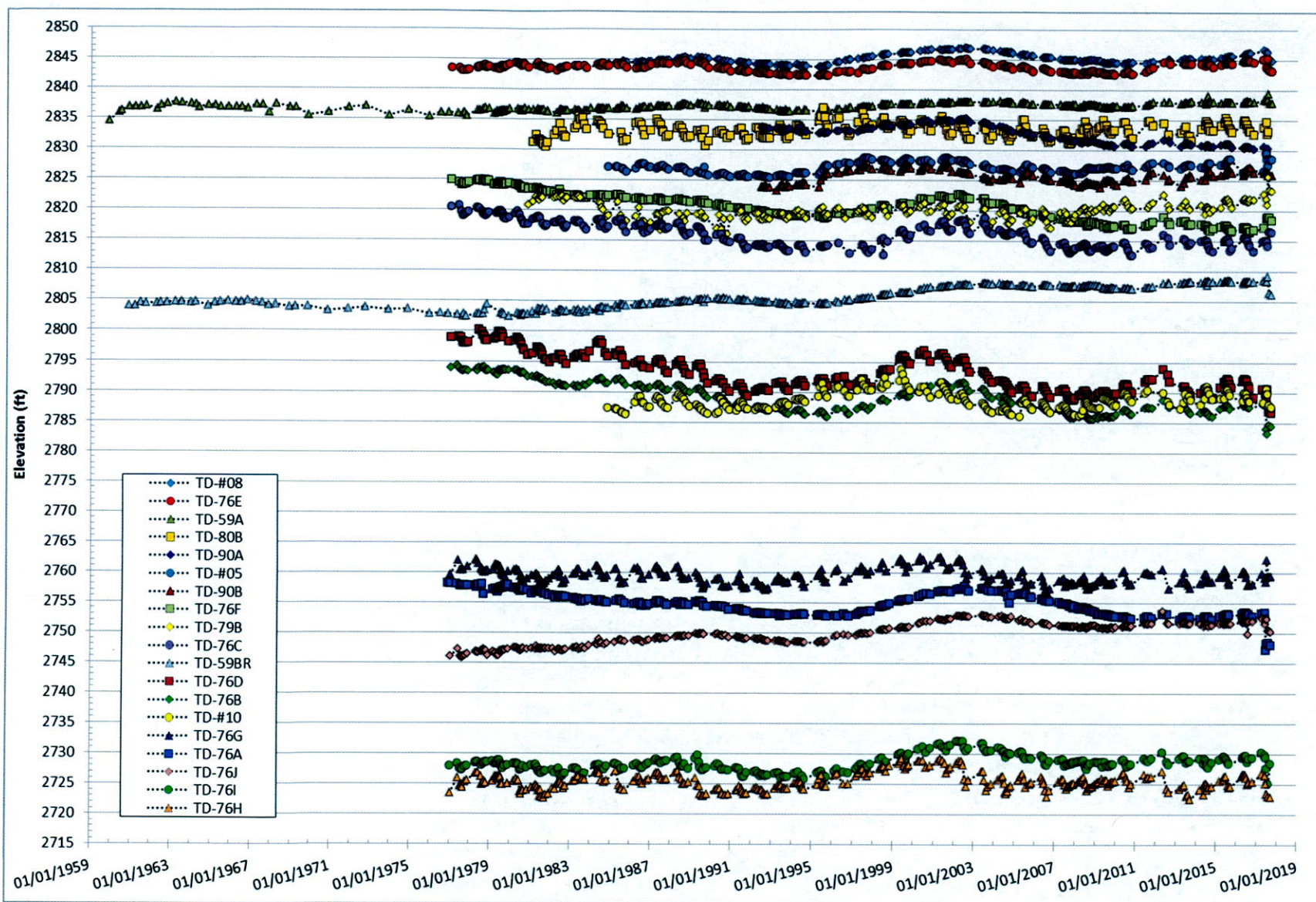


Figure 5: Hydrographs for DENR Water Rights Observation Wells in Western and Central Todd County (Water Rights, 2018c)

EXISTING WATER RIGHTS

Aside from Water Permit No. 2700-2, owned by the applicant and has the same water source as this application, the nearest existing water rights/permits are Water Right Nos. 1036-2 and 2434-2. The diversion points for both of these water rights are located within three quarters of a mile of the proposed diversion point. These water rights are for irrigation, 1036-2 uses a single well, 294 feet deep, and 2434-2 also uses a single well, 297 feet deep. As the Ogallala aquifer is unconfined in this area, any effects of drawdown from pumping are unlikely to be significant far from the pumping well. This application, if approved, is not expected to adversely impact existing water rights.

Historically, water use on land owned by the Rosebud Sioux Tribe and its members has not been recorded with the State of South Dakota, however it is known that there are irrigation users and water supply wells on these tribal lands. From aerial imagery (USDA-FSA-APFO, 2016), the nearest groundwater supplied tribal center pivots to this application are approximately two miles to the east and 2.25 miles to the northeast.

The nearest community to this application is St. Francis, SD, which is connected to the Rosebud Rural Water System. The Rosebud RWS utilizes both surface water from the Missouri River and locally available groundwater. The nearest public water supply well is for Lakeview Elementary School, located approximately 4 miles southeast of the applicant's well. The next nearest public water supply wells are for the Rosebud RWS, which has a cluster of three wells identified as "St. Francis Wells" located approximately 4.5 miles to the northwest (Huq and Whiting, 2016). From their location and local geology, they are likely to be in the Ogallala Aquifer. This application, if approved, is not expected to adversely impact the adequate wells of these users.

To protect existing rights and domestic users, the Water Management Board has defined an "adequate well" in ARSD 74:02:04:20(6) as:

"a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet;"

In the past, the Water Management Board has concluded that because water resources are to be put to beneficial use to the fullest extent of which they are capable, pump placement within an existing well may not be protected if the pump could be lowered and still produce a sufficient water supply.

CONTESTED CASES

In the past, there have been many water permit applications within Todd County that have been objected to over jurisdictional concerns, including Water Permit No. 1302-2 which covered the same land as this application. Water Permit No. 1302-2 was ultimately approved after the Water Management Board noted that they had received the "usual letter from the Solicitors Office".

This letter came from the Office of the Solicitor within the U.S. Department of the Interior and served as written notice for an objection to the State appropriating groundwater within the exterior boundaries of an Indian Reservation.

CONCLUSIONS

1. Water Permit Application No. 2783-2 proposes to appropriate water for the irrigation of 40 additional acres with no increase in the maximum diversion rate of 1.56 cubic feet per second (cfs) authorized by Water Right 2700-2 from one well (260 ft deep) completed into the Ogallala Aquifer. These acres were previously permitted under Water Permit No. 1302-2.
2. Based upon the hydrologic budget and observation well data, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer to supply the irrigation of 40 acres.
3. There is a reasonable probability that the appropriations as proposed by these applications will not adversely impact adequate wells for existing water rights and domestic use.



John Farmer
SD DENR – Water Rights Program

REFERENCES

- Allen, J.C., Iles, D. L., and Petres, A.K. 1985. Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota. Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory. Final Report. U.S. Army Corps of Engineers Contract DACW 45-82-C-0151.
- Carter, J.M., 1998. Water Resources of Mellette and Todd Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 98-4146.
- 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, 63p.
- Hedges, L.S. and S.L. Burch, 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 Program, Vermillion, South Dakota.

- Huq, S., Whiting, J., 2016. "Management of Ogallala Aquifer on Rosebud Reservation, South Dakota" presented at the Tribal Lands and Environment Forum held August 15-18, 2016 at Mohegan Sun – Uncasville Connecticut.
- Kolm, K.E. and Case III, H.L., 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.
- Martin, J.E., Sawyer, J.F., Fahrenbach, M.D., Tomhave, D.W., Schulz, L.D., 2004. Geologic Map of South Dakota, SD DENR Geological Survey General Map 10, scale 1:500,000
- USDA-FSA-APFO, 2016. USDA-FSA-APFO Digital Ortho Mosaic. Published Oct. 24, 2016. USDA_FSA_APFO Aerial Photography Field Office, Salt Lake City, Utah.
- Water Rights. 1983-2018. "1982-2016 Irrigation Summaries by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018a. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Well Completion Report Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c, "Observation Well Database", SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Affidavit of Publication

State of South Dakota

County of Todd

RECEIVED

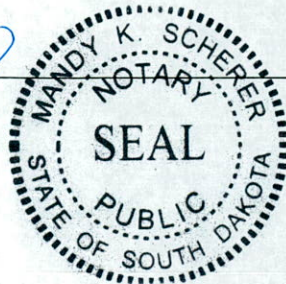
MAY 14 2018

WATER RIGHTS
PROGRAM

Taylor Risse, 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:

April 25, 2018

That the full amount of the fee charged for the publication of the attached public notice, **\$35.19** 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: Taylor RisseSubscribed and sworn to before me this 25 day of April, 2018.Mandy K. Scherer
Notary PublicMy Commission Expires
December 9, 2021

Legal Notices

Summons

Rosebud Sioux Tribal Court
Rosebud Indian Reservation
Rosebud, South Dakota

In Children's Court

Docket #17-127/128/129
In the Interest of:
Summons

A.K. Jr., T.K. and A.H.
Minor children and concerning:

To: Kimberly Foll
Anthony Kiteaux
PLEASE TAKE NOTICE that the Hearing on the Petition For GUARDIANSHIP concerning the above named minor(s) has been set for the 10th Day of May, 2018 at 11:00 a.m. in the Rosebud Sioux Children's Court House at the Wabam Wabam Tipi Wellness and Renewal Center (IDC) at Big Thunder, South Dakota. This is your official notice of said hearing.

Date: This 18th Day of April, 2018

By The Court
Cheryl Three Stars Valauna
Children's Court Judge

Attest:
Lynn Moun
Clerk Of Courts
Published twice at the total approximate cost of \$63.35
Published: April 25, May 2, 2018

Invitation for Bids

Rosebud Sioux Tribe
RFP: Road Start Program

The Rosebud Sioux Tribe Road Start Program is accepting sealed bids beginning April 16, 2018 at 8:00 a.m. and ending April 27, 2018 at 5:00 p.m. CST.

Bids will open on April 30, 2018 at 10:00 a.m. (CST) at the RST Administration Building in the Treasurer's Office.

* RST 18-019 Base Course and Asphalt for the four (4) following center sites to include all material and labor cost to construct parking lots. Submittal bid cost per center site.

Mission Early Head Start center site in Mission

St. Francis Early Head Start center site in St. Francis

Parmer Early Head Start center site in Parmer

Rosebud Early Head Start center site in Rosebud

TECRO Ordinance No. 86.03 for Indian Preference in the selection process will be adhered to. TECRO office may be contacted at (605) 747-2381 Monday through Friday from 8 a.m. to 5 p.m. CST.

Sealed bids MUST be submitted in a sealed envelope clearly marked (Subject: RST Bid #) on front of envelope. Failure to mark envelope will result in a no bid and will be mailed back to sender.

Rosebud Sioux Tribe will not accept email, fax and/or telephone bids.

For further information, contact Paulette Lyette, Finance Manager or Francis LaPointe, Transportation Mechanic at the RST Head Start Program, 605.747.2391, Monday through Friday from 8 a.m. to 5 p.m.

Sealed bids can be mailed to: Louis W. Boyd, RST Treasurer 11 Legion Ave., PO Box 430
Rosebud, South Dakota 57570
Published twice at the total approximate cost of \$43.40
Published: April 18, 25, 2018

Request for Proposals

Rosebud Sioux Tribe
RFP: Part A Pottery Services

The Rosebud Sioux Tribe Part A Pottery Services for the Part A Pottery Services for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 25 and 26, 2018. Bids will be advertised beginning April 18, 2018 at 8:00 a.m. and ending May 4, 2018 at 5:00 p.m. CST. Bids will be opened on May 7, 2018 at 2:00 PM at the RST Treasurer's office in Rosebud, SD.

All bids will include a budget for the following:

A. Service is to begin on August 22, 2018 through August 26, 2018.

B. Must possess a Rosebud Sioux Tribal Business License.

C. Part A Pottery at the Wapiti, Rodeo, Men's Fast Pitch Field and Women's Slow Pitch Field (two main up plays to have)

D. Hand Washing Station (how many you plan to have and where)

E. Labor for cleaning the part a pottery, and fill up the toilet paper

The Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Part A Pottery RST Bid #18-24) on the front of the envelope. Failure to mark the envelope will result in a no bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept mail, fax and/or telephone bids.

For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. to 5 p.m. CST.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, South Dakota 57570-0430.

Thank you and good luck

Published twice at the total approximate cost of \$44.64
Published: April 25, May 2, 2018

Request for Proposal

Rosebud Sioux Tribe
RFP: Fair Board
RST Wapiti for 2018

The Rosebud Sioux Tribe Fair Board will be accepting sealed bids for the Wapiti for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 25 and 26, 2018.

Bids will be advertised beginning April 25, 2018 at 8:00 a.m. and ending May 9, 2018 at 5:00 p.m. CST. Bids will be opened on May 11, 2018 at 2:00 p.m. at the RST Treasurer's office in Rosebud, SD.

Wapiti bids are the following:

A. Two (2) Arena Directors (Bid#18-44)

B. Two (2) Masters of Ceremony (Bid#18-45)

C. One (1) Secretary (Bid#18-46)

D. Drum Keeper (Bid#18-47)

E. Sound Technician (Bid#18-48)

F. Head Cook (Bid#18-49)

G. Head Women's Judge (Bid#18-50)

H. Head Men's Judge (Bid#18-51)

I. One (1) Registration Clerk (Bid#18-52)

J. Three (3) Beaded Crowns (Bid#18-53)

All of these events will have a signed contract and fill out their W-9. In the event you will need to do some kind of fund raising before Rosebud Fair. Remember a report on the bids will have to be completed right after Rosebud Fair. For further information please contact Danielle Burnette, Fair Manager (605) 747-2381, Monday through Friday from 8:00 a.m. CST to 5:00 p.m. CST.

The Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Wapiti RST Bid #) and what you are bidding on in the front of the envelope. Failure to mark the envelope will result in a non responsive bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept email, fax and/or telephone bids.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, SD 57570-0430.

Published twice at the total approximate cost of \$49.60
Published: April 25, May 2, 2018

Request for Proposal

Rosebud Sioux Tribe
RFP: #18-54

The Rosebud Sioux Tribe (RST) will be accepting sealed bids for the Rodeo Queen Pageant Coordinator for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 2018. Bids will be advertised beginning April 25 at 8:00 a.m. CST and ending on May 7, 2018 at 5:00 p.m. CST. Bids will be opened on May 9, 2018 10:00 a.m. CST at the Rosebud Sioux Tribal Administration Building at the Treasurer's Office.

All bids will include a detailed budget:

1) Coordinator the Queen Pageant

2) Coordinate the Application process

3) Coordinate the activities/judges

4) Detailed budget for the Crown/Sash/Prizes

The Rosebud Sioux Tribe has the right to reject any or all bids, waive information or accept any bid or combination thereof which appears to serve the best interest of the Rosebud Sioux Tribe. Award of the bid is subject to the Rosebud Sioux Tribe Business regulatory requirements. Bidders must provide proof of suspension and debarment certification.

For further information please contact Danielle Burnette, Fair Manager at 605.747.2381 Monday through Friday 8:00 a.m. to 5:00 p.m. CST or email: danielle.burnette@rst-nai.gov

Sealed bids will be mailed to the following address: Rosebud Sioux Tribe, Fair Manager, At: Danielle Burnette, Fair Manager, PO Box 430 Rosebud, SD 57570-0430.

Published twice at the total approximate cost of \$38.44
Published: April 25, May 2, 2018

Request for Proposal

Rosebud Sioux Tribe
RFP: #18-56

The Rosebud Sioux Tribe (RST) will be accepting sealed bids beginning April 25, 2018 at 8:00 a.m. CST and ending on May 7, 2018 at 5:00 p.m. CST. Bids will be opened on May 9, 2018 10:00 a.m. CST at the Rosebud Sioux Tribal Administration Building at the Treasurer's Office.

The Rosebud Sioux Tribe (RST) is seeking bids for a Youth Rodeo Secretary for the 142nd Annual Rosebud Sioux Tribe Youth Rodeo Fair. All bids will include a detailed budget:

1. Must be available on August 23, 2018 for the Youth Rodeo

2. Must be on call on August 24, 25 and 26, 2018 if needed.

3. Must have Rodeo Secretary Experience

4. Must have verification of Indian Preference

The Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Youth Rodeo Secretary RST Bid #18-56) on the front of the envelope. Failure to mark the envelope will result in a non-responsive bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept mail, fax and/or telephone bids.

For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. to 5 p.m. CST.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, South Dakota 57570-0430.

Published twice at the total approximate cost of \$38.44
Published: April 25, May 2, 2018

Request for Proposals

Rosebud Sioux Tribe
Request for Bid
RFP: #18-23

The Rosebud Sioux Tribe (RST) will be accepting sealed bids beginning April 18, 2018 at 8:00 a.m. CST and ending on May 4, 2018 at 5:00 p.m. CST. Bids will be opened on May 7, 2018 10:00 AM CST at the Rosebud Sioux Tribal Administration Building at the Treasurer's Office.

The Rosebud Sioux Tribe (RST) is seeking bids for a carnival operator to provide high quality entertainment, food, booths, games and other amusements during the 142nd Annual Rosebud Fair and Wapiti. The dates of service will be on August 22, 2018 through August 26, 2018. The location of the carnival is on the Rosebud Fairgrounds in Rosebud, South Dakota. The area is all grass. The carnival operator must provide all electricity for the carnival operation via generator. All carnival personnel shall park outside of the carnival area in designated parking areas. All support equipment, including but not limited to trucks and trailers, shall be parked off-site for the duration of the event. The carnival operator will provide nuclear insurance. The Rosebud Sioux Tribe will provide adequate security protection on the midway for the duration of the event.

The Rosebud Sioux Tribe Finance Department will sell carnival tickets to the fair going public in advance of the event. Pricing for a family night which require a wristband for individual trades and one (1) designated night for free rides will be determined in mutual agreement between the Rosebud Sioux Tribe and the carnival operator.

The Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Carnival Services RST Bid #18-23) on the front of the envelope. Failure to mark the envelope will result in a no bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept mail, fax and/or telephone bids.

For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. to 5 p.m. CST.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, South Dakota 57570-0430.

Published twice at the total approximate cost of \$54.56
Published: April 25, May 2, 2018

Request for Proposal

Rosebud Sioux Tribe
RFP: Fair Board
RST Rodeo for 2018

The Rosebud Sioux Tribe Fair Board will be accepting sealed bids for the Rodeo Services for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 25 and 26, 2018. Bids will be advertised beginning April 25, 2018 at 8:00 a.m. and ending May 7, 2018 at 5:00 p.m. CST. Bids will be opened on May 9, 2018 at 2:00 p.m. at the RST Treasurer's office in Rosebud, SD. These bids will go to the Fair Board to decide.

Rodeo bids for Rodeo will be the following:

A. Stock Contractor/Rough Stock (Bid#18-67)

B. Announcer (Bid#18-68)

C. Two (2) Rodeo Time Keepers (Bid#18-69)

D. Three (3) Judges (Bid#18-70)

E. Two (2) Bull Riders (Bid#18-71)

F. Entertainment (Bid#18-72)

G. Wild Horse Race (Bid#18-73)

H. Two (2) Pick Up Men (Bid#18-74)

J. Sound Technician (Bid#18-75)

K. One (1) Secretary (Bid#18-76)

All of these events will have a signed contract and fill out their W-9. If you will need to do some kind of fund raising before Rosebud Fair. Remember there must be a report on the event done right after Rosebud Fair. For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. CST to 5:00 p.m. CST.

If you subcontract we will need a list who you are subcontracting with knowing the Stock/Rough Stock.

Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Special Events RST Bid #) and what you are bidding on in the front of the envelope. Failure to mark the envelope will result in a non responsive bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept email, fax and/or telephone bids.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, SD 57570-0430.

Published twice at the total approximate cost of \$43.42
Published: April 25, May 2, 2018

Request for Proposal

Rosebud Sioux Tribe
RFP: Fair Board
RST Special Events for 2018

The Rosebud Sioux Tribe Fair Board will be accepting sealed bids for the Special Events for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 25 and 26, 2018.

Bids will be advertised beginning April 25, 2018 at 8:00 a.m. and ending May 9, 2018 at 5:00 p.m. CST. Bids will be opened on May 11, 2018 at 2:00 p.m. at the RST Treasurer's office in Rosebud, SD.

Special Event bids are the following:

A. Miss Rosebud Pageant (Bid#18-27)

B. Tennis Tournament (Bid#18-28)

C. Little League Tournament (Bid#18-29)

D. Youth Dancers (Bid#18-30)

E. Volleyball Tournament (adult/youth) (Bid#18-31)

F. Golf Tournament (adult/youth) (Bid#18-32)

G. Tag of War (adult/youth) (Bid#18-33)

H. Men's Pitch Tournament (Bid#18-34)

I. Woman's Softball Tournament (Bid#18-35)

J. Mud Races (Bid#18-36)

K. Bread Making Contest (Bid#18-37)

L. Archery (Bid#18-38)

M. Parade (Bid#18-39)

N. Garden Contest (Bid#18-40)

O. Tent Rentals (Bid#18-41)

P. Horse Show Tournament (Bid#18-42)

Q. One (1) Secretary (Bid#18-43)

All of these events will have a signed contract and fill out their W-9. In the event you will need to do some kind of fund raising before Rosebud Fair. Remember there must be a report on the event done right after Rosebud Fair. For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. CST to 5:00 p.m. CST.

Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Special Events RST Bid #) and what you are bidding on in the front of the envelope. Failure to mark the envelope will result in a non-responsive bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept email, fax and/or telephone bids.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, SD 57570-0430.

Published twice at the total approximate cost of \$38.28
Published: April 25, May 2, 2018

Request for Proposals

Rosebud Sioux Tribe
RFP: Fair Board
Security Services

The Rosebud Sioux Tribe Fair Board will be accepting sealed bids for the Security Services for the 142nd Annual Rosebud Sioux Tribe Fair & Wapiti to be held on August 24, 25 and 26, 2018.

Bids will be advertised beginning April 27, 2018 at 8:00 a.m. and ending May 4, 2018 at 5:00 p.m. CST. Bids will be opened on May 7, 2018 at 2:00 p.m. at the RST Treasurer's office in Rosebud, SD.

All bids will include a budget for the following:

A. Service is to begin on August 22, 2018 through August 26, 2018.

B. Work closely with the RST, Fair Board and the Rosebud Law Enforcement Services to customize the security services activities for the Fair.

C. Submit a schedule of daily security services for the Wapiti, Rodeo, Special Events and carnival activities.

D. Submit a schedule of the number of employees that you will be utilizing for each shift, their hourly/daily compensation and budget (plus fringe 13.68 percent)

E. Number and type of equipment you will be utilizing, i.e., two way radios, identifying security shirts, four wheelers, etc.

F. Estimated supplies you will need to fulfill this service.

G. Must possess a Rosebud Sioux Tribal Business License.

The Contractor will utilize the RST, TECRO office to hire temporary security personnel or other emergency employment as needed. Will be responsible for all security activities in a timely and efficient manner.

The Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (Subject: Security Services RST Bid #18-25) on the front of the envelope. Failure to mark the envelope will result in a no bid and will be mailed back to the sender. Rosebud Sioux Tribe will not accept mail, fax and/or telephone bids.

For further information please contact Danielle Burnette, Fair Manager, Rosebud Sioux Tribe (605) 747-2381, Monday through Friday from 8:00 a.m. to 5 p.m. CST.

Sealed bids can be mailed to: Danielle Burnette, Fair Manager, Rosebud Sioux Tribe, 11 Legion Avenue, P.O. Box 430, Rosebud, South Dakota 57570-0430.

Published twice at the total approximate cost of \$57.04
Published: April 25, May 2, 2018

Notice of Application No. 2783-2 to Appropriate Water

Notice is given that Vernon and Marlys Wallking, 29832 246th Ave, Crookston NE 69212 have filed an application for a water permit to irrigate 40 new acres. Water Right No. 2700-2 authorizes 1.56 cubic feet of water per second from any well completed into the Ogallala Aquifer (260 feet deep) located in the NE 1/4 SW 1/4 Section 11 to irrigate 130 acres located in the W 1/2 SE 1/4, E 1/2 SW 1/4 Section 11, all in T36N R30W. This application proposes to irrigate 40 new acres located in the SE 1/4 SE 1/4 SW 1/4 Section 11 T36N R30W from the existing well. This site is located approximately 1.5 miles southeast of Mission SD. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2783-2 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://dwr.sd.gov/publicaffairs> or contact: Rex Grunwald by 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 DWRH by the application 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, 1005 Harding, Suite 110, Crookston, ND 58001 (605) 773-3353", and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 7, 2018.

The petition may be submitted, 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 recommendation is received, the Chief Engineer shall act on the application pursuant to the recommendation without holding a public hearing before the Water Rights 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. Priester, Secretary, Department of Environment and Natural Resources
Published once at the total approximate cost of \$35.19
Published: April 25, 2018

Legal Ad Deadline - Fridays 4 p.m.

Form 8

RECEIVED

MAY 04 2018

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marilyn 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:

4-25-18

Cost of Printing \$32.20

Marilyn Baker
(Signature)

Business Office Asst.
(Title)

5-1-18

(Date Signed)

SNAXLP 15280
Tidly 4725

NOTICE OF
APPLICATION NO. 2783-2

To Appropriate Water
Notice is given that Vernon
and Marys Walking, 28832
287th Ave, Crookston NE
58212 have filed an appli-
cation for a water permit to
irrigate 40 new acres Water
Right No. 2700-2
authorizes 1.50 cubic feet
of water per second from
one well completed into the
Ogallala Aquifer (260 feet
deep) located in the NE 1/4
SW 1/4 Section 11 to irri-
gate 136 acres located in
the W 1/2 SE 1/4, E 1/2
SW 1/4 Section 11; all in
T30N-R30W. This applica-
tion proposes to irrigate 40
new acres located in the SE
1/4 SE 1/4 Section
11-T30N-R30W from the
existing well. This site is lo-
cated approximately 15
miles southwest of Mission
SD. This application, if ap-
proved, does not authorize
any increase in the devel-
oped diversion rate.

Pursuant to SDCL
49-2A-2, the Chief Engineer
recommends APPROVAL
of Application No. 2783-2
with qualifications because
1) unappropriated water is
available, 2) existing rights
will not be unlawfully im-
paired, 3) it is a beneficial
use of water and 4) it is in
the public interest. The
Chief Engineer's recom-
mendation with qualifica-
tions, the application, and
staff report are available at
<http://denr.sd.gov/public> or
contact Eric Gronlund for
this information or other in-
formation, at the Water
Rights Program address
provided below.

Any person interested in
opposing or supporting this
application or recommenda-
tion must file a written peti-
tion with BOTH the appli-
cant and Chief Engineer.
The applicant must file a
petition if contesting the
Chief Engineer's recom-
mendation. The Chief Engi-
neer's address is "Water
Rights Program, Foss
Building, 523 E Capitol, Pi-
erre SD 57501 (605
773-3352)" and the appli-
cant's mailing address is
given above. A petition
filed by either an interested
person or the applicant
must be filed by May 7
2018.

The petition may be infor-
mal, 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 mail-
ing address of the petitioner
or the petitioner's legal
counsel, if legal counsel is
obtained.

If the applicant does not
contest the recommenda-
tion of the Chief Engineer
and no petition to oppose
the application is received,
the Chief Engineer shall act

NEW Public Notice
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. Pinner,
Secretary,
Department of Environment
and Natural Resources
Published once at the total
approximate cost of \$32.20

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, April 16, 2018 10:26 AM
To: Bennett County Booster (triblegals@gmail.com)
Subject: 2783-2, Vernon & Marlys Walkling
Attachments: 2783-2public.short.docx; FORM8.FRM.doc

Attached is a notice to be published in the Todd County Tribune on April 25, 2018.

Vernon and Marlys Walkling, 29832 267th Ave, Crookston NE 69212 (605 429-3315 or 402 389-1507) have been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

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

Karen Schlaak

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, April 16, 2018 10:27 AM
To: legals@capjournal.com
Subject: 2783-2, Vernon & Marlys Walkling
Attachments: 2783-2public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on April 25, 2018.

Vernon and Marlys Walkling, 29832 267th Ave, Crookston NE 69212 (605 429-3315 or 402 389-1507) have been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

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

Karen Schlaak

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



NOTICE OF APPLICATION NO. 2783-2 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 irrigate 40 new acres. Water Right No. 2700-2 authorizes 1.56 cubic feet of water per second from one well completed into the Ogallala Aquifer (260 feet deep) located in the NE 1/4 SW 1/4 Section 11 to irrigate 136 acres located in the W 1/2 SE 1/4, E 1/2 SW 1/4 Section 11; all in T36N-R30W. This application proposes to irrigate 40 new acres located in the SE 1/4 SE 1/4 Section 11-T36N-R30W from the existing well. This site is located approximately 15 miles southwest of Mission SD. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2783-2 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 May 7, 2018.

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

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

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



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.**

April 16, 2018

Vernon and Marlys Walkling
29832 267th Ave
Crookston NE 69212

Dear Mr. & Mrs. Walkling:

Water Permit Application No. 2783-2 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.

Please be aware that DENR has sent the report, recommendation and public notice to the Rosebud Sioux Tribe.

Sincerely,

Eric Gronlund
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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 17 2018

Vernon and Marlys Walkling
29832 267th Ave
Crookston NE 69212

Dear Mr. and Mrs. Walkling:

Enclosed is Water Permit No. 2783-2 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

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

enclosures

2783-2
RECEIVED

OCT 12 2018

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 10-10-18TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Vernon Walking
(name)29832 267th Ave
(address)Crookston, NE 69212
(city, state, zip)605-429-3315
(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.

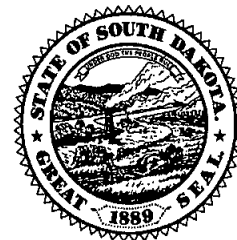
Water Permit No. 2783-2 states that the water use system is to be constructed by
May 7, 2023 , and water is to be put to beneficial use by May 7, 2027
(date) (date)

The water use system was completed on June 10, 2018
(date)

Applying the water to beneficial use was completed on June 12, 2018
(date)

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

Vernon Walking
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 17, 2018

2783-2

Vernon Walkling
29832 267th Ave
Crookston NE 69212

Dear Mr. Walkling:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: VERNON & MARLYS WALKLING, 29832 267TH AVE, CROOKSTON, NE 69212
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2700-2 & 2783-2. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2700-2 & 2783-2 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2700-2 & 2783-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: XFJURT**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2026

**NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION
OF WATER PERMIT**

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

FROM: Adam Mathiowetz, PE, Acting Chief Engineer
DANR - Water Rights Program

SUBJECT: One Year Suspension of Water Permit No. 2783-2

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Permit No. 2783-2 be suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaire. If the 2025 irrigation questionnaire is received prior to April 3, 2026, the suspension will not take effect.

A one-year suspension of Water Permit No. 2783-2 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaire is submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaire and a letter including your reason for not completing the 2025 irrigation questionnaire within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Amanda Dewell, Water Rights Permitting Administrator (605) 773-3352 with any questions.

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

7021 1970 0000 9489 8230

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--|
| ☐ Return Receipt (hardcopy) | \$ | |
| ☐ Return Receipt (electronic) | \$ | |
| ☐ Certified Mail Restricted Delivery | \$ | |
| ☐ Adult Signature Required | \$ | |
| ☐ Adult Signature Restricted Delivery | \$ | |

Postmark
Here

Postage

\$

Total F

\$ Sent To

Street

City, S

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

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF ONE- AND THREE-YEAR SUSPENSION OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

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

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

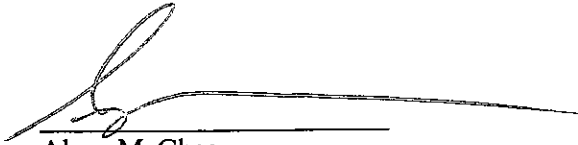
Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

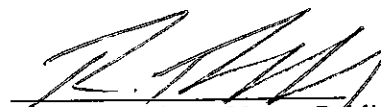
Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579



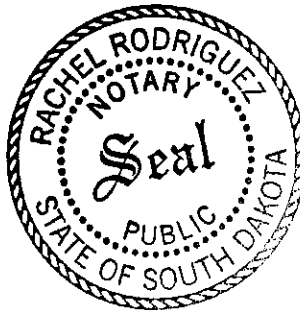
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2026.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



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

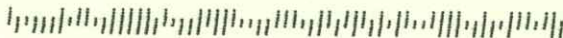
RECEIVED

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. 2783-2

Date: 4-10-26

I/We request that Water Right/Permit No. 2783-2 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 57212

email: dakota.walkling@K12.sd.us

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

40 acres located in the SE 1/4 SE 1/4, Section 11-T36N-R30W

☒ I understand that the validity of Water Right/Permit No. 2783-2 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

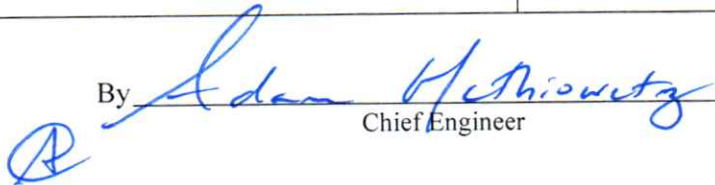
Date April 15, 2026

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 #2783-2	\$ <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