

WATER PERMIT NO. 2869-2

Name of Applicant: **Stanley County School District 57-1**

Address: **112 South 1st Street, Fort Pierre SD 57532**

Phone: **605-220-0546**

Amount of Water Claimed: **0.10 cfs**

Total Acres: **2.5**

Source of Water Supply: **Bad River**

Water to be used for: **Irrigation**

County: **Stanley**

Type of Waste Disposal System:

Location: **In the city of Fort Pierre**

PRIORITY Date Received: **2-21-2023**

Application/License Fee: **\$300.00**

Corrected Application Received: **4-18-2023**

Period of Annual Use: **May 1 – September 31**

Remarks:

Diversion Point: **Block 2 Lot 1 Section 33-T5N-R31E**

Land to be Irrigated: **Block 1, Block 2 Section 33-T5N-R31E**

Blk 2
Blk 1

Depth of Well:

Well Driller:

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **4-18-2023**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2869-2**

Date of first receipt of application February 21, 2023.

Date of return to applicant for corrections, amendments or changes April 17, 2023.

Date of receipt of corrected application April 18, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2869-2 to Stanley County School District 57-1, c/o Derek Meyers, 112 South 1st Street, Fort Pierre SD 57532 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. 2869-2 appropriates 0.10 cubic feet of water per second (cfs) from the Bad River and the natural flow of the Missouri River located in Block 2 Lot 1 Section 33 for irrigation of a 2.5 acre, football field located in portions of Block 1 and Block 2 Section 33; all in T5N-R31E. This site is located in Fort Pierre SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is February 21, 2023.
4. The date of approval of Permit No. 2869-2 is June 12, 2023.
5. One-fifth of the construction is to be completed on or before December 12, 2025.
6. All construction is to be completed on or before June 12, 2028.
7. Water is to be put to beneficial use on or before June 12, 2032.
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 irrigation intake for this project shall be constructed so that the intake velocities at the intake point do not exceed 0.50 feet per second and the intake is screen 1/4 inch diameter or 3/16 inch slotted stainless steel or corrosion resistant screen to avoid entrainment or impinging fish.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUL 11 2023
date



RECEIVED

FEB 21 2023

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2869-2</u> Hydrologic Unit <u>10140102</u> Basin <u>Bad River</u> Newspaper <u>Pierre Capital Journal 224-7301</u> <u>Huron Plainsman 353-7414</u> (office use only)
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Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Stanley County School District 57-1

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

Mailing Address 112 South 1st Street Fort Pierre SD 57532
(Address) (City) (State) (Zip Code)

Phone 6052237741 Mobile 6052200546 Email derek.meyers@k12.sd.us

2. Amount of water claimed 0.10 *CFS or 185-45 **GPM ***AF Total Acreage 2.5
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Bad River, apprx. 300 yards west of the outflow into Missouri River / Lake Sharp

4. Location of point of diversion 44 degrees, 22, 18 degrees west BL2 Lot 1 Sec 33 - T5N - R31E
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

Fort Pierre, SD 57532 County Stanley

5. County or counties where water will be used Stanley County

6. Annual period during which water is to be used May through September

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
Football field complex <u>BL1 & BL2</u>	<u>2.5</u>		
<u>Sec 33 - T5N - R31E</u>			

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

We would like to have the ability to use a water pump on our north bank of the Bad River, west of the Fort Pierre Pedestrian bridge, to irrigate our football field facility when The City of Fort Pierre issues a water restriction due to drought and the problematic water infrastructure. In the summer of 2021 we nearly lost our grass due to heat and water restrictions. Our sprinkler system was built to support this feature and is my understanding that in 2008, we had a pump located on the bank for this purpose.

I, Derek Meyers Director of Maintenance, 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.

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

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 _____ Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:

- c) Well Depth (required) _____ Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____
- d) Distance to nearest domestic well on applicant's property _____ Property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

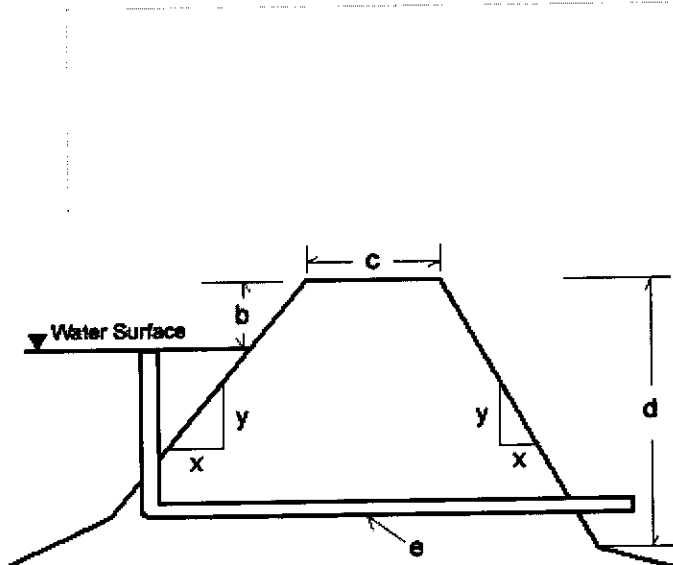
3. Dugout Information

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

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres





5N 31E
Section: 27

5N 31E
Section: 28

5N 31E
Section: 27

5N 31E
Section: 33

5N 31E
Section: 34

Township: 5N 31E
Section: 34
QQ Sect: NESW

Township: 5N 31E
Section: 34
QQ Sect: NWSW

Township: 5N 31E
Section: 34
QQ Sect: NESW

Township: 5N 31E
Section: 33
QQ Sect: NESE

Township: 5N 31E
Section: 33
QQ Sect: NWSE

Township: 5N 31E
Section: 33
QQ Sect: SWSE

Township: 5N 31E
Section: 33
QQ Sect: SESE

Township: 5N 31E
Section: 34
QQ Sect: SWSW

Township: 5N 31E
Section: 34
QQ Sect: SESW

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date April 17, 2023

RECEIVED OF Stanley County School District 112 1st St., Fort Pierre SD 57532

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

Fee for Application for Permit No. <u>2869-2</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>100.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2869-2</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>300.00</u>

By Eric Gronlund
Chief Engineer
EM

Water Rights Program - DENR

File Documentation

File No. 2869-2

County: Stanley

Name of Person: Rick Hahn, Ft Pierre City Engineer

Address: Ft Pierre SD

Date: 05-08-2023 **Telephone:** 605-223-7960

RE: US Army Corps of Engineers easement at the mouth of the Bad River

Comments:

I called the Ft Pierre city hall and was directed to Rick Hahn. I explained Water Rights had received a water permit application from the Stanley County School District to irrigate the football field from the Bad River with the diversion point from the river adjacent to the football field. I explained I was trying to determine if the Corps had an easement at that location. Mr. Hahn stated the Corps did have an easement at the mouth of the Bad River, but it only went as far upstream as the city boat ramp and that there are Corp boundary markers at that location. He said the location where the School District is requesting to divert from does not have a Corps easement in place.



Mark D Rath

Natural Resources Engineer III

Rodriguez, Rachel

From: Meyers, Derek
Sent: Tuesday, April 18, 2023 10:59 AM
To: Rodriguez, Rachel
Subject: RE: Application for Permit to Appropriate Water for Irrigation - Stanley County School District
Attachments: Stanley Cty School District for water DNR.pdf

It would be the 45GPM. I messed up on the form.

Thank you!

Derek Meyers

Director of Maintenance

Stanley County School District 57 – 1

“Students, Staff, Stuff!”

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, April 17, 2023 3:46 PM
To: Meyers, Derek
Subject: Application for Permit to Appropriate Water for Irrigation - Stanley County School District
Attachments: Stanley Cty School District.pdf

Dear Mr. Meyers:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Stanley County. To complete the application, the following is required.

- Enclosed is the aerial photo map for the location of the irrigation. On the map, please mark the pump location with an "X". And outline the area to be irrigated.
- The application requests an appropriation of 185 gallons per minute (gpm). Is that the actual amount you are requesting? If so, the application fee would be an additional \$400, please submit. However, if you plan on using 45 gpm or less then no additional fee is required. Please let us know what the appropriate amount should be on the application.

Please see attached aerial map.

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

17
April 18, 2023
(Email)

Stanley County School District 57-1
c/o Derek Meyers
112 South 1st Street
Fort Pierre SD 57532

Dear Mr. Meyers:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Stanley County. To complete the application, the following is required.

- Enclosed is the aerial photo map for the location of the irrigation. On the map, please mark the pump location with an "X". And outline the area to be irrigated.
- The application requests an appropriation of 185 gallons per minute (gpm). Is that the actual amount you are requesting? If so, the application fee would be an additional \$400, please submit. However, if you plan on using 45 gpm or less then no additional fee is required. Please let us know what the appropriate amount should be on the application.

If you have any questions, please contact me.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
605 773-3352
rachel.rodriquez@state.sd.us

enclosures

Schlaak, Karen

From: Gronlund, Eric
Sent: Friday, February 17, 2023 11:24 AM
To: Meyers, Derek
Cc: Schlaak, Karen
Subject: RE: WATER RIGHTS QUESTION - Ft. Pierre Tipped Over Fuel Tank DANR File # 2022.109

Yes

From: Meyers, Derek <Derek.Meyers@k12.sd.us>
Sent: Friday, February 17, 2023 11:22 AM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: RE: WATER RIGHTS QUESTION - Ft. Pierre Tipped Over Fuel Tank DANR File # 2022.109

Great, thank you so much! I submitted email but was going to send hard copy with the requested documents and fees if that was okay.

Thanks again for your help!!!

Derek Meyers
Director of Maintenance
Stanley County School District 57 – 1
“Students, Staff, Stuff!”

Schlaak, Karen

From: Gronlund, Eric
Sent: Friday, February 17, 2023 9:42 AM
To: Meyers, Derek
Cc: Schlaak, Karen
Subject: FW: WATER RIGHTS QUESTION - Ft. Pierre Tipped Over Fuel Tank DANR File # 2022.109
Attachments: E0499LDV5-IRRIG.pdf

Derek

Gage Koistinen asked me to reach out to you regarding your inquiry on needing was water permit to pump from the Bad River to irrigate the football field.

A water right permit will be needed to divert water from the Bad River for irrigation. He is the link to Water Right forms. <https://danr.sd.gov/OfficeOfWater/WaterRights/PermitForms/default.aspx> The correct form is the application to appropriate water for irrigation. I am also attached the pdf file of the form with instruction sheet.

Let me know if you have questions. Eric

Eric Gronlund
Water Rights Program, DANR
605 773-3352
Eric.gronlund@state.sd.us

From: Koistinen, Gage <Gage.Koistinen@state.sd.us>
Sent: Friday, February 17, 2023 9:01 AM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: FW: WATER RIGHTS QUESTION - Ft. Pierre Tipped Over Fuel Tank DANR File # 2022.109

Hello Eric,

I was working with Derek Meyers on the final documentation for a spill that had occurred at Ft. Pierre High School last summer and he asked this question about pumping water from the Bad River. I told him that I would forward the question, and someone would contact him about permits.

His Contact Information:
Derek Meyers
Director of Maintenance – Stanley County School District
Derek.Meyers@k12.sd.us
(605) 220-0546

Thank you,

Gage



Gage Koistinen | Environmental Scientist I
Inspection, Compliance, and Remediation Program
SD Department of Agriculture and Natural Resources
523 East Capitol Ave. Pierre, SD 57501
Office: 605.773.3296 | Cell: 605.773.5054
danr.sd.gov

From: Meyers, Derek <Derek.Meyers@k12.sd.us>
Sent: Thursday, February 16, 2023 4:24 PM
To: Koistinen, Gage <Gage.Koistinen@state.sd.us>
Subject: RE: Ft. Pierre Tipped Over Fuel Tank DANR File # 2022.109

Thank you. I appreciate that.

Who would I contact about getting a permit to pump water from the Bad River to irrigate our football field with during water restrictions. Due to our failing city infrastructure I am foreseeing more water restrictions even if we have a "wet" year. Within a decade ago we were pumping from the Bad River but I would guess we did not do or have what we should have to be doing that. Possibly pre-dated any regulation too?

Thank you again for all your help!!!

Derek Meyers
Director of Maintenance
Stanley County School District 57 – 1
"Students, Staff, Stuff!"



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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danr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2869-2, Stanley County School District 57-1**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 2869-2, Stanley County School District 57-1, 112 South 1st Street, Fort Pierre SD 57532.

The Chief Engineer is recommending APPROVAL of Application No. 2869-2 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The irrigation intake for this project shall be constructed so that the intake velocities at the intake point do not exceed 0.50 feet per second and the intake is screen 1/4 inch diameter or 3/16 inch slotted stainless steel or corrosion resistant screen to avoid entrainment or impinging fish.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
May 15, 2023

REPORT ON WATER PERMIT APPLICATION NO. 2869-2

Stanley Co School District

May 10, 2023

Application No 2869-2, proposes to appropriate 0.10 cubic feet of water per second (cfs) from the Bad River and backup water from the Missouri River located in Block 2 Lot 1 Section 33 for irrigation of a football field, located in Block 1, Block 2 Section 33; all in T5N-R31E. This site is located in Fort Pierre SD in Stanley County.

South Dakota Codified Law SDCL 46-2A-2 directs the Chief Engineer to make a recommendation to the Water Management Board on a permit application. The Chief Engineer needs to consider four criteria in making a recommendation on whether a permit should be approved, approved with qualifications, denied, or deferred. They are: 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use, and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. This report will analyze the available information to make a recommendation to the Chief Engineer on the first two criteria the Chief Engineer needs to consider in making an official recommendation to the Water Management Board.

Review of the Proposed Water Source

The water source for this application lists the Bad River and during times of higher flows the Bad River will provide water for this project. Figure 1, is a stream flow hydrograph showing the 50, 25 and 10 percentile daily flow values. The median or 50 percentile hydrograph for this stream gage exhibits the daily flow values at or below this level on average one out of two years. The hydrograph shows an increase in flow in the Bad River corresponding to spring snowmelt and spring rain events with the median daily flow values significantly curtailing after the mid-July time frame. At the 25 percentile level corresponding to drier years, occurring on average one out of four years, there is little water available at the site after the last week of June. At the 10 percentile level, occurring on average one out of 10 years, the Bad River at this location has almost no flow throughout the year.

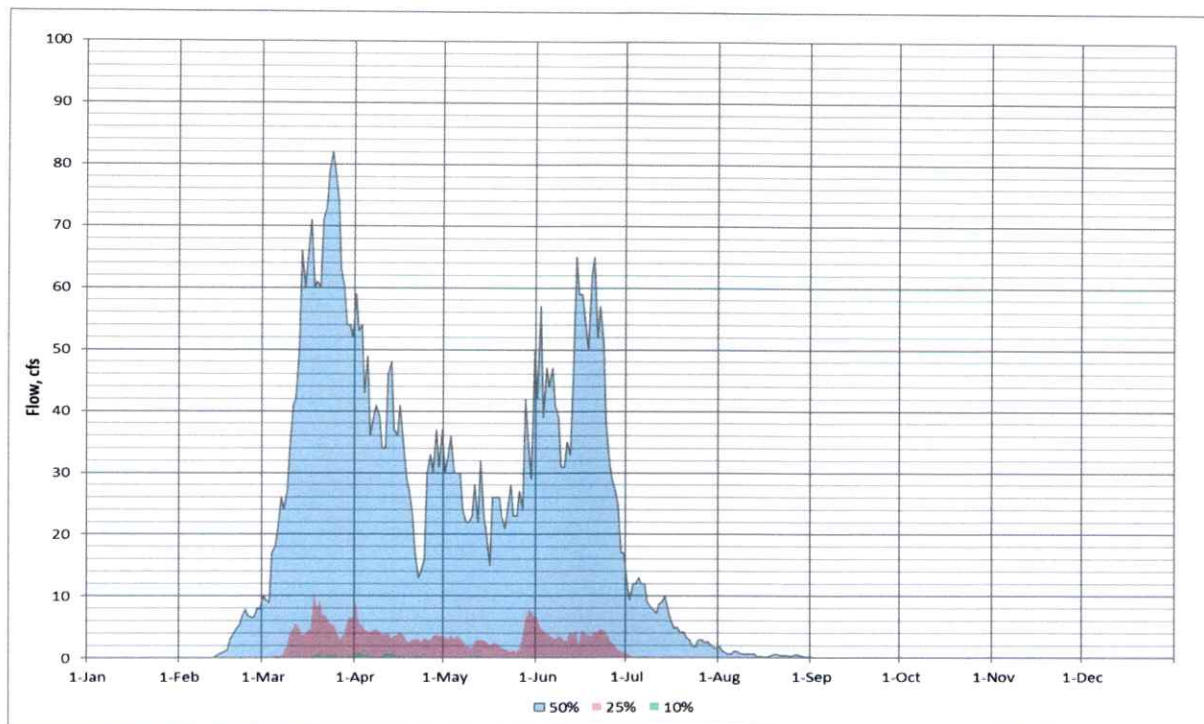


Figure 1. Percentile streamflow hydrograph for the stream gaging station USGS No. 06441500, Bad River near Ft Pierre; 1928-2022 (USGS. 2023).

However, during drier periods when there is little flow to no flow in the Bad River, the source of water for the proposed project will be from the natural flow water from the Missouri River in the Lake Sharpe reach due to the location of the proposed diversion point, which is approximately 1,100 feet upstream of the confluence with the Missouri River. The Missouri River is impounded in Lake Sharpe behind Big Bend Dam. Storage levels in Lake Sharpe impounded by Big Bend Dam are relatively constant with releases matching those of Oahe Dam, located immediately upstream, causing Lake Sharpe water levels to be relatively constant. The U.S. Army Corps of Engineers (USACE) constructed Big Bend Dam in the early 1960's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft. Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is included. Specifically, Lake Sharpe Reservoir impounds approximately 1.7 million acre-feet of water (MAF) at normal operations (USACE. 2022). Figure 2 shows an estimation of the Missouri River natural flows derived from a 2001 USGS research study at a location approximately 5 miles upstream of this project (Jacobson, 2001). Even at the 10th percentile flow level, this hydrograph demonstrates there is ample natural flow available, if this project is approved, during the irrigation season of April through November. Water availability is not a concern when using the natural flows of the Missouri River as a source.

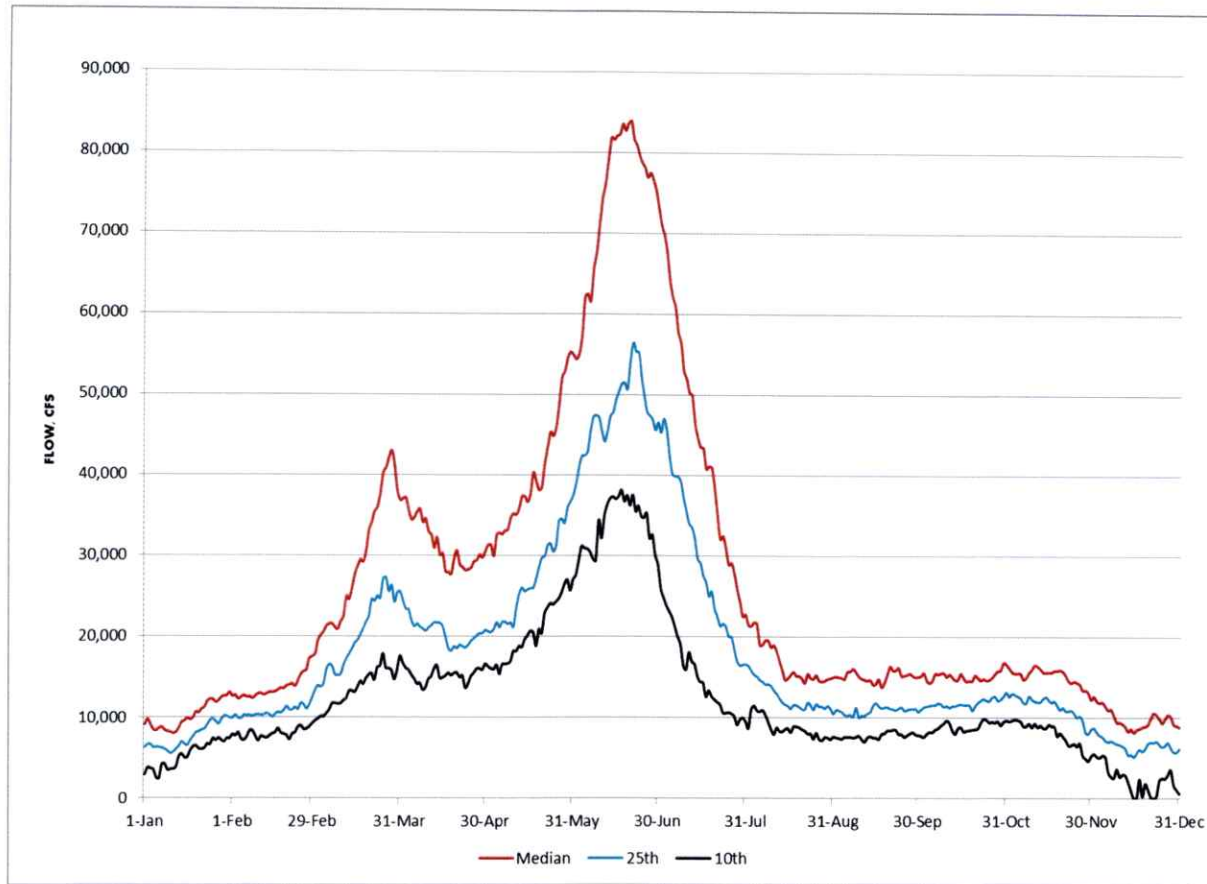


Figure 2. Natural flow hydrograph for the Missouri River at Oahe Dam (Jacobson, 2001).

Review of the Proposed Project and Existing Water Rights

There are 12 existing water rights/permits appropriating water from the Bad River with a total authorized appropriation of 18.34 cfs, all located upstream from this proposed project's diversion point. There are 251 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1254.18 cfs (Water Rights, 2023). Since water availability is not an issue for the Missouri River, approval of this permit would not adversely affect these existing water rights on either the Bad River or the Missouri River.

Conclusions

1. This application proposes appropriate 0.10 cubic feet of water per second from the Bad River and natural flow of the Missouri River.
2. The water will be used for irrigation of a football field.

3. The water source for this project is from the Bad River when available, and the natural flow of the Missouri River in the reservoir reach of Lake Sharpe immediately downstream from Oahe Dam.
4. Water availability for this project will not be an issue and the project can be developed without adversely affecting existing water rights or domestic water uses on either the Bad River or the Missouri River.



Mark D. Rath

Natural Resources Engineering III

References

1. Jacobson. 2001. Visualization of Flow Alternatives, Lower Missouri River U.S. Geological Survey Open-file Report OF02-122. Robert B. Jacobson and Jeanne Heuser, U.S. Geological Survey, Columbia, MO.
2. USACE. 2022. United States Army Corps of Engineers Northwestern Division – Missouri River Mainstem System 2022-2023 Annual Operating Plan. December 2022.
3. USGS. 2023. United States Geological Survey, National Water Information System – Stream Gaging Station Network for South Dakota.
4. Water Rights. 2023. Water Right/Permit Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

May 16, 2023

Stanley County School District 57-1
c/o Derek Meyers
112 South 1st Street
Fort Pierre SD 57532

Dear Mr. Meyers:

Water Permit Application No. 2869-2 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Capital Journal printed at Pierre SD (Ph # 605 224-7301) and the Plainsman printed at Huron SD (Ph # 605 353-7414). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on May 31, 2023. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2869-2 to Appropriate Water

Notice is given that Stanley County School District 57-1, 112 South 1st Street, Fort Pierre SD 57532 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (cfs) from the Bad River and the natural flow of the Missouri River located in Block 2 Lot 1 Section 33 for irrigation of a 2.5 acre, football field located in portions of Block 1 and Block 2 Section 33; all in T5N-R31E. This site is located in Fort Pierre SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2869-2 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by June 12, 2023.

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

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 12, 2023.

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.

Published once at the total approximate cost of _

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, May 15, 2023 4:19 PM
To: legals@capjournal.com
Subject: 2869-2 Stanley County School District 57-1
Attachments: FORM8.FRM.doc; 2869-2 public.short_final.docx

Attached is a notice to be published on May 31, 2023

Stanley County School District, c/o Derek Meyers, 112 South 1st Street, Fort Pierre SD 57532, (605-220-0546) has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, May 15, 2023 4:21 PM
To: rcrandall@plainsman.com; dhelvik@plainsman.com
Subject: 2869-2 Stanley County School District 57-1
Attachments: FORM8.FRM.doc; 2869-2 public.short_final.docx

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Rachel.Rodriguez@state.sd.us

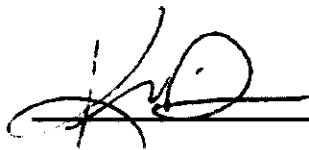


Proof Of Publication /

Huron Plainsman
49 3rd Street SE
Huron, SD 57350
605-353-7402

Legal Notice Number: 2015

I, Kim Davis, being duly sworn on oath say that the Plainsman is a daily paper published at Huron, Beadle County South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am a Legal Advertising Coordinator of said newspaper and know that facts herein state. The annexed notice headed: Stanley County School District – Notice of Application was published for one day, in said newspaper and not in any supplement of the said newspaper; the publication was on - 5/31/2023. That the full amount of the fee charged for the \$42.81 insures to the benefit of the publisher of said newspaper; 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 whom so ever.

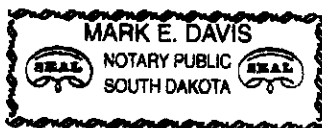


Subscribed and sworn to me before this date 6/8/23.



Notary Public, South Dakota

My Term Expires 12/27/2024



F.P. 05-31-23

**NOTICE OF
APPLICATION**
NO. 2869-2 to

Appropriate Water

Notice is given that Stanley County School District 57-1, 112 South 1st Street, Fort Pierre SD 57532 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (cfs) from the Bad River and the natural flow of the Missouri River located in Block 2 Lot 1 Section 33 for irrigation of a 2.5 acre, football field located in portions of Block 1 and Block 2 Section 33; all in T5N-R31E. This site is located in Fort Pierre SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2869-2 with

qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board.

The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/> public or contact Ron Duval for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party

case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/> public or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by June 12, 2023.

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

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/> public or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 12, 2023.

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

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.

No. 2015 (adv.)

Published one time at the total approximate cost of \$42.81 and may be viewed free of charge at www.sdpublicnotices.com.

RECEIVED

JUN 07 2023

OFFICE OF
WATER

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hughes) SS

I, Marylin Baker

certify that the attached printed Notice was taken

from the Capital Journal

printed and published in Preire

County of Hughes and

state of South Dakota. The notice was published

in the newspaper on the following date: 5-31-23

Cost of Printing \$49.35

(Signature) Marylin Baker

(Title) Business Manager

(Date Signed) 6-2-23

CLASSIFIEDS

Help Wanted

Global Harvest Foods
113 South Wyman
Harold, SD

We are a growing company hiring for Production positions \$17.50 and Grain Operator wage DOE.

Come join our team! Bonus available, to be discussed at interview. Insurance (Medical, Dental, Vision-company paid 100% for employee & 75% for Spouse and/or dependents), 401 K matching funds, PTO, Holiday pay.

Ways to apply:

Call Dennis or Julie at 605-675-3250. Stop in the Plant to fill out an application. Address is above. Stop in at the Career Center in Pierre to fill out an application.

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PERFORMANCE SEED HELP WANTED

We're hiring for various positions within our corporation.

To learn more please contact Melissa Foshone 605-542-2033 or Dennis Gran 605-222-5551

Performance Seed
854 Northwestern Ave
Midland, SD 57552

Sport Utility Vehicles

FOR SALE: 2019 GMC Acadia SLT AWD, 64,500 miles. Excellent condition. Unsmashed, must sell \$28,500. Call 605-293-8977

Legal Notices

SNAXLP 19722
21dy 5/27, 5/31

NOTICE OF VACANCY SPRING CREEK COW CREEK SANITARY DISTRICT

Notice is hereby given that three (3) vacancies for the office of Trustees for the (3) year terms will exist by virtue of the termination of the term of the present holder of that office on the 11th day of July, 2023.

Nominating petitions for such position may be filed with the Clerk of the District not later than June 21st, 2023, but not before June 1st, 2023.

Is Jennifer Anderson
JENNIFER ANDERSON
Clerk of the District

Published May 27 and 31, 2023, at the total approximate cost of \$20.34 and may be viewed free of charge at www.sdpublish.com.

SNAXLP 19810
21dy 5/24, 5/31

NOTICE OF SCHOOL BOARD ELECTION PIERRE SCHOOL DISTRICT NO. 32-2

A School District Election will be held on June 6, 2023, in all the voting precincts of the Pierre School District No. 32-2, Pierre, South Dakota. If the polls cannot be opened because of bad weather, the election may be postponed one week.

The election polls will be open from seven a.m. to seven p.m. central time on the day of the election.

For School Board Member

Rural Health Care, Inc. dba Access Health

Presho has an immediate opening for a full-time clinic Licensed Practical Nurse (LPN), Registered Nurse (RN) or Medical Assistant (MA). No evenings or weekends. Generous compensation and benefit package await qualified candidate. Position is open until filled.

Applications, available at www.ruralhc.net, may be submitted to **Jim Hardwick, CEO** at jimh@ruralhc.net.

Legal Notices

SNAXLP 19837
11dy 5/31

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Dan Cronin
Jason Muldoon

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New Life Assembly of God Church, 1120 N Harrison Ave, Pierre, SD

Any voter who needs assistance, pursuant to the Americans with Disabilities Act, may contact the Pierre School District business manager 605-773-7300 before the election for information on polling place accessibility for people with disabilities.

Darla Mayer, Business Manager
Pierre School District
South Dakota

Published May 24 and 31, 2023, at the total approximate cost of \$38.42 and may be viewed free of charge at www.sdpublish.com.

SNAXLP 19833
21dy 5/24, 5/31

PIERRE SCHOOL DISTRICT 32-2 211 SOUTH POPLAR AVENUE PIERRE, SD 57501

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Darla Mayer, Business Administrator

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Join our family at St. Joseph's Indian School

Following positions available:

- Houseparents** — create a family-oriented environment and care for children in our campus homes. This is a full-time contract position with summers off.
- Art Teacher** — is responsible for the instruction of students, organization of instructional lessons and implementation of the education curriculum, while being a contributing member of the community. Preference given to applicants with Teaching Certificate or willing to obtain certification. This is an exempt position.
- High School Transition Specialist** — This position is designed to support ongoing educational assistance for all High School students, as well as serving as the primary staff liaison with colleges and programs that support higher education for Native Americans. In addition, this role assists current and former students with secondary education, military, or career/employment while transitioning after high school. This is an exempt position.
- Middle School Science Teacher** — is responsible for the instruction of students, organization of instructional lessons and implementation of the education curriculum, while being a contributing member of the community. This is an exempt position.
- Bindery Operator** — is responsible for assisting in all post-press operations. This is a nonexempt position.
- School Administrative Assistant** — coordinates all office business conducted by the school. This is a nonexempt position.
- Bindery Assistant** — a seasonal position responsible for assisting in all post-press operations. This is a nonexempt position.
- High School Academic Advisor** — is a 10-month position that provides educational support and assistance for students regarding their schoolwork. The Academic Advisor also guides students through their academic plans and progress, schedule, and other academic activities leading to high school graduation. This is an exempt position.

****Full-time regular positions include Benefits Beyond your Expectations & Competitive Pay!****

To make a difference, call 605-234-3275 or email apply@stjo.org EOE

Rural Health Care, Inc. dba Access Health

Rural Health Care, Inc. in Fort Pierre, SD has an immediate opening for an onsite Senior Accountant. If you have a Bachelor Degree in accounting or business with accounting emphasis and at least 5 years of accounting experience this rewarding position may be right for you. Competitive salary and excellent benefit package awaits a qualified candidate.

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SNAXLP 19833
21dy 5/24, 5/31

PIERRE SCHOOL DISTRICT 32-2 211 SOUTH POPLAR AVENUE PIERRE, SD 57501

NOTICE TO BIDDERS

The Pierre School District 32-2 will receive sealed bids for:

Removal of Refuse and Recyclables

Bid forms and specifications may be received from the Pierre School District Business Office, 211 South Poplar, Pierre, South Dakota, during business hours or by calling 605-773-7300. All bids are to be submitted by 11:00 a.m. CDT, Wednesday, June 7, 2023 to the school business office located at the Pierre School District Administration Building, 211 South Poplar, Pierre, South Dakota, 57501.

The Pierre School District reserve the right to reject any or all bids and to waive irregularities therein.

Darla Mayer, Business Administrator

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Legal Notices

SNAXLP 19837
11dy 5/31

NOTICE OF APPLICATION NO. 2869-2 to Appropriate Water

Notice is given that Stanley County School District 32-2 for a three year term, voters may vote for one of the following candidates:

Roger Livermont
Dan Cronin
Jason Muldoon

Voters may vote at any of the following voting centers in Pierre:

Faith Lutheran Church, 714 N Grand Ave., Pierre, SD
New Life Assembly of God Church, 1120 N Harrison Ave, Pierre, SD

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Rodriguez, Rachel

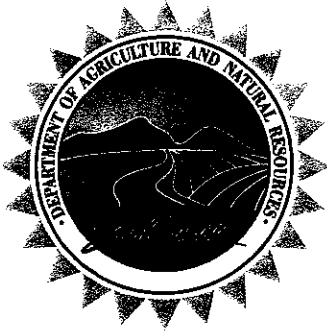
From: Rodriguez, Rachel
Sent: Monday, May 15, 2023 4:31 PM
To: Meyers, Derek
Subject: 2869-2 Public Notice - Stanley County School District 57-1
Attachments: 2869-2.pdf; 2869-2ltr.pdf; 2869-2 public.short_final.docx

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, **please contact the paper(s) as soon as possible to authorize publication and arrange for payment.** This information is being mailed to you.

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 11 2023

Stanley County School District 57-1
c/o Derek Meyers
112 South 1st Street
Fort Pierre SD 57532

Dear Mr. Meyers:

Enclosed is Water Permit No. 2869-2 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
on DANR Website**

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

Application No.: 2869-2

Name of Applicant: Stanley County School District 57-1, Derek Meyers

Date of Posting: 5/30/2023

Date of Removal: 7/11/2023



Ron Duvall, Water Rights Permitting Administrator

7/14/23

Date

Subscribed and sworn to before me, a notary public, this 14 day of July, 2023.



Notary Public - South Dakota
My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)

