

WATER PERMIT NO. 2907-2

Name of Applicant: **Brad and Marlene Pisha**

Address: **29209 242nd Avenue, Tuthill SD 57574**

Phone: **605-685-6030**

Amount of Water Claimed: **2.0 cfs**

Total Acres: **No Add'l**

Source of Water Supply: **Groundwater**

Water to be used for: **Irrigation**

County: **Bennett**

Type of Waste Disposal System:

Location: **Approx. 11 miles northwest of Spring Creek**

PRIORITY Date Received: **03-26-26**

Application/License Fee: **\$700.00**

Corrected Application Received:

Period of Annual Use: **April 15 – September 30**

Remarks: **No increase in the number of acres**

Diversion Point: **NW 1/4 NW 1/4 Sec 18-T37N-R33W**

Land to be Irrigated: **SW 1/4 Sec 7-T37NR33W,**
NW 1/4 Sec 18-37N-R33W

Depth of Well: **245**

Well Driller: **Beck Well & Irrigation**

Remarks:

Type of Map: **aerial**

	x				
			18		

Reviewed and the Number Assigned on: **03-27-26**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 2907-2

Date of first receipt of application March 26, 2026.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2907-2 to Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574, 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. 2907-2 authorizes the appropriation of an additional 2.0 cubic feet of water per second (cfs) from one new well to be completed into the Ogallala Aquifer (approximately 245 feet deep) located in the NW 1/4 NW 1/4 Section 18-T37N-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala Aquifer (320 feet deep) located in the SW 1/4 SW 1/4 Section 7-T37N-R33W for irrigation of 270 acres located in the SW 1/4 Section 7, NW 1/4 Section 18; all in T37N-R33W. This Permit and Water Right No. 2509-2, combined, will authorize a total diversion of 4.0 cfs, from up to two wells, for the irrigation of 270 acres. This site is located in Bennett County, approximately eleven miles east-northeast of Tuthill 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: April 15 – September 30.
3. The date from which applicant may claim right is March 26, 2026.
4. The date of approval of Permit No. 2907-2 is July 27, 2026.
5. One-fifth of the construction is to be completed on or before January 27, 2029.
6. All construction is to be completed on or before July 27, 2031.
7. Water is to be put to beneficial use on or before July 27, 2035.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit and Water Right No. 2509-2 are located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Any future additional or replacement wells must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Adam Mathiowetz
Adam Mathiowetz, PE
Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

9/4/28
date



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

PAID

MAR 26 2026

Ck# 10787

Rec't# _____

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2907-2</u> Hydrologic Unit <u>10140203</u>
	Basin <u>White</u>
	Newspaper <u>Martin/Bennett County Booster</u> <u>Rapid City Journal</u> (office use only)

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 Brad & Marlene Pisha

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

Mailing Address 29209 242nd Ave Tuthill SD 57574
(Address) (City) (State) (Zip Code)

Phone 605-685-6030 Mobile 605-515-0105 Email bpisha@gwtc.net

2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage N/A
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater - Ogallala Aq

4. Location of point of diversion 1 well NW 1/4 of NW 1/4 sec 18 - 37N-33W
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Bennett

5. County or counties where water will be used Bennett

6. Annual period during which water is to be used April 15 - Sept 30

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

Land Description	Acres	Land Description	Acres
SW 1/4 Sec 7-T37N-R33W	136		
NW 1/4 Sec 18-T37N-R33W	134		

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

Water Right No. 2509-2 authorizes use of a single well @ 2.0 cfs for irrigation of the above listed acres. Applicant is requesting approval of a second well, expected to operate @ 2.0 cfs, which would allow for both systems to be run at the same time. The two wells would have a combined rate of 4.0 cfs for the irrigation of 270 acres. No increase to the number of acres is being requested.

I, Brad Pisha, owner, 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.

2021-08

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 1 Have test holes been drilled? ☒ Yes ☐ No Drilled by Beck well + Irrigation
(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) 245^{ft.} Depth to Top of Water Bearing Material _____ Depth to Water from Surface 60^{ft.}

d) Distance to nearest domestic well on applicant's property 1/2 mile SW Property owned by others 3/4 mile SE
(approx) sec 13-37N-34W SE 1/4 18-37N-33W NW 1/4

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

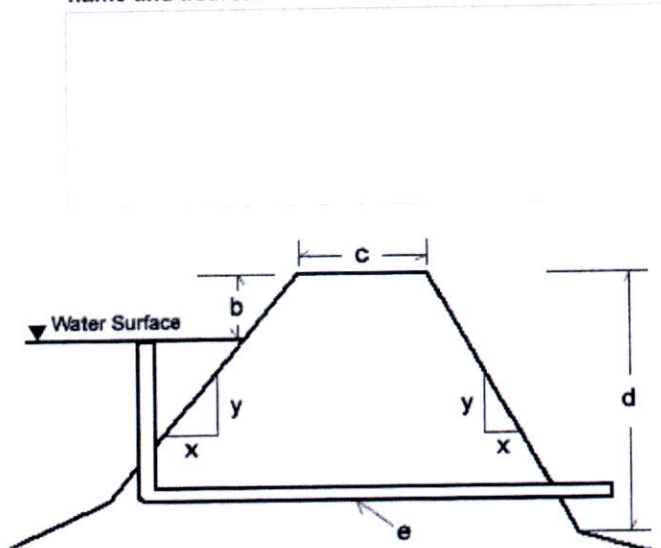
a) Surface Dimensions _____ Depth _____

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

242nd Ave

37N 33W
Section: 06

37N 33W
Section: 05

290th St

37N 33W
Section: 07

37N 33W
Section: 08

242nd Ave

x - existing
irrigation
well

proposed
New
Well

x
nearest
existing
stock
well

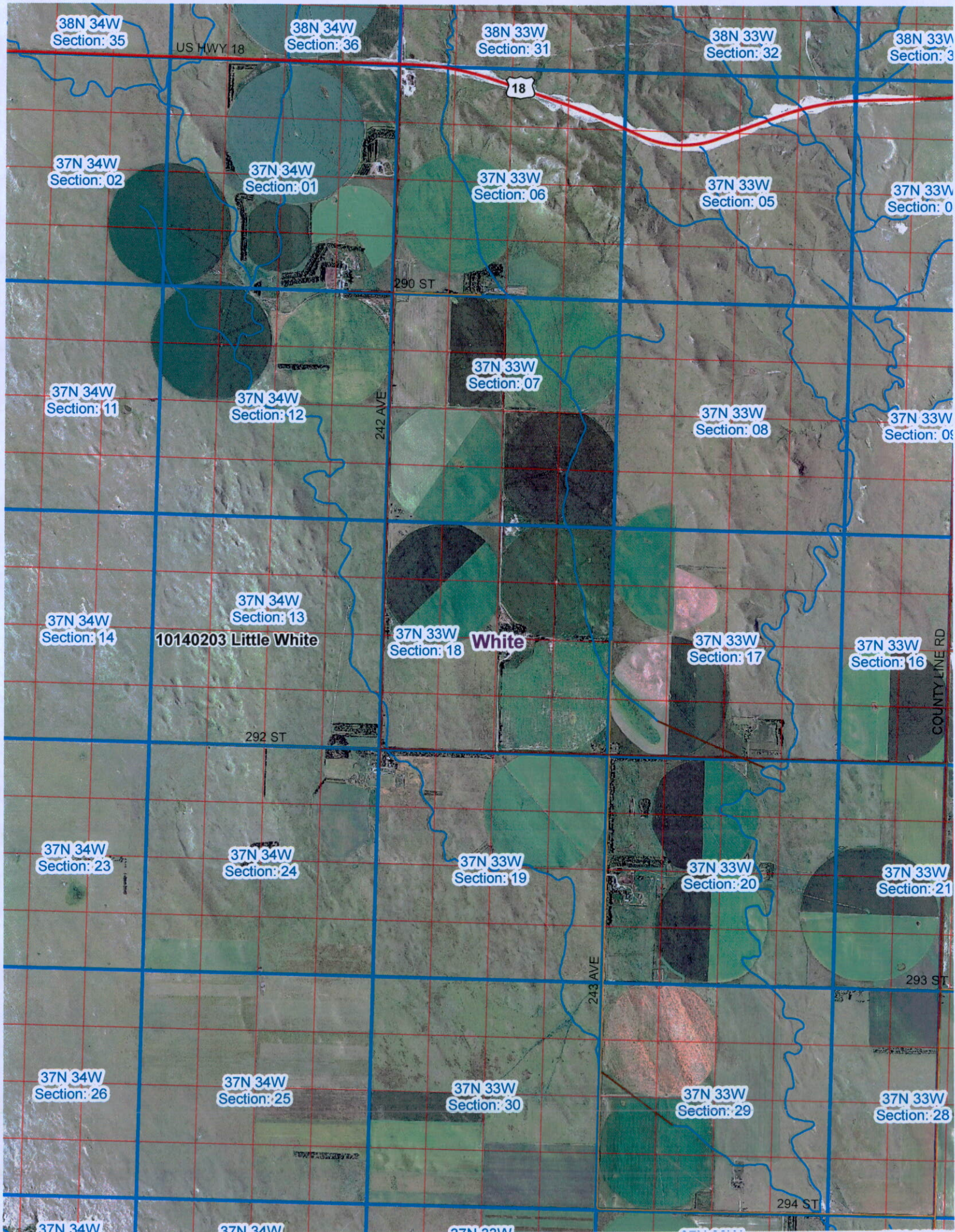
37N 33W
Section: 18

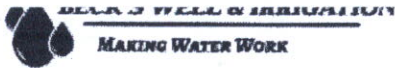
37N 33W
Section: 17

Harrington

243rd Ave

37N 33W





Beck's Well & Irrigation Operations LLC

Brad Pisha
29209 242nd Ave
Tuthill, SD 57574

☎ (605) 515-0105
✉ bpisha@gwtc.net

JOB	#2540
PAYMENT TERMS	Upon receipt
AMOUNT DUE	\$3,793.38

CONTACT US

PO Box 27 , 87838 428th Ave
Ainsworth, NE 69210

☎ (402) 387-2052
✉ drilling@threeriver.net

INVOICE

Materials	qty	unit price	amount
Field Name or Number South Reinke New Well in NW Corner for existing pivot	1.0	\$0.00	\$0.00
Employees working on this invoice Tonny, Holldyn, and Karsyn	1.0	\$0.00	\$0.00
Test Well GPS location N 43 11 3.29 W -101 16 33.52	1.0	\$0.00	\$0.00
Estimated Static Water Level 60 to 65 ft	1.0	\$0.00	\$0.00
Estimated Production I expect specific capacity to be over 10 gpm/ ft. I expect 1000 gpm @ less than 180 ft pumping level.	1.0	\$0.00	\$0.00
Test Hole Drilling Log 0 to 2 Top Soil 2 to 10 Fine Sand 10 to 20 Sand Stone 20 to 40 Medium Sand with Sand stone fragments 40 to 80 Very Coarse Clean Sand with sand stone fragments 80 to 108 Very Coarse Sand 108 to 115 Brown Clay 115 to 140 Very Coarse Clean Pepper Sand Excellent 140 to 170 Very Coarse Clean Pepper Sand Excellent 170 to 180 Brown and Tan Clay 180 to 200 Medium to Coarse Pepper Sand with a few thin clay stinger layers 200 to 245 Very Coarse Pepper Sand with some Sand Stone Fragments 245 to 260 Red Rock Brule Formation	1.0	\$0.00	\$0.00

4.5" Test Hole Drilling Rate	260.0	\$10.00	\$2,600.00
Base Drilling Fluids Additives 3000 gallon slush pit	1.0	\$450.00	\$450.00
Test Hole Mobilization Per Mile	20.0	\$13.50	\$270.00
Mobilization from Tuthill Test Hole site with drilling equipment. We returned the following day from Ainsworth to drill test hole with crew pickup.			
Crew Pickup Mileage Only for Return the following day	114.0	\$3.50	\$399.00
South Dakota 2% Excise tax	1.0	\$74.38	\$74.38

Subtotal	\$3,793.38
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Total Tax	\$0.00
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CITY SALES TAX (1.5%)	\$0.00
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Job Total	\$3,793.38
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Amount Due	\$3,793.38
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Thank You For Your Business

See our Terms & Conditions (<https://pro.housecallpro.com/BecksWellIrrigationOperationsLLC/543119/terms>)

Beck's Well & Irrigation Operations LLC
NE #39330 SD #377

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date March 26, 2026

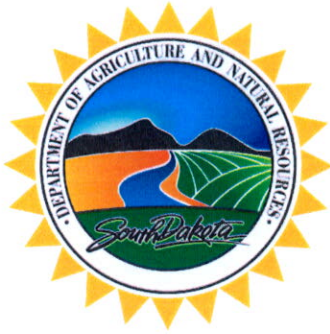
RECEIVED OF Brad Pisha 29209 242nd Avenue Tuthill SD 57574

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

Fee for Application for Permit No. <u>2907-2</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</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>2907-2</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>700.00</u>

By

Adam Mathewitz
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2907-2, Brad & Marlene Pisha**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 2907-2, Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574.

The Acting Chief Engineer is recommending APPROVAL of Application No. 2907-2 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 wells approved under this Permit and Water Right No. 2509-2 are located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Any future additional or replacement wells must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
July 13, 2026

Report to the Chief Engineer
On Water Permit Application No. 2907-2

Brad & Marlene Pisha

July 9, 2026

Water Permit Application No. 2907-2 proposes to appropriate an additional 2.0 cubic feet of water per second (cfs) from one new well to be completed into the Ogallala aquifer (approximately 245 feet deep) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18-T37N-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala aquifer (320 feet deep) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7-T37N-R33W for irrigation of 270 acres located in the SW $\frac{1}{4}$ Section 7, NW $\frac{1}{4}$ Section 18; all in T37N-R33W. This application, if approved, and Water Right No. 2509-2, combined, will authorize a total diversion of 4.0 cfs, from up to two wells, for the irrigation of 270 acres. This site is located in Bennett County, approximately eleven miles east-northeast of Tuthill, SD.

AQUIFER: Ogallala (OGLL)

HYDROGEOLOGY:

The Ogallala aquifer is encompassed within the High Plains aquifer (Filipovic, 2004 and 2011). The High Plains aquifer contains geologic units of late Tertiary and Quaternary age that are comprised of the Brule Formation, Arikaree Group, Ogallala Group, as well as other hydrologically connected alluvial, dune-sand, and valley-fill deposits (Gutentag et al., 1984). The Ogallala Group in South Dakota is composed of the Fort Randall, Ash Hollow, and Valentine Formations (Hammond, 1994; Filipovic, 2011; Martin et al., 2004). Within the High Plains aquifer system in South Dakota, the Ogallala aquifer is the uppermost, most readily available aquifer (Filipovic, 2011). The SD DANR-Water Rights Program and Water Management Board have historically considered the High Plains aquifer to be comprised of the Ogallala aquifer and the Arikaree aquifer to manage this regional water resource, with the two aquifers treated as separate water sources for appropriative purposes (Water Rights, 2026c).

The Ogallala aquifer underlies approximately 1,140,360 acres in south-central South Dakota, in parts of Oglala Lakota, Bennett, Todd, Tripp, and Gregory Counties (Allen et al., 1985; Filipovic, 2004; Martin et al., 2004). The aquifer is composed of a western main body and an eastern erosional remnant body that is hydrologically disconnected from the main body. This is due to Ponca Creek eroding a stream valley between the two bodies-leaving only the underlying Pierre shale (Filipovic, 2004; Martin et al., 2004; Steen, 2023; Cederberg, 2021). This disconnected portion of the Ogallala aquifer is approximately 135,000 acres, and the main body of the aquifer is approximately 1,005,360 acres (Cederberg, 2021; Magstadt, 2019).

The Ogallala Group is comprised of gravel, fine to medium sand and sandstone, and poorly consolidated sand, silt, and clay that were deposited from eastward flowing braided streams (Gutentag et al., 1984; Martin et al., 2004). The Ogallala Group has a documented maximum cumulative thickness of approximately 700 feet (Gutentag et al., 1984). The Ogallala aquifer is generally under unconfined conditions but can be overlain by unconsolidated alluvium and eolian deposits (Filipovic, 2004 and 2011; Water Rights, 2026b and 2026d).

A test hole completion report was submitted with Water Permit Application No. 2907-2 for a test hole located in Section 7-T37N-R33W, which is located within the main body of the Ogallala aquifer. The lithologic information on the test hole completion report is listed on Table 1. Based on the submitted test hole completion report, nearby well logs, and the lithologic logs on file for observation wells, the Ogallala aquifer is expected to be unconfined near the proposed diversion point (SDGS, 2026; Water Rights, 2026b, 2026c and 2026d).

Table 1. Test hole completion report submitted with Water Permit Application No. 2907-2

Formation	From (ft)	To (ft)			
			Brown Clay	108	115
Top Soil	0	2	Very Coarse Clean Pepper Sand Excellent	115	140
Fine Sand	2	10	Very Coarse Clean Pepper Sand Excellent	140	170
Sand Stone	10	20	Brown and Tan Clay	170	180
Med. Sand with Sand stone fragments	20	40	Med. to Coarse Pepper Sand with a few Thin Clay Stinger Layers	180	200
Very Coarse Clean Sand with Sand Stone Fragments	40	80	Very Coarse Pepper Sand with some Sand Stone Fragments	200	245
Very Coarse Sand	80	108	Red Rock Brule Formation	245	260

South Dakota Codified Law (SDCL)

Water Permit Application No. 2907-2 proposes to appropriate water from the Ogallala aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, SDCL 46-2A-9.

Pursuant to SDCL 46-6-3.1,

“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. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.”

The Ogallala aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010), and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Ogallala aquifer must be considered.

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 diversion point can be developed without unlawful impairment of existing domestic water uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.”

This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Ogallala aquifer.

Background

The average annual recharge and withdrawal in this report will exclude the water rights/permits not completed into the main body of the Ogallala aquifer. Additionally, Water Permit Nos. 2833-2 (including No. 1260-2) and 2834-2 are likely completed into small sand and gravel deposits of Quaternary Eolian and Terrace aquifers that have a significant hydrologic connection to the Ogallala aquifer. These deposits are geologically distinct from the Ogallala group, do not directly overlie the Ogallala aquifer, and have subsequently been identified as independent formations from the Ogallala aquifer. However, due to natural discharge from the Ogallala aquifer flowing through these deposits before discharging into the Keya Paha River, the estimated annual use by Water Permit Nos. 2833-2 and 2834-2 will be included in the hydrologic budget of the Ogallala aquifer (Steen, 2023; Mathiowetz, 2022). A more detailed discussion is available in Mathiowetz (2022). Additionally, Water Right No. 1260-2, which is labeled as withdrawing from the Arikaree aquifer, will be considered as completed into the Quaternary Eolian aquifer based on current lithologic information that was not available at the time the permit was issued and will also be added to the hydrologic budget of the Ogallala aquifer for the previously discussed reasons (Mathiowetz, 2022).

HYDROLOGIC BUDGET:

Recharge

The Ogallala aquifer is recharged primarily from infiltration of precipitation (Kolm and Case, 1989; Long and Carter, 2003; Filipovic, 2004). Previous investigations for recharge rates to the Ogallala aquifer range between 1.0 and 3.07 inches/year (Kolm and Case, 1989; Long and Carter, 2003). Using previously estimated recharge rates to the aquifer, Kolm and Case (1989) calibrated their steady-state model and found a best fitting recharge range of 1.3 to 1.8 inches/year. Long et al. (2003 and 2010) also determined recharge rates by calibrating their steady-state model, which are 3.3 inches/year (Long et al., 2003) and 2.91 inches/year (Long and Putnam, 2010). Hedges and Burch (1985) used two methods to determine a recharge rate to the Ogallala aquifer. Using observation well data, 3.4 inches/year of average annual recharge was calculated. By analyzing base flow recession curves for the Little White River, a recharge rate of 1.88 inches/year was calculated. Taking a range of these estimates, the Ogallala aquifer is recharged by 1.0 to 3.4 inches/year. Applying this rate over the areal extent of the main body of

the aquifer in South Dakota (1,005,360 acres), the annual recharge to the Ogallala aquifer is estimated to be between 83,777 to 284,852 acre-feet/year.

Discharge

Discharge from the Ogallala aquifer is primarily through direct evapotranspiration, outflow to streams and rivers, outflow to adjacent and hydrologically connected aquifers, and well withdrawals (Filipovic, 2004 and 2011; Water Rights, 2026c and 2026d).

Currently, there are 174 State of South Dakota issued (state-issued) water rights/permits authorized to withdraw water, and five state-issued future use permits reserving 5,713 acre-feet per year from the entirety of the Ogallala aquifer in South Dakota (Water Rights, 2026c).

Water Right Nos. 475-2 and 1114-2 and Water Permit Nos. 2678-2 and 2679-2 no longer report annual water use because the land authorized for irrigation has been sold to a nearby tribe (Water Rights, 2026c). The status of irrigation water withdrawals by the tribe from the Ogallala aquifer is unknown. Thus, this discharge analysis addresses only 170 state-issued water rights/permits (139 irrigation and 31 non-irrigation), and the five future use permits that are reserving water from the entirety of the Ogallala aquifer (Water Rights, 2026c). Within the main body of the Ogallala aquifer, of which the aquifers for Water Permit Nos. 2833-2 and 2834-2 are hydrologic extensions of, there are 154 water rights/permits (139 irrigation including Water Right No. 1260-2 and 15 non-irrigation) along with three future use permits reserving 5,048 acre-feet per year that are authorized to withdraw or reserve water from the main body of the Ogallala aquifer (Water Rights, 2026c). For the purpose of estimating average annual withdrawals, the future use permits are assumed to be fully developable for a total of 5,048 acre-feet per year.

Table 1 summarizes the 15 non-irrigation water rights/permits authorized to appropriate water from the main body of the Ogallala aquifer, plus the three future use permits reserving water from the main body of the Ogallala aquifer, with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer and is likely an overestimation of average annual withdrawals (Water Rights, 2026c). Overall, the estimated average annual withdrawal rate for the non-irrigation water rights/permits (including future use reservations) within the main body of the Ogallala aquifer is approximately 12,297 acre-feet per year (Table 1) (Water Rights, 2026c).

Table 1. Estimated annual use for the non-irrigation water rights/permits and the future use permits authorized to divert water from the main body of the Ogallala aquifer (Water Rights, 2026c)

Permit No.	Name	County	Status	Use	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet/year)	Estimated Use (acre-feet/year)
521-2	City of Winner		LC	MUN	4.11		1,785.38
551-2	City of Winner		FU	MUN	2.44	1,568	1,568
632-2	City of Colome		LC	MUN	0.22		95.6
882-2	City of Winner		FU	MUN	N/A		0
976-2	City of Colome		LC	MUN	0.33		143.4
1038-2	City of Winner		LC	MUN	0.87		377.9
1285-2	City of Winner		LC	MUN	0.67		291.0
1286-2	City of Winner		LC	MUN	0.72		312.8
1416-2	City of Winner		LC	MUN	0.69		299.7
1942-2	Littau & Massa Et Al		LC	DOM	0.09		39.1
2293-2	Tripp County Water User District		LC	RWS	3.88		1,685.5
2455-2	Martin J Vanderploeg		LC	FWP	0.045		19.5
2505-2	Lakeview Christian Reform		LC	INS	0.033		14.3
2515-2	Tripp County Water User District		LC	RWS	2.68	1,200	1,200
2621-2	Tuthill Community Presbyterian Church		LC	INS	0.02		8.7
2804-2	Dougherty Cattle Company Inc		PE	COM	0.13	16.12	16.12
2849-2	Tripp County Water User District		FU	RWS	N/A	3,480	3,480
2875-2	Tripp County Water User District		PE	RWS	1.89	960	960
LC: Licensed ; PE: Permitted; FU: Future Use; COM: Commercial; DOM: Domestic; FWP: Fish and Wildlife Propagation; INS: Institutional; MUN: Municipal; RWS: Rural Water System						TOTAL:	12,297

Currently, there are 139 irrigation water rights/permits authorized to appropriate water from the main body of the Ogallala aquifer (Water Rights, 2026c). Table 2 only lists 135 water rights/permits as Water Right Nos. 475-2, 1114-2, Water Permit Nos. 2678-2 and 2679-2 no longer report annual water use because the land authorized for irrigation has been sold to a nearby tribe (Water Rights, 2026c). At this time, the Water Rights Program does not send irrigation questionnaires to any of these water rights/permits, nor does it assert jurisdiction over tribally owned lands with State water rights/permits. Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The estimated average annual withdrawal rate for the irrigation water rights/permits within the main body of the Ogallala aquifer that have reported over the period of record (1982 to 2025) is approximately 19,740 acre-feet per year (Table 2) (Water Rights, 2026a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2016 to 2025 is approximately 23,160 acre-feet per year (Table 2) (Water Rights, 2026a). Therefore, to reflect the current development of irrigation water rights/permits more accurately, the estimated average annual withdrawal rate of 23,160 acre-feet per year will be used in this report (Water Rights, 2026a and 2026c). This application is not requesting to irrigate additional acres to the 270 authorized by Water Right No. 2509-3, only additional diversion rate so both pivots can operate at the same time. Therefore, estimated water use under this application is captured in the historic water use reporting under Water Right No. 2509-3 since irrigation use is looked at by volume of water applied annual over the acres authorized for irrigation.

There are domestic wells completed into the Ogallala aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2026d). Since the introduction of rural water systems, some domestic wells are likely no longer in use or are not being used as primary water sources. Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Ogallala aquifer.

Data was compiled for selected irrigation and municipal wells operated by the Rosebud Sioux Tribe (Valseth and Driscoll, 2020). However, it is likely not all municipal and irrigation wells that are operated by the tribe or on tribal lands were included. Furthermore, many of the selected wells that were reviewed do not include well depth or aquifer assignment to determine if the wells are completed into the Ogallala aquifer. The data does not include an estimated annual volume pumped by each well. The data available is only estimated mean production (pumping rate). Overall, the withdrawal rate from the Ogallala aquifer by tribe members on tribal trust land is not known; however, that use on tribal trust lands, even though unknown, is still expected to be represented in the observation well data (Water Rights, 2026b).

Table 2. Reported historic irrigation use from the Ogallala aquifer (Water Rights, 2026a)

Year	No. of Permits Reporting	Reported Pumpage (acre-feet)	Year	No. of Permits Reporting	Reported Pumpage (acre-feet)
1982	91	9,217.41	2006	109	25,657.14
1983	98	10,172.04	2007	111	24,010.93
1984	106	13,298.4	2008	112	24,483.56
1985	104	18,583.5	2009	112	22,173.64
1986	100	12,997.6	2010	111	21,209.1
1987	99	12,397	2011	112	15,235.43
1988	98	16,199.3	2012	114	33,144.52
1989	99	27,326.4	2013	124	26,492.27
1990	103	16,501.6	2014	131	22,126.72
1991	104	16,074.54	2015	131	23,993.9
1992	104	11,921	2016	134	23,297.55
1993	102	11,151.9	2017	135	27,319.32
1994	105	16,705.26	2018	132	19,384.31
1995	103	14,252.84	2019	131	11,464.05
1996	106	21,168.04	2020	131	22,058.83
1997	107	18,661	2021	131	27,976.42
1998	105	13,857.87	2022	134	30,953.74
1999	106	13,709.47	2023	137	17,809.01
2000	107	16,119.03	2024	136	26,274.25
2001	106	17,989.86	2025	135	25,063.53
2002	101	24,179.84	Min	91	9,217
2003	103	22,039.14	Max	137	33,145
2004	105	23,868	Avg	113	19,740
2005	106	20,054.73	Avg (2016-2025)	134	23,160

Hydrologic Budget Summary

The estimated average annual recharge rate to the main body of the Ogallala aquifer in South Dakota ranges between approximately 83,777 to 284,852 acre-feet per year. The estimated average annual withdrawal rate from the main body of the Ogallala aquifer from state-issued water rights/permits is approximately 40,505 acre-feet per year (future use: 5,048 acre-feet/year; non-irrigation: 12,297 acre-feet/year; irrigation: 23,160 acre-feet/year; Water Permit Application No. 2907-2 (if approved): 0 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Ogallala aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 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 of the aquifer.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors 76 observation wells completed into the Ogallala aquifer (Water Rights, 2026b). The four closest observation wells to the well the applicant proposes to use are BT-76C (approximately 1.3 miles southeast), BT-78KR (approximately 2 miles north), BT-76B (approximately 3.1 miles west), and BT-80E (approximately 3.1 miles southeast) (Figure 1) (Water Rights, 2026b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing which were then converted to elevation in feet from the NGVD29 vertical datum.

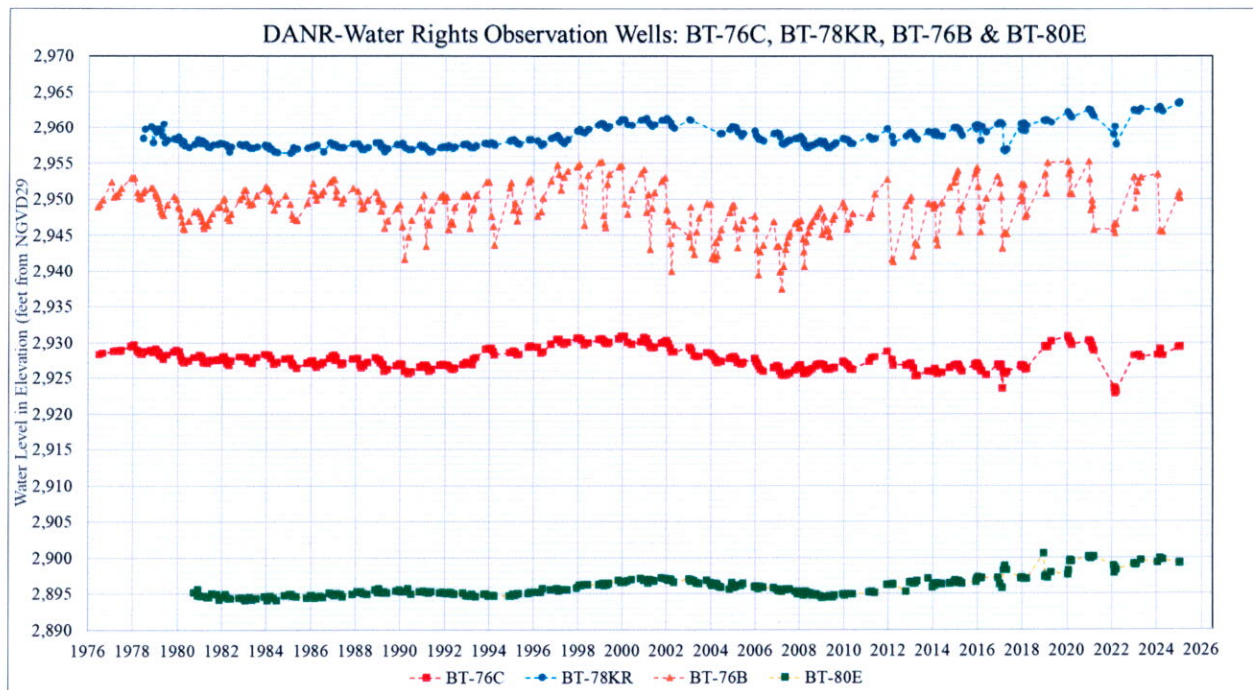


Figure 1. A graph showing the elevation of water levels for observation wells: BT-76C, BT-78KR, BT-76B & BT-80E (Water Rights, 2026b)

The hydrographs for these observation wells were compared to the hydrographs for the other observations wells completed into the Ogallala aquifer and each displayed a generally similar trend as shown on the hydrographs displayed in Figure 1 (Water Rights, 2026b). The hydrographs for the observation wells completed into the main body of the Ogallala aquifer display stable to slightly increasing water levels over their respective periods of record, except in areas of significant recent development such as Bennett County (Water Rights, 2026b). In the areas of significant recent development, some hydrographs show a slight recent decline in water levels (Water Rights, 2026b). This is likely representative of the potentiometric surface of the aquifer equilibrating to new and increased pumping and not reflecting over appropriation.

The hydrographs for observation wells completed into the main body of the Ogallala aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the main body of the Ogallala aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Currently, there are 170 water rights/permits (not including Right and Permit Nos. 475-2, 1114-2, 2678-2 and 2679-2) that are authorized to withdraw water from the entirety of the Ogallala aquifer and five future use permits reserving water (Water Rights, 2026c). Within the main body of the Ogallala aquifer, there are currently 154 water rights/permits authorized to withdraw water, and three future use permits reserving water (Water Rights, 2026c).

The closest water right/permit (not held by the applicant) to the proposed diversion point is Water Right No. 1637-2, which is held by O'Neill Cattle Co. Inc. The diversion point for Water Right No. 1637-2 is located approximately 1.3 miles southeast of the proposed diversion point for this application (Figure 2) (Table 3) (Water Rights, 2026c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Ogallala aquifer, with the closest domestic well on file (not held by the applicant) located approximately 1.7 miles north of the proposed diversion point (Water Rights, 2026d). There could potentially be other domestic wells completed into the Ogallala aquifer near the well the applicant proposes to use that are not on file with the DANR-Water Rights Program. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report.

The Ogallala aquifer is generally unconfined but can be locally confined (Filipovic, 2004 and 2011; Water Rights, 2026d). The Ogallala aquifer is expected to be unconfined in the area of the proposed diversion point based on the test hole drilling log submitted with this application, water well completion reports on file, and the lithologic logs on file for nearby observation wells (SDGS, 2026; Water Rights, 2026b, 2026c and 2026d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test. Near the proposed diversion point, the Ogallala aquifer has a saturated thickness ranging from approximately 90 to 183 feet (Water Rights, 2026d). This would generally allow for enough thickness for a pump inlet to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate. An adequate well is defined by 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.”

Any drawdown as a result of the proposed diversion is not expected to unlawfully impair nearby adequate wells. In Bennett County, there have been no substantiated complaints submitted to the DANR-Water Rights Program regarding well interference for adequate wells completed into the Ogallala aquifer (Water Rights, 2026e).

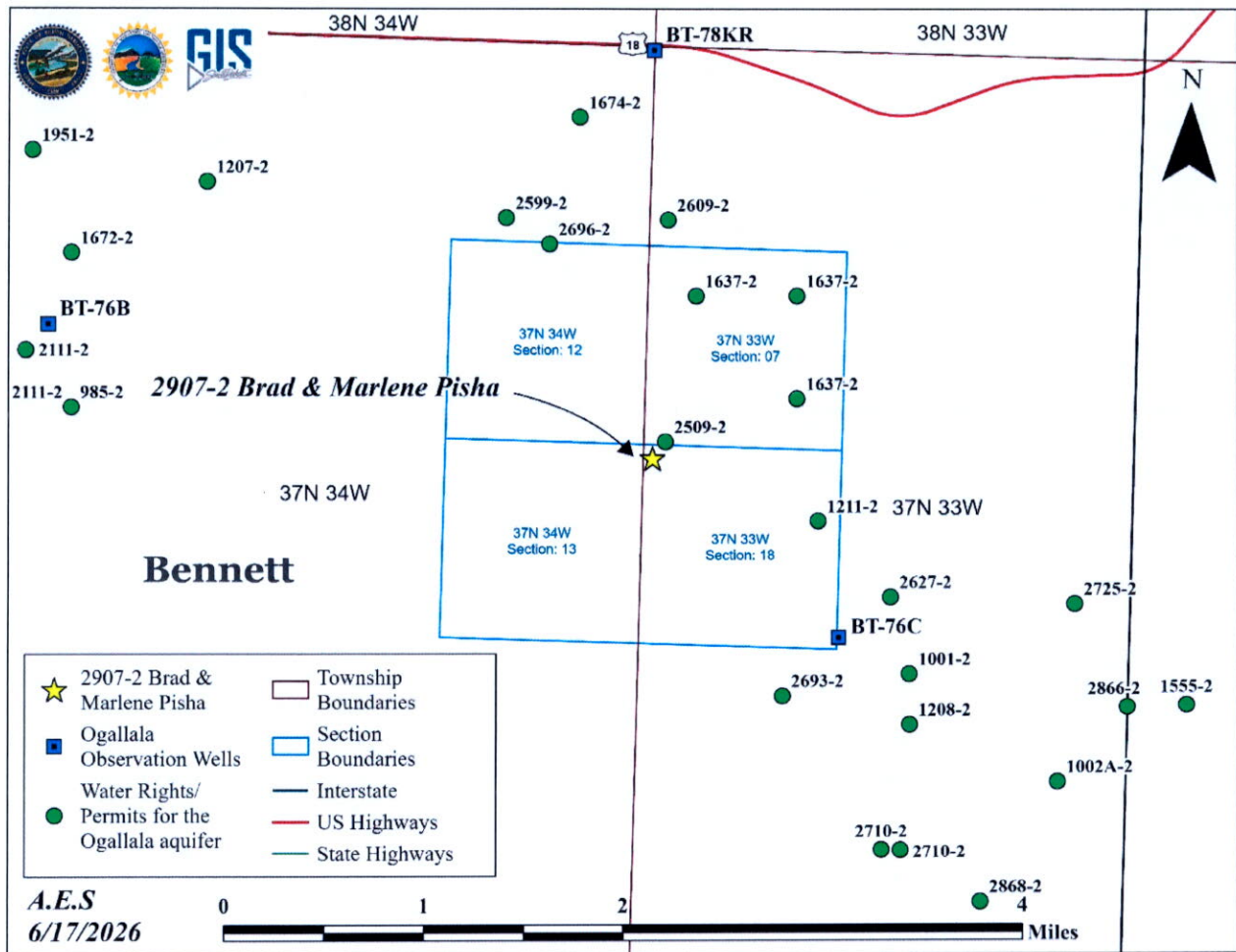


Figure 2. Water rights/permits authorized to withdraw from the Ogallala aquifer and observation wells within approximately 3.5 miles of the proposed diversion point for Water Permit Application No. 2907-2 (Water Rights, 2026b and 2026c)

Table 3. Water rights/permits authorized to withdraw water from the Ogallala aquifer within approximately 3.5 miles of the proposed diversion point as shown in Figure 2 (Water Rights, 2026c)

Permit No.	Name	Status	Use Type	Authorized Diversion Rate (cfs)	Authorized Acres
985-2	Donovan Farms LLC	LC	IRR	1.78	135
1001-2	James O'Neill	LC	IRR	1.96	156
1002A-2	Dan O'Neill	LC	IRR	2.3	176
1207-2	Donovan Farms LLC	LC	IRR	1.78	132
1208-2	Dan O'Neill	LC	IRR	1.66	135
1211-2	OF LLC	LC	IRR	2	264
1555-2	Dean O'Neill	LC	IRR	2	264
1637-2	O'Neill Cattle Co Inc	LC	IRR	5.35	384
1672-2	Donovan Farms LLC	LC	IRR	2.67	210
1674-2	Wayne Johnson	LC	IRR	2.45	180
1951-2	Paul Fanning	LC	IRR	1.83	128
2111-2	Donovan Farms LLC	LC	IRR	1.78	132
2509-2	Brad & Marlene Pisha	LC	IRR	2	270
2599-2	Jeff Johnson	LC	IRR	4.34	291
2609-2		LC	IRR	2	188
2627-2	Daniel D O'Neill	LC	IRR	2	236
2693-2	Brad & Marlene Pisha	LC	IRR	1.93	140
2696-2	Jeffery Johnson	LC	IRR	2	151
2710-2	O'Neill Cattle Co Inc	LC	IRR	5.12	591
2725-2	James W & Abby Ann O'Neill	LC	IRR	1.78	130
2866-2	Daniel D O'Neill	PE	IRR	1.78	64
2868-2	Davin Hubbs	PE	IRR	4	295

LC: License; PE: Permit; IRR: Irrigation

When considering the generally unconfined nature of the aquifer, the saturated thickness of the Ogallala aquifer near the proposed diversion point, and the lack of well interference complaints from the Ogallala aquifer in the area, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed diversion by Water Permit Application No. 2907-2 will not impose unlawful impairments on existing users with adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 2907-2 proposes to appropriate an additional 2.0 cfs from one new well to be completed into the Ogallala aquifer (approximately 245 feet deep) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18-T37N-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala aquifer (320 feet deep) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7-T37N-R33W for irrigation of 270 acres located in the SW $\frac{1}{4}$ Section 7, NW $\frac{1}{4}$ Section 18; all in T37N-R33W. This site is located in Bennett County, approximately eleven miles east-northeast of Tuthill, SD.
2. Pursuant to SDCL 46-5-6 allows for a greater diversion rate if the method of irrigation, time constraints, or type of soils requires so. If approved, this application, combined with Water Right No. 2509-2, would authorize a maximum diversion rate of 4.0 cfs for the irrigation of 270 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
3. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Ogallala aquifer to supply to the proposed appropriation.
4. There is reasonable probability that the diversion by Water Permit Application No. 2907-2 will not unlawfully impair adequate wells for existing water rights/permits holders or domestic users with adequate wells.



Austin Settje
Natural Resources Engineer II
SD DANR - Water Rights Program

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**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.**

July 10, 2026

Brad & Marlene Pisha
29209 242nd Avenue
Tuthill SD 57574

Dear Mr. & Mrs. Pisha:

Water Permit Application No. 2907-2 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 Bennett County Booster printed in Martin SD (Ph # 605 685-6866) and the Rapid City Journal printed in Rapid City (see attachment for contact number). 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 Acting 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 Acting 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.

NOTICE OF APPLICATION NO. 2907-2 to Appropriate Water

Notice is given that Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574, have filed an application for a water permit to appropriate an additional 2.0 cubic feet of water per second (cfs) from one new well to be completed into the Ogallala Aquifer (approximately 245 feet deep) located in the NW 1/4 NW 1/4 Section 18-T37N-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala Aquifer (320 feet deep) located in the SW 1/4 SW 1/4 Section 7-T37N-R33W for irrigation of 270 acres located in the SW 1/4 Section 7, NW 1/4 Section 18; all in T37N-R33W. This application, if approved, and Water Right No. 2509-2, combined, will authorize a total diversion of 4.0 cfs, from up to two wells, for the irrigation of 270 acres. This site is located in Bennett County, approximately eleven miles east-northeast of Tuthill SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2907-2 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. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 July 27, 2026.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 July 27, 2026.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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: Renniel Pasia <leelegals@column.us>
Sent: Friday, July 10, 2026 12:26 PM
To: Rodriguez, Rachel; bpisha@gwtc.net
Subject: Re: [EXT] 2907-2 Brad & Marlene Pisha - Public Notice

Hi there,

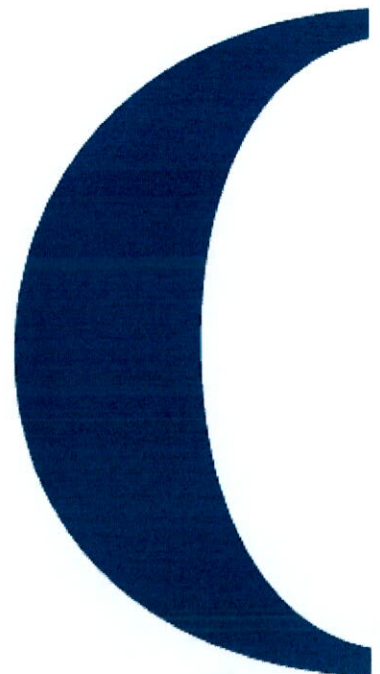
Your notice is scheduled to be published in the The Rapid City Journal on July 16, 2026.
Your Notice ID is: [9uAXNJ2NxBrEXxuxS65O](#)

You will be receiving a notification from Column Support with your proof. **Please be sure to review your proof to confirm all the information is correct.** If you don't see it, check your spam folder and any email restrictions you may have.

For the fastest and most reliable placement process, use [column.us](#) to quickly place notices yourself, get proofs, view pricing, and access your invoices and affidavits. Visit our [help center](#) for tips, or sign up for one of our [training webinars](#).

If you have any questions or concerns, please don't hesitate to let us know so we can look into it!

—
// Renniel





On July 10, 2026 at 12:47 PM EDT rachel.rodriguez@state.sd.us wrote:

Attached is a notice to be published on July 16, 2026.

Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574, 605-685-6030, bpisha@gwtc.net 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, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, July 10, 2026 11:46 AM
To: booster@gwtc.net
Subject: 2907-2 Brad & Marlene Pisha - Public Notice
Attachments: 2907-2 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on July 15, 2026.

Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574, 605-685-6030, bpisha@gwtc.net 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, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

Brad & Marlene Pisha
29209 242nd Ave
Tuthill South Dakota 57574

State of Florida, County of Broward, ss:

I, Anjana Bhadoriya, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of The Rapid City Journal, a corporation of Rapid City, South Dakota, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published for at least one year prior to the first date of the published notice. This affidavit is a true and corrected copy of notice which appeared in said newspaper on the following dates.

Publication Dates:

- Jul 16, 2026

NOTICE ID: 9uAXNJ2NxBrEXxuxS650

NOTICE NAME: 2907-2 Brad & Marlene Pisha - Public Notice

TOTAL AD COST: \$88.75

Anjana Bhadoriya

Agent

VERIFICATION

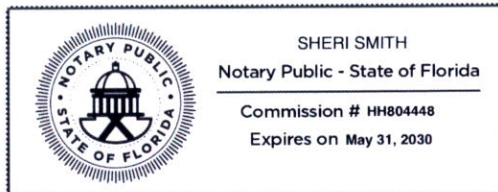
State of Florida
County of Broward

Signed or attested before me on this: 07/16/2026



Notary Public

Notarized remotely online using communication technology via Proof.



NOTICE OF APPLICATION NO.

2907-2 to Appropriate Water
Notice is given that Brad & Marlene Pisha, 29209 242nd Avenue, Tuthill SD 57574, have filed an application for a water permit to appropriate an additional 2.0 cubic feet of water per second (cfs) from one new well to be completed into the Ogallala Aquifer (approximately 245 feet deep) located in the NW 1/4 NW 1/4 Section 18-T37N-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala Aquifer (320 feet deep) located in the SW 1/4 SW 1/4 Section 7-T37N-R33W for irrigation of 270 acres located in the SW 1/4 Section 7, NW 1/4 Section 18; all in T37N-R33W. This application, if approved, and Water Right No. 2509-2, combined, will authorize a total diversion of 4.0 cfs, from up to two wells, for the irrigation of 270 acres. This site is located in Bennett County, approximately eleven miles east-northeast of Tuthill SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2907-2 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. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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.

above. If contesting the Acting 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 July 27, 2026.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 July 27, 2026.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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 July 16, 2026 for a total approximate cost of \$88.75 and may be viewed for free at www.sd-publicnotices.com)
Legal No: COL-SD-5171

RECEIVED
JUL 28 2026
Water Rights
Program

RECEIVED

JUL 20 2026

OFFICE OF
WATER

Pisha, Brad

Affidavit of Publication

State of South Dakota

County of Bennett

Taylor Risse, being, first duly sworn, on oath, says: That he/she is an employee of Scherer Publishing, LLC, and that the **Bennett County Booster** 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 Bennett and State of South Dakota, for at least one year 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:

July 15, 2026

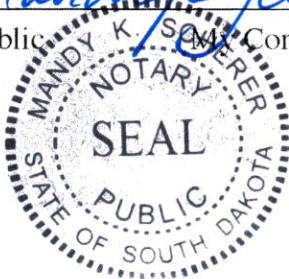
That the full amount of the fee charged for the publication of the attached public notice, **\$57.75** insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: _____

Subscribed and sworn to before me this 15 day of July, 2026.

Notary Public, _____

Commission Expires December 9, 2027



Legal Notices

Public Notice

IN TRIBAL COURT No. CIV-26-0028K

Lakota Federal Credit Union,

Plaintiff

Vs.

Jeffrey Ferguson

PO Box 36

173 BIA-25

Kyle, SD 57752

Greetings to the above-named defendant.

You are hereby summoned and required to answer the complaint of the above-named plaintiff. You have thirty (30) days from the date of publication to file an answer with the OST Tribal Court, Pine Ridge courthouse in Pine Ridge, South Dakota.

Dated this 17th day of June, 2026.

/s/ Shayna Ferguson

Shayna Ferguson

Manager

Lakota Federal Credit Union

Published four times at the total approximate cost of \$62.75 and can be viewed free of charge at www.sdpublicnotices.com.

Published: June 24, July 1, 8, 15, 2026

Public Notice

IN TRIBAL COURT No. CIV-26-0042K

Lakota Federal Credit Union,

Plaintiff

Vs.

Jeffrey Ferguson

PO Box 36

173 BIA-25

Kyle, SD 57752

Greetings to The Above-Named Defendant

You are hereby summoned and required to answer the complaint of the above-named plaintiff. You have thirty (30) days from the date of publication to file an answer with the OST Tribal Court, Pine Ridge courthouse in Pine Ridge, South Dakota.

Dated this 17th day of June, 2026.

/s/ Shayna Ferguson

Shayna Ferguson

Manager

Lakota Federal Credit Union

Published four times at the total approximate cost of \$62.75 and can be viewed free of charge at www.sdpublicnotices.com.

Published: June 24, July 1, 8, 15, 2026

Notice Of Audit Of The Fiscal Affairs Of The City Of Martin

Notice is hereby given that the records and books of account of the City of Martin, South Dakota, have been audited by Casey Peterson, Ltd., Certified Public Accountants of Rapid City, South Dakota for the year ended December 31, 2025. A detailed report thereon, containing additional information, is filed with the City of Martin and the Department of Legislative Audit in Pierre, South Dakota for public inspection.

The following finding and recommendation referred to in the report are hereby listed in accordance with the provisions of SDCL 4-11-12. CURRENT AUDIT FINDING AND RECOMMENDATION

Finding: The City requests its auditor to draft the year-end financial statements and accompanying notes.

Auditor's Recommendation: We recommend management develop a system of internal control for the preparation of financial statements and the notes to the financial statements. If management does not have the resources or expertise to prepare the financial statements, we recommend that a qualified CPA be engaged to mitigate or eliminate this control weakness.

Management's Response: Management agrees with the finding. This is a common issue with governments of this size and management feels comfortable with this practice. The City will implement suggested controls wherever cost effective. Management does provide the auditors with a trial balance and supporting schedules that are used in the preparation of the financial statements.

Responsible Parties: Finance Officer

Time Frame: Ongoing

RUSSELL A. OLSON, AUDITOR GENERAL

DEPARTMENT OF LEGISLATIVE AUDIT

Published twice at the total approximate cost of \$55.35

and can be viewed free of charge at www.sdpublicnotices.com.

Published: July 8, 15, 2026

Notice Of Republican Gubernatorial Primary Runoff Election

Because no candidate for the Republican nomination for Governor received the required thirty-five percent (35%) of the vote in the Primary Election held on June 2, 2026, a runoff election will be held on Tuesday, July 28, 2026, in each county of the State of South Dakota, including all voting precincts in Bennett County.

The polls will be open from 7:00 a.m. to 7:00 p.m. Mountain time on the day of the election.

The polling place for each precinct in Bennett County is as follows:

• Allen Precinct - Allen CAP Office, 101 Main Street, Allen, SD

• Martin City Precinct - Martin Community Room, 101 West Main Street, Martin, SD

• Total/Thuhall Precinct - Riverside School, 23249 US Highway 18, Martin, SD

• Martin Rural 26/27 Precinct - Martin Fire Hall, 101 South First Avenue, Martin, SD

Absentee voting will begin on June 12, 2026. The Allen satellite voting office will be located at the Ogjala Sioux Tribe Peace Creek District CAP Office, 101 Main Street, Allen, SD. The satellite office will open on Friday, June 12, 2026, and close on Monday, July 27, 2026. The office will be open Monday through Friday from 10:00 a.m. to 4:00 p.m. except for Federal Holidays.

Voters must present an acceptable photo identification card. No person may register to vote and vote on the same day. To be eligible to vote in the runoff election, a voter must be registered at least fifteen (15) days before the election.

If you are unsure whether you are registered to vote, please contact the Bennett County Auditor's Office at (605) 685-6931 or visit the South Dakota Voter Information Portal at <https://vip.sdsos.gov/viplogin.asp>.

Any voter requiring assistance pursuant to the Americans with Disabilities Act may contact the Bennett County Auditor's Office at (605) 685-6931 before the election for information regarding polling place accessibility and accommodations for individuals with disabilities.

Mary Goss, County Auditor

Bennett County

Published once at the total approximate cost of \$34.50

and can be viewed free of charge at www.sdpublicnotices.com.

Published: July 15, 2026

Public Notice

IN TRIBAL COURT No. CIV-26-0023K

Lakota Funds,

Plaintiff

Vs.

Ferguson Construction & Jeffery Ferguson

TO: Ferguson Construction & Jeffery Ferguson

Dusty LeBeau Residence

Kali Radio Housing, Ash Dr.

Blue House on top with Shed

Porcupine, SD 57772

P.O. Box 36

Kyle, SD 57752

Greetings to the above-named defendant.

You are hereby summoned to a motions hearing scheduled on August 12th, 2026, at 1:00 p.m. at the OST Tribal Court, Pine Ridge courthouse in Pine Ridge, South Dakota.

Dated this 13th day of July, 2026.

/s/ Ellen White Thunder

Ellen White Thunder

Deputy Director

Lakota Funds

Published four times at the total approximate cost of \$68.31

and can be viewed free of charge at www.sdpublicnotices.com.

Published: July 15, 22, 29, August 5, 2026

Notice Of Application No. 2907-2 to Appropriate Water

Notice is given that Brad & Martine Pishla, 29209 242nd Avenue, Thuhall SD 57574, have filed an application for a water permit to appropriate an additional 2.0 cubic feet of water per second (cfs) from one new well to be completed into the Ogallala Aquifer (approximately 445 feet deep) located in the NW 1/4 SW 1/4 Section 18-73N-73E-R33W, to what is already authorized by Water Right No. 2509-2, with no increase to the number of acres authorized for irrigation. Water Right No. 2509-2 authorizes diversion of 2.0 cfs from one well completed into the Ogallala Aquifer (320 feet deep) located in the SW 1/4 SW 1/4 Section 7-73N-833W for irrigation of 270 acres located in the SW 1/4 Section 7-73N-833W. This application, if approved, and Water Right No. 2509-2, combined, will authorize a total diversion of 4.0 cfs, from up to two wells, for the irrigation of 270 acres. This site is located in Bennett County, approximately eleven miles east northeast of Thuhall SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2907-2 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. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://dandr.sd.gov/> public or contact Amanda Dessel 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 to 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://dandr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 July 27, 2026.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://dandr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 July 27, 2026.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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 \$57.75

and can be viewed free of charge at www.sdpublicnotices.com.

Published: July 15, 2026

REPUBLICAN PARTY

OFFICIAL RUNOFF ELECTION BALLOT

BENNETT COUNTY, SOUTH DAKOTA

JULY 28, 2026

INSTRUCTIONS TO THE VOTER:

To vote use a cross (x) or check mark (✓) in the square in front of the name.

Use only a black pen.

If you make a mistake, give the ballot back and get a new one.

DO NOT cast more votes than are allowed in each race.

For Governor

You may vote for one or fewer if blank.

☐ Toby Doeden

☐ Larry Rhoden



John Thune

U.S. Senator for South Dakota

More Opportunities for the Next Generation

There's almost nothing parents won't do for their kids. From the moment they hand you that little bundle, your whole life becomes about giving them a better life. For many of us, that's the essence of the American Dream: to give your children a better life than you had.

Last year, in the Working Families Tax Cuts, Republicans worked to make it easier for parents to set their kids up for success. This bill opens new education pathways, helps parents save for their kids' education, and creates new investment accounts to empower parents to give their kids a nest egg for the future - money they can use down the road to get a head start on their American Dream.

Parents know that a good education is the foundation of their kids' success. For decades, the 529 savings plan has been a powerful tool for parents to save and invest in their kids' education. At first, 529s could only be used for college. Then, in 2017, Republicans expanded them to include K-12 expenses too. And in last year's Working Families Tax Cuts, Republicans again expanded 529s so parents can use them for things like tutoring, vocational education, homeschool materials, and continuing education. And in addition to these new flexibilities, we doubled the amount that you can withdraw from a 529 account to \$20,000 per year.

For postsecondary education, the Working Families Tax Cuts implements reforms and accountability measures to put downward pressure on the cost of college degrees. On top of these measures, it also makes permanent a policy I've long championed that allows employers to repay a portion of an employee's student loans each year without the employer having

to pay federal taxes on that income.

The Working Families Tax Cuts also creates a new Workforce Pell grant program, which supports students pursuing shorter-term training programs that prepare them for in-demand jobs. This promising new program began just this month, and I'm proud that South Dakota has begun working to identify programs in our state that will be eligible for the Workforce Pell program and will enable South Dakotans to seize new opportunities and strengthen our local workforce and economy.

In addition to supporting education, the Working Families Tax Cuts created Trump Accounts, a new tax-advantaged investment account designed to allow parents to save for their children's future beyond their education: to give kids a nest egg, help them buy a home, or start a business. If they choose not to withdraw money once they reach adulthood, they can also use these accounts to kickstart their retirement savings.

And to get savings started, parents can opt in for an initial deposit of \$1,000 from the government for kids born between 2025 and 2028. Millions of Americans have already signed up their children for Trump Accounts, and parents can enroll their kids online or by downloading the Trump Accounts app. As we celebrate 250 years since our nation's founding, we're especially mindful that America is a land of opportunity. The Working Families Tax Cuts helps create new opportunities and empowers the next generation to seize them and enjoy even greater success. The Working Families Tax Cuts is about our country's future, and it's helping to strengthen the American Dream for the next generation.

Is your paper being delivered late?

Please call 1-800-ASK-USPS

1-800-275-8777

This is the only way to improve mail service.

Public Notice

Regarding

"Thank You's"

submitted as

"Letters or News Stories"

The position of this newspaper is "Thank You's", whether directed to a person, any institution, affiliation or entity, will be considered a paid ad in the newspaper and will not be incorporated into a letter or news story.

THERE WILL BE A CHARGE!

Letters of thanks or congratulations shall be construed as paid advertising and will be inserted for placement in the proper location of this newspaper.

PLEASE ASK IF IN DOUBT

If you are in doubt about whether material sent in or brought in to this newspaper, be sure to ask for assistance at the counter or please leave a phone number so that you may be contacted. There is a difference between news and advertising.

Bennett County Booster

PO Box 610, 502 2nd Ave., Martin, SD 57551

(605) 685-6866 • booster@gwnc.net

Published once at the total approximate cost of \$75.00 and can be viewed free of charge at www.sdpublicnotices.com. Published: July 15, 2026

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, July 10, 2026 12:41 PM
To: bpisha@gwtc.net
Subject: 2907-2 Brad & Marlene Pisha - Public Notice
Attachments: 2907-2 Rec.pdf; 2907-2 Ltr.pdf; 2907-2 PubNotice.pdf; RapidCityJournal Info.pdf

Good afternoon,

Attached is a copy of the report, acting chief engineer's 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. The Rapid City Journal uses an online portal, if you click on the link they sent from the Column, you will be able to review the public notice and set up a payment as well. This information is also being mailed to you today.

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

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

August 25, 2026

NOTICE OF HEARING

TO: Brad & Marlene Pisha
29209 242nd Ave
Tuthill SD 57574

FROM: Adam Mathiowetz, PE, Chief Engineer
SD DANR – Water Rights Program

SUBJECT: Notice Scheduling Hearing Regarding Addition of Qualification No. 4 to Water
Permit No. 2907-2, Brad & Marlene Pisha

Water Permit No. 2907-2 was approved July 27, 2026, for the appropriation of an additional 2.0 cubic feet of water per second (cfs) from a new well (Ogallala Aquifer) to what was already authorized by Water Right No. 2509-2. Water Permit No. 2907-2 and Water Right No. 2509-2 combined, authorize the diversion of a total of 4.0 cfs from two wells (Ogallala Aquifer) for the irrigation of 270 acres.

Pursuant to SDCL 46-5-6, in the issuance of permits to appropriate water for irrigation the amount allowed may not be in excess of the rate of one cubic foot of water per second for each seventy acres, or the equivalent thereof, and the volume of water diverted for use may not exceed two acre-feet per acre, delivered on the land for a specified time each year. The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires. However, no annual volume may be greater than three acre-feet per acre delivered to the land.

As Chief Engineer, I am recommending the addition of a qualification that would allow for the exceedance of the statutory limit of 1cfs per 70 acres referenced in SDCL 46-5-6, since the increase to the diversion rate authorized by Permit No. 2907-2 is intended to allow for more efficient operation of the authorized irrigation system. The qualification would read as follows:

Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, this Permit and Water Right No. 2509-2 authorize a combined, maximum diversion rate of 4.0 cfs for the irrigation of a total of 270, acres with an annual volume not to exceed 2-acre feet of water per acre per year.

The Water Management Board will conduct a hearing to consider addition of the qualification to Water Permit No. 2907-2 at **11:00 AM, on October 7, 2026 (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (*the agenda time is an estimate, and actual time of hearing may be later*).

The hearing will be conducted pursuant to the provisions of SDCL 46-1-14; 46-2-5, 46-2-9, 46-2-11; and Board Rules ARSD 74:02:01:14. This is a contested case pursuant to procedures contained in SDCL 1-26.

This hearing is an adversarial proceeding. Any party 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 State Supreme Court as provided by law.

Prior to September 14, 2026, contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) if assistance is needed with the following: 1) further information on the proposed qualification addition; 2) to assure access to the meeting room for the handicapped; or 3) to obtain an interpreter for the hearing impaired.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If you choose to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E. Capitol Avenue, Pierre SD) by September 14, 2026.

Questions regarding the hearing process may be directed to Amanda Dewell, Permitting Administrator of the Water Rights Program, at (605) 773-3352 or amanda.dewell@state.sd.us

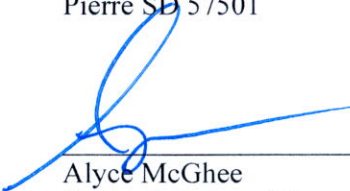
CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally deposited a true and correct NOTICE OF HEARING dated August 25, 2026, into the United States Mail in Pierre, South Dakota, first class postage prepaid to the following Water Permit holders on August 25, 2026.

Brad & Marlene Pisha
29209 242nd Ave
Tuthill SD 57574

Also sent inter-office to:

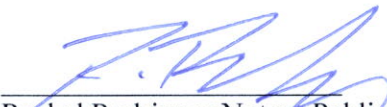
Emily Greco, Assistant Attorney General
1302 E Highway 14, Suite 1
Pierre SD 57501



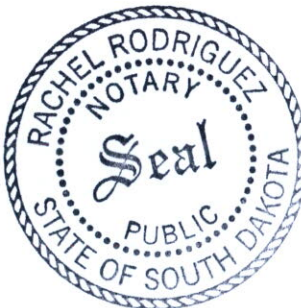
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 25th day of August, 20 26.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 4, 2026

Brad and Marlene Pisha
29209 242nd Avenue
Tuthill SD 57574

Dear Mr. & Mrs. Pisha:

Enclosed is Water Permit No. 2907-2 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,

Adam Mathiowetz, PE
Chief Engineer
Water Rights Program

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
Posting 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.: 2907-2

Name of Applicant: Brad & Marlene Pisha

Date of Posting: 7/13/2026

Date of Removal: 9/4/2026


Amanda Dewell, Permitting Administrator

9/4/2026

Date

Subscribed and sworn to before me, a notary public, this 4th day of Sept, 2026.


Notary Public - South Dakota

My commission expires:

**Rachel Rodriguez
My Commission Expires
May 16, 2029**

(SEAL)

