

WATER PERMIT NO. 7335-3

Name of Applicant: Lee & Matt Horstman

Address: 27471 405th Ave, Parkston SD 57366 Phone: 605 505-0022

Amount of Water Claimed: 1.56 cfs Total Acres: 160

Source of Water Supply: groundwater (2 wells)

Water to be used for: irrigation County: Douglas

Type of Waste Disposal System:

Location: 8 miles southeast of Parkston

PRIORITY Date Received: 2-23-12

Application/License Fee: \$ 1050.00

Corrected Application Received: 3-20-12

Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: S ½ NE ¼ Sec 2-T97N-R63N

Land to be Irrigated: NE ¼ Sec 2-T97N-R63W

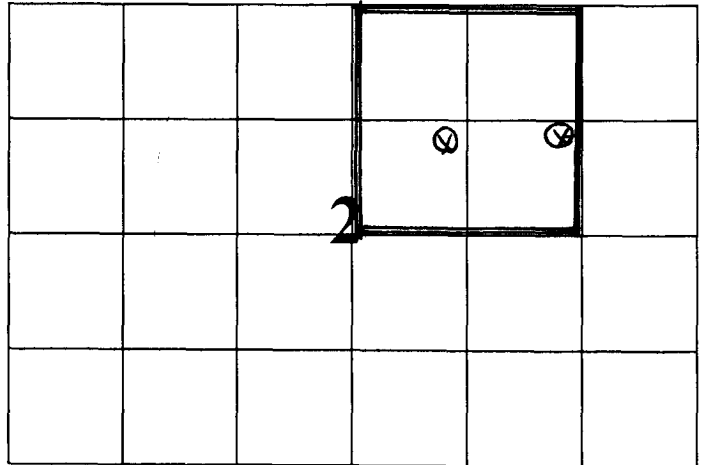
Depth of Well: 55 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Robert A Kemolz, Douglas Co FSA



Reviewed and the Number Assigned on: 3-20-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7335-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Armorel Chronicle P.O. Box 129</u>	
	<u>605-224-2747</u>	<u>Armorel 57313</u>

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FEB 23 2012

WATER RIGHTS
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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 of Applicant Lee & Matt Horstman Phone 605-505-0022
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 27471 405th Ave Parkston SD 57366
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 1.56*CFS or 700**GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Douglas
1 well in SW1/4 of NE1/4 - 2-97-63 SEE ATTACHED MAP
1 well in SE1/4 of NE1/4 - 2-97-63 NE1/4 R53W T104N DENR
5. County or counties where water will be used Douglas
6. Annual period during which water is to be used April 1 thru September 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
SW1/4 of NE1/4 - 2-97-63	40		
SE1/4 of NE1/4 - 2-97-63	40		
NE1/4 of NE1/4 - 2-97-63	40		
NW1/4 of NE1/4 - 2-97-63	40		

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

STATE OF SOUTH DAKOTA)

County of Douglas) SS

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)

I, Lee J Horstman, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature

Lee J. HorstmanSubscribed and sworn to before me this 15th day of February 20 12Lisa Tiedt

Notary Public signature

my commission exp. 7-29-15

**SOUTH DAKOTA
WATER PERMIT NO. 7335-3**

Date of first receipt of application February 23, 2012.

Date of return to applicant for corrections, amendments or changes February 23, 2012.

Date of receipt of corrected application March 20, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7335-3 to Lee and Matt Horstman, 27471 405th Ave, Parkston SD 57366 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. 7335-3 appropriates 1.56 cubic feet of water per second from two wells to be completed into the Delmont Aquifer (55 feet deep) located in S ½ NE ¼ Section 2 for irrigation of 160 acres located in the NE ¼ Section 2; all in T97N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is February 23, 2012.
4. The date of approval of Permit No. 7335-3 is May 18, 2012.
5. One-fifth of the construction is to be completed on or before November 18, 2014.
6. All construction is to be completed on or before May 18, 2017.
7. Water is to be put to beneficial use on or before May 18, 2021.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7335-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 16 2012

date



Supplemental Information

(type or print in ink)

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1. Well Information - Proposed Construction

- a) Drill Hole Diameter ~~16 inch~~ Depth 55' feet
- b) Casing Type plast. Diameter 16" inch Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack yes Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicant's property 1/8 mile North
farm well

On property owned by others 1/2 mile NW
farm well

2. Wastewater Disposal System Information

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

3. Dugout Information

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

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

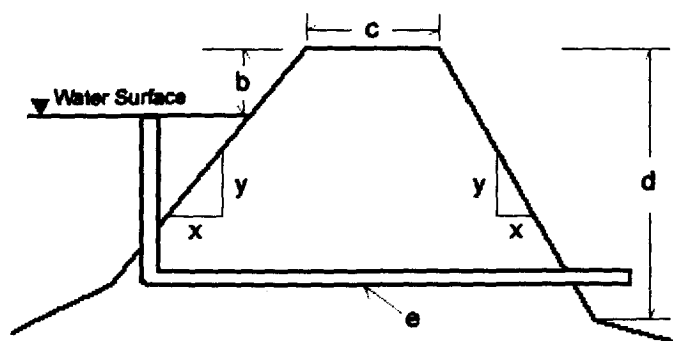
Upstream _____

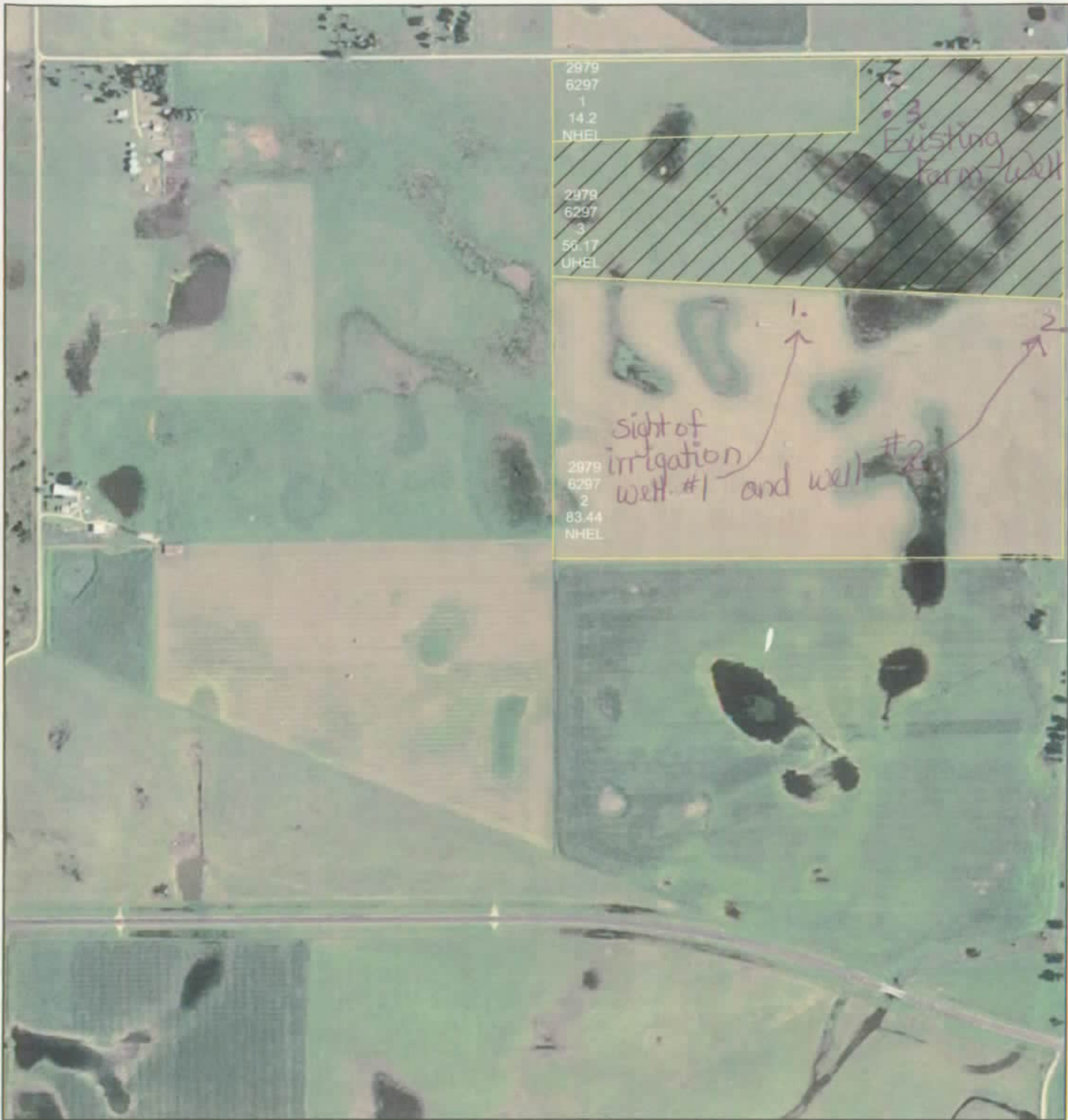
Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





about a quarter of an acre
well #1 is 1348 ft S 1640 ft west NE corner
well #2 is 1348 ft S 100 ft west Sect 2 41-63



United States Department of Agriculture
Farm Service Agency

PLSS: 2_97N_63W **Douglas County, SD**
Farm: 2979 1:8,323

November 09, 2010



Wetland Determination Identifiers

- Restricted Use
- ▲ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Common Land Units

Wetland

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

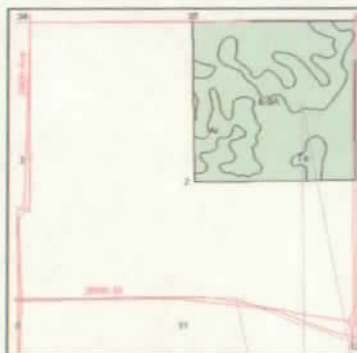
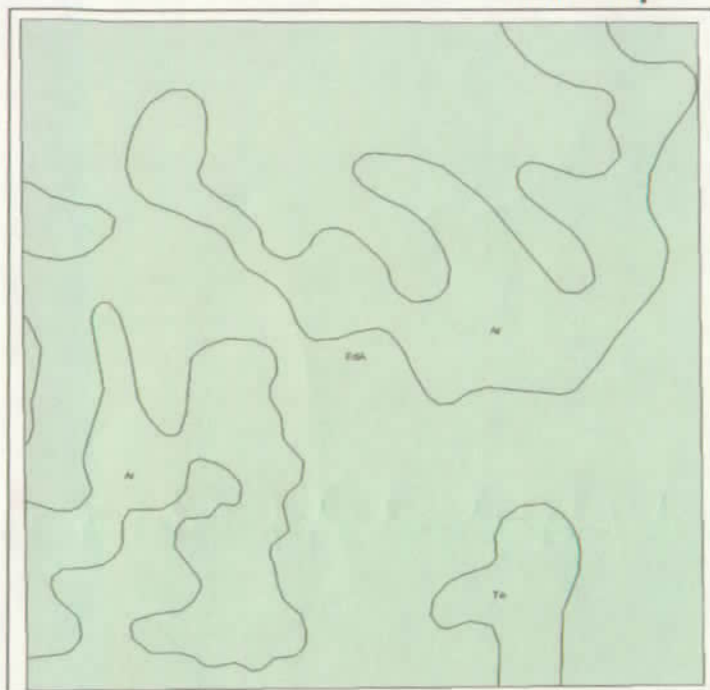
2010 Ortho-Photography - Not to Scale

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WATER RIGHTS PROGRAM

Soils Map



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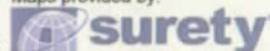
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WATER RIGHTS
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State: **South Dakota**
 County: **Douglas**
 Location: **002-097N-063W**
 Township: **Independence**
 Acres: **155**
 Date: **2/21/2012**



Maps provided by:



©AgriData, Inc 2008
 www.AgriDataInc.com

Fsa borders provided by the Farm Service Agency as of May 23, 2008.
 Soils data provided by USDA and NRCS.

Code	Soil Description	Acres	Percent of field	Non-Irr Class	Productivity Index	Alfalfa hay	Brome grass alfalfa	Corn	Grain sorghum	Oats	Soybeans	Spring wheat
EdA	Ene-Delmont loams, 0 to 2 percent slopes	102.4	66.1%	III	56	2	3.3	42	43	49		25
Ar	Arlo loam	47.2	30.4%	IVw	48	0.2	1.4	29			10	
Te	Tetonka silt loam	5.4	3.5%	IVw	56							
Weighted Average					53.6	1.4	2.6	36.6	28.4	32.4	3	16.5

Crops to be irrigated:

1. Corn
2. Soybeans
3. Wheat
4. Grain Sorghum
5. Grass Hay
6. Alfalfa Hay

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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/23, 20 12

RECEIVED OF Lee J Horstman 27471 405th Ave Parkston SD 57366

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

Fee for Application for Permit No. <u>7335-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7335-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. 05361

By *David Erdick*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 2012

Lee & Matt Horstman
27471 405th Ave
Parkston SD 57366

Dear Sirs:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Douglas County. In order to complete the application the following is required.

- Enclosed is the Form 2A, Supplemental Information. Please complete Item No. 1 regarding the Well Information – Proposed Construction. At the very least, we need the proposed well depth.
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 20, 2012

Lee and Matt Horstman
27471 405th Ave.
Parkston, SD 57366

Dear Sirs

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well into the Delmont aquifer the S½ NE¼ Section 2, T97N-R63W, prior to approval of a water permit. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7335-3, Lee and Matt Horstman**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7335-3, Lee and Matt Horstman, 27471 405th Avenue, Parkston SD 57366.

The Chief Engineer is recommending APPROVAL of Application No. 7335-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7335-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
April 20, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7335-3
LEE & MATT HORSTMAN
APRIL 3, 2012

Water Permit Application No. 7335-3 proposes to appropriate 1.56 cubic feet of water per second (cfs) from two wells to be completed into the Delmont aquifer. The wells are expected to be approximately 55 feet deep and will be located in the S½ NE¼ Section 2, T97N-R63W. The water is to be used to irrigate 160 acres located in the NE¼ Section 2, T97N-R63W.

AQUIFER: Delmont (D)

GENERAL:

The Delmont aquifer corresponds to an area that has been identified as having the first occurrence of an aquifer (sand and gravel) generally at or less than 50 feet below land surface in the vicinity of Choteau Creek (Jensen, 2008). The Delmont aquifer was deposited by meltwaters of a retreating glacier. Since the meltwaters fluctuated in volume, velocity and direction and the composition of the outwash varies considerably (Walker, 1961). The outwash consists mainly of poorly sorted silt, sand, and gravel deposits derived from the original unsorted glacial till material. The outwash can be discontinuous and highly variable in thickness (Walker, 1961). Walker (1961) estimated the thickness of the sands and gravels of this outwash averages 15.5 feet and commented that it rarely attains a thickness of more than 25 feet. He estimated that the outwash is generally saturated for only one third of its thickness. Walker was less than optimistic about the potential of the Delmont aquifer and stated "It is doubtful whether the outwash would yield enough water for sustained irrigation" (Walker, 1961).

More detailed investigations that followed better delineated the aquifer and the Delmont aquifer is estimated to be around 30 feet thick at the well sites proposed by this application (Kume, 1977). The Delmont aquifer underlies approximately 12,200 acres of Charles Mix County and approximately 15,700 acres of Douglas County and contains an estimated 36,610 and 35,320 acre-feet of recoverable water per county respectively (Hedges and other, 1982). The aquifer is under unconfined conditions and groundwater is generally moving from north to south with a little east to west component in his area (Kume, 1977).

An aquifer test of the Delmont aquifer was made August 13, 1969, using a well located in the southwest corner of Section 1, T97N-R63W. The well was pumped for six hours at a rate of 40 gal/min and the average transmissivity at the site was calculated to be 7,400 ft²/d and the average storage coefficient was estimated to be 0.006 (Kume, 1977). Table one includes well and aquifer data from a number of irrigation wells that have been completed into the Delmont aquifer.

Water Right/Permit	Rate (gpm)	Drawdown (ft)	Specific Capacity (gpm/ft)	Transmissivity* (gal/day/ft)
2232B-3	650	10	65	97,500
4528-3	975	25	39	58,500
(one well @ different rates)	800	21	38	57,000
	600	11	54	81,000
6299-3	400	5.5	79	118,500
(two wells)	400	5	80	120,000
	600	8	75	112,500
6324-3	600	14	43	64,500
(two wells)	600	14	32	48,000
6396-3	450	15	40	60,000
6513-3	600			
*("Transmissivity From Specific Capacity")				

Table 1. Well and aquifer data from irrigation wells that have been completed into the Delmont aquifer

SDCL 46-2A-9

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

WATER AVAILABILITY:

This application proposes to appropriate up to 320 acre-feet annually from the Delmont aquifer. The actual water use if this application is approved will be less than the appropriation. The probability of unappropriated water available from the aquifer can be evaluated by considering SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Recharge versus Withdrawals:

Recharge:

Recharge to the Delmont occurs through infiltration and percolation of precipitation, seepage from Choteau Creek and movement of water into the aquifer from the adjacent glacial drift. The average annual recharge to the Delmont has been estimated using observation well data to be 5.6 inches/year (Hedges and others, 1985). Recharge for the entire aquifer would be approximately 13,020.5 ac-ft/yr. This is not to suggest that the entire volume of annual recharge is available for use everywhere in the aquifer or that all of the recoverable water in storage in the aquifer is available for every diversion point. The volume of average annual recharge to Douglas County alone would be approximately 7,327 ac-ft/yr.

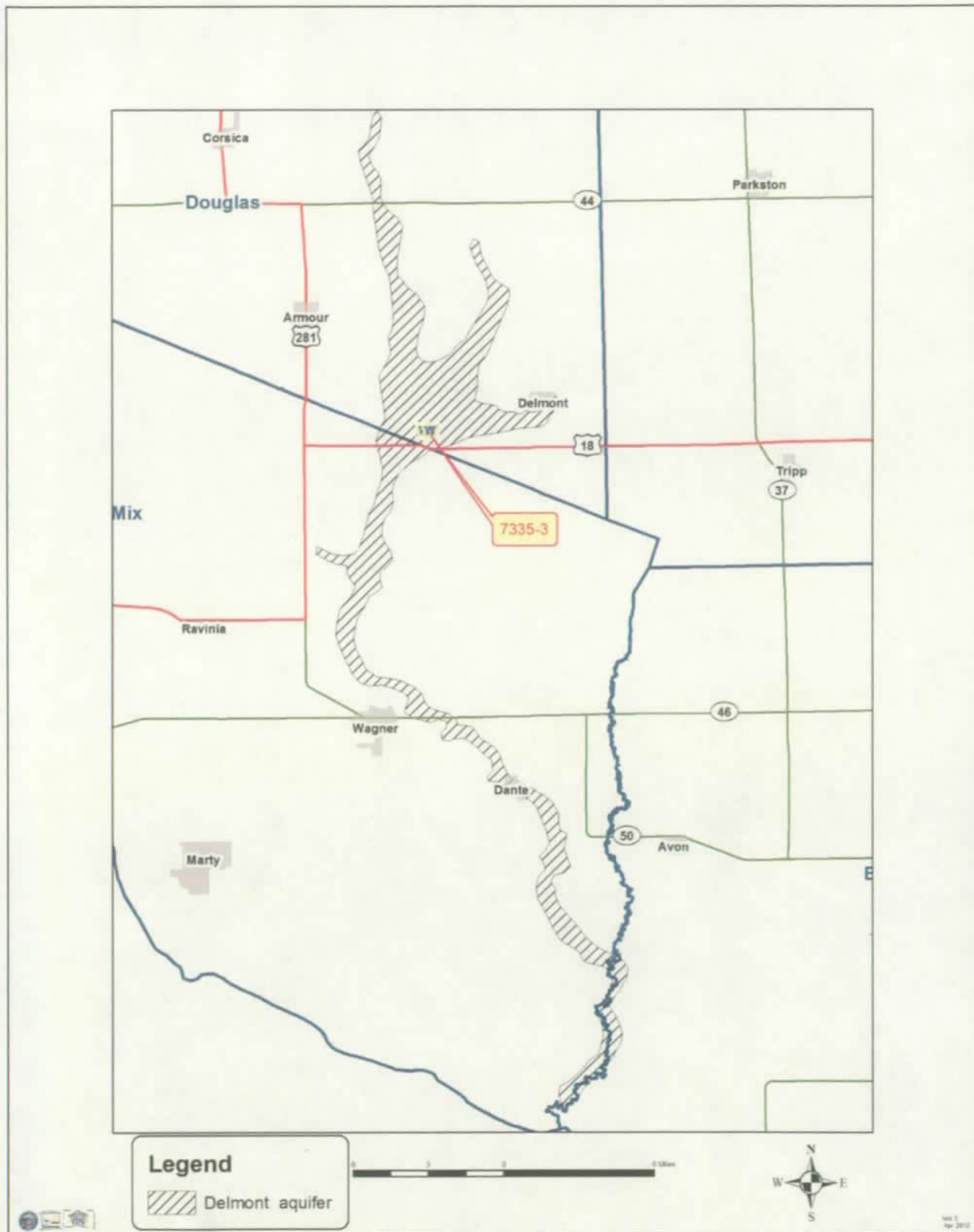


Figure 1. The Delmont aquifer (modified from Hedges and others, 1982) and the approximate location of the wells that Application No. 7335-3 proposes to use.

Withdrawals:

There are a number of completion reports on file with the DENR-Water Rights Program for domestic use wells completed into the Delmont aquifer (Water Rights, 2012b) and there are 17 permits/water rights appropriating water from the Delmont, see table 2.

PERMIT NO	NAME	STATUS	USE	CFS	ACRES
1805-3	JAMES T GOETZ	LC	IRR	1.9	132
1895-3	JRKM FAMILY MARITAL TRUST	LC	IRR	1.91	150
2010-3	BRYON F RUNGE	LC	FWP	1.89	NA
2144-3	JAN GROSZ	LC	IRR	1.67	128
2218-3	EUGENE J & BARBARA J SLABA	LC	IRR	1.41	99
2232B-3	GREENWOOD HTTRN BRTH	LC	IRR	3.5	245
2284-3	ERVIN & JUDY BIETZ	LC	IRR	1.74	122
3708-3	WALTER/JEANETTE STOEBNER	LC	IRR	1.07	75
4461-3	WALTER/JEANETTE STOEBNER	LC	IRR	2	163
4505-3	ELTOR BRENNER	LC	IRR	1	150
4528-3	JERRY PEACOCK	LC	IRR	2.67	216
4535-3	ELSIE G SANDERS	LC	IRR	1.56	132
4670-3	JAMES T GOETZ	LC	IRR	1.78	128
6324-3	DOUGLAS J LUEBKE	PE	IRR	2.22	235
6396-3	CAREY BUHLER	LC	IRR	1.11	88
6513-3	CURTIS BUHLER	PE	IRR	2.28	160
6683-3	SPARK RANCH LLC	LC	IRR	1.78	206
LC= Water Right, PE= Water Permit, IRR= Irrigation, FWP= Fish & Wildlife Propagation					

Table 2. Water Rights/Permits appropriating water from the Delmont aquifer.

Water Right No. 2010-3 is supposed to be a non-consumptive water use so the water use from the aquifer that requires an appropriation is shown the irrigation questioner year summaries (see table 3.

YEAR	NO.PMTS	APPROPRIATION (ac-ft/yr)	REPORTED PUMPED (ac-ft/yr)
2010	17	6406	964.22
2009	17	6406	1563.84
2008	17	6406	2241.3
2007	17	6406	1332.92
2006	17	6406	2217.01
2005	17	6334	2252.77
2004	16	6014	1832.56
2003	16	6038	2184.54
2002	15	5838	2167.42
2001	13	4934	1186.87
2000	13	4934	1347.66
1999	13	4934	846.68
1998	13	4934	1166.04
1997	13	4934	1666
1996	13	4934	1658.91
1995	13	4934	1183.38
1994	13	4934	1447.57
1993	16	5743	489.7
1992	16	5479	626.5
1991	17	5774	1885.4
1990	19	6334	1832
1989	19	6334	1863
1988	19	6334	2016.9
1987	19	6334	1747
1986	19	6334	933
1985	19	6334	1178
1984	18	6565	1311
1983	19	6672	1408.23
1982	19	6454	1134.5
1980	21	7165	1366
1979	16	6199	1096

Table 3. Irrigation from the Delmont aquifer (Water Rights, 1980-2011)

In general the average annual withdrawals to the aquifer do not exceed the average annual recharge to the aquifer unappropriated water is available from the Delmont aquifer and in particular, unappropriated water is available for 320 acre-feet of water proposed by this application.

Observation Well Data:

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

The DENR-Water Rights Program monitors 10 observation wells completed into the Delmont aquifer. Two of these observation wells (i.e. DG-72B and CM-72A) are located within approximately one mile of the well sites proposed by this application. Hydrographs for observation wells DG-72B and CM-72A are shown in figures 3 and 4 respectively.

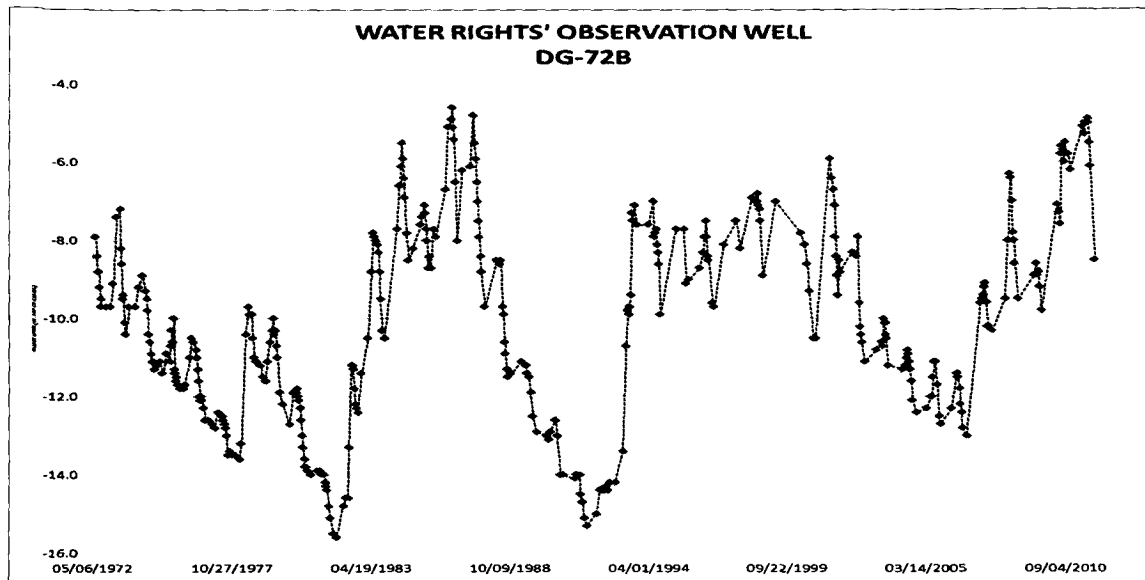


Figure 2. Hydrograph of an observation well completed into the Delmont aquifer approximately one-half mile north of the well sites proposed by Application No. 7335-3.

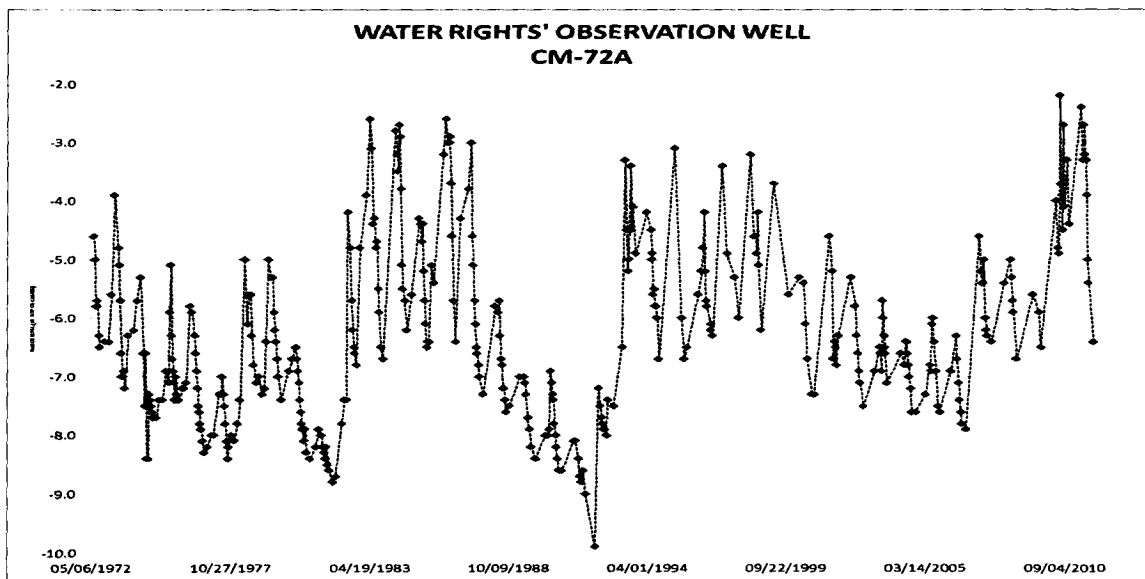


Figure 3. Hydrograph of an observation well completed into the Delmont aquifer approximately one mile south of the well sites proposed by Application No. 7335-3.

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. Water level fluctuations generally are related to the amount and distribution of precipitation and runoff and not to well pumpage (Kume, 1977). The water level record verifies that over the period of record, withdrawals have not exceeded recharge and unappropriated water is available for this appropriation.

EXISTING WATER RIGHTS:

There have been a total of 28 applications made beginning in 1968, to appropriate water from the Delmont aquifer. The majority of these applications (17) were made between 1970 -1977 and a number of these applications were contested.

In 1971, when the Water Rights Commission considered Water Permit Application No. 1805-3, "Six residents of the area and their attorney appeared before the Commission to express their concern that the proposed irrigation, plus existing irrigation from one irrigation well, could have an adverse effect on their shallow domestic and livestock watering wells and dugouts. The commission deferred action pending investigation by the Commission Staff" (Water Rights, 1973). One of the Commission Staff's conclusions was that a problem with the Delmont aquifer was that some of the domestic wells owned by opponents did not extend to the bottom of the aquifer. The Commission Staff also concluded there was not unappropriated water available for the irrigation of the SW¼ Section 26, T98N-R63W based on tests indicating saturated sand and gravel in the quarter of less than ten feet in depth, which was "not adequate for the desired irrigation well". Note: the application was approved for one of the two proposed wells (a well in the SE¼ Section 26, T98N-R63W).

In 1975, Commission consideration of a number of water permit applications was deferred to allow the Commission staff to "learn more about the effects of the existing irrigation, effects of withdrawals under Water Permit No. 2010-3 and would prefer that precipitation resulting in higher water tables would occur before consideration by the Commission of [the applications]" (Water Rights, 1975). All of these applications were eventually approved March 1977.

A number of applications to appropriate water from the Delmont aquifer were deferred in 1978 because the water level of the aquifer were low and staff recommended no action until the aquifer recharged (Water Rights, 1978). These applications were approved March 1978.

A complaint in 1980 alleged that since irrigation started from the Delmont aquifer, their domestic well had a bad odor, lowered water levels and reduced pressure. The domestic well was sampled and the water analysis indicated the water was safe. There is no record of any further action regarding the complaint.

There are no records of any complaints regarding withdrawals or any opposition to new permit applications from the Delmont aquifer after 1980.

Water Rights/Permits in the vicinity of the wells proposed by this application are shown in figure 4.



Figure 4. Location of the well sites proposed by Application No. 7335-3, existing water rights/permits appropriating from the Delmont aquifer and DENR-Water Rights' observation wells completed into the Delmont aquifer.

Since the Delmont aquifer is under unconfined conditions, drawdown does not extend far from a production well, as can be seen by the observation well data (see figures 3 & 4). The distance of these well sites (greater than 1,900 feet) from existing rights is sufficient to ensure that well interference will not adversely impair existing rights. The record does show however that overall the pumping from the aquifer may have a slight effect on the water levels especially during extended drought periods. Since most of the development from the Delmont aquifer is from a relatively concentrated area, during extended drought periods the water levels in the aquifer can change significantly. The yields of some irrigation wells may be reduced with the decline of the aquifer's saturated thickness during drought. However, irrigation withdrawals would only be minor contributors to this condition compared with the lack of recharge. Considering this contribution an adverse impact and limiting withdrawals based on priority would provide little if any protection to senior appropriators.

CONCLUSIONS:

1. This application proposes to appropriate up to 320 acre-feet annually from the Delmont aquifer.
2. There is a reasonable probability that unappropriated water is available from the Delmont aquifer to satisfy this proposed appropriation.
3. The Delmont aquifer is under unconfined (water table) conditions and drawdown from pumping is not expected to be significant very far from a production well.
4. Withdrawals from the wells proposed by this application will not adversely impair existing water rights.



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Jensen, A.M., 2008, First Occurrence of Aquifer Materials in Douglas County, South Dakota: S.D. Geological Survey Aquifer Materials Map 28, scale 1:100,000
- Kume, J. 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota: Part II; Water Resources: S.D. Geological Survey Bulletin 22, 31 p

“Transmissivity from Specific Capacity.” Aquifer Test Forum sponsored by HydroSOLVE, Inc.
16 Mar.2011< <http://www.aqtesolv.com/forum/transcap.asp>

Walker, I.R., 1961, Shallow Ground Water Resources in the Wagner Area, Charles Mix and Douglas counties, South Dakota: S.D. Geological Survey Report of Investigations 90, 53 p. 2 pls.

Water Rights, 1973, Water Right applications-Shallow aquifer west of Delmont, Report to the Water Rights Commission in Water Right 1805-3 file.

Water Rights, 1975, New Water Right Applications –Shallow Aquifer Near Delmont, Report to the Water Rights Commission in Water Right 2144-3 file.

Water Rights, 1978, Report on the Charles Mix – Douglas County Areas, March 23, 1978, Report to the Water Rights Commission by John Hatch in Water Right 3699-3 file.

Water Rights, 1980-2011, Irrigation Questioner Summaries 1980-2011, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2012a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2012b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2012c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Affidavit Of Publication

RECEIVED

MAY 31 2012

WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA,

County of Douglas

MARY NEUGEBAUER of said County and State, being first duly sworn, on her oath says: THE ARMOUR CHRONICLE is a weekly newspaper of general circulation, published in Armour, Douglas County, State of South Dakota by MARY NEUGEBAUER and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper; that it has a bona fide paid circulation of more than 200 copies weekly; that it has been published within said County of Douglas in the English language and has been admitted to the United States mail under the second class mailing privilege, for at least one year prior to the publication of such notices; that I the undersigned, am Editor and Publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all of the facts stated in this affidavit; that the advertisement headed

*Notice of app to
appropriate water*

a printed copy of which is hereto attached, was printed and published in said newspaper

for two successive weeks and that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication being made on 5-1, 20 12,

the second publication being made on 5-8, 20 12,

the third publication being made on _____, 20 _____,

the fourth publication being made on _____, 20 _____,

the fifth publication being made on _____, 20 _____,

the sixth publication being made on _____, 20 _____,

the seventh publication being made on _____, 20 _____,

and the eighth publication being made on _____, 20 _____,

that \$ 41.67 being the full amount of the fee for publication of the annexed notice, insures solely to the benefit of the publisher of said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Mary Neugebauer

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public, Douglas County, South Dakota

My Commission Expires _____

Notice of application No. 7335-3 to Appropriate Water

Notice is given that Lee and Matt Horstman, 27471 405th Ave, Parkston, SD 57366, has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from two wells to be completed into the Delmont Aquifer (55 feet deep) located in S1/2 NE1/4 Section 2 for irrigation of 160 acres located in the NE1/4 Section 2; all in T97N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7335-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and

the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 18, 2012.

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

Steven M. Pirner,

Secretary, Department of Environment and Natural Resources.

Published two times at the total approximate cost of \$41.67.

57a5/1-5/8



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 23, 2012

Armour Chronicle
PO Box 129
Armour SD 57313

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7335-3 to Appropriate Water to be published twice. Please publish the first notice on May 1, 2012 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Lee & Matt Horstman, 27471 405th Ave., Parkston SD 57366 (Ph # 605-505-0022).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund / KCS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 7335-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of April 23, 2012 enclosing Notice to Appropriate Water by Application No. 7335-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 23, 2012

Lee & Matt Horstman
27471 405th Ave
Parkston SD 57366

Dear Mssrs. Horstman:

Water Permit Application No. 7335-3 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 Publisher of the Armour Chronicle printed at Armour SD (Ph # 605-724-2747). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on May 1, 2012 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7335-3 to Appropriate Water

Notice is given that Lee and Matt Horstman, 27471 405th Ave, Parkston SD 57366 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from two wells to be completed into the Delmont Aquifer (55 feet deep) located in S ½ NE ¼ Section 2 for irrigation of 160 acres located in the NE ¼ Section 2; all in T97N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7335-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 18, 2012.

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

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 16 2012

Lee & Matt Horstman
27471 405th Ave
Parkston SD 57366

Dear Mssrs. Horstman:

Enclosed is Water Permit No. 7335-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



7335-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2013

NOTICE

TO: LEE & MATT HORSTMAN, LEE HORSTMAN, 27471 405TH AVE, PARKSTON, SD 57366

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7335-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7335-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7335-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2013

7335-3

Lee & Matt Horstman
40409 275th St
Parkston SD 57366

Dear Sirs:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Permit No. 7335-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



7335-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2015

NOTICE

TO: LEE & MATT HORSTMAN, LEE HORSTMAN, 40409 275th ST, PARKSTON, SD 57366
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7335-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7335-3 qualification:

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

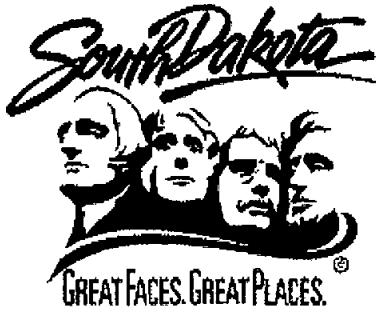
The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7335-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2015

7335-3

Lee & Matt Horstman
40409 275th St
Parkston SD 57366

Dear Sirs:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit No. 7335-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



7335-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2017

NOTICE

TO: LEE & MATT HORSTMAN, LEE HORSTMAN, 40409 275th ST, PARKSTON, SD 57366
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7335-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 7335-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7335-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



7335-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 2, 2017

7335-3

Lee & Matt Horstman
40409 275th St
Parkston SD 57366

Dear Sirs:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Permit No. 7335-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

MAY 30 2017

WATER RIGHTS
PROGRAM

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

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

Date 11/16/16

FROM: Matt Horstman & Lee Horstman
(name)

40409 275th ST
(address)

Parkston
(city)

SD
(state)

57366
(zip)

605-770-5893
(phone)

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

Water Permit No. 7335-3 states that the water use system is to be constructed by

May 18, 2017, and water is to be put to beneficial use by May 18, 2021
(date) (date)

The water use system was completed on 6-1-12
(date)

Applying the water to beneficial use was completed on 6-15-12
(date)

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

