

WATER PERMIT NO. 7783-3

Name of Applicant: Marvin Amdahl

Address: 45138 150 th St, Ortley SD 57256 Phone: 605 398-6579

Amount of Water Claimed: 1.78 cfs Total Acres: 132

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation County: Grant

Type of Waste Disposal System:

Location: 26 miles west of Milbank

PRIORITY Date Received: 2-19-13

Application/License Fee: \$ 1050

Corrected Application Received: 3-5-13

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: N 1/2 NE 1/4 Sec 4-T120N-R52W

Land to be Irrigated: SW 1/4 Sec 4-T120N-R52W

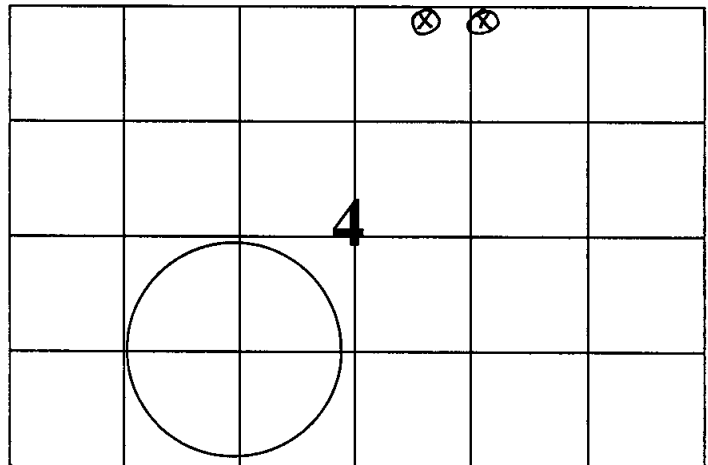
Depth of Well: 140 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 3-5-13

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

u. o

RECEIVED
FEB 19 2013
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7783-3</u> (office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u> <u>685-432-4516</u>
	Newspaper <u>Grant Co. Review Box 309 Millbank 57252</u>
	<u>Public Opinion Box 10 Watertown 57201 605-886-6901</u>

Application For Permit To Appropriate Water For Irrigation

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

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

- Name of Applicant Marvin Amdahl Phone 605-398-6579
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 45138 150th Str. Ortley SD 57256
(Address) (City) (State) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 132
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Grant
2 wells NW1/4 NE1/4 section 4 T100N-R53W
- County or counties where water will be used Grant
- Annual period during which water is to be used May 1 - September 30
- 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
Sec 4 T100N-R53W NW1/4 SW1/4	33		
Sec 4 T100N-R53W NE1/4 SW1/4	33		
Sec 4 T100N-R53W SW1/4 SW1/4	33		
Sec 4 T100N-R53W SE1/4 SW1/4	33		

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

STATE OF SOUTH DAKOTA)

County of Roberts) 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, Marvin Amdahl, 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 Marvin Amdahl

Subscribed and sworn to before me this 17 day of December, 2012

[Signature]
Notary Public signature

my Commission expires 1-9-13

SOUTH DAKOTA
WATER PERMIT NO. 7783-3

Date of first receipt of application February 19, 2013.

Date of return to applicant for corrections, amendments or changes February 25, 2013.

Date of receipt of corrected application March 5, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7783-3 to Marvin Amdahl, 45138 150th St, Ortleigh SD 57256 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. 7783-3 appropriates 1.78 cubic feet of water per second from two wells to be completed into the Prairie:Coteau Aquifer (140 feet deep) located in the N 1/2 NE 1/4 Section 4 for irrigation of 132 acres located in the SW 1/4 Section 4; all in T120N-R52W within the former boundaries of the Sisseton Wahpeton Indian Reservation.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is February 19, 2013.
4. The date of approval of Permit No. 7783-3 is May 28, 2013.
5. One-fifth of the construction is to be completed on or before November 28, 2015.
6. All construction is to be completed on or before May 28, 2018.
7. Water is to be put to beneficial use on or before May 28, 2022.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

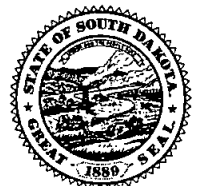
1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 7783-3 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: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 18 2013

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 12" Depth 140'
- b) Casing Type PVC Diameter 8" Thickness 1/2
- c) Screen Type PVC Diameter 8" Thickness 1/2
- d) Gravel Pack 25' Length of Gravel Pack 25'
- e) Depth to Top of Water Bearing Material 115'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well:
- On applicant's property 1/2 mile On property owned by others 1 1/2 miles

2. Wastewater Disposal System Information

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

3. Dugout Information

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

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

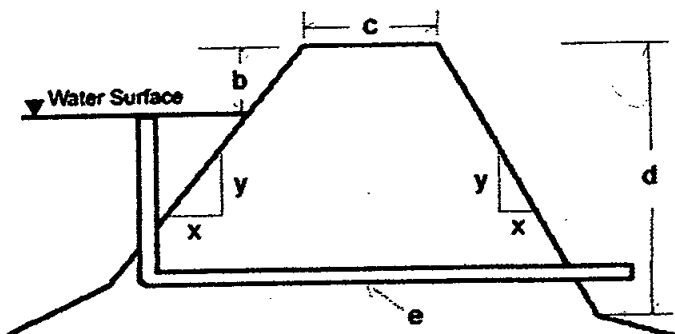
Upstream _____

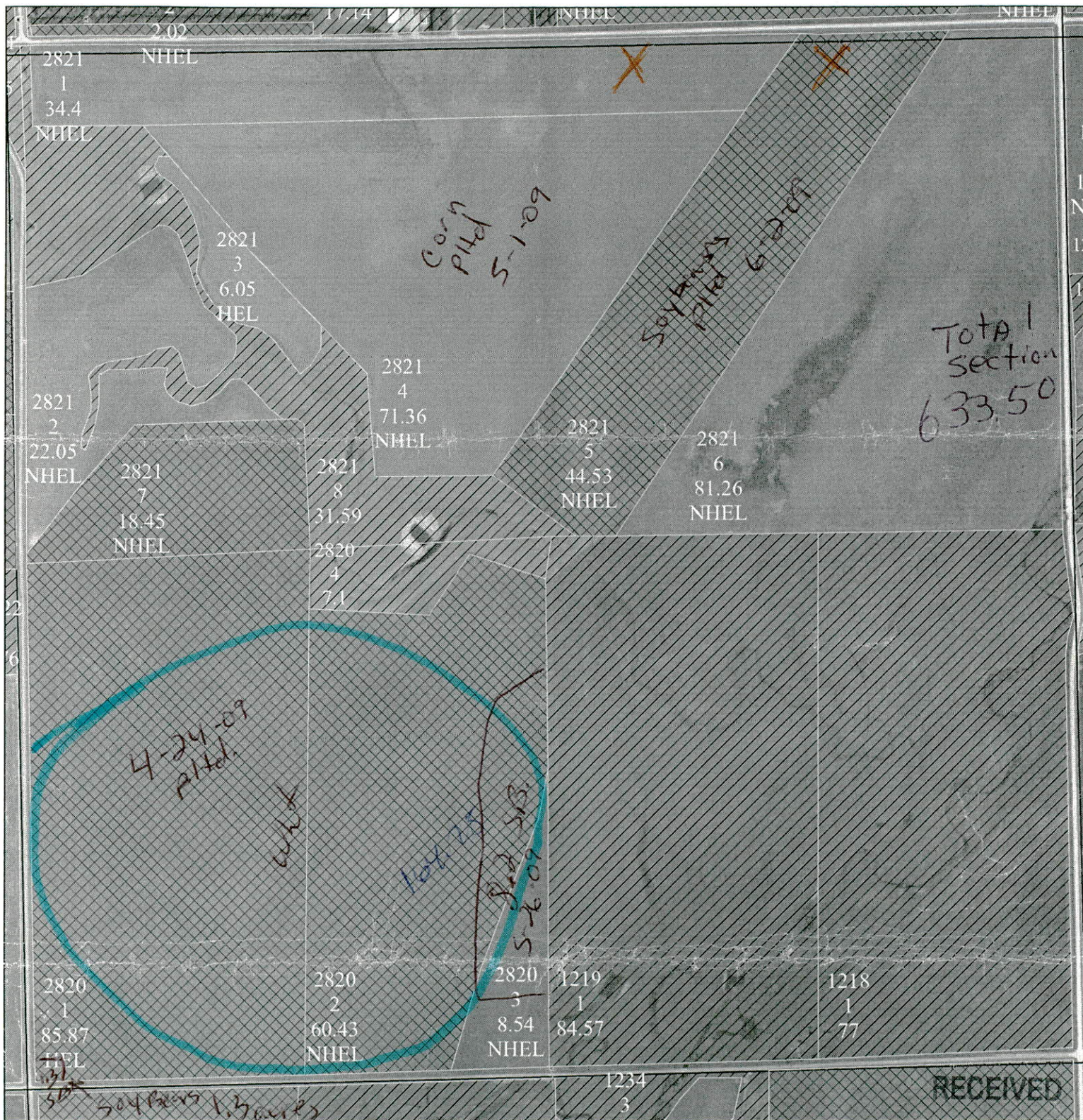
Downstream _____

h) Surface Area of Impoundment _____

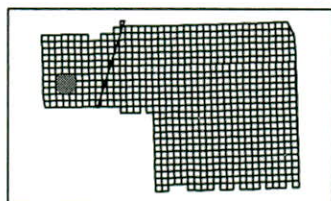
i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





USDA U.S. Dept. of Agriculture
Farm Service Agency



RECEIVED
FEB 19 2013
WATER RIGHTS PROGRAM

South Dakota Grant

4-120N-52W

Pasture
Wetlands *Wetlands* *Wetlands*

Legend

- Wetlands
- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- /// Rangeland

RECEIVED
MAR - 5 2013
WATER RIGHTS PROGRAM

September 06, 2006

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/25, 20 13

RECEIVED OF Marvin Amdahl 45138 150th St Ortley SD 57256

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

Fee for Application for Permit No. <u>7783-3</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>7783-3</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. 06174

By *Harold Elmer*
Chief Engineer

Manikowski Well Drilling Inc. Lisc. #285

10020 County Road 19

Lidgerwood, ND 58053

Phone: 701-538-4504

Cell: 701-680-0524

RECEIVED

JAN - 3 2012

WATER RIGHTS
PROGRAM

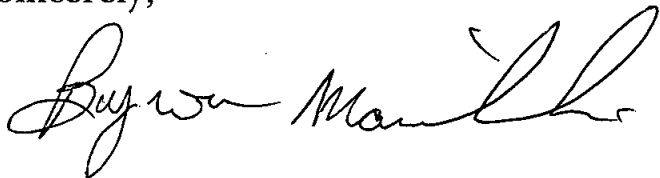
To Ken Buhler, SDWR,

We would like to request permission to drill a 8" test well for Marvin Amdahl, in Ortley, SD.

The well is to be drilled in SEC 4, Township 120 West, Range 51-52 West, Grant County.

This well is for the purpose of test pumping drawdown. The well is to be drilled in the North half of SEC 4.

Sincerely,

A handwritten signature in cursive script, appearing to read "Byron Manikowski".

Byron Manikowski, Manikowski Well Drilling Inc.



7783-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 3, 2012

Byron Manikowski
Manikowski Well Drilling, Inc
10020 County Road 19
Lidgerwood, ND 58053

Dear Mr. Manikowski:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well in the North ½ of Section 4, T120N-R52W, 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,

JAMES A. GOODMAN, P.E.
for 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

RECEIVED

MAR - 5 2013

**WATER RIGHTS
PROGRAM**

February 25, 2013

Marvin Amdahl
45138 150th St
Ortley SD 57256

Dear Mr. Amdahl:

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

- Enclosed is the map submitted with the application. Please mark the location of the two proposed wells with an "X".

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosures



**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. 7783-3, Marvin Amdahl**

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. 7783-3, Marvin Amdahl, 45138 150th Street, Ortle SD 57256.

The Chief Engineer is recommending APPROVAL of Application No. 7783-3 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. 7783-3 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.

Jeanne Goodman, Chief Engineer
May 3, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7783-3

Marvin Amdahl

April 2, 2013

Water Permit Application No. 7783-3 proposes to withdraw groundwater at a maximum diversion rate of 2.0 cubic feet of water per second (cfs) from two wells completed into the Prairie Coteau aquifer. The wells are expected to be 140 feet deep and are to be located in the N½ NE¼ of Section 4, T120N-R52W. Water will be used to irrigate 132 acres located in the SW¼ of Section 4, T120N-R52W, in Grant County. The wells and acreage proposed by this application are located within the former boundaries of the Sisseton Wahpeton Indian Reservation.

AQUIFER: Prairie Coteau aquifer (PCO)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Prairie Coteau is a surficial aquifer composed of brown to gray, coarse to very coarse sand and fine gravel (Hansen, 1990). Hansen (1990) delineated the Prairie Coteau aquifer in Grant and Codington Counties, and Thompson (2001) studied the aquifer in Roberts County and the Lake Traverse Reservation. Thompson (2001) concluded that the Prairie Coteau defined in these areas is not a continuous aquifer and instead is a group of discontinuous outwash deposits generally found in the 1,600 to 1,800 foot altitude interval. The depth and thickness of these deposits can vary widely. These outwash deposits have been collectively known as an aquifer due to their similarities.

In the area of the proposed well sites, the North management unit of the Big Sioux aquifer is generally located above the Prairie Coteau aquifer. The Lonesome Lake and Altamont aquifers are generally located below the Prairie Coteau aquifer. Also, other small outwash deposits lie above, below, and adjacent to this Prairie Coteau aquifer (Hansen, 1990). The Prairie Coteau is probably in hydraulic connection with these aquifers and outwashes, among others.

Historically, the Water Management Board has approved water permit applications to appropriate water from the Prairie Coteau aquifer system. However, in interpreting 46-6-3.1, the First Judicial Circuit Court ruled in *Hanson County Dairy v. Bender* that evidence needs to show that water is available for proposed appropriations. In other words, data must be presented to show that the average annual recharge exceeds the average annual discharge by at least the amount requested by the water permit application being considered (Memorandum Decision, April 11, 2012). This could be interpreted as necessitating the identification and quantification of recharge and discharge of an individual outwash deposit of the Prairie Coteau aquifer from which the applicant proposes to withdraw water.

The areal extent and altitude interval of the individual outwash deposit of the Prairie Coteau aquifer was identified by examining area lithologic logs. This portion of the aquifer is generally found in the 1,600 to 1,720 foot above mean seal level (msl) altitude interval and is often 10 to 40 feet thick (Geological Survey, 2013). This portion of the aquifer underlies approximately

184,500 acres, mostly in Roberts, Grant, and Codington Counties (Stonesifer, 2013). This portion of the aquifer appears to be under artesian conditions throughout and the potentiometric surface in the aquifer generally ranges from flowing to 90 feet below ground surface, at an elevation generally ranging from 1,725 to 1,875 feet msl. The potentiometric surface elevation is highest in the northern portion and lowest in the southern portion of the aquifer, and water in this portion of the aquifer moves from north to south (Hansen, 1990; Water Rights, 2013a).

A test hole log was not submitted with this application as required by ARSD 74:02:01:08.01; however, information is available to evaluate the area. The top of Prairie Coteau aquifer can be encountered at 1,700 feet msl, translating to 120 feet below ground surface and could be approximately 50 feet thick (Geological Survey, 2013).

SDCL 46-2A-9

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

WATER AVAILABILITY:

If this application is approved, the actual water use will likely be less than 272 acre-feet per year (ac-ft/yr). The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Hydrologic Budget:

Recharge:

Recharge to this portion of the Prairie Coteau aquifer occurs through leakage from till, the overlying Big Sioux aquifer, and the Coteau Lakes aquifer immediately north (Hansen, 1990). Recharge for this portion of the aquifer has not been quantified. However, for management and development programs, Hedges and others (1985) suggests a recharge rate range of 0.15 to 0.60 inches per year (in/yr) for confined aquifers. From the determined area of the aquifer, this recharge rate range equates to 2,306 to 9,224 ac-ft/yr.

Discharge:

Discharge from this portion of the Prairie Coteau aquifer occurs primarily by well withdrawals (Hansen, 1990). Based on the location and depths of wells, there are currently 23 water rights/permits withdrawing from this portion of the aquifer, which are described in Table 1 (Water Rights, 2013b). There are also four pending water permit applications.

In addition, there are many well completion reports on file with the SD DENR-Water Rights Program for domestic wells that appear to be completed into the Prairie Coteau aquifer (Water

Rights, 2013c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

The amount of water that can be expected to be withdrawn by non-irrigation use water rights/permits can be estimated by assuming these water rights/permits, which are limited only by diversion rate, will pump at the maximum permitted diversion rate 60 percent of the time. Therefore, the total annual withdrawal from this portion of the Prairie Coteau aquifer by non-irrigation use is expected to be less than 131 ac-ft/yr (Water Rights, 2013b).

Table 1: Water rights/permit withdrawing from this portion of the Prairie Coteau aquifer (Water Rights, 2013b)

Permit No.	Name	Priority Date	Status	Type	Max CFS	Acres
3229-3	Don Endres	08/20/1976	LC	IRR	2.66	224
4184-3	Ina C Kahnke	10/27/1977	LC	IRR	2.67	243
4417-3	Falk Farms Inc	04/29/1975	LC	IRR	6	770
4588-3A	Don Endres	12/04/1980	LC	IRR	1.77	170
4749-3	Luvern J Miller	05/01/1981	LC	IRR	3.77	264
5165-3	Jeff L & Lynae Grabow	11/18/1987	LC	IRR	1.77	132
5166A-3	John T Nordgaard	03/02/1988	LC	IRR	1.87	131
5166B-3	Northern Con-Agg	03/02/1988	LC	IRR	0.84	59
5174-3	Donald L Endres	03/02/1988	LC	IRR	1.77	130
5376-3	Donald L Endres	12/18/1989	LC	IRR	1.11	83
5378-3	Endres Family Trust	01/06/1990	LC	IRR	1	70
5807-3	Micheal John Meyer	03/04/1994	LC	IRR	1	95
6100-3	Norswiss Dairy	08/20/1998	LC	COM/LCO	0.267	0
3665-3	Florence Davis	02/22/1977	PE	IRR	9	640
6533-3	Redlin Farms	08/12/2004	PE	COM	0.033	0
6906-3	Tim J Grabow	10/11/2007	PE	IRR	0	180
6907-3	Jeff L Grabow	10/11/2007	PE	IRR	4	440
7036-3	James and Johnny Lee Wohlleber	05/30/2008	PE	IRR	2	130
7065-3	James Amdahl	09/11/2008	PE	IRR	3.78	264
7242-3	Rollin J Morehouse	06/27/2011	PE	IRR	4.29	300
7305-3	Tim Grabow	01/05/2012	PE	IRR	1.57	110
7328-3	Marvin Amdahl	02/27/2012	PE	IRR	1.78	162
7351-3	Micheal John Meyer	04/23/2012	PE	IRR	0.68	0

LC = Water right, PE = Water permit, IRR = Irrigation, COM = Commercial, LCO = Livestock Confinement Operation

The irrigation development of this portion of the Prairie Coteau aquifer has steadily increased over the period of record, 1979 to 2011. The annual withdrawal from the aquifer fluctuates, which is probably mostly dependent on annual growing season climatic conditions. Figure 1 shows the total annual pumpage reported from this portion of the aquifer over the period of record. The average pumpage reported equals 889 ac-ft/yr.

Since 2011, four water permits have been authorized and four water permit applications are pending for irrigation use (Water Rights, 2013b). When applying the average annual application rate, 5.56 inches per acre (in/ac) (Stonesifer, 2013), withdrawals due to these permits and permit applications are expected to total on average 478 ac-ft/yr (Water Rights, 1980-2012).

Water Balance:

The average annual withdrawal from this portion of the Prairie Coteau aquifer is estimated to be less than 1,498 ac-ft/yr. To balance the hydrologic budget, recharge must equal withdrawal. And so, assuming average annual use plus the maximum use proposed by this application, recharge to this aquifer must equal at least 0.12 in/yr. This required recharge rate is lower than the suggested

recharge rate range provided by Hedges and others (1985). Therefore, there is a reasonable probability that unappropriated water is available from this portion of the Prairie Coteau aquifer for the proposed appropriation.

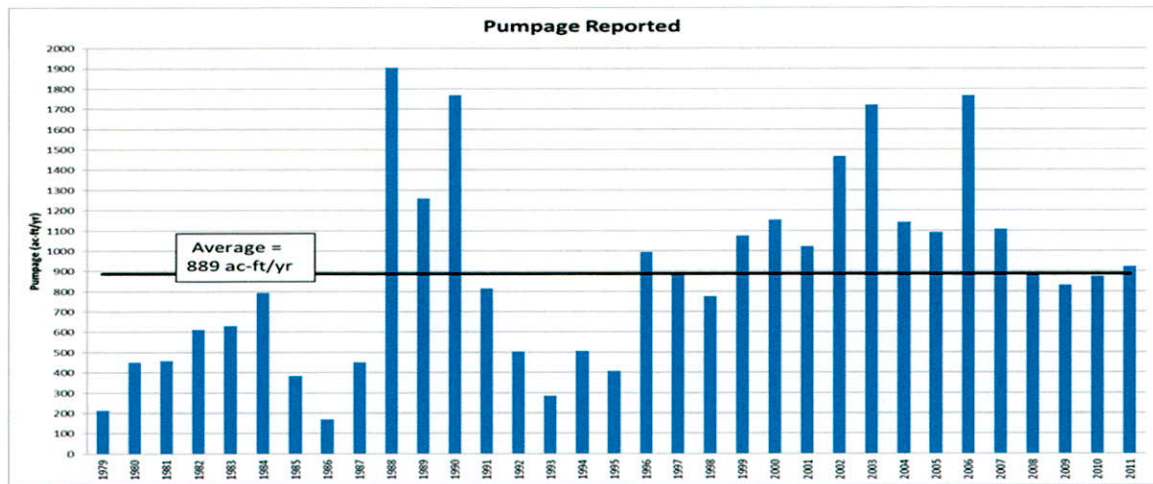


Figure 1: Historic irrigation water use from this portion of the Prairie Coteau aquifer (Water Rights, 1980-2012)

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 of the aquifer.”

The SD DENR-Water Rights Program monitors 55 observation wells completed into the Prairie Coteau aquifer, with 13 of these completed into this portion of the aquifer (Water Rights, 2013a). The hydrographs for these 13 observation wells are all shown together in Figure 2. The nearest observation well, GT-79C, is located approximately one mile southwest of the proposed well sites.

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. The effects of pumping in the aquifer are obvious, which is due to the artesian conditions of the aquifer. Temporal effects of well withdrawal from the aquifer are masked by climatic conditions, indicating that recharge to and natural discharge from the aquifer greatly exceeds well withdrawal. Over the period of record, water levels in this portion of the aquifer have remained fairly steady. Therefore, unappropriated water is available from this portion of the Prairie Coteau aquifer to support the proposed appropriation.

EXISTING WATER RIGHTS:

This portion of the Prairie Coteau aquifer is under artesian conditions at the proposed well site; therefore, significant drawdown due to pumping is likely. However, precise drawdown cannot be quantified without aquifer testing. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. SDCL 46-6-6.1 does not require protection of artesian head pressure as a means of groundwater

delivery. However, reasonable domestic use must be assured before irrigation use is allowed. Therefore, when considering irrigation projects, the Water Management Board must give consideration to maintaining artesian head pressure as a method of delivery for domestic wells. To balance interests between irrigation use and delivery of groundwater by artesian pressure, ARSD 74:02:04:20(7) defines an adversely impacted domestic well as:

“a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs.”

If approved, the wells will be located near other wells that obtain water from the same aquifer. In addition to domestic wells, there are four water rights/permits within two miles of the proposed well sites. The nearest, Water Permit Nos. 7065-3 James Amdahl and 7328-3 Marvin Amdahl, are located within one half mile of the proposed well sites (Water Rights, 2013b; Water Rights, 2013c). Historically, there have been a number of controversies regarding water rights/permits appropriating water from this area of the proposed well sites. Some wells cease to flow during irrigation season. Some wells have been replaced or have lowered pumps (Water Rights, 2013b).

In general, the hydrographs document the obvious effects of pumping. However, these effects have been relatively minimal over the period of record, and water levels have always recovered once irrigation has ceased (Water Rights, 2013a). Therefore, at the distances involved there is a reasonable probability that any well interference from the proposed appropriation will not adversely or unlawfully impair existing nearby wells. However, if approved, the water permit should include the qualification that the well owner should 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.

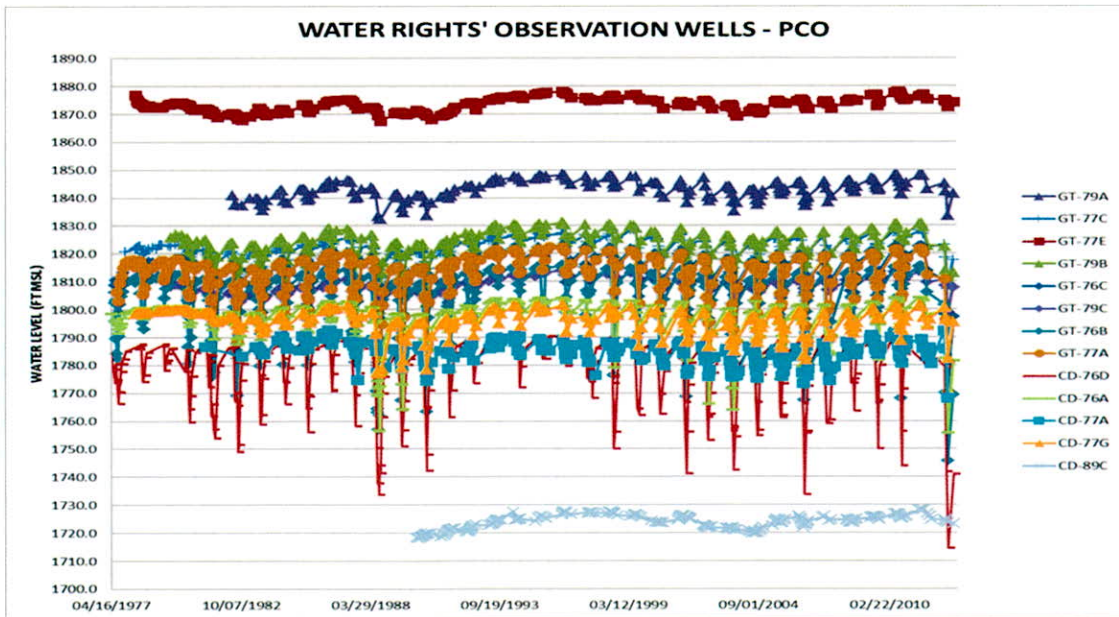


Figure 2: Hydrographs of observation wells completed into this portion of the Prairie Coteau aquifer (Water Rights, 2013a)

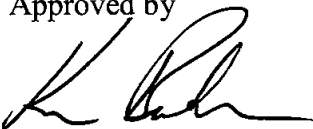
CONCLUSIONS:

1. The water permit application proposes to withdraw groundwater at a maximum diversion rate of 2.0 cfs from two wells to be completed into a portion of the Prairie Coteau aquifer in Grant County for the irrigation of 132 acres.
2. There is a reasonable probability that unappropriated water is available from this portion of the Prairie Coteau aquifer to supply the proposed appropriation.
3. There is a reasonable probability that any possible well inference due to the proposed appropriation will not adversely or unlawfully impair existing users.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Geological Survey. 2013. Lithologic Logs Database, South Dakota Department of Environment & Natural Resources Geological Survey, Vermillion, South Dakota.
- Hansen, D.S. 1990. Water Resources of Codington and Grant Counties, South Dakota: U.S. Geological Survey Water-supply Paper 2254, 263 p.
- In the Matter of Water Permit Application No. 7239-3, by Hanson County Dairy v. Robert Bender and Stace Nelson, South Dakota First Judicial Court Civ. No. 11-54 (Memorandum Decision, April 11, 2012)
- Stonesifer, J.R. 2013. Report on Water Permit Application no. 7629-3, William Bucklin. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, South Dakota.
- Thompson, R.F. 2001. Water Resources of the Lake Traverse Reservation, South and North Dakota, and Roberts County, South Dakota: U.S. Geological Survey Water-Resource Investigation Report 01-4219
- Water Rights, 1980-2012. "Irrigation Report Summaries." SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Printer's Affidavit of Publication RECEIVED

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

MAY 17 2013

WATER RIGHTS
PROGRAM

Ann Tuchscherer

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, Bookkeeper of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of

Application No. 7783-3 To Appropriate
Water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for one ~~successive~~ weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>May 15</u>	<u>2013</u>	<u>20</u>
<u>20</u>		<u>20</u>
<u>20</u>		<u>20</u>

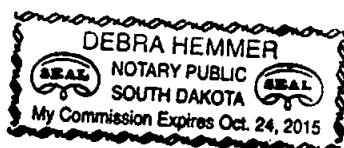
That \$ 24.23, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Ann Tuchscherer

Subscribed and sworn to before me this 15th day of May 20 13

Debra Hemmer

Notary Public, Grant County, South Dakota



NOTICE OF APPLICATION NO. 7783-3 TO APPROPRIATE WATER

Notice is given that Marvin Am-dahl, 45138 150th St., Ortley, SD, 57256, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Prairie Coteau Aquifer (140 feet deep) located in the N 1/2 NE 1/4 Section 4 for irrigation of 132 acres located in the SW 1/4 Section 4; all in T120N-R52W within the former boundaries of the Sisseton Wahpeton Indian Reservation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7783-3 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 28, 2013.

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 once at an approximate cost of \$24.23.

Publication Fee \$ 24.23
Notarial Fee \$
Total \$ 24.23

RECEIVED

MAY 23 2013

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following date:

May 15th, 2013

Cost of Printing 57.29

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

May 15th, 2013

(Date Signed)

**DEPARTMENT
OF ENVIRON-
MENT AND
NATURAL
RESOURCES**

**NOTICE OF APPLICATION
NO. 7783-3 to Appropriate
Water**

Notice is given that Marvin Amdahl, 45138 150th St, Ortle SD 57256 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Prairie-Coteau Aquifer (140 feet deep) located in the N 1/2 NE 1/4 Section 4 for irrigation of 132 acres located in the SW 1/4 Section 4; all in T120N-R52W within the former boundaries of the Sisseton Wahpeton Indian Reservation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7783-3 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 28, 2013.

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 once at the approximate cost of \$52.25. (May 15, 2013)

All legal notices in the Public Opinion and other South Dakota newspapers can be found at
www.sdpublicnotices.com



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 6, 2013

Grant County Review
PO Box 309
Milbank SD 57252

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7783-3 to Appropriate Water. Please publish the notice once on May 15, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Marvin Amdahl, 45138 150th St, Ortleby SD 57256 (Ph # 605-398-6579).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 6, 2013

Public Opinion
PO Box 10
Watertown SD 57201

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7783-3 to Appropriate Water. Please publish the notice once on May 15, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Marvin Amdahl, 45138 150th St, Ortleby SD 57256 (Ph # 605-398-6579).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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
Natural Resources Engineer
605 773-3352

enclosures



**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 DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

May 6, 2013

Marvin Amdahl
45138 150th St
Ortley SD 57256

Dear Mr. Amdahl:

Water Permit Application No. 7783-3 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 Grant County Review printed at Milbank SD (Ph # 605-432-4516) and the Public Opinion printed at Watertown SD (Ph # 605-886-6901). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on May 15, 2013. 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. 7783-3 to Appropriate Water

Notice is given that Marvin Amdahl, 45138 150th St, Ortleigh SD 57256 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from two wells to be completed into the Prairie:Coteau Aquifer (140 feet deep) located in the N 1/2 NE 1/4 Section 4 for irrigation of 132 acres located in the SW 1/4 Section 4; all in T120N-R52W within the former boundaries of the Sisseton Wahpeton Indian Reservation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7783-3 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 28, 2013.

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 once 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

JUN 18 2013

Marvin Amdahl
45138 150th St
Ortley SD 57256

Dear Mr. Amdahl:

Enclosed is Water Permit No. 7783-3 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,

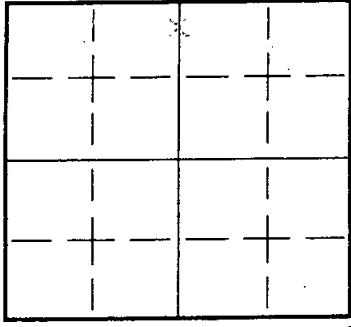
Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

77833

07-92

Location NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 4 Twp 120 Rg 52W
 County Grant
 Please mark well location with an "X"
 Well Completion Date 2-14-12


Well Owner: Marvin Andahl
 Business Name: _____
 Address: 401 1st St NE
Sioux Falls, SD 57104

WELL LOG:	DEPTH	
	FROM	TO
topsoil	0	1
sand & gravel	1	15
blue clay	15	40
yellow clay	40	80
hard blue clay	80	121
fine to medium sand	121	142

LOCATION:
 Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from septic tank (identify source).

PROPOSED USE:
☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:
Forced Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>100</u> LB/FT	<u>8</u> IN	<u>41</u> FT	<u>122</u> FT	<u>17 3/4</u> IN

STATIC WATER LEVEL 6' 4" Feet
 If flowing: closed in pressure _____ PSI
 GPM flow _____ through _____ inch pipe
 Controlled by ☐ Valve ☐ Reducers ☐ Other _____
 Reduced Flowrate _____ GPM
 Can well be completely shut in? _____

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>16</u>	<u>9.5</u> lb./gal	<u>15</u> ft	<u>117</u> ft

 Describe grouting procedure poured through casing
1 in

WELL TEST DATA:
☒ Pumped Describe: constant rate test
☐ Bailed 400 GPM - 10 min - 255 GPM
☐ Other 100 GPM - 10 min - 255 GPM
 Pumping Level Below Land Surface
116 ft. After 50 Hrs. pumped 255 GPM
 _____ ft. After _____ Hrs. pumped _____ GPM
 If pump installed, pump rate _____ GPM

SCREEN: ☐ Perforated pipe ☒ Manufactured
 Diameter 8 IN Length 20 FEET
 Material PLC
 Slot Size 200 Set From 122 Feet to 142 Feet
 Other information _____

REMARKS well installed - 255 GPM
1600 gal of grout

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO
 If so, what material? _____
 Describe packer(s) and location? _____

This well was drilled under license # 2-1
 And this report is true and accurate.
 Drilling firm 111 1st St NE
 Signature of License Representative: _____

DISINFECTION: Was well disinfected upon completion?
 YES, How: _____
 NO, Why Not? not needed
 Laboratory sent to for water quality analysis _____

Signature of Well Owner or Equitable Property Holder: _____
 Date: _____

RECEIVED
APR 15 2013
 WATER RIGHTS PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

7783-3

07-92

Location NW 1/4 NE 1/4 Sec 4 Twp 120 Rg 52

County Grant

North

Please mark well location with an "X"

W

E

Well Completion Date

2-17-12

1 Mile

Well Owner: Marcus Arvola

Business Name:

Address: 45134 150th St
Orland, SD 57056

WELL LOG:

DEPTH

FORMATION	FROM	TO
Topsoil	0	1
Yellow clay	1	6
Sand & gravel	6	42
Blue clay	42	65

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2500 ft. from abandoned well (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/FT	4 IN	11 FT	22 FT	6 3/4 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Concrete	1	9.5 lb./gal	0 ft	15 ft
		lb./gal	ft	ft

Describe grouting procedure: Pumped through 7" concrete pipe

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 4 IN Length 20 FEET

Material PVC

Slot Size 0.02 Set From 22 Feet to 42 Feet

Other information

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material?

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

YES, How: Chlorine

NO, Why Not?

Laboratory sent to for water quality analysis

STATIC WATER LEVEL 15 Feet

If flowing: closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced Flowrate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped

Describe: Pumped with centrifugal pump

☐ Bailed☐ Other

Pumping Level Below Land Surface

14.5 ft. After 1 Hrs. pumped 75 GPM

ft. After Hrs. pumped GPM

If pump installed, pump rate GPM

REMARKS

RECEIVED

APR 15 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 235

And this report is true and accurate.

Drilling firm: M. J. Arvola & Son, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 1-21-12



7783-3
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 23, 2020

NOTICE

TO: MARVIN AMDAHL, 45138 150TH ST, ORTLEY, SD 57256 5113

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaires

Our records indicate your 2019 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2715-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 7328-3, 7783-3 & 7943-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7328-3, 7783-3 & 7943-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2715-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://denr.sd.gov/iq> using this password: GMLYLI**

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
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 30, 2020

Marvin Amdahl
45138 150th St
Ortley SD 57256-5113

RE: Water Right No. 2715-3 and Water Permit Nos. 7328-3, 7783-3 & 7943-3

Dear Mr. Amdahl:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 2715-3 and Water Permit Nos. 7328-3, 7783-3 & 7943-3. 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

JUL 14 2023

Marvin Amdahl
45138 150th St
Ortley SD 57256

8734-3
7943-3
7783-3
7328-3

Dear Mr. Amdahl:

Enclosed is Water License No. 8734-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

NOTE: The applicable portions of Water Permit Nos. 7328-3, 7783-3, and 7943-3 have been incorporated into Water Right No. 8734-3.

enclosures