

WATER PERMIT NO. 8209-3

Name of Applicant: Nathan Meland

Address: 43812 156th St, Wallace SD 57272

Phone: 605 520-4223

Amount of Water Claimed: 0.87 cfs

Total Acres: 61 acres

Source of Water Supply: slough

Water to be used for: irrigation

County: Codington

Type of Waste Disposal System:

Location: 2 miles northeast of Wallace

PRIORITY

Date Received: 3-15-16

Application/License Fee: \$950

Corrected Application Received: 3-21-16

Period of Annual Use: July 1 – August 31

Remarks:

Diversion Point: approximate center of the SW 1/4

Sec 9-T119N-R55W

Land to be Irrigated: NW 1/4 Sec 16-T119N-
R55W

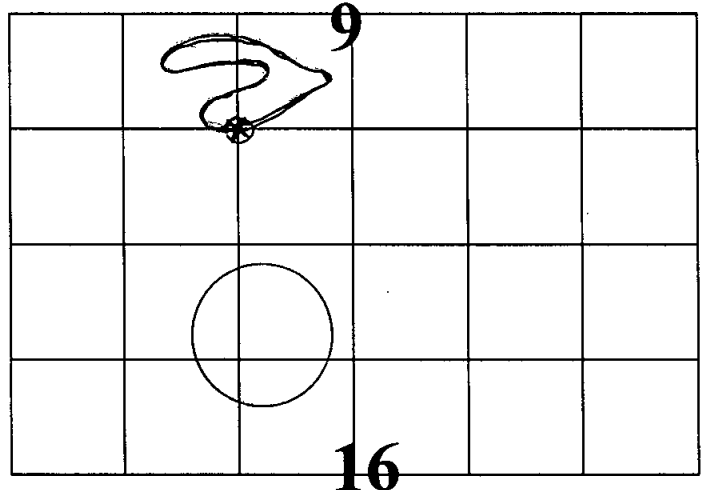
Depth of Well: NA

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 3-21-16

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8209-3</u> (office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Public Opinion</u>
	<u>Watertown</u> <u>605-886-6901</u>

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MAR 15 2016

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Nathan Meland

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

Mailing Address 43812 156 St Wallace ☒ SD ☒ 572725011
(Address) (City) (State) (Zip Code)Phone 605 758 2123 Mobile 605 520 4223 Email melfarm1882@gmail.com2. Amount of water claimed 0.87 *CFS or 391 **GPM 75 ***AF Total Acreage 61
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply slough- wetland - (26 acre area)4. Location of point of diversion see attached map (approximate center) SW 1/4 Sec 9 - T119N-R55W
(example: 1 well in SW 1/4 NE 1/4 section 12 - T104N-R53W)County Codington ☒5. County or counties where water will be used Codington6. Annual period during which water is to be used July 1 - Aug 317. 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
Nw 1/4 sec. 16 119n 55w	61		

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

see attachment

I, Nathan Meland owner/ operator _____, the applicant, certify under
Name of Person Title (if applicable)

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

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

SOUTH DAKOTA
WATER PERMIT NO. 8209-3

Date of first receipt of application March 15, 2016.

Date of return to applicant for corrections, amendments or changes March 18, 2016.

Date of receipt of corrected application March 21, 2016.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8209-3 to Nathan Meland, 43812 156th St, Wallace SD 57272 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. 8209-3 appropriates 0.87 cubic feet of water per second from a 26 acre slough located in the SW 1/4 Section 9 with the diversion point located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Currently, the pivot is used to dispose of effluent from the wastewater lagoon. This permit will utilize a clean water source for irrigation.
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: July 1 - August 31.
3. The date from which applicant may claim right is March 15, 2016.
4. The date of approval of Permit No. 8209-3 is May 2, 2016.
5. One-fifth of the construction is to be completed on or before November 2, 2018.
6. All construction is to be completed on or before May 2, 2021.
7. Water is to be put to beneficial use on or before May 2, 2025.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

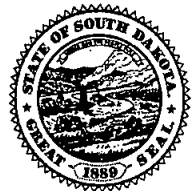
By: Jeanne Goodman

Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAY 12 2016

date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(if yes, please provide copies of logs)

b) If existing wells, how many ____ Provide copy of log(s), if available. Drilled by ____

For either Existing or Proposed Wells:

c) Well Depth (required) ____ Depth to Top of Water Bearing Material ____ Depth to Water from Surface ____

d) Distance to nearest domestic well on applicant's property ____ Property owned by others ____

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) ____ Year Constructed ____

c) Connected to the City of ____ Sanitary System

3. Dugout Informationa) Surface Dimensions 8' x 10' x 3' HOLE TO BACK MY Depth 3 FT
SCREEN INLET INTO

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)

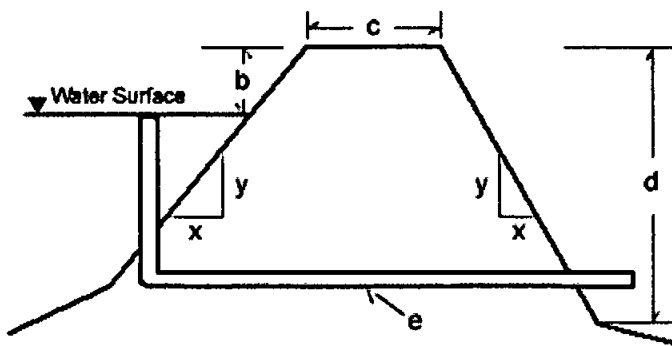
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



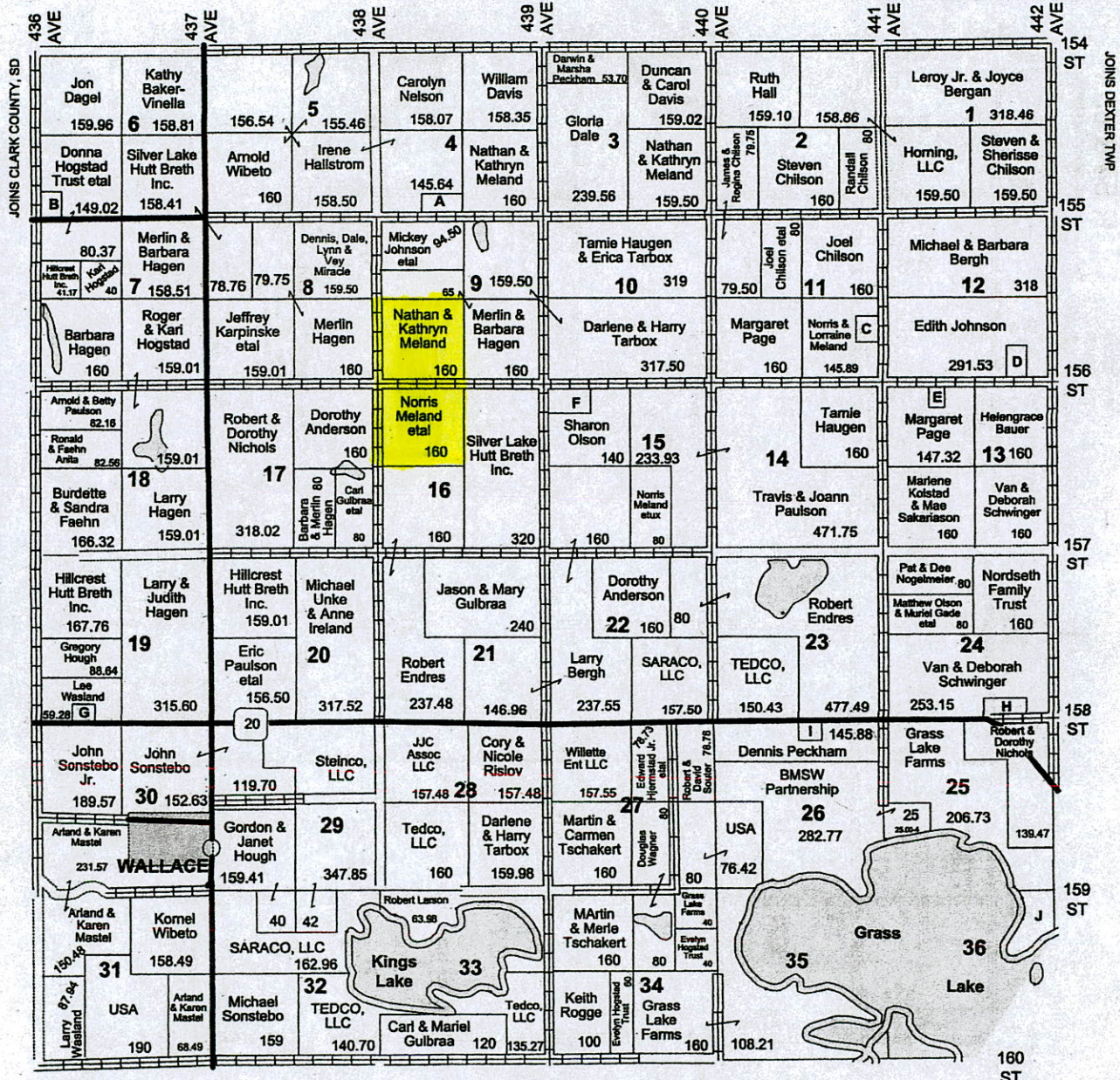
EDEN TWP

LAND OWNER

T 119 N

R 55 W

JOINS DAY COUNTY, SD



Small Tracts

Section 4 A Russell & Vickie Hoverstadt - 13.02
 Section 6 B Chad & Jeannie Hanson - 9.98
 Section 11 C James & Gina Chilson - 11.11

Section 12 D James & Jean Anderson - 22.47
 Section 13 E Steven & Susan Amesen - 12.68
 Section 15 F Daniel & Brenda Benthin - 20
 Section 19 G David Maag - 9.36
 Section 24 H Steve & Maxine Johnson - 13.36
 Section 26 I Rick & Diane Heathcole - 8.40
 Section 36 J Larry & Linda Schmeling - 23.18

R 55 W	R 54 W	R 53 W	R 52 W	R 51 W
EDEN	EDEN	EDEN	EDEN	EDEN
PHIPPS	PHIPPS	PHIPPS	PHIPPS	PHIPPS
BRACKLAND	BRACKLAND	BRACKLAND	BRACKLAND	BRACKLAND
HENRY	HENRY	HENRY	HENRY	HENRY

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RIGHTS
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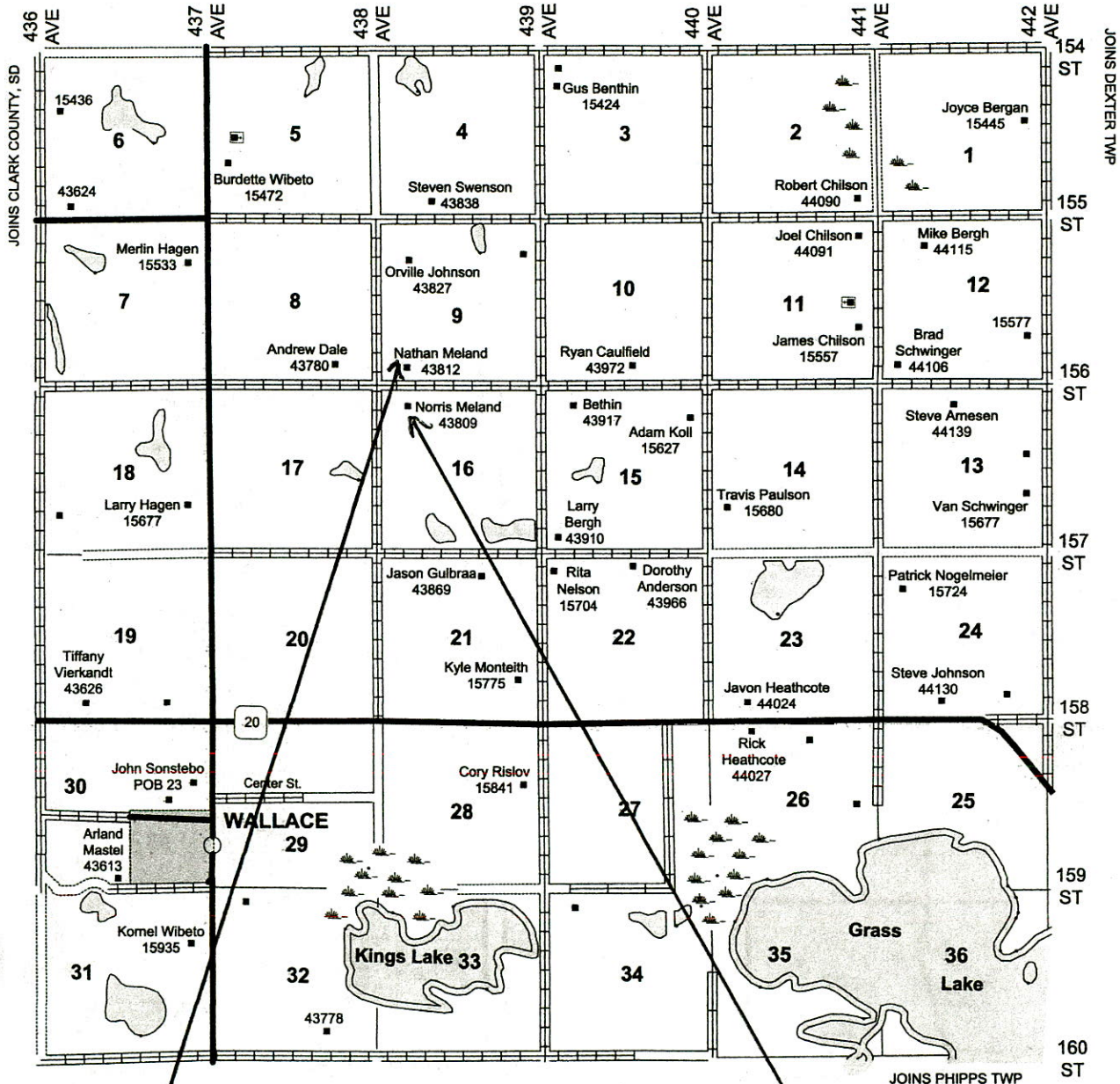
EDEN TWP

RESIDENT

T 119 N

R 55 W

JOINS DAY COUNTY, SD



LAND OWNER & RURAL RESIDENT MAPS

NATHAN MELAND
43812 156 ST
WALLACE SD 57272

NORRIS MELAND
43809 156 ST
WALLACE SD 57272

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OWNER	ADDRESS	PHONE	EMAIL

Soil Map

Soil Data Explorer

Download Soils Data

Shopping Cart (Free)

AOI Information

Name

Map Unit Symbols

- ☐ Use Soil Survey Area Map Unit Symbols
- ☐ Use National Map Unit Symbols

Area (acres)

26.7

Soil Data Available from Web Soil Survey

Codington County, South Dakota (SD029)

Data Availability Tabular and Spatial, complete

Tabular Data Version 19, Sep 17, 2015

Spatial Data Version 5, Nov 26, 2013

Import AOI

Export AOI

Address

State and County

Soil Survey Area

Latitude and Longitude

State South Dakota ▼

Principal Meridian Fifth Principal Meridian ▼

Section 9

Township 119 N

Range 55 W

Duplicate Township ▼

Show PLSS Township and Range Layer in Map

☒

Show PLSS Section Layer in Map

☒

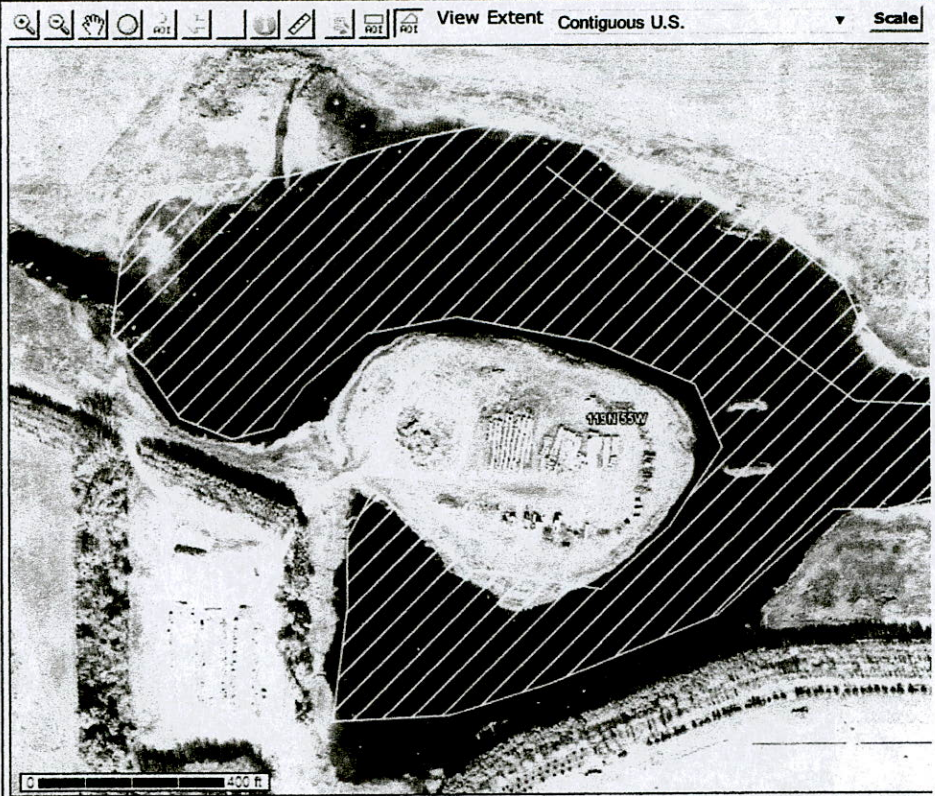
Bureau of Land Management

Department of Defense

Forest Service

National Park Service

Hydrologic Unit



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Meland Farm
Meland

SW 1/4 SEC 9
119 N - 55 W
EDEN TOWNSHIP
CODINGTON CO.

156 ST X 438 AVE

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Meland Farm
Meland
[REDACTED]

NW $\frac{1}{4}$ SEC 16

119 N - 55 W

EDEN TOWNSHIP

CODINGTON CO.

156 ST X 438 AVE

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T119N55W16

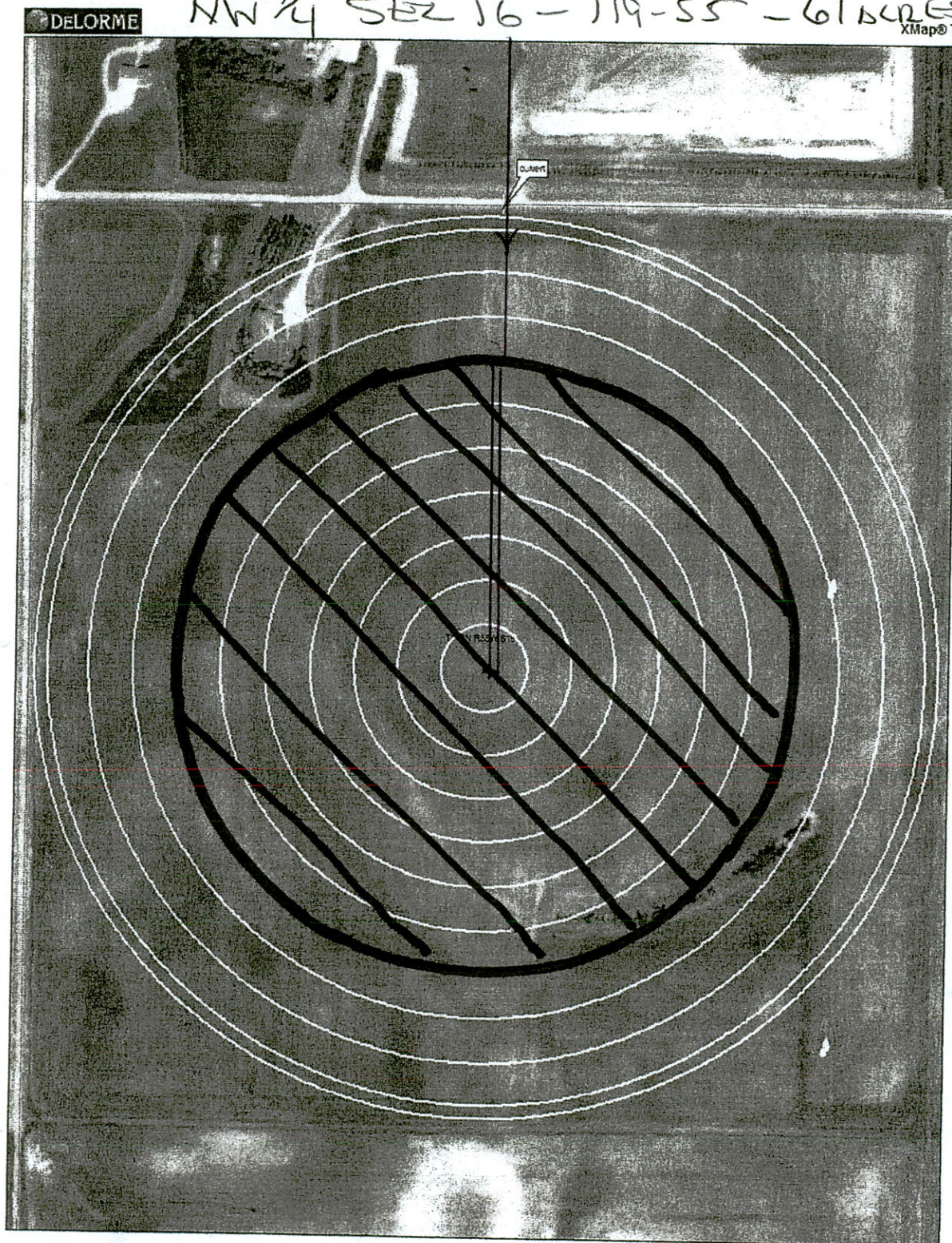


sd_sections

AgTech LLC
PRECISION CROP CONSULTING SERVICES

C/PIVOT

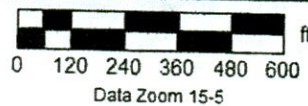
NW 1/4 SEC 16 - 119-55 - 61 acres



Data use subject to license.

© DeLorme. XMap 7.

www.delorme.com



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PUMP INLET SCREEN - DIVERSION POINT

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RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/15, 20 16

RECEIVED OF Meland Farms Inc 43812 156th St Wallace SD 57272

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

Fee for Application for Permit No. <u>8209-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>8209-3</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	950 00

No. **07790**

By J. Sam. Doelman
Chief Engineer

Schlaak, Karen

From: Nathan Meland <melfarm1882@gmail.com>
Sent: Friday, March 18, 2016 6:49 AM
To: Schlaak, Karen
Subject: Re: Water Permit Application

Karen Schlaak,

The diversion rate would be 4800 gpm and it would be pumped directly to the field.

Nathan

On Tue, Mar 15, 2016 at 9:16 AM, Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

Mr. Meland,

We received your water permit application. I have a couple of questions.

What is the diversion rate needed to operate the center pivot (gallons per minute)?

Will the slough water be applied directly to the land or will it be pumped to the holding pond and mixed with the waste water effluent prior to land application?

If you have questions, you can call me or Eric Gronlund.

Karen Schlaak

Water Rights Program

523 E Capitol Ave

Pierre SD 57501

Phone: 605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, March 21, 2016 8:50 AM
To: 'Nathan Meland'
Cc: Schlaak, Karen
Subject: RE: water permit application

Nathan – okay that sounds realistic. I suggest that the application be for the statutory limit for 61 acres which is 391 gpm. At this time it is always good to be a little on the high side. We will proceed with processing the application in this manner unless I hear back differently from you. Eric

From: Nathan Meland [<mailto:melfarm1882@gmail.com>]
Sent: Monday, March 21, 2016 7:34 AM
To: Gronlund, Eric
Subject: Re: water permit application

Eric,

Sorry for the incorrect diversion rate, guess you can see I am a newbie
no recognizing such a crazy number.

I recalculated the numbers, at 35psi the pivot will put on .5 inches in 46 hours.
This would be a diversion rate of 300gpm.

Thanks,

Nathan

On Fri, Mar 18, 2016 at 11:54 AM, Gronlund, Eric <Eric.Gronlund@state.sd.us> wrote:

Nathan:

I am writing in follow-up to your email response to Karen Schlaak regarding the water permit application. My inquiry deals regards the diversion (pump) rate of 4800 gallons per minute (gpm) that you listed from the pond. Are you sure that 4800 gpm is correct? Let me explain. The permit application states there is a 61 acre center pivot that will be the equipment used for applying the water. Generally, a standard 132 acre quarter section pivot operates at a diversion rate of between 750 to 850 gpm. I can not think of a permitting issue with a center pivot that needed the amount of diversion rate you requested to operate. For this reason, I am wondering if your listing a rate of 4800 gpm is in error.

For your information, there is a limit on the diversion rate in statute based on number of acres to be irrigated. That is approximately 450 gpm for every 70 acres irrigated. Based on this the diversion rate afforded 61 acres by statute is 391 gpm. Your request is 12 times the statutory limit. However, there is the ability to request greater than the statutory limit is the equipment, time constraints or soils require. For instance if full

quarter section pivot only makes a windshield wipe rotation, it is acceptable to request the 750 – 850 gpm necessary due to the equipment. So while it is not unusual for someone to request a diversion rate greater than this limit, the 4800 gpm listed for 61 acres seems excessive.

Please double check the pump rate needed to operate the center pivot and let me know.

Eric Gronlund

Water Rights Program, DENR

605 773-3352

eric.gronlund@state.sd.us

March 4th, 2016

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Nathan Meland
Meland Farm Inc.
43812 156th St.
Wallace, SD 57272

Eric Gronlund
DENR – Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182

Mr. Eric Gronlund,

This brief overview is in regards to my application for a water use permit.

I currently own and operate a permitted CAFO in the southwest $\frac{1}{4}$ of section 9 119-55. The runoff water collected in a holding pond behind the pens. (See attached). Across the road to the south of the feed lot my father owns the northwest $\frac{1}{4}$ of section 16 119-55. On this property is a 61 acre center pivot used to dispose of the feed lot holding pond water.

To get more beneficial use from my center pivot, I would like to use water from the wetland north of the feedlot as an additional source of water.

Enclosed, I have provided maps

- a) Location of the diversion point and inlet screen
- b) An outline of the land to be irrigated
- c) Geographic reference point
- d) A letter from my Dad allowing me to file for the permit
- e) Check for filling fee

If I have missed something, or if you have any questions please call my cell or e-mail.

Phone (605) 520 4223

Email melfarm1882@gmail.com

Thank you,



Nathan Meland

3/4/2016

Norris Meland
43809 156th St.
Wallace, SD 57272

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WATER RIGHTS
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Eric Gronlund
DENR – Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182

Mr. Eric Gronlund,

I understand my son, Nathan Meland, is applying for a water use permit to pump water from his property to irrigate my property. He currently does this with the feedlot pond water. I do not want to be involved in getting an irrigation water permit, but am very willing to accommodate him in this effort.

Sincerely,

Norris Meland

Norris Meland



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8209-3, Nathan Meland**

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. 8209-3, Nathan Meland, 43812 156th Street, Wallace SD 57272.

The Chief Engineer is recommending APPROVAL of Application No. 8209-3 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 qualification:

1. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
April 13, 2016

REPORT ON WATER PERMIT APPLICATION NO. 8209-3

Nathan Meland

April 11, 2016

Application No. 8209-3, Nathan Meland, proposes to appropriate 0.87 cubic feet of water per second from a 26 acre slough located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9 with the diversion point located in the approximate center of the SW $\frac{1}{4}$ Section 9 for irrigation of 61 acres located in the NW $\frac{1}{4}$ Section 16; all in T119N-R55W. Currently, the pivot is used to dispose of effluent from a wastewater lagoon for a feedlot. This application proposes to utilize a clean water source to supplement the irrigation project. The proposed project is located approximately 3 miles northeast of the town of Wallace in northwest Codington County.

Review of the Proposed Project

The applicant proposes to pump from a slough with 26 surface acres on property entirely owned by the applicant. The contributing watershed for the slough is approximately 4,150 acre watershed to irrigate 61 acres. An analysis using the Natural Resources Conservation Service method for estimating watershed runoff was completed. The analysis estimated the drainage area above the dam to be 4,150 acres and had a potential annual yield with a 50% chance of occurrence or 1 out of 2 years of yielding 186 acre-feet annually. At a 20% chance of occurrence, 1 out of 5 years, the annual runoff yield is estimated to be 465 acre-feet (USDA-NRCS, 1984).

Utilizing a slough cannot be considered a reliable water source do to the cyclic nature of the climate. The 30 year (1981-2010) average annual precipitation for the Watertown Regional Airport weather station located approximately 21 miles southeast of this project is 22.08 inches. The applicant should recognize that when the area experiences drier climatic conditions, there could be water supply problems for the project from this water source.

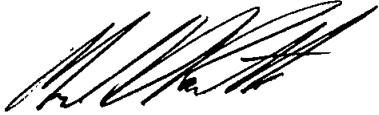
Review of Existing Water Rights

There are no other existing water rights/permits diverting from this water source. However if this slough were to fill up and spill, the downstream waterway the slough would spill to is a tributary to Grass Lake located several miles downstream. The South Dakota Department of Game Fish and Parks holds Recognized Vested Water Right No. 881-3 for the annual storage of up to 4,200 acre-feet. The 4150 acres of the watershed upstream of the proposed project is approximately 6% of the entire 66,360 acre Grass Lake watershed. Approval of this application would not be expected to adversely affect water levels in Grass Lake (Water Rights, 2016).

Conclusions

1. This application proposes to appropriate 0.87 cubic feet of water per second (cfs) from a 26 acre slough to irrigate 61 acres for irrigation purposes.

2. South Dakota Department of Game Fish and Parks holds a recognized vested water right for water in Grass Lake several miles downstream of this proposed project. Approval of this application would not be expected to adversely affect water levels in Grass Lake.
3. Runoff calculations for the watershed upstream of this project estimates there will be sufficient water available for the project one out of every two years. But the water source cannot be depended upon as a reliable source during times of drier climatic conditions.



Mark D. Rath
Natural Resources Engineer III

REFERENCES:

USDA-NRCS, 1984. Engineering Field Manual – Annual Surface Yield (Method A). US Department of Agriculture, Natural Resources Conservation Service.

Water Rights. 2016. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

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APR 27 2016

Form 8

WATER RIGHTS
PROGRAM

DEPARTMENT
OF
ENVIRONMENT
AND NATURAL
RESOURCES

NOTICE OF APPLICATION
NO. 8209-3 to Appropriate
Water

Notice is given that Nathan Meland, 43812 156th St, Wallace SD 57272 has filed an application for a water permit to appropriate 0.87 cubic feet of water per second from a 26 acre slough located in the SW 1/4 Section 9 with the diversion point located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Currently, the pivot is used to dispose of effluent from the wastewater lagoon. This application proposes to utilize a clean water source for irrigation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8209-3 with qualifications because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 2, 2016.

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

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition. Steven M. Pimer, Secretary, Department of Environment and Natural Resources. Published once at an approximate cost of \$59.55. (April 21, 2016) 6310

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Codington) SS

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:

April 21st, 2016

Cost of Printing \$63.10

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

April 21st, 2016

(Date Signed)

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, April 14, 2016 9:21 AM
To: legals@thepublicopinion.com
Subject: 8209-3, Nathan Meland
Attachments: 8209-3publicnov2015.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on April 21, 2016.

Nathan Meland, 43812 156 St, Wallace SD 57272 (605 758-2123 cell 605 520-4223) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

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

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

April 13, 2016

Nathan Meland
43812 156th St
Wallace SD 57272

Dear Mr. Meland:

Water Permit Application No. 8209-3 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 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
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.

NOTICE OF APPLICATION NO. 8209-3 to Appropriate Water

Notice is given that Nathan Meland, 43812 156th St, Wallace SD 57272 has filed an application for a water permit to appropriate 0.87 cubic feet of water per second from a 26 acre slough located in the SW 1/4 Section 9 with the diversion point located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Currently, the pivot is used to dispose of effluent from the wastewater lagoon. This application proposes to utilize a clean water source for irrigation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8209-3 with qualifications because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 2, 2016.

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAY 12 2016

Nathan Meland
43812 156th St
Wallace SD 57272

Dear Mr. Meland:

Enclosed is Water Permit No. 8209-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures



8209-3 8409-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 25, 2023

Nathan Meland
43812 156th St
Wallace SD 57272

8209-3
8490-3

Dear Mr. Meland:

I am writing you today in regard to Water Permit Nos. 8209-3 & 8490-3. Permit No. 8209-3 authorizes the appropriation of 0.87 cubic feet of water per second from a 26 acre slough for the irrigation of 61 acres within the NW ¼-Section 16-T119N-R55W. Permit No. 8480-3 authorizes an additional 30 acres in the same area for a total of 91 irrigated acres in the NW ¼-Section 16-T119N-R55W.

In a recent field inspection conducted by staff engineer, Darrell DeBoer, it was noted that you had developed more than the authorized 91 acres. (see enclosed map)

For this reason, you will need to complete a new Permit Application. I have gone ahead and filled in the blanks as needed. Please complete the highlighted portions of the application and return it to our office with a check for \$500.00 made payable to the SD Water Rights Program. Since you had already paid the licensing fee of \$200.00 for the above permits a new licensing fee would not be needed.

If you have any questions, please call myself or Ron Duvall at 605-773-3352.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosure