

WATER PERMIT NO. 8494-3

Name of Applicant: **Beadle Conservation District**

Address: **c/o Robin Viestenz, 1386 Lincoln Ave SD, Huron SD 57350**

Phone: **605 352-2998**

Amount of Water Claimed: **0.022 cfs**

Total Acres: **4.5 acres**

Source of Water Supply: **groundwater (one existing well)**

Water to be used for: **irrigation**

County: **Beadle**

Type of Waste Disposal System:

Location: **within Huron city limits**

PRIORITY

Date Received: **2-22-21**

Application/License Fee: **\$ 300**

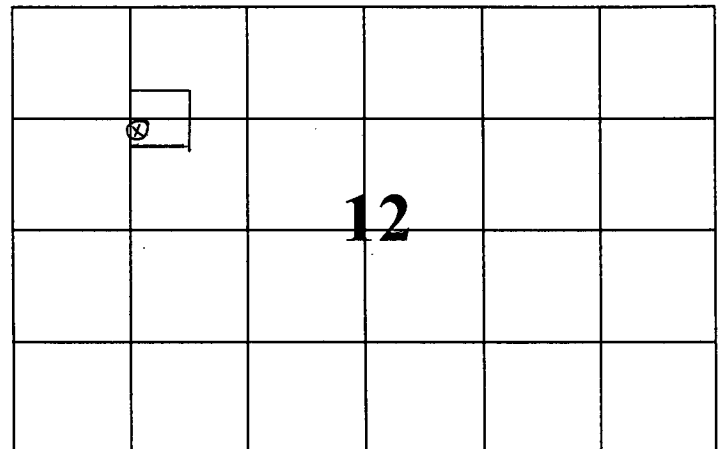
Corrected Application Received: **2-24-21**

Period of Annual Use: **Jan 1 – Dec 31**

Remarks:

Diversion Point: **SW 1/4 NW 1/4 Sec 12-T110N-R62W**

Land to be Irrigated: **W 1/2 NW 1/4 Sec 12-T110N-R62W**



Depth of Well: **100 feet**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **2-24-21**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8494-3**

Date of first receipt of application February 22, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8494-3 to Beadle Conservation District, c/o Robin Viestenz, District Manager, 1386 Lincoln Ave SW, Huron SD 57350 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. 8494-3 appropriates 0.022 cubic feet of water per second from one well completed into the Warren:West James Aquifer (100 feet deep) located in the SW 1/4 NW 1/4 Section 12 for irrigation of 4.5 acres located in the W 1/2 NW 1/4 Section 12; all in T110N-R62W. This site is located within the city limits on the west side of Huron SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: January 1- December 31.
3. The date from which applicant may claim right is February 22, 2021.
4. The date of approval of Permit No. 8494-3 is June 7, 2021.
5. One-fifth of the construction is to be completed on or before December 7, 2023.
6. All construction is to be completed on or before June 7, 2026.
7. Water is to be put to beneficial use on or before June 7, 2030.
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 well approved under Water Permit No. 8494-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUN 17 2021

date



Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8494-3</u> (office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Plainsman</u>

PAID
FEB 22 2021
Ck# 15013
RECEIVED
FEB 22 2021

Application For Permit To Appropriate Water For Irrigation WATER RIGHTS PROGRAM

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 to Appear on Irrigation Permit Beadle Conservation District
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.
Mailing Address 1386 Lincoln Ave SW Huron SD 57350
(Address) (City) (State) (Zip Code)
Phone (605) 352-2998 843 Mobile Email beadleda@sdconservation.net
- Amount of water claimed 0.022 *CFS or 10 **GPM ***AF Total Acreage 4.5
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply existing well
- Location of point of diversion NW 1/4 section 12-T110N-R62W
SW 1/4 (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Beadle
- County or counties where water will be used Beadle
- Annual period during which water is to be used all year
- 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
<u>1174 Lincoln Ave SW Huron</u>	<u>4.5 ac</u>		
<u>W 1/2 NW 1/4 Sec 12-T110N-R62W</u>			

8. Give a description of the project. (Attach sheet if more space is needed)
We will be utilizing an existing well on our property to provide irrigation for our Urban Ag project.

I, Robin Viestenz District Manager, the applicant, certify under
Name of Person Title (if applicable)
penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

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 1 Provide copy of log(s), if available. Drilled by N/A

For either Existing or Proposed Wells:

c) Well Depth (required) 100 ft Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

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

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System _____

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

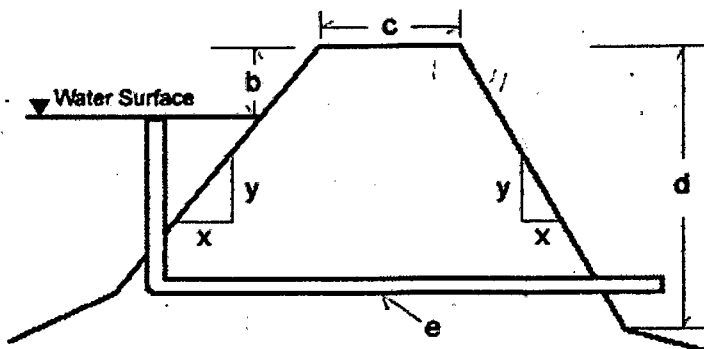
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

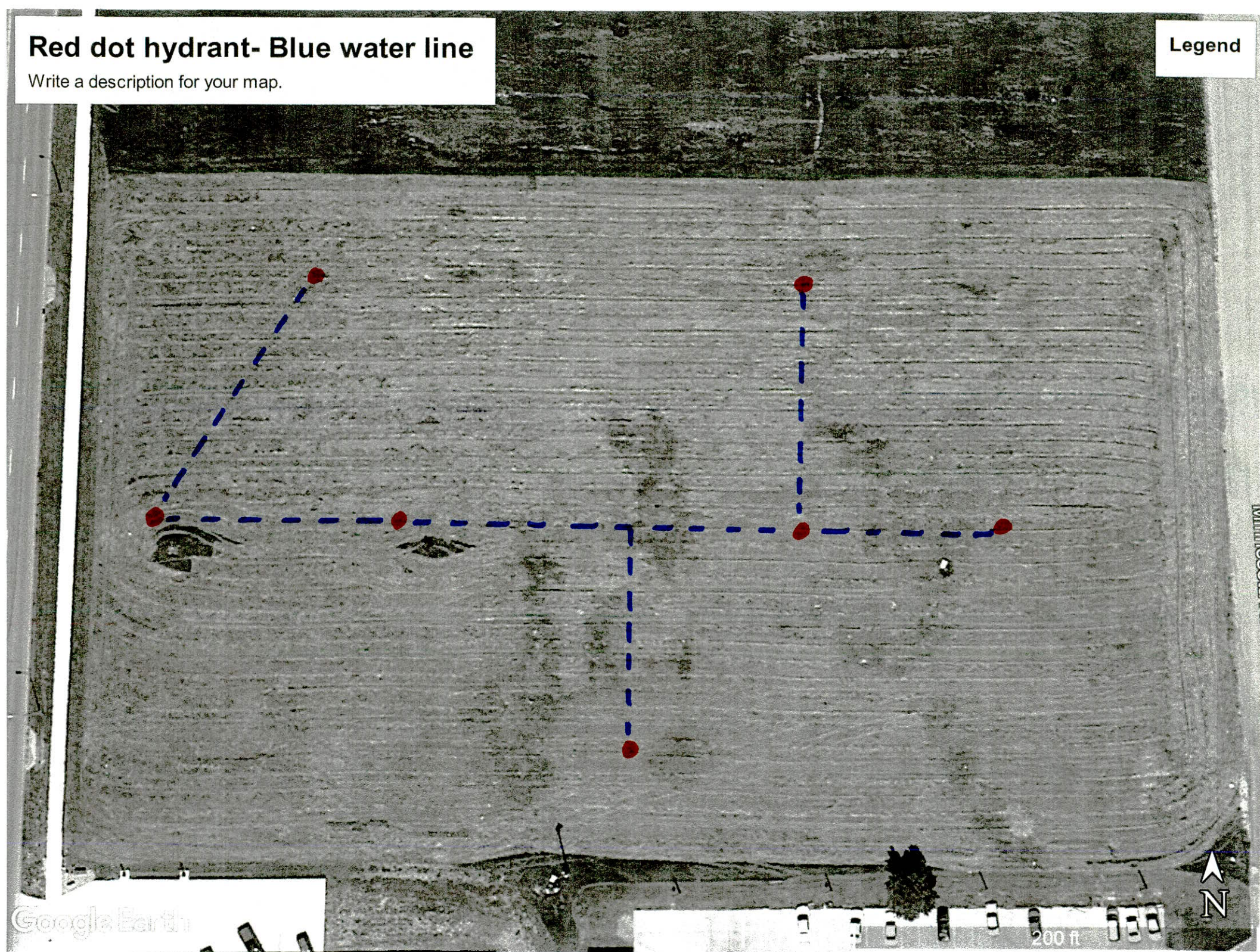
j) Drainage Area Above Dam _____ Acres

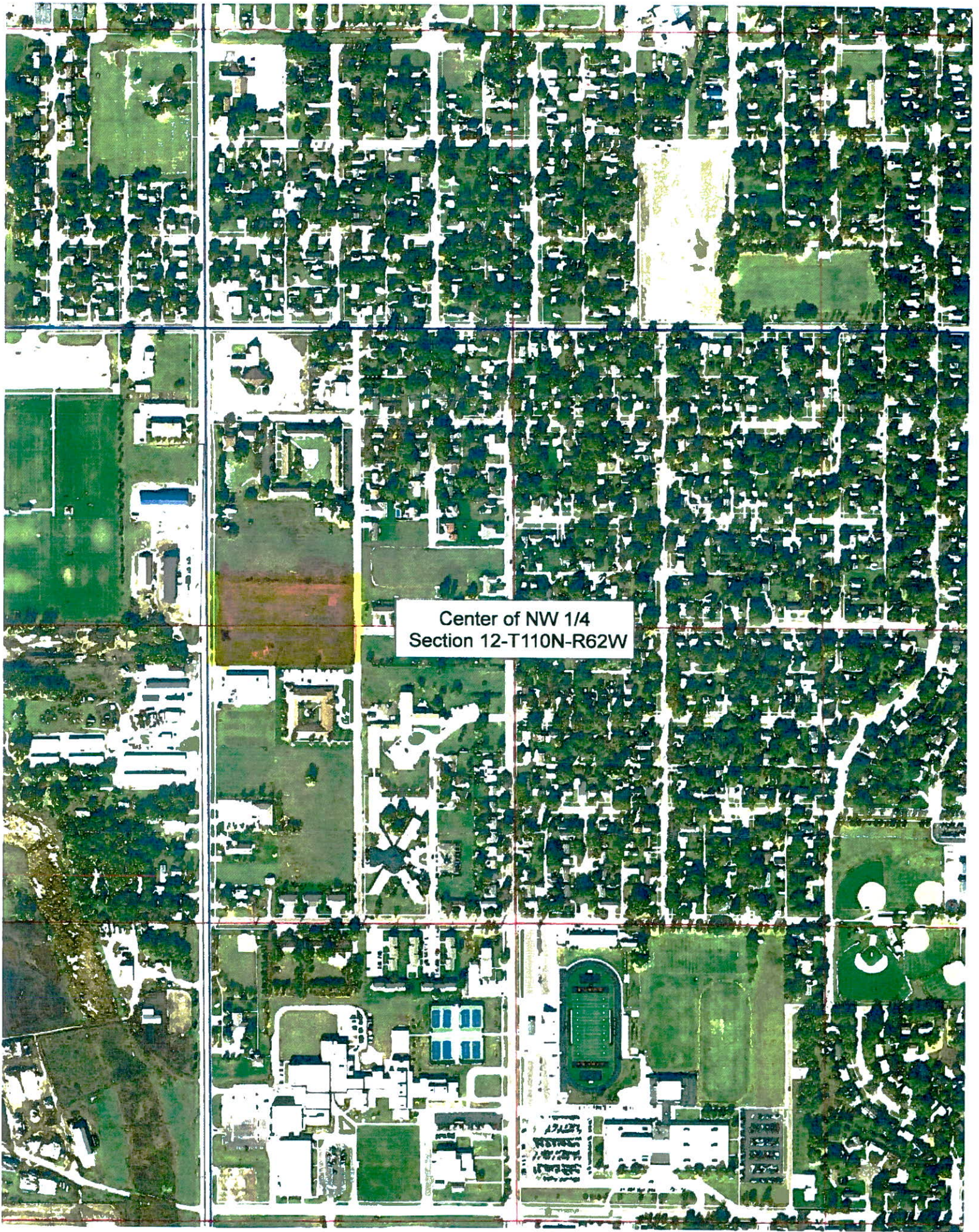


Red dot hydrant- Blue water line

Write a description for your map.

Legend





Center of NW 1/4
Section 12-T110N-R62W



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 23, 2021

Beadle Conservation District
c/o Robin Viestenz, District Manager
1386 Lincoln Ave SW
Huron SD 57350

Dear Mr. Viestenz:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation use on your Urban Ag Project located in Beadle County. In order to complete the application, the following is required.

- A map needs to be submitted that references a government section corner or quarter corner including section, township and range. For your use, I have enclosed a map with those designations. Please outline the acres to be irrigated and mark the well location 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

enclosure

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

Date February 22, 2021

RECEIVED OF Beadle Conservation District 1386 Lincoln Ave SW Huron SD 57350

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

Fee for Application for Permit No. <u>8494-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$100.00
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>8494-3</u>	\$200.00
Fee for Filing Transfer Form _____	\$
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$300.00

By *Eric Gronlund*
Chief Engineer
vm

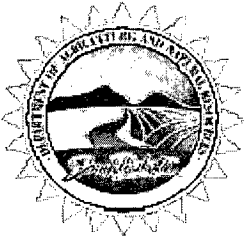
Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 19, 2021 11:31 AM
To: beadlecd@sdconservation.net
Subject: Water Permit Application No. 8494-3
Attachments: 1228.pdf

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

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8494-3, Beadle Conservation District**

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. 8494-3, Beadle Conservation District, 1386 Lincoln Ave SW, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 8494-3 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 well approved under Water Permit No. 8494-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
May 17, 2021

**Report to the Chief Engineer on
Water Permit Application No. 8494-3**

Beadle Conservation District
04 May 2021

Water Permit Application No. 8494-3 proposes to appropriate 0.022 cubic feet of water per second (cfs) (approximately 10 gallons per minute) from one existing well completed into the Warren: West James aquifer (100 feet deep) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 for irrigation of 4.5 acres located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12; all in T110-R62W. This site is located within the city limits of Huron, South Dakota.

Aquifer: Warren: West James (W:WJ)

Hydrogeologic characteristics

The Warren: West James aquifer management unit is a buried glacial outwash deposited during the Quaternary geologic period. It underlies approximately 268,700 acres of Beadle, Jerauld, and Sanborn Counties [1]. Hedges, et al. [1] estimate the amount of recoverable water in the aquifer is approximately 1,404,150 acre-feet. The outwash is composed of materials graded from fine sand to gravel but can be mixed with silt in areas. The Warren: West James aquifer management unit is primarily under confined conditions but is under water table conditions in the Sand Creek stream valley and other ephemeral stream valleys [2]. Groundwater flow in this aquifer is generally to the east towards the James River [2] [1].

The applicant did not submit any test hole information, but sufficient geologic information is available in the area to analyze the requirements of this report [3]. Well completion reports approximately 0.2 miles northwest and southwest of the applicant's well that were completed in 1990 and 1999 encounter sand and gravel approximately 40 to 85 feet below grade [3]. The static water level at the time those wells were completed was 20 to 30 feet below grade [3], which means the aquifer is under confined conditions near this application.

Applicable South Dakota Codified Law (SDCL)

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued 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 assess the availability of water and possibility of developing this application without unlawful impairment of existing water rights only.

Pursuant to SDCL 46-6-3.1, no application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of the water to the groundwater source. An exception allows water distribution systems to withdraw from groundwater sources older or stratigraphically lower than the Greenhorn Formation regardless of the results of a hydrologic budget. The applicant is not a water distribution system as defined in SDCL 46-1-6(17), and the Warren: West James aquifer

management unit is not older or stratigraphically lower than the Greenhorn Formation. Therefore, it is necessary to find that recharge exceeds withdrawals to approve this application.

Availability of water

Hydrologic budget

Recharge

Recharge to the Warren: West James aquifer management unit is by infiltration from precipitation and snow melt and by groundwater inflow from adjacent aquifers where the hydraulic head in those aquifers is higher than the hydraulic head in the Warren: West James aquifer management unit [2]. Several estimates of recharge to the Warren: West James aquifer management unit exist.

Hedges et al. [4] used flow-net analysis to estimate that recharge to the Warren aquifer including the West James and Morris Creek management units was 0.35 inches per year. They also used observation well analysis to determine that the recharge to the unconfined area of the Warren: West James aquifer management unit was 3.0 inches per year, but they did not provide an area over which the aquifer is unconfined [4]. Hamilton [5] estimated recharge to the Warren aquifer was 0.7 inches per year using a digital model. His study only extended over the area of the Warren aquifer that is in Jerauld County, which is approximately 60 square miles (38,400 acres). Therefore, his estimate might not be representative of the whole Warren: West James aquifer management unit. Emmons [6] studied several glacial aquifers including the Warren aquifer as one system using a digital simulation and estimated that recharge to the unconfined areas of the aquifer system was 0.9 to 3.4 inches per year and recharge to the confined portions of the system was 0.24 to 0.72 inches per year. Like the Hedges et al. [4] report, the Emmons [6] report does not define the area of unconfined portions of the system. Since the Hedges, et al. [4] estimate is the only recharge estimate that is specific to this management unit and covers the whole area of the aquifer, it is likely to be based on aquifer properties that are most representative of the management unit. By applying 0.35 inches per year over the 268,700 acres delineated by Hedges, et al. [4], the recharge estimated is at least 7,837 ac-ft/yr.

Discharge

Discharge from the Warren: West James aquifer management unit is by evapotranspiration where the aquifer is under unconfined conditions and the water table is near land surface, by groundwater outflow to adjacent aquifers when the hydraulic head of this aquifer is higher than that of the adjacent aquifers, and by domestic and appropriative well withdrawals [2]. Due to the relatively low withdrawal rate of domestic wells and the prevalence of water distribution systems in the aquifer, withdrawals by domestic wells are negligible for the hydrologic budget.

There are 38 water rights/permits withdrawing from the Warren: West James aquifer and one future use permit, No. 753-3 that reserves no water [7]. Thirty-one water rights/permits are for irrigation, three for commercial use, three for municipal use, and one for domestic use [7]. Figure 1 (see page 3) shows irrigation reported over the period of record from 1979 through 2019 [8]. The average irrigation reported was approximately 1,994 ac-ft/yr [8]. Reported irrigation trends appear level or slightly decreasing over time, so the average reported irrigation is likely to be a reasonable estimate of actual average irrigation withdrawals [8]. The six non-irrigation water

rights/permits are authorized for a total maximum withdrawal rate of 6.347 cfs and are conservatively assumed to withdraw at their maximum rate 60% of the time, for a total estimated annual withdrawal of 2,759 ac-ft/yr [7].

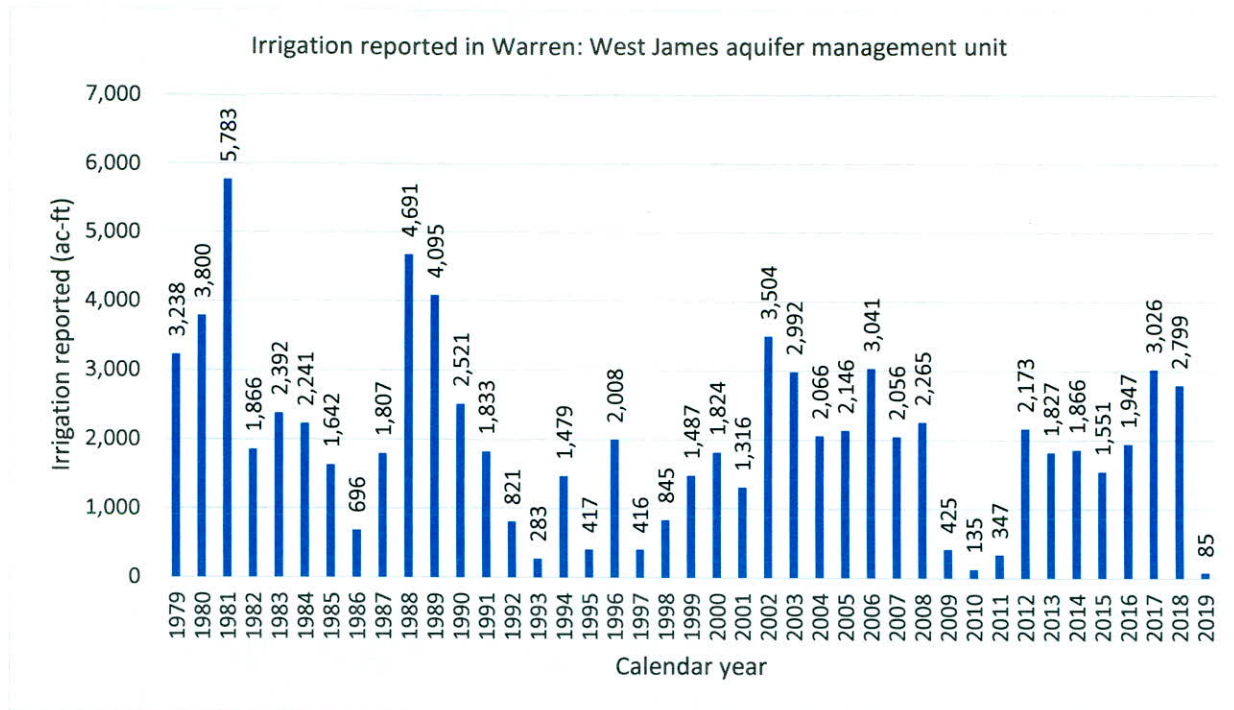


Figure 1: Irrigation reported in the Warren: West James aquifer management unit [8]

Summary of hydrologic budget

There are several estimates of recharge to the Warren: West James aquifer management unit, but the study most specific to the aquifer management unit estimated the average recharge is at least 7,837 ac-ft/yr [4]. Average irrigation reported in the aquifer management unit is 1,994 ac-ft/yr and the average withdrawal from non-irrigation users is conservatively estimated at 2,759 ac-ft/yr, for a total estimated average withdrawal of 4,753 ac-ft/yr. This application may withdraw at most 9.0 ac-ft/yr if it is approved. Therefore, based on the hydrologic budget, there is reasonable probability unappropriated water is available for this application.

Observation wells

Administrative Rule of South Dakota 74:02:05:07 requires that the Water Management Board rely upon the record of observation wells, in addition to other data, to determine the availability of unappropriated water for an application. The Water Rights Program maintains 42 observation wells completed into the Warren: West James aquifer management unit [9]. The nearest active observation wells in the aquifer management unit to this application are Observation Wells BD-76K and BD-60FR, both located approximately 3.1 miles southwest of the well for this application [9]. Observation Well BD-60FR is intended to replace Destroyed Observation Well BD-60F [10]. The measurements for Destroyed Observation Well BD-60F have not been transferred to the record for Observation Well BD-60FR because the final procedures to confirm it is an accurate replacement for the old well are not complete [10]. Destroyed Observation Well BD-60F appears to have not been functioning since the beginning of 2008 [10]. Figure 2 (see

page 4) shows water level elevations in Observation Wells BD-79K, BD-60FR, and Destroyed Observation Well BD-60F [9] [10]. Other than the measurements from Destroyed Observation Well BD-60F after the beginning of 2008, the water levels in these wells are representative of the behavior of the aquifer in the area of this application. In general, water levels in the aquifer rise during wet periods and decline during dry periods [11]. There are some seasonal declines in the aquifer due to summertime withdrawals, but they return to normal levels each spring. Since the influence of climate trends governs the water level behavior in the aquifer more than withdrawals, that indicates recharge to and natural discharge from the aquifer exceed withdrawals and are available for capture. Therefore, based on observation well analysis, there is reasonable probability unappropriated water is available for this application.

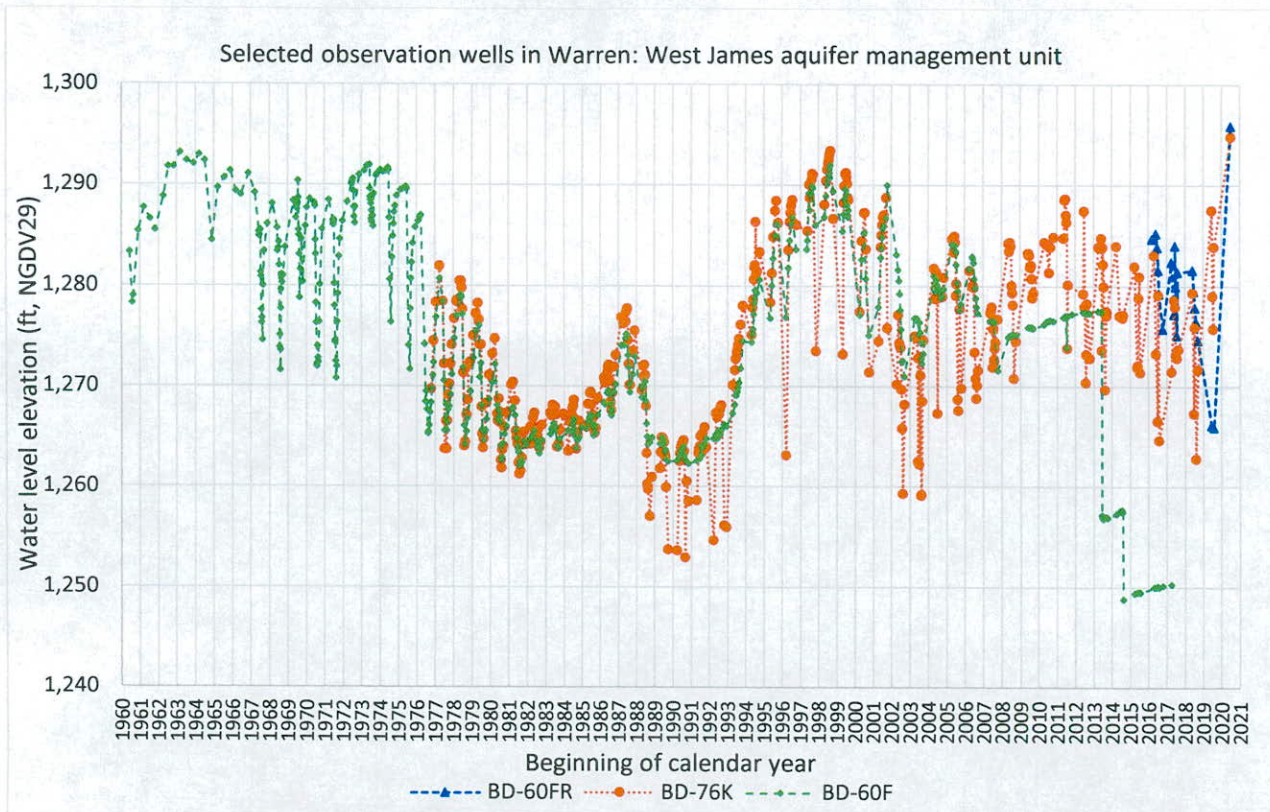


Figure 2: selected observation wells in Warren: West James aquifer management unit [9]

Potential for unlawful impairment of existing rights

The Water Rights Program interprets an unlawful impairment of existing water rights to occur if a junior water right/permit causes a nearby adequate well with a senior water right/permit to become unable to withdraw at the rate it is entitled to or, if a domestic well is impacted, the junior water right/permit causes the adequate domestic well to be unable to withdraw at the rate needed to supply reasonable domestic use of water. Administrative Rule of South Dakota (ARSD) 74:02:04:20(6) defines an adequate well as:

...a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to

allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet

The nearest Warren: West James water right/permit to this application is Water Right No. 1440A-3, located approximately 0.9 miles south of the well for this application. The nearest domestic wells on file with the Water Rights Program likely to be completed into the Warren: West James aquifer management unit are the two wells approximately 0.2 miles northwest and southwest of the well for this application that were mentioned in the *Hydrogeologic characteristics* section [3]. Figure 3 (see page 6) shows the water rights/permits and observation wells near this application and Table 1 (see page 7) describes the water rights/permits shown. There is no record of well interference in the Warren: West James aquifer management unit in Beadle County [12]. This application seeks to withdraw at a relatively low pump rate of 10 gallons per minute. The aquifer is likely to be confined in the area of this application, so some drawdown may occur. In the hearing on Water Right No. 2313-2 for Coca Cola Bottling Company, the Water Management Board determined that in order to put the waters of the state to beneficial use to the fullest extent possible, hydraulic head (also known as artesian head pressure) could not be protected as a means of water delivery [13]. Therefore, nearby well owners may be required to lower their pumps if the hydraulic head in the aquifer declines. The small pump rate proposed by this application means it will cause a minimal decline in hydraulic head in the aquifer. Given the lack of record of well interference and the relatively low diversion rate of the well for this application, there is reasonable probability this application can be developed without unlawful impairment of existing water rights.

Special considerations

South Dakota Well Construction Standards (ARSD 74:02:04) require all wells for appropriative use to be adequate wells. Since the applicant could not submit a well completion report with the application, there is no way to confirm that the well the applicant proposes to use is adequate. If the well fails to deliver the amount of water the applicant needs and the applicant wishes to replace the well or construct an additional well, the replacement or additional well must be constructed according to South Dakota Well Construction Standards.

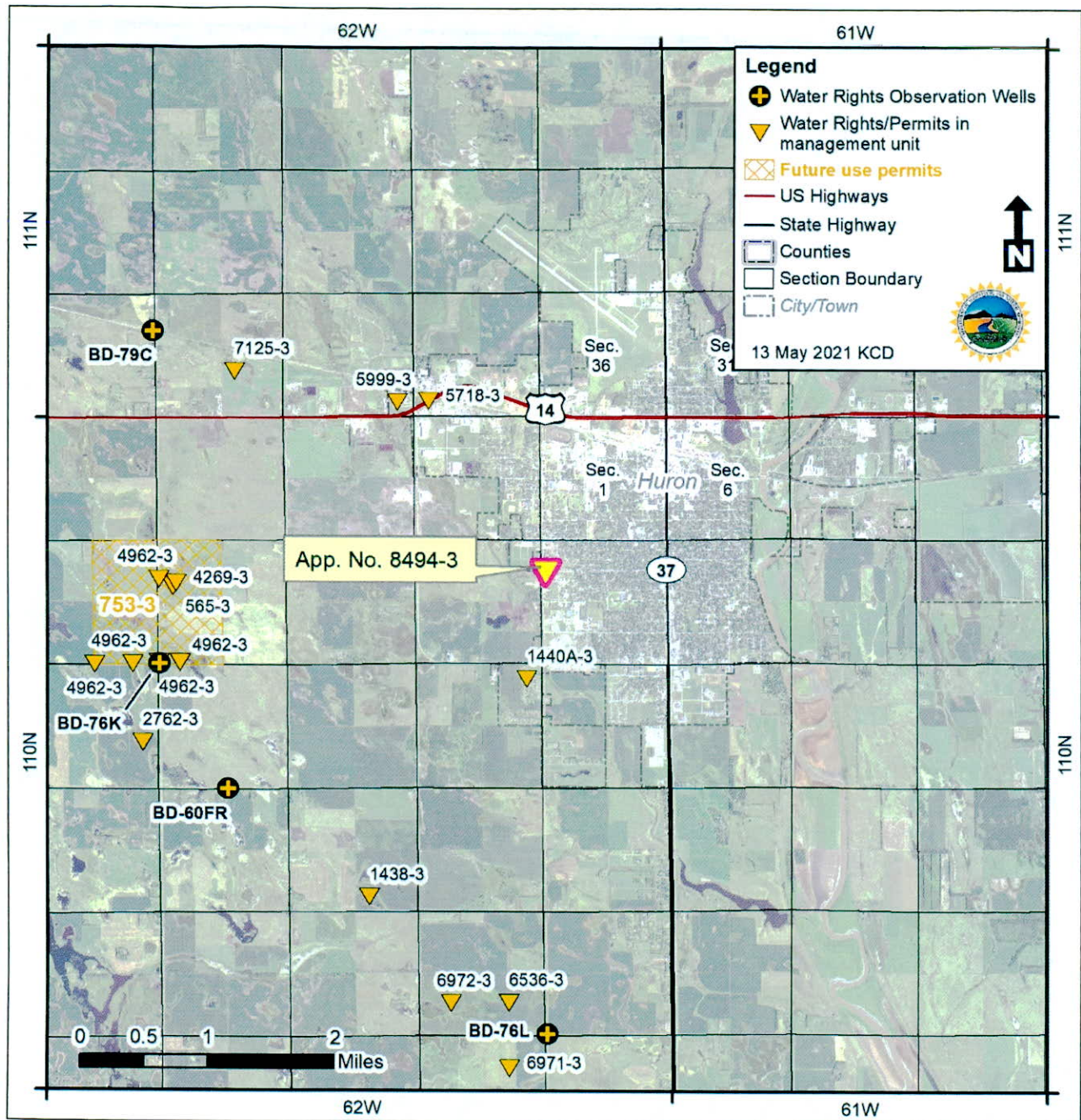


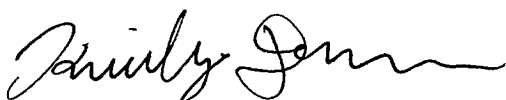
Figure 3: Map of nearby Warren: West James water rights/permits and observation wells [7] [9]

Table 1: Water rights/permits shown in Figure 3 [7]

Permit No.	Name/Business	Priority	Status	Use	Max. CFS	Irrigation Acres
565-3	City of Huron	01/14/1959	LC	MUN	2.000	N/A
753-3	City of Huron	12/23/1960	FU	MUN	0.000	N/A
1438-3	Ron Hins	08/09/1967	LC	IRR	2.000	140
1440A-3	J-Nat Inc	08/09/1967	LC	DOM, SHD	0.270	N/A
2762-3	Dennis Meyer	04/19/1976	LC	IRR	1.780	197
4269-3	City of Huron	12/23/1960	LC	MUN	0.950	N/A
5718-3	SD Dept Of Transportation	09/24/1992	LC	COM	0.033	N/A
5999-3	Hefty Seed Company	04/28/1997	LC	COM	0.033	N/A
6536-3	Dave Eide	01/20/2005	LC	IRR	1.500	135
6971-3	Brian Baum	02/11/2008	LC	IRR	1.560	134
6972-3	Gary Mattke	02/11/2008	LC	IRR	1.560	128
7125-3	Oscar Inc	04/13/2009	PE	IRR	2.280	160
LC – License, FU – Future Use, PE – Permit DOM – Domestic, COM – Commercial, IRR – Irrigation, MUN – Municipal, SHD – Suburban Housing Development						

Conclusions

1. Water Permit Application No. 8494-3 proposes to appropriate 0.022 cubic feet of water per second from one existing well completed into the Warren: West James aquifer located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 for irrigation of 4.5 acres located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12; all in T110-R62W.
2. Based on the hydrologic budget and observation well analysis, there is reasonable probability unappropriated water is available for this application.
3. There is reasonable probability this application can be developed without unlawful impairment of existing water rights.



Kimberly C. Drennon, E.I. – Natural Resources Engineer II
DANR Water Rights Program

References

- [1] L. S. Hedges, S. L. Burch, D. L. Iles, R. A. Barari and R. A. Schoon, "Evaluation of ground-water resources eastern South Dakota and upper Big Sioux River, South Dakota and Iowa, Tasks 1-4," U.S. Army Corps of Engineers, Omaha, Nebraska, 1982.

- [2] L. W. Howells and J. C. Stephens, "Geology and water resources of Beadle County, South Dakota - Part II: Water resources," SD DANR Geological Survey Program, Vermillion, South Dakota, 1968.
- [3] SD DANR Water Rights Program, "Well completion report database," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, 2021.
- [4] L. S. Hedges, J. Allen and D. E. Holly, "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, Omaha, Nebraska, 1985.
- [5] L. J. Hamilton, "Water resources of Aurora and Jerauld Counties, South Dakota," United States Geological Survey, Huron, South Dakota, 1985.
- [6] P. J. Emmons, "A digital simulation of the glacial-aquifer system in Sanborn and parts of Beadle, Miner, Hanson, Davison, and Jerauld Counties, South Dakota," United States Geological Survey, Huron, South Dakota, 1988.
- [7] SD DANR Water Rights Program, "Water right permit file database," SD DANR Water Rights Program, Pierre, South Dakota, 2021.
- [8] SD DANR Water Rights Program, "Irrigation questionnaire summaries," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, SD, 2020.
- [9] SD DANR Water Rights Program, "Observation wells," Pierre, South Dakota, 2021.
- [10] W. K. Kilts, Interviewee, *Natural Resources Engineer III - DANR Water Rights Program*. [Interview]. 13 May 2021.
- [11] NOAA National Centers for Environmental Education, "Climate at a glance: Divisional Time Series for South Dakota Climate Division 7," 1 05 2021. [Online]. Available: <https://www.ncdc.noaa.gov/cag/>. [Accessed 13 05 2020].
- [12] SD DANR Water Rights Program, "County Files," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 2021.
- [13] SD Water Management Board, "Findings of Facts, Conclusions of Law and Final Decision in the matter of Water Permit Application No. 2313-2," SD DANR Water Rights Program, Joe Foss Bldg., Pierre, South Dakota, 1994.

Proof Of Publication

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

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JUN 01 2021

WATER RIGHTS
PROGRAM

Legal Notice Number: 0875

I, Kim Davis, being duly sworn on oath say that the Plainsman is a daily paper published at Huron, Beadle County South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am a Legal Advertising Coordinator of said newspaper and know that facts herein state. The annexed notice headed: SD ENVIRONMENTAL & NATURAL- BEADLE CO., was published for one day, in said newspaper and not in any supplement of the said newspaper, the publication was on - 5/26/21. That the full amount of the fee charged for the publishing \$ 28.06 insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.



Subscribed and sworn to me before this date 5/26/21.



Notary Public, South Dakota

My Term Expires 03/11/2022

F. P. 05-26-21
NOTICE OF
APPLICATION
NO. 8494-3 to

Appropriate Water

Notice is given that the
Beadle Conservation
District, c/o Robin
Viestenz, District
Manager, 1386 Lincoln
Ave SW, Huron SD
57350 has filed an
application for a water
permit to appropriate
0.022 cubic feet of
water per second from
one well completed into
the Warren-West James
Aquifer (100 feet deep)
located in the SW 1/4
NW 1/4 Section 12 for
irrigation of 4.5 acres
located in the W 1/2
NW 1/4 Section 12; all
in T10N-R62W. This site
is located within the city
limits on the west side of
Huron SD.

Pursuant to SDCL
46-2A-2, the Chief
Engineer recommends
APPROVAL of
Application No.
8494-3 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](http://denr.sd.gov/public) or contact
Ron Duval for this
information, or other
information, at the Water
Rights Program address
provided below.

Any person interested in
opposing 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 June 7,
2021.

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.

No. 0875 (adv.)
Published once at the
total approximate cost of
\$28.06.

RECEIVED

JUN 01 2021

WATER RIGHTS
PROGRAM

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 19, 2021 11:28 AM
To: 'rcrandall@plainsman.com'
Cc: 'dhelvik@plainsman.com'
Subject: 8494-3, Beadle County Conservation District
Attachments: 8494-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 26, 2021.

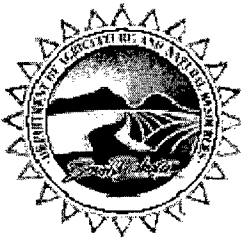
Beadle County Conservation District, c/o Robin Viestenz, District Mgr, 1386 Lincoln Ave, Huron SD 57350 (605 352-2998) has been notified to contact you to authorize publication and arrange for payment.

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

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

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

May 19, 2021

Beadle County Conservation District
c/o Robin Viestenz, District Manager
1386 Lincoln Ave
Huron SD 57350

Dear Mr. Viestenz:

Water Permit Application No. 8494-3 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 Plainsman printed at Huron SD (Ph # 605 353-7414). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the paper 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,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 8494-3 to Appropriate Water

Notice is given that the Beadle Conservation District, c/o Robin Viestenz, District Manager, 1386 Lincoln Ave SW, Huron SD 57350 has filed an application for a water permit to appropriate 0.022 cubic feet of water per second from one well completed into the Warren: West James Aquifer (100 feet deep) located in the SW 1/4 NW 1/4 Section 12 for irrigation of 4.5 acres located in the W 1/2 NW 1/4 Section 12; all in T110N-R62W. This site is located within the city limits on the west side of Huron SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8494-3 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 Ron Duvall 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 June 7, 2021.

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.

Published once at the total approximate cost of _

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, January 11, 2021 4:40 PM
To: Mathiowetz, Adam (DENR); Duvall, Ron
Cc: Schlaak, Karen
Subject: RE: Questions regarding permit application form

Handled. The Conservation District has a well that produces 10 gpm and a 4 ½ acre plot in the city of Huron. It was relayed to Ms. Fritz that they had to have all the lines and hydrants for the various garden plot installed prior to applying for a permit. I told her no they need to get a permit prior to installing works and that they have 5 years to complete construction.

From: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Sent: Monday, January 11, 2021 11:44 AM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>; Duvall, Ron <Ron.Duvall@state.sd.us>
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: Questions regarding permit application form

Franny Fritz with the Beadle County Conservation District called regarding the definition of "infrastructure" on a water permit application. This is in regards to a community garden in the City of Huron. To my understanding, either her or one of her advisors has talked to Eric in the past. Her phone numbers are below. I told her the call would likely come after lunch today. It also sounds like she may have add another question or two as well.

Mobile: 605-354-2895
Home: 605-599-2355

Adam Mathiowetz
SD DENR-Water Rights Program
605-773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 17 2021

Beadle Conservation District
Robin Viestenz, District Manager
1386 Lincoln Ave SW
Huron SD 57350

Dear Mr. Viestenz:

Enclosed is Water Permit No. 8494-3 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,

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

enclosures



8494-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 28, 2023

Beadle Conservation District
c/o Robin Viestenz
1386 Lincoln Ave SW
Huron SD 57350

8494-3

Dear Mr. Viestenz:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
(605) 773-3352
email: Amanda.Dewell@state.sd.us

AUG 28 2023

OFFICE OF
WATER**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 8.25.23

TO: Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Beadle Conservation District
(name)
1386 Lincoln Ave SW
(address)
Huron, SD 57350 605.352.2998
(city, state, zip) (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. 81943 states that the water use system is to be constructed by June 7, 2026 and water is to be put to beneficial use by June 7, 2030.
(date) (date)

The water use system was completed on 5-1-23.
(date)

Applying the water to beneficial use was completed on 5-1-23.
(date)

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

Robin Vestergaard
(signature)



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8494-3

I have this day, June 9, 2025, made a thorough examination of the water use system constructed by Beadle Conservation District, c/o Robin Viestenz, 1386 Lincoln Ave SW, Huron, SD 57350 of Permit No. 8494-3, bearing the priority of February 2, 2021 authorizing the diversion of 0.022 cu. ft. per second of the waters of the Warren:West James Aquifer for irrigation purposes, in Beadle County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) 30 feet - ESTIMATE feet
- 4) Well log is available N If no, explain in comments

Comments: The property was purchased several years ago with an existing well in place.

Casing:

- 1) Diameter Unknown inches
- 2) Length Unknown feet
- 3) Type Unknown

Screen:

- 1) Type Unknown
- 2) Length Unknown feet
- 3) Static water level Unknown feet

Pump:

- 1) Make Unknown
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 20 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating Unknown hp

B. Works used to transport water to place of use:

- 1) Type Plastic 2) Size Unknown inches 3) Length Unknown feet

Comments: Water supplied to many hydrants dispersed throughout the property

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

If no, describe: **Pumping 20 gpm; authorized for 10 gpm**

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

- The system is in good condition with the point(s) of diversion located as follows: WELL LOCATION
From the NW corner Sec 12 T110N R62W, 1325 S & 80 ft E, Lat 44.35260 Long -98.23410 (SW 1/4 NW 1/4).
- The works are capable of diverting and conveying to the place of use 0.045 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:
legal description/acreage
All land in Sec 12 T110N R62W
NW 1/4 NW 1/4 - 2.0 acres
SW 1/4 NW 1/4 - 2.5 acres
comprising a total of 4.5 acres of land and the license should be issued for 0.022 cfs
- All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project:

Used FSA maps and ArcGIS to estimate irrigated acres and construct the inspection map.

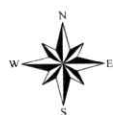
The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity for the well.

The mailing address and the telephone number in the permit materials are current. The cell phone number for Ms. Robin Viestenz is 605/936-8384.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: June 12, 2025



0 395 790 1,580 2,370 3,160 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

SEP 02 2025

8494-3

Beadle Conservation District
c/o Robin Viestenz
1386 Lincoln Ave SW
Huron, SD 57350

Dear Ms. Viestenz:

Enclosed is Water License No. 8494-3. 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.

So 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 Amanda Dewell, Permitting Administrator, Water Rights Program (605) 773-3352.

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

Note: The inspection found your system for capable of diverting 0.045 cfs (approx. 20 gpm). Permit No. 8494-3 authorized a diversion rate of 0.22 cfs. Diversion of water under this license is limited to 0.022 cfs (approx. 10 gpm).

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8494-3**

(1) Beadle Conservation District, 1386 Lincoln Ave SW, Huron, SD 57350, made Application No. 8494-3, February 22, 2021, for a water permit to divert 0.022 cubic feet of water per second from groundwater, one well (Warren: West James Aquifer), Beadle County, South Dakota for irrigation purposes. Permit No. 8494-3, with a priority date of February 22, 2021, was approved June 7, 2021, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 7, 2026, and for the application to beneficial use of water on or before June 7, 2030.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on August 28, 2023. The Notice stated the diversion system was completed and the water placed to beneficial use on May 1, 2023.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.022 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,325 feet S and 80 feet E from the NW corner of Section 12, T110N, R62W (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 44.35260 and Longitude -98.23410)

(3) The amount of 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: January 1 – December 31.

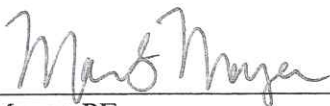
(4) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 12, T110N, R62W
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 2 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 2.5 acres
Total – 4.5 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Beadle Conservation District, the holder and/or owner of Water Right No. 8494-3 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from groundwater, one well (Warren: West James Aquifer), with a priority date of February 22, 2021, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8494-3 and subject to the following qualifications:

1. The well approved under Water Permit No. 8494-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Mark Mayer, PE
Director of Office of Water

9/2/25
date

