

WATER PERMIT NO. 8530-3

Name of Applicant: Nat'l Field Archery Association Foundation

Address: 800 Archery Lane, Yankton SD 57078 Phone: 605 260-9276

Amount of Water Claimed: no add'l Total Acres: 7 add'l acres

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation County: Yankton

Type of Waste Disposal System:

Location: Southeastern edge of Yankton

PRIORITY Date Received: 7-19-21 Application/License Fee: \$ 500

Corrected Application Received: Period of Annual Use: May 1 – Oct 31

Remarks: Increases acreage authorized by Water Permit Nos. 722503 and 8380-3

Diversion Point: SW 1/4 NE 1/4 Sec 17-T93N-
R55W

Land to be Irrigated: W 1/2 NE 1/4 Sec 17-T93N-
R55W

Depth of Well: 40 feet

Well Driller:

Remarks:

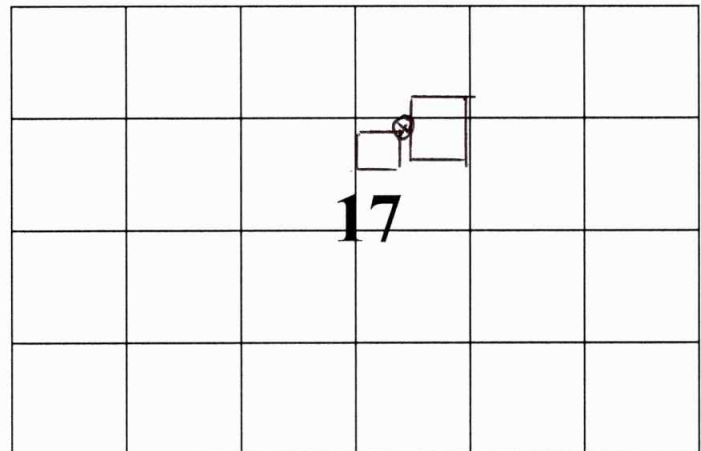
Type of Map: aerial

Prepared by: Keith DeJong

Reviewed and the Number Assigned on: 7-19-21

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8530-3</u>	(office use only) Hydrologic Unit <u>10170101</u>	JUL 19 2021
	Basin <u>Missouri R</u>	WATER RIGHTS PROGRAM	
	Newspaper <u>Press & Dakotan</u>		

PAID
JUL 19 2021
Ck# 12868

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 7225-3 8380-3
(Use predates Mar 2, 1955)

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

ADD 7 acres to the 8 acres permitted

1. Name to Appear on Irrigation Permit NATIONAL FIELD ARCHERY ASSOCIATION FOUNDATION

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

Mailing Address 800 ARCHERY LANE YANKTON SD 57078
(Address) (City) (State) (Zip Code)

Phone 605 260-9276 Mobile _____ Email _____

2. Amount of water claimed _____ *CFS or NO add'l **GPM _____ ***AF _____ Total Acreage 7 add'l AC
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply GROUNDWATER (MISSOURI: EUREKA AQUIFER)

4. Location of point of diversion SW 1/4 NE 1/4 SEC 17 T93N-R55W
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County YANKTON

5. County or counties where water will be used YANKTON

6. Annual period during which water is to be used MAY 1 - OCT 31

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

Land Description	Acres	Land Description	Acres
<u>NW 1/4 NE 1/4 (1 add'l)</u>	<u>1 ac</u>		
<u>SW 1/4 NE 1/4 (6 add'l)</u>	<u>15 ac</u>		

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

SEVEN ADDITIONAL ACRES DEVELOPED TO THE NINE ACRES PERMITTED

I, Bruce Cull, 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.

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 1 Provide copy of log(s), if available. Drilled by CHRISTENSEN WELL & IRRIGATION

For either Existing or Proposed Wells:

c) Well Depth (required) 40 Depth to Top of Water Bearing Material 12 Depth to Water from Surface 12

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)

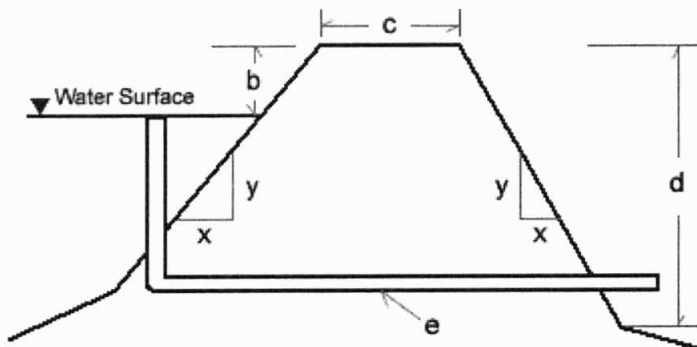
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



**SOUTH DAKOTA
WATER PERMIT NO. 8530-3**

Date of first receipt of application July 19, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8530-3 to National Field Archery Association Foundation, c/o Bruce Cull, President, 800 Archery Lane, Yankton SD 57078 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. 8530-3 authorizes irrigation of 7 additional acres to what is currently authorized by Water Permit Nos. 7225-3 and 8380-3. Permit Nos. 7225-3 and 8380-3 combined appropriate 0.44 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (40 feet deep) located in the SW 1/4 NE 1/4 Section 17 for irrigation of 9 acres located in the W 1/2 NE 1/4 Section 17: all in T93N-R55W. An investigation of the permits found the system capable of diverting 0.256 cfs from the existing well and irrigating an additional 7 acres also located in the W 1/2 NE 1/4 Section 17-T93N-R55W. This permit and Permit Nos. 7225-3 and 8380-3 will authorize a total diversion rate of 0.256 cfs for irrigation of 16 acres. This site is located on the southeast edge of Yankton 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: May 1 – October 31.
3. The date from which applicant may claim right is July 19, 2021.
4. The date of approval of Permit No. 8530-3 is September 27, 2021.
5. 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 Nos. 7225-3, 8380-3, and this Permit is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled 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

OCT 25 2021
date



STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8530-3

(1) National Field Archery Association Foundation, 800 Archery Lane, Yankton SD 57078 made Application No. 8530-3, July 19, 2021 for a water permit to irrigate additional acres to what is currently authorized under Water Permit Nos. 7225-3 and 8380-3 from groundwater (one well) Missouri:Elk Point Aquifer, Yankton County, South Dakota. Permit No. 8530-3, with a priority date of July 19, 2021 was approved September 27, 2021 and issued to the applicant for diversion of water with construction of the described water supply system and application to beneficial use completed.

Water Permit No. 7225-3, with a priority date of August 26, 2010 authorized 0.44 cubic feet of water per second from one well for irrigation of 2 acres. Water Permit No. 8380-3, with a priority date of November 13, 2018 authorized irrigation of 7 additional acres. The applicable portions of No. 7225-3 and 8380-3 are incorporated into this water license.

(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 0.256 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,350'S and 1,950'W of the NE corner of Section 17-T93N-R55W (SW 1/4 NE 1/4)
Latitude 42.87611 Longitude -97.36483

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

Section 17-T93N-R55W	NW 1/4 NE 1/4	1 acre
	SW 1/4 NE 1/4	<u>15 acres</u>
	Total	16 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 National Field Archery Association Foundation, 800 Archery Lane, Yankton SD 57078 the holder and/or owner of Incorporated Water Right No. 8530-3 is issued a license to appropriate water, the right to use 0.256 cubic feet of water per second from groundwater (one well) Missouri:Elk Point Aquifer with priority dates of August 26, 2010 (2 acres and 0.256 cfs), November 13, 2018 (7 acres) and July 19, 2021 (7 acres) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota State Law, any limitations or conditions listed in Incorporated Water Right No. 8530-3 and subject to the following qualifications:

- The well approved under Water Permit Nos. 7225-3, 8380-3, and this Permit is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- This water right is approved subject to the irrigation water use questionnaire being submitted each year.


Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 25 2021
date



**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit Nos. 7225-3 and 8380-3**

I have this day, June 29, 2021, made a thorough examination of the water use system constructed by National Field Archery Association Foundation, 800 Archery Lane, Yankton, SD 57078, holder of Permit No 7225-3, bearing the priority of August 26, 2010, authorizing the diversion of 0.44 cu. ft. per second of the waters of groundwater (Missouri: Elk Point Aquifer) for the irrigation of 2 acres; and Permit No. 8380-3 bearing the priority of November 13, 2018, authorizing no additional diversion of water, but authorizing the irrigation of 7 additional acres, all located in Yankton County.

Inspection contact: Bruce Cull

A. Works used to divert the water:

Well Information

- 1) Well Drilling Firm: Christensen Well & Irrigation
- 2) No. of Wells: 1
- 3) Depth(s): 40 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 20 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 20 feet
- 3) Type: PVC
- 4) Static water level: 12 feet

Pump:

- 1) Make: Berkely
- 2) Model: Unknown
- 3) Capacity: 115 GPM

Motor:

- 1) Make: Franklin
- 2) Model No.: Unknown
- 3) Horsepower rating: 10 hp

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

A 2.5 inch PVC pipe leaves the well to feed the numerous ground sprinklers that irrigate the property.

C. Works used to apply water to beneficial use:

- 1) Ground Sprinkler Heads
- 2) Capacity: 115 GPM

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: No
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
- 3) Exceptions to compliance are: More land is irrigated and what was permitted.

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
The well is 1,350 feet south and 1,950 feet west of the northeast corner of Section 17-T93N-R55W (Latitude 42.87611, Longitude -97.36483 – SW1/4 of the NE1/4).
2. The works are capable of diverting and conveying to the place of use 0.256 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: All in Section 17-T93N-R55W:

<u>NW1/4NE1/4</u>	<u>1 acre</u>
<u>SW1/4NE1/4</u>	<u>15 acres</u>

comprising a total of 16 acres of land and the license should be issued for 0.256 cfs.

3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project: These two permits could be combined since the same well is used for both permits and the irrigated areas are adjacent to each other. The total area irrigated is more than the total area authorized by the two permits.

The pump and motor information was obtained from Christensen Well and Irrigation.



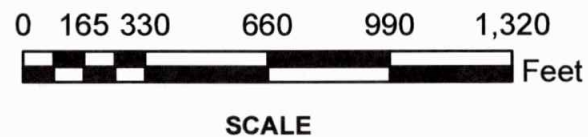
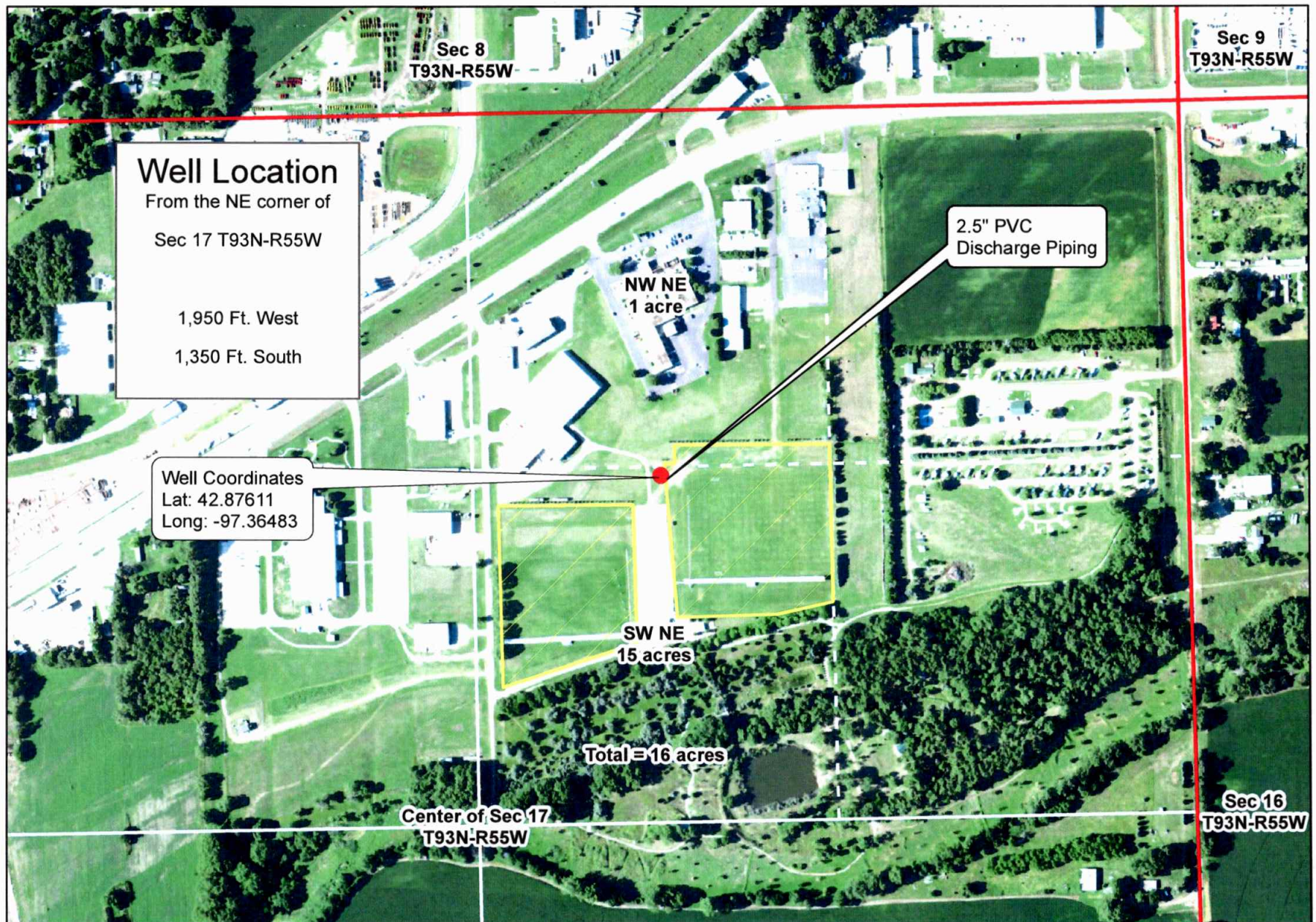
Keith DeJong
Water Rights Inspector
DANR, Water Rights Program

Date report completed: June 30, 2021

Note: The permit holder obtained Permit No. 8530-3 to cover the 7 additional acres found during the investigation. The applicable portions of Nos. 7225-3 and 8380-3 will be incorporated into Water License No. 8530-3.

Genny

Water Right Nos. 7225-3, 8380-3 & 8530-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
June 30, 2021

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date July 19, 2021

RECEIVED OF National Field Archery Assoc. Foundation 800 Archery Lane Yankton SD 57078

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

Fee for Application for Permit No. <u>8530-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>500.00</u>

By *Eric Gronlund*
Chief Engineer

me



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 30, 2021

National Field Archery Association Foundation
800 Archery Lane
Yankton SD 57078

Dear Sirs:

The National Field Archery Association Foundation holds Water Permit Nos. 7225-3 & 8380-3 authorizing 0.44 cfs (200 gallons per minute) from a well completed into the Missouri: Elk Point Aquifer to irrigate 9 acres. A recent water permit inspection for licensing found that a total of 16 acres were being irrigated.

Enclosed is a partially completed application form, well log, map and instruction sheet. Please finish completing the application, sign, and submit along with a \$500 application fee to obtain a permit for the seven additional acres.

Obtaining a water permit that accurately reflects actual water use ultimately benefits the foundation by protecting it's right to use water. If you want more information regarding the permitting process, please go to our website at denr.sd.gov/des/wr/wr.aspx.

If you have any additional questions, please contact me at phone (605) 773-3352.

Sincerely,

Mark D. Rath
Natural Resources Engineer III
Water Rights Program



**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. 8530-3, National Field Archery Association Foundation**

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. 8530-3, National Field Archery Association Foundation, 800 Archery Lane, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 8530-3 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit Nos. 7225-3, 8380-3, and this Permit is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled 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
September 2, 2021

REPORT TO THE CHIEF ENGINEER
WATER PERMIT APPLICATION NO. 8530-3
NATIONAL FIELD ARCHERY ASSOCIATION FOUNDATION
AUGUST 4, 2021

Water Permit Application No. 8530-3 proposes to irrigate 7 additional acres to what is currently authorized by Water Permit Nos. 7225-3 and 8380-3. Water Permit Nos. 7225-3 and 8380-3 combine to appropriate 0.44 cubic feet per second (cfs) from one well completed into the Missouri: Elk Point aquifer (40 feet deep) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ for the irrigation of 9 acres located in the W $\frac{1}{2}$ NE $\frac{1}{4}$; all in Section 17-T93N-R55W. An investigation of these permits found the system capable of diverting 0.256 cfs from the existing well and irrigating an additional 7 acres located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17-T93N-R55W. This application, if approved, and Water Permit Nos. 7725-3 and 8380-3 will authorize a combined total diversion rate of 0.256 cfs for the irrigation of 16 acres. The site is located on the southeast edge of Yankton, SD.

AQUIFER: Missouri: Elk Point (M: EP)

Aquifer Characteristics

The Missouri: Elk Point aquifer is a deposit of glacial outwash composed of fine sand to very coarse gravel (Niehus, 1994). It underlies approximately 219,100 acres of Yankton, Clay, and Union counties (Figure 1) with an estimated 3,287,100 million acre-feet of recoverable water in storage (Hedges et al., 1982). It is hydraulically connected to the Lower Vermillion Missouri and Lower James Missouri aquifers, and the Missouri, Vermillion, James, and Big Sioux Rivers (Niehus, 1994; Stephens, 1967). The movement of groundwater within the aquifer is generally from the northwest to the southeast, and towards the Missouri River (Stephens, 1967). Both confined and unconfined groundwater conditions are present in the aquifer (Niehus, 1994; Stephens, 1967). Existing water well completion reports in the vicinity of the proposed application show an average of 7.2 feet of silty, sandy clay alluvium overlying water bearing sand with gravel with an average depth to the groundwater surface of 13.0 feet. (Water Rights, 2021a and 2021b). Typically, alluvium is considered a portion of the aquifer and not a confining layer. Therefore, the Missouri: Elk Point is unconfined in the location of the proposed application.

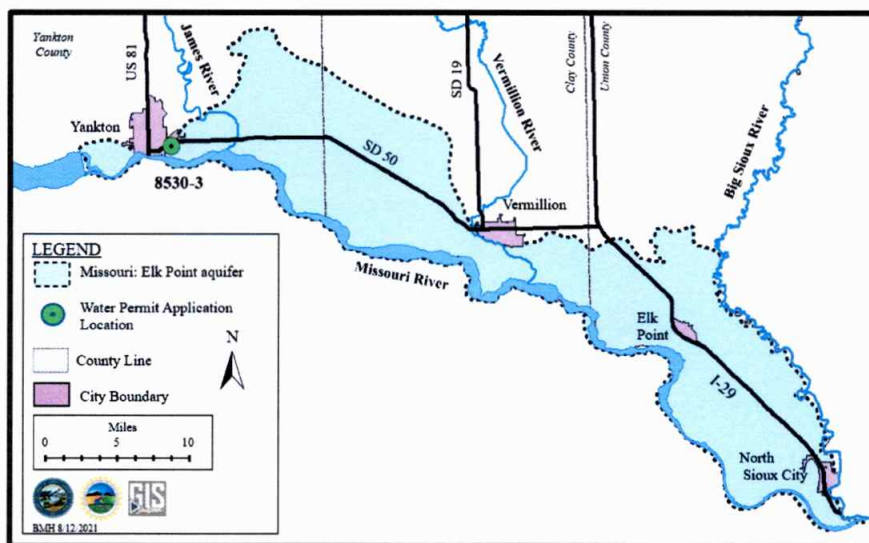


Figure 1. Water Permit Application No. 8530-3 shown within the Missouri: Elk Point aquifer boundary (modified from: Hedges et al., 1982).

SOUTH DAKOTA CODIFIED LAW (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing domestic users and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. This report will address water availability and potential for unlawful impairment of existing water rights within the Missouri: Elk Point aquifer.

WATER AVAILABILITY

Water Permit Application No. 8530-3 proposes to appropriate water from the Missouri: Elk Point aquifer. The probability of unappropriated water being 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 that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source..." If the source of the water is older or lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not consider the balance of recharge to and withdrawal from the aquifer. For this application, a water distribution system is not involved and the aquifer is not older or lower than the Greenhorn Formation; therefore, the balance of recharge and withdrawal must be considered.

Hydrologic Budget

Recharge:

The Missouri: Elk Point aquifer is recharged by infiltration of precipitation where the aquifer is at or near the land surface, inflow from the Lower Vermillion Missouri and Lower James Missouri aquifers, and seepage from the Missouri, Vermillion, James, and Big Sioux Rivers (Bugliosi, 1983; Niehus, 1994). Recharge to the aquifer was estimated by Hedges et al. (1985) to be approximately 3.8 inches per year. With the areal extent of the aquifer estimated at 219,100 acres, the annual recharge rate can be estimated at 69,382 acre-feet/year (ac-ft/yr). Stephens (1967) noted that pumping of the aquifer will induce recharge from the Missouri River. Stonesifer (2013) estimated that the Missouri River contributed 22,582 ac-ft/yr of recharge due to the pumping operation of the Lewis and Clark Rural Water System (RWS). This estimate is based off inducing at least 50% recharge of the water pumped at full development of the existing and future use permits held by Lewis & Clark RWS. Depending on location and diversion rate, this percentage of induced recharge is likely to be much greater than 50% (Mathiowetz, 2020). This results in a total estimated annual recharge of approximately 92,000 ac-ft/yr for the Missouri: Elk Point aquifer. There are other wells, both domestic and appropriative, in close vicinity to the Missouri River that can induce recharge from the river, but that amount of induced recharge has not been estimated.

Discharge:

Discharge from the Missouri: Elk Point aquifer occurs through evapotranspiration in areas where the aquifer is at or near the land surface, well withdrawals, leakage to the underlying Dakota aquifer and outflow to the Missouri and Big Sioux Rivers (Bugliosi, 1986; Niehus, 1994). Currently, there are a total of 629 water rights/permits (39 non-irrigation, 585 irrigation, and 5 future use) appropriating water from the Missouri: Elk point aquifer (Water Rights, 2021a). A summary of the non-irrigation water rights/permits are listed in Table 1. The total estimated

volume of water to be withdrawn can be determined by assuming that water rights/permits limited by an annual volume will pump the entire volume appropriated annually or that water rights/permits limited by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time.

Water Permit No. 7059-3 is for recreational use for maintaining the water level of a small lake with a surface area of 17.6 acres. It is assumed that the only consumptive use of this water is due to evaporation (Farmer, 2018). Annual evaporation of water from shallow lakes is estimated to be 42 inches per year at this location (NOAA, 1982) and average annual total precipitation at the Sioux City, IA airport was determined to be 27.74 inches over the 30-year period of 1981 to 2010 (Arguez et al, 2010), resulting in an approximate use of 20.9 ac-ft per year.

The total estimated volume of 48,361 ac-ft/yr, shown in Table 1 for non-irrigation use, also takes into consideration the thirteen non-irrigation permits that are required to report their annual usage from the Missouri: Elk Point aquifer. The full authorized appropriation of nine of these permits, either limited by an annual volume or a diversion rate, are shown in Table 1. Five are commercial use permits (8031-3, 8381-3, 8403-3, 8415-3, and 8435-3) that are currently under development and, due to no history of reported use, their combined estimated use of 163 ac-ft/yr, is included in Table 1. Permit No. 8147-3, is a commercial use permit, limited by an annual volume of 160 ac-ft/yr. Lewis and Clark RWS appropriates 32,165 ac-ft/yr from Permit Nos. 6736-3 (20,165 ac-ft/yr) and 7207-3 (12,000 ac-ft/yr). Even though the average reported pumping rate is 13,514 ac-ft/yr (Water Rights, 2012-2020) this system is continually undergoing development, as a result, their full authorized appropriation is included in Table 1. The City of Yankton is limited by an annual volume of 6,050 ac-ft/yr of water under municipal use Permit No. 8212-3. The Clay RWS maintains Permit Nos. 5998A-3 and 7388-3, which combine to appropriate 1,286.8 ac-ft/yr. However, the average reported use of 322 ac-ft/yr, from 2012-2020, it is relatively stable, not increasing, and is considered most reflective of the infrastructure currently in place for these two permits (Water Rights, 2012-2020). Permit No. 7388-3 is authorized to withdraw an estimated total of 869 ac-ft/yr, assuming a 60 percent pumping rate. Permit No. 5998A-3, permitted for turf irrigation and domestic use, is required to report its total annual use as a non-irrigation permit due to serving several homes in a housing development (Water Rights, 2021a). The estimated volume for this permit is included here, rather than with the other turf permits, because it has an annual reported use. The City of Vermillion has two permits (Permit No. 147-3 appropriating 1,156 ac-ft/yr assuming a 60 percent pumping rate, and Permit No. 6236-3 limited annually to 1,161 ac-ft/yr) authorized to appropriate a combined 2,317 ac-ft/yr. However, an average value of 1,219 ac-ft/yr reported from 2006-2020, is considered more reflective of the actual use (Water Rights, 2006-2020). Therefore, a total estimated volume of 48,361 ac-ft/yr will be included in the water balance for non-irrigation water rights/permits.

Table 1. Non-irrigation water rights/permits from the Missouri: Elk Point aquifer with permitted appropriation and estimated volume water use (Water Rights, 2006-2020, 2012-2020 and 2021a, Drinking Water 2021).

Permit No.	Name	Appropriation limited by Annual Volume (ac-ft/yr)	Appropriation limited by Diversion Rate (cfs)	Total Estimated Volume (ac-ft/yr)	Use ^d	Status ^d
4501-3	EDDIE WOHL		0.05	22	COM	LC
5616-3	CIMPLS INC		0.44	191		
5827-3	DON LANTIS		0.02	10		
5953-3	H & K OIL CO		0.04	16		
6151-3	VERNON & NORMA VAKOC		0.67	291		
6580-3	WEST SHORE ACRES LLC		0.10	43		
8031-3	DAKOTA PROTEIN CONVERSION INC		0.22	96		PE
8147-3	DOUG LAFLEUR	160		160		
8381-3	R P CONSTRUCTORS	1		1		
8403-3	STOCKMEN'S LIVESTOCK INC	40		40		
8415-3	RC INVESTMENTS LLC	25		25		
8435-3	SIOUX CITY INSULATION	1		1		
6744-3	JUDITH I GRANT		0.78	339	DOM	
7388-3	CLAY RURAL WATER		2.00	322		
5998A-3	SYSTEM INC ^a		2.22			
7059-3	WE INVESTMENTS LLC ^b		3.11	21	IRR	
6736-3	LEWIS & CLARK RWS	20,165		20,165	REC	
7207-3	LEWIS & CLARK RWS	12,000		12,000	RWS	
5490-3	US GEOLOGICAL SURVEY		0.09	39	FWP	LC
5907-3	US FISH/WILDLIFE SERVICE		3.78	1,642		
6733-3	US FISH/WILDLIFE SERVICE		1.11	482		
7094-3	US FISH/WILDLIFE SERVICE		2.67	1,160		
5021-3	VISHAY-DALE ELECTRONICS INC		0.10	43	IND	
5388-3	L G EVERIST INC		0.45	195		
5453-3	AALADIN INDUSTRIES INC		0.05	22		
5593-3	VISHAY-DALE ELECTRONICS INC		0.06	24		
6170-3	CONCRETE MATERIALS		0.22	96		
1255-3	CITY OF ELK POINT		1.13	491	MUN	
143-3	CITY OF VERMILLION		1.78	773		
147-3	CITY OF VERMILLION ^a		2.66	1,219		
6236-3		1,161				
1965-3	TOWN OF GAYVILLE ^c		0.37	0		
4207-3	TOWN OF JEFFERSON		0.90	391		
5118-3	TOWN OF GAYVILLE ^c		0.33	0		
5437-3	DAKOTA DUNES IMPROVEMENT DIST.		3.33	1,447		
5782-3	CITY OF NORTH SIOUX CITY		1.14	495		
6354-3	CITY OF VERMILLION		0.02	10		
8212-3	CITY OF YANKTON	6,050		6,050		
5581-3	LARSON'S LANDING		0.09	39	SHD	
5592-3	EAST WINDS COURT INC ^c		0.11	0		
Total:				48,361		
a - the total estimated volumes for these permits are average values from yearly non-irrigation questionnaires (Water Rights, 2006-2020 and Water Rights, 2012-2020)						
b – this value represents evaporation, the only consumptive use for this permit						
c - these permits all purchase water from a rural water system and maintain their water right for a standby use (Drinking Water, 2021). Therefore, their volume use is considered zero.						
d - COM: Commercial; DOM: Domestic; IRR: Irrigation, REC: Recreation; FWP: Fish & Wildlife Propagation; IND: Industrial; MUN: Municipal; SHD: Suburban Housing Development; LC: License; PE: Permit						

Well withdrawals from the Missouri: Elk Point aquifer are also for irrigation use with actual pumpage from the aquifer reported to the DANR-Water Rights Program through annual irrigation questionnaires. Currently, there are 585 irrigation water rights/permits with 81,623 total permitted acres for irrigation (Water Rights, 2021a). Figure 2 shows the historical relation between annual permitted acres with actual pumpage reported from annual irrigation summaries. Historically, the average annual reported pumping is approximately 19,031 ac-ft/yr (Water Rights, 1979-2020). However, this is not necessarily reflective of the increased pumpage from aquifer development, beginning in 2006, or the determination, beginning in 2019, that it is more appropriate to estimate different application rates per permitted acre for crop and turf irrigation.

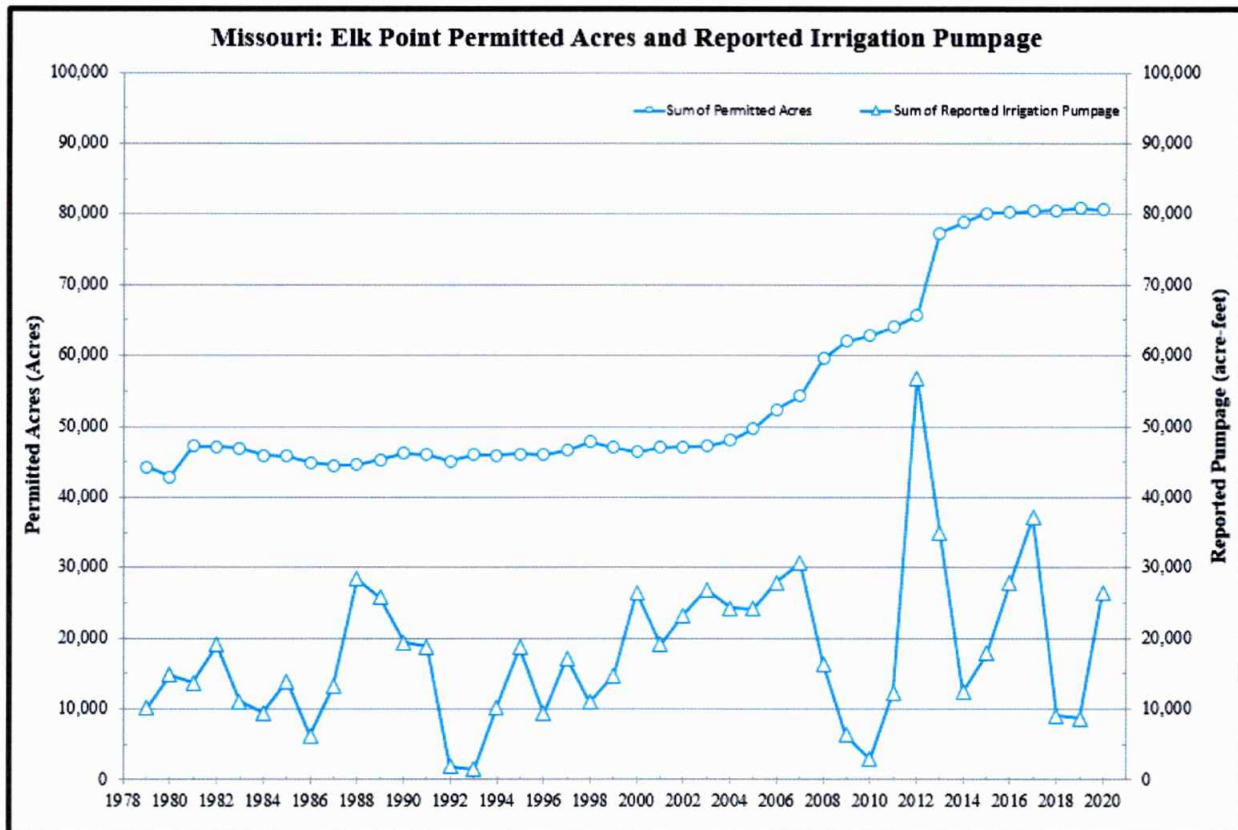


Figure 2. Permitted acres and reported irrigation for the Missouri: Elk Point aquifer (Water Rights, 2021a, Water Rights 1979-2020)

Farmer (2018a) initially utilized an application rate of 0.35 acre-feet per permitted acre to estimate annual use for both crop and turf irrigation. Farmer (2018b) later established that turf irrigation should be estimated separately because turf tends to utilize their full authorized appropriation. Farmer (2021) estimated a rate of 0.97 ft/yr for turf irrigation and 0.343 ft/yr for crop irrigation. Table 2 contains the turf irrigation permits with permitted acres and an estimated annual volume use based on the Farmer (2021) application rate. Subsequently, the calculation for estimated annual use for crop irrigation requires adjustment because the 738 acres for turf irrigation need to be removed from the 81,623 total permitted acres. This results in a value of 80,885 acres for crop irrigation and, after applying the application rate of 0.343 ft/yr, yields approximately 27,744 ac-ft/yr. Summing turf (425 ac-ft/yr) and crop (27,744 ac-ft/yr) irrigation volume yields a value of 28,169 ac-ft/yr to be included in the water balance section for irrigation permits.

Table 2. Water rights/permits for irrigation on turf (Water Rights, 2021a).

Permit Number	Name	Acres	Estimated Volume (ac-ft/yr)
1294-3	Recreation Development Association, Inc.	102.0	98.9
2011-3	Two Rivers Golf Club	95.0	92.2
5786-3	Dakota Dunes Golf Course	173.0	167.8
5935-3	Ted Waitt	1.0	1.0
5936-3	Applied Engineering, Inc.	1.8	1.7
7225-3	National Field Archery Association	2.0	1.9
8010-3	Ryan Rusher	2.5	2.4
8029-3	Dakota Dunes Community Improvement District	17.8	17.3
8040-3	Heine Electric & Irrigation, Inc.	1.0	1.0
8354-3	Two Rivers, Inc.	30.0	29.1
8380-3	National Field Archery Association	7.0	6.8
8407-3	Gayville-Volin School District 63-1	4.5	4.4
5998A-3	Clay Rural Water System, Inc.	300.0	n/a ^a
Total:		737.6	424.5
a - The volume for this permit is accounted for in Table 1			

There are five future use permits appropriating water from the Missouri: Elk Point aquifer. The full permitted volume authorized from the permits is utilized when estimating the annual volume usage. The future use areas are all in Clay County and composed of 13,000 ac-ft reserved by Lewis and Clark Rural Water System and 1,900 ac-ft reserved by the City of Vermillion. This is a total of 14,900 ac-ft/yr of water reserved for these permits and will be included in the water balance section for future use.

There are numerous domestic wells on file with the Water Rights Program within the Missouri: Elk Point aquifer (Water Rights, 2021b). Domestic users are not required to report their annual water usage and due to their low diversion rates are not considered a significant portion of the hydrologic budget. Additionally, some domestic wells may no longer be in use with the development of rural water systems in the area.

There are five pending applications for the Missouri: Elk Point aquifer, Water Permit Application Nos. 8503-3, 8513-3, 8517-3, 8519-3, and 8529-3 proposing to irrigate a combined 661 acres of crops. Utilizing the average annual application rate of 0.343 feet on permitted acres (Farmer, 2021), 209 ac-ft/yr will be included in the water balance for the pending applications.

Water Balance:

The Missouri: Elk Point aquifer estimated average annual withdrawal rate is 91,640 ac-ft/yr (non-irrigation: 48,361; irrigation: 28,169; future use: 14,900; pending: 209). Estimated average annual recharge is 92,000 ac-ft/yr. The expected use of 7 ac-ft/yr (irrigating 7 acres of turf at the annual 0.97 ft application rate per permitted acre) by this application does not result in an exceedance of average annual withdrawal compared to recharge for this aquifer. Also, there is likely more induced recharge than has been calculated. Therefore, there is reasonable probability unappropriated water is available for this application.

Observation Well Data

Administrative Rule of South Dakota (ARSD) Section 74:02:05:07 requires that the Water Management Board rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer. The DANR-Water Rights Program monitors 32 observation wells completed into the Missouri: Elk Point aquifer (Water Rights, 2021c). The hydrographs for the observation wells within approximately 6.5 miles of Water Permit Application No. 8530-3 are shown in Figures 3 and 4.

The hydrographs shown in Figures 3 and 4 are representative of the hydrographs for other observation wells completed in the Missouri: Elk Point aquifer. The hydrographs show the water level of the aquifer is relatively stable over the period of record. They indicate that the aquifer responds well to climatic conditions with rising water levels during wet periods and declining water levels during drier periods. They also demonstrate that any drawdowns from pumping are temporary because the water levels typically recover to pre-pumping levels after the irrigation season.

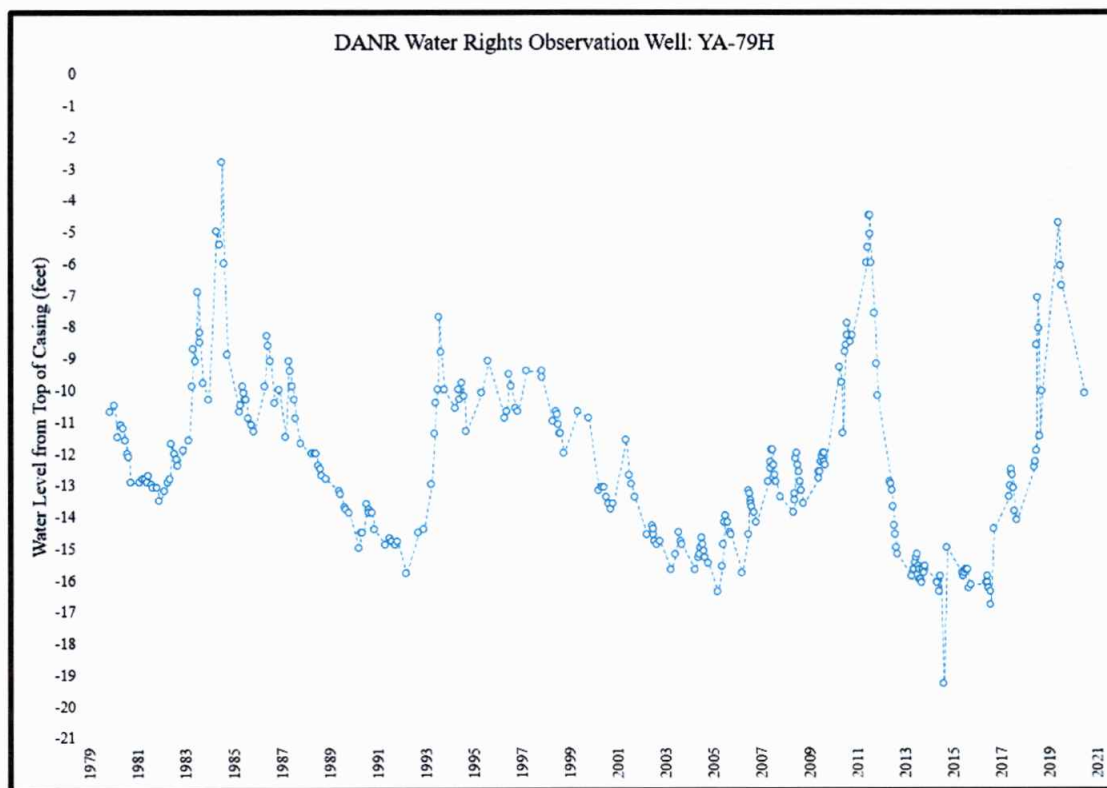


Figure 3. Hydrograph for observation well YA-79H located approximately 5.1 miles northeast of the proposed well location for Water Permit Application No. 8530-3 (Water Rights, 2021c).

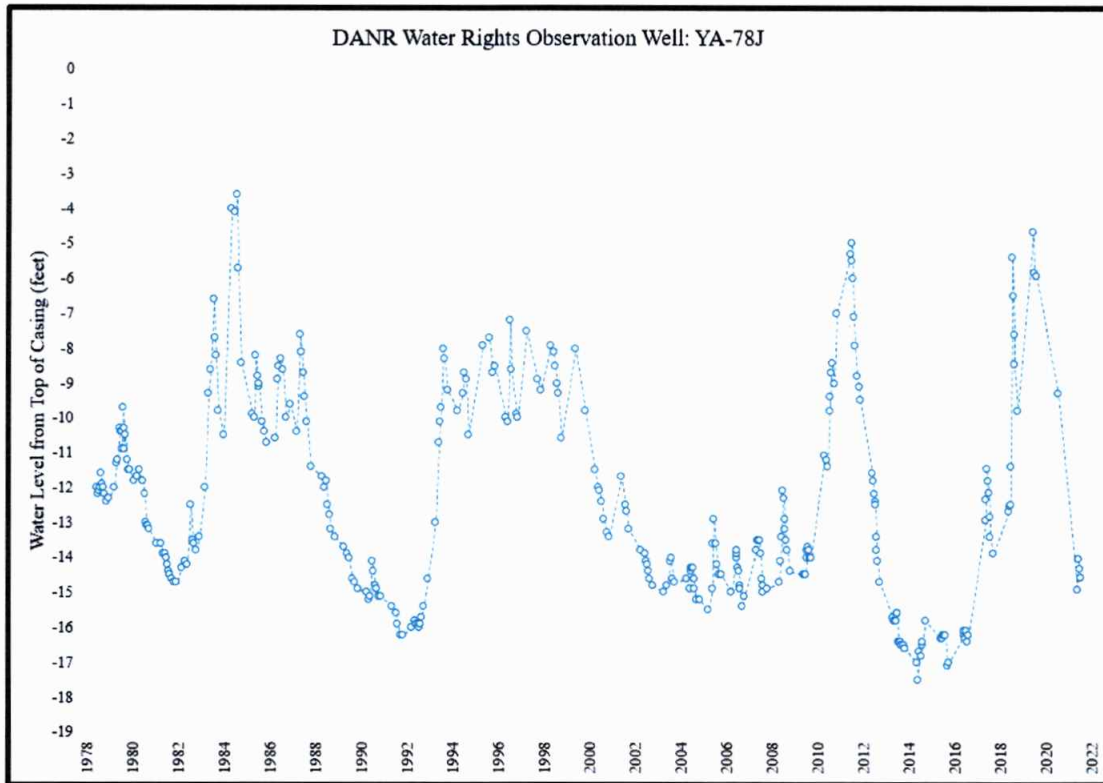


Figure 4. Hydrograph for observation well YA-78J located approximately 6.5 miles east of the proposed well location for Water Permit Application No. 8530-3 (Water Rights, 2021c).

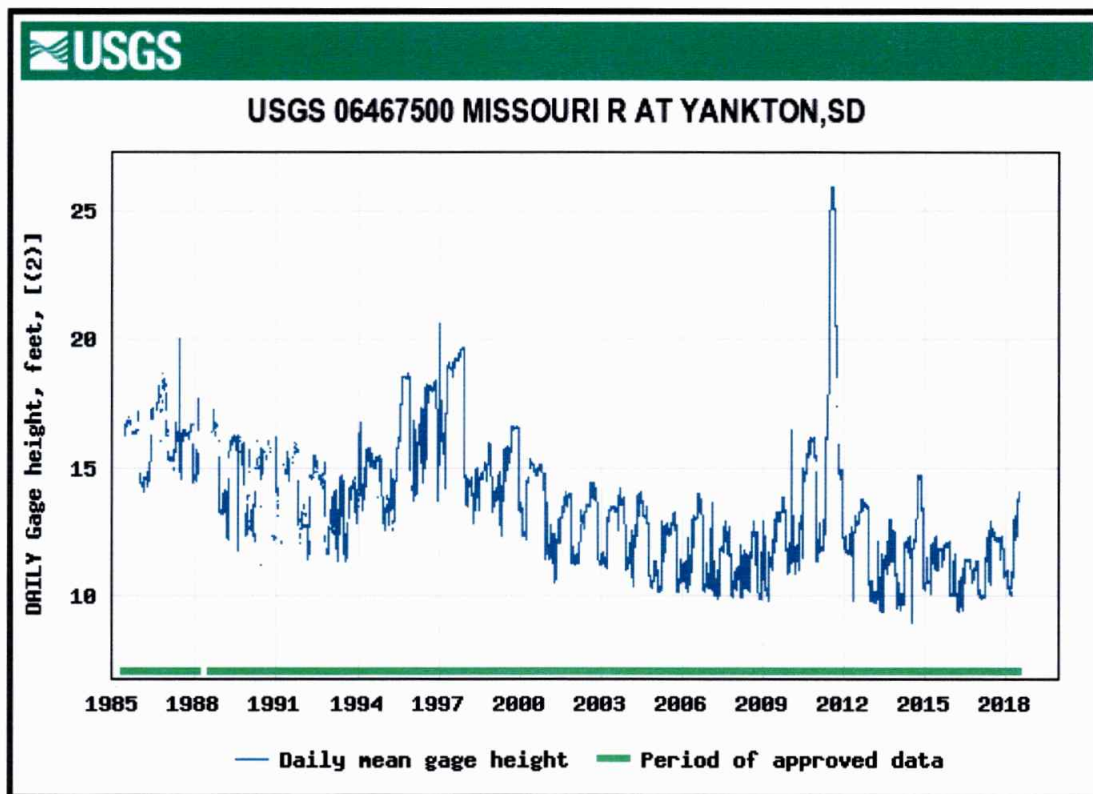


Figure 5. Hydrograph for USGS Stream Gage 06467500 Missouri River at Yankton, SD (USGS, 2021).

The U.S. Geological Survey (USGS) operates stream flow gaging station No. 06467500, on the Missouri River at Yankton, SD. Comparing the hydrograph for this gage (Figure 5) to the observation well hydrographs of the Missouri: Elk Point aquifer (Figures 3 and 4), show both the river and the aquifer react to climatic conditions by rising and falling in a similar fashion. Furthermore, during flood events, as particularly shown in 2011, the water level in the aquifer, especially closer to the Missouri River, rises very quickly beyond what is typically seen for glacial outwash aquifers. This indicates there is hydraulic connection between the aquifer and the river. This means that when the elevation of the water in the river is higher than the aquifer, the river recharges the aquifer. Conversely, when the elevation of the water is higher in the aquifer, the aquifer naturally discharges to the river. As a result, there is a reasonable probability unappropriated water is available for this proposed appropriation.

Several Missouri: Elk Point aquifer observation well hydrographs show a gradual downward trend. These wells are located close to the Missouri River and the downward trend is due to entrenchment of the Missouri River channel, below Gavins Point Dam in Yankton, SD, lowering the water surface elevation of the river (Goodman, 2007). This results in a lowering of water levels in the hydraulically connected aquifer as the water level in the aquifer equilibrates to the lower average water surface elevation of the river. Therefore, downward trends are likely caused by the entrenchment of the Missouri River channel and not from over-appropriation of the Missouri: Elk Point aquifer (Mathiowetz, 2020).

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS

Currently, there are a total of 629 water rights/permits appropriating or reserving water from the Missouri: Elk Point aquifer (Water Rights, 2021a). Table 3 lists the Missouri: Elk Point aquifer water rights/permits shown in Figure 6 within approximately two miles of the proposed well location for Application No. 8530-3.

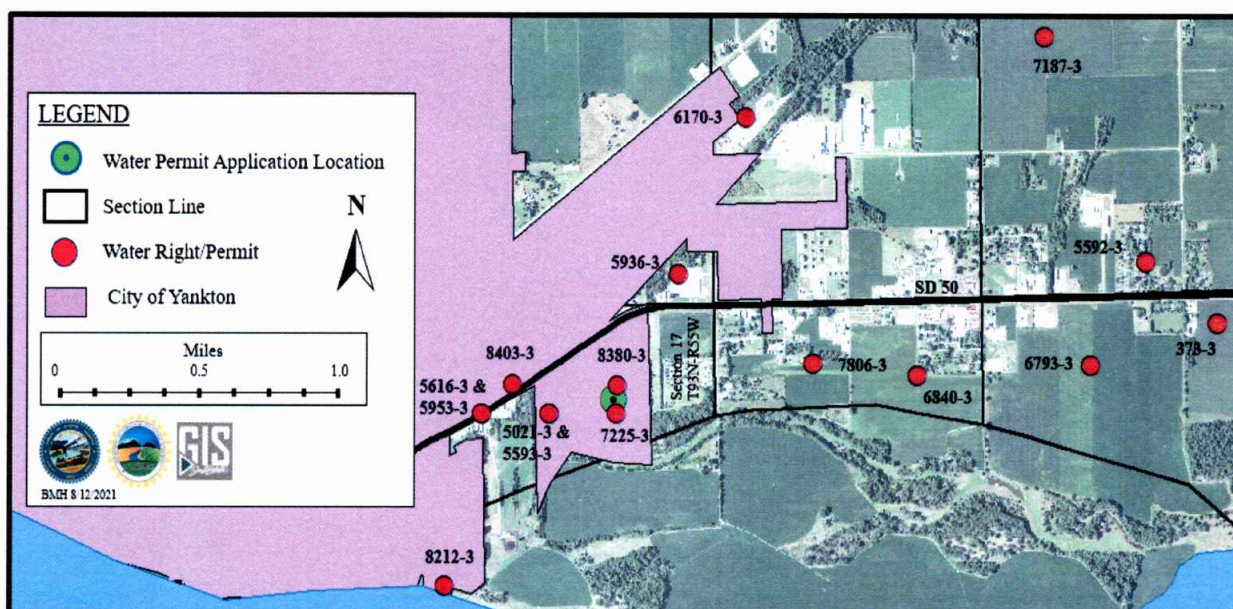


Figure 6. Existing Missouri: Elk Point aquifer water rights/permits and observation well in the vicinity of Water Permit Application No. 8530-3 (Water Rights 2021a & 2021c).

Table 3. Water rights/permits shown in Figure 6 (Water Rights, 2021a).

Permit Number	Name	Rate (cfs)	Acres	Use ^a	Status ^a
373-3	REDHAWK LLC	1.14	80	IRR	LC
5021-3	VISHAY-DALE ELECTRONICS INC	0.10	0	IND	
5592-3	EAST WINDS COURT INC	0.11	0	SHD	
5593-3	VISHAY-DALE ELECTRONICS INC	0.06	0	IND	
5616-3	CIMPLS INC	0.44	0	COM	
5936-3	APPLIED ENGINEERING INC	0.10	1.8	IRR	
5953-3	H & K OIL CO	0.04	0	COM	
6170-3	CONCRETE MATERIALS	0.22	0	IND	
6793-3	EAGLE VENTURE	2.89	247	IRR	
6840-3	RON & ANGELA KNEIP	1.25	67	IRR	
8212-3	CITY OF YANKTON	20.12	0	MUN	
7187-3	PRAIRIE CREEK RANCH	1.78	150	IRR	PE
7225-3	NATIONAL FIELD ARCHERY ASSOC	0.44	2	IRR	
7806-3	C & C HAULING AND CONSTRUCTION INC	1.08	25	IRR	
8380-3	NATIONAL FIELD ARCHERY ASSOC	0.00	7	IRR	
8403-3	STOCKMEN'S LIVESTOCK INC	2.00	0	COM	

a - IRR: Irrigation; IND: Industrial; SHD: Suburban Housing Development; COM: Commercial; MUN: Municipal; LC: Licensed Water Right; PE: Permitted Water Right

There are numerous domestic wells on file with the Water Rights Program within the vicinity of the proposed well site (Water Rights 2021b). Some users in the vicinity of the proposed application are likely using water provided by a rural water system. Nevertheless, when considering that drawdown from pumping in an unconfined aquifer does not extend far beyond the pumping well, domestic users with adequate wells are not anticipated to be adversely impacted by the pumping proposed for this application. Even though there are many high-capacity wells in the Missouri: Elk Point aquifer, there has not been a history of well interference complaints due to pumping (Water Rights, 2021d).

To protect domestic well users, the Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) 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.”

When considering that drawdown from pumping does not extend far from the pumping well in an unconfined aquifer, saturated thickness of the aquifer in this area, the hydrographs of nearby observation wells not showing detrimental impact of pumping, and the lack of well interference complaints due to pumping, there is reasonable probability that the proposed diversion can be developed without unlawfully impairing existing appropriative or domestic water users with adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 8530-3 proposes to irrigate 7 additional acres to what is currently authorized by Water Permit Nos. 7225-3 and 8380-3.
2. Water Permit Nos. 7225-3 and 8380-3 combine to appropriate 0.44 cubic feet per second (cfs) from one well completed into the Missouri: Elk Point aquifer (40 feet deep) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ for the irrigation of 9 acres located in the W $\frac{1}{2}$ NE $\frac{1}{4}$; all in Section 17-T93N-R55W. An investigation of these permits found the system capable of diverting 0.256 cfs from the existing well and irrigating an additional 7 acres located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17-T93N-R55W.
3. This application, if approved, and Permit Nos. 7225-3 and 8380-3 will authorize a total diversion rate of 0.256 cfs for irrigation of 16 acres. The site is located on the southeast edge of Yankton, SD.
4. Based on the hydrologic budget, observation well data, and the potential to further induce recharge from the Missouri River, there is a reasonable probability unappropriated water is available for this proposed application.
5. There is a reasonable probability the diversions proposed by this application can be made without unlawfully impairing existing appropriative or domestic users with adequate wells.



Blaise Hansen
SD DANR – Water Rights Program

Reviewed By:



Adam Mathiowetz, PE
SD DANR-Water Rights Program

REFERENCES:

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AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

SEP 20 2021

WATER RIGHTS
PROGRAM

NATIONAL FIELD ARCHERY ASSOCIATION
800 ARCHERY LANE
YANKTON SD 57078

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

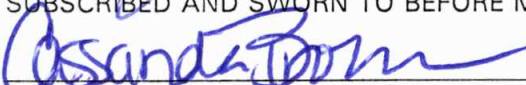
KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
9 + 16 NOTICE OF APPLICATIO

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 16th DAY OF September, 2021
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$39.43 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 09/16/2021

FILED ON: 09/16/2021


SUBSCRIBED AND SWORN TO BEFORE ME THIS 16th DAY OF September, 2021


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 07/04/2026



NOTICE OF APPLICATION NO. 8530-3 to Appropriate Water

RECEIVED

SEP 20 2021

WATER RIGHTS
PROGRAM

Notice is given that the National Field Archery Association Foundation, c/o Bruce Cull, 800 Archery Lane, Yankton SD 57078 has filed an application for a water permit to irrigate 7 additional acres to what is currently authorized by Water Permit Nos. 7225-3 and 8380-3. Permit Nos. 7225-3 and 8380-3 combined appropriate 0.44 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (40 feet deep) located in the SW 1/4 NE 1/4 Section 17 for irrigation of 9 acres located in the W 1/2 NE 1/4 Section 17; all in T93N-R55W. An investigation of the permits found the system capable of diverting 0.256 cfs from the existing well and irrigating an additional 7 acres also located in the W 1/2 NE 1/4 Section 17-T93N-R55W. This application, if approved, and Permit Nos. 7225-3 and 8380-3 will authorize a total diversion rate of 0.256 cfs for irrigation of 16 acres. This site is located on the southeast edge of Yankton SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8530-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.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 this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by September 27, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by September 27, 2021.

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 \$39.43.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, September 7, 2021 9:51 AM
To: Sam Berres
Subject: 8530-3, Nat'l Field Archery Association
Attachments: 8530-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on September 16, 2021 in the Press & Dakotan.

Nat'l Field Archery Association Foundation, c/o Bruce Cull, 800 Archery Lane, Yankton SD 57078 (605 260-9276) 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.**

September 7, 2021

National Field Archery Association Foundation
c/o Bruce Cull
800 Archery Lane
Yankton SD 57078

Dear Mr. Cull:

Water Permit Application No. 8530-3 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 Press & Dakotan printed at Yankton SD (Ph # 605 665-7811). 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 newspaper 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.

Instruction to Newspaper - Publish the Notice on September 16, 2021. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8530-3 to Appropriate Water

Notice is given that the National Field Archery Association Foundation, c/o Bruce Cull, 800 Archery Lane, Yankton SD 57078 has filed an application for a water permit to irrigate 7 additional acres to what is currently authorized by Water Permit Nos. 7225-3 and 8380-3. Permit Nos. 7225-3 and 8380-3 combined appropriate 0.44 cubic feet of water per second (cfs) from one well completed into the Missouri:Elk Point Aquifer (40 feet deep) located in the SW 1/4 NE 1/4 Section 17 for irrigation of 9 acres located in the W 1/2 NE 1/4 Section 17; all in T93N-R55W. An investigation of the permits found the system capable of diverting 0.256 cfs from the existing well and irrigating an additional 7 acres also located in the W 1/2 NE 1/4 Section 17-T93N-R55W. This application, if approved, and Permit Nos. 7225-3 and 8380-3 will authorize a total diversion rate of 0.256 cfs for irrigation of 16 acres. This site is located on the southeast edge of Yankton SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8530-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.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 this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by September 27, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by September 27, 2021.

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.

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**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

8530-3
7225-3
8380-3

OCT 25 2021

National Field Archery Association Foundation
c/o Bruce Cull, President
800 Archery Lane
Yankton SD 57078

Dear Mr. Cull:

Enclosed are Water Permit and License No. 8530-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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, the 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 Nos. 7225-3 and 8380-3 are incorporated into Water License No. 8530-3.

enclosures