

WATER PERMIT NO. 8554-3

Name of Applicant: **Ferdy Zirbel, Zirbel Bros.**

Address: **45202 145th St, Ortley SD 57256** Phone: **605 949-1362**

Amount of Water Claimed: **1.78 cfs** Total Acres: **130**

Source of Water Supply: **groundwater (1 existing and 1 new well)**

Water to be used for: **irrigation** County: **Grant**

Type of Waste Disposal System:

Location: **3 1/2 miles south of Ortley**

PRIORITY Date Received: **10-12-21**

Application/License Fee: **\$ 1050**

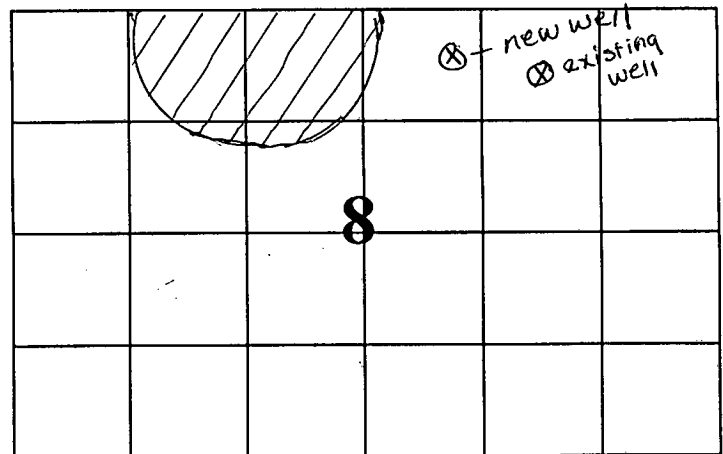
Corrected Application Received: **10-18-21**

Period of Annual Use: **April 1 – Sept 30**

Remarks:

Diversion Point: **existing well NE 1/4 NE 1/4 and
new well NW 1/4 NE 1/4 Sec 8-T121N-R52W**

Land to be Irrigated: **NW 1/4, NW 1/4 NE 1/4 Sec
8-T121N-R52W**



Depth of Well: **60 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **10-19-21**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8554-3**

Date of first receipt of application October 12, 2021.

Date of return to applicant for corrections, amendments or changes October 12, 2021.

Date of receipt of corrected application October 18, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8554-3 to Ferdy Zirbel, 45202 145th St, Ortleby SD 57256 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8554-3 appropriates 1.78 cubic feet of water per second (cfs) from one existing well completed into the Big Sioux North Aquifer and one well to be completed into the Big Sioux North Aquifer (both wells approximately 60 feet deep). The existing well is located in the NE 1/4 NE 1/4 and the proposed well is to be located NW 1/4 NE 1/4, both in Section 8 for irrigation of 130 acres located in the NW 1/4, NW 1/4 NE 1/4 Section 8; all in T121N-R52W. The new well will also be used to irrigate 140 acres located in the NE 1/4 Section 8; W 1/2 NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 9; all in T121N-R52W covered by Water Right No. 7060-3. This site is located approximately three and one half miles south of Ortleby SD.

On January 22, 2022, Ferdy Zirbel filed a request for an additional well to what is authorized by Water Permit No. 8554-3. Upon review of the request and pursuant to SDCL 46-5-13.1, the additional diversion point is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. This does not authorize an increase in diversion rate or number of irrigated acres as specified in Water Permit No. 8554-3.

2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – September 30.
3. The date from which applicant may claim right is October 12, 2021.
4. The date of approval of Permit No. 8554-3 is January 10, 2022.
5. One-fifth of the construction is to be completed on or before July 10, 2024.
6. All construction is to be completed on or before January 10, 2027.
7. Water is to be put to beneficial use on or before January 10, 2031.
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 existing and proposed well approved under Water Permit No. 8554-3 may be located near domestic wells. 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. The proposed well authorized by Permit No. 8554-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 01 2022
date



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

OCT 12 2021

PAID

OCT 12 2021

Ck# 14237

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8554-3</u> (office use only)	Hydrologic Unit <u>10170201</u>	WATER RIGHTS PROGRAM
	Basin <u>Sioux River</u>		
	Newspaper <u>Grant Co Review, Milbank</u>		
	<u>Public Opinion</u>		

Application For Permit To Appropriate Water For Irrigation

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

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit Ferdy Zinbel - ~~Grant Co Review~~ Zinbel Bros.

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

Mailing Address 45202 -145th Ortley SD 57256
(Address) (City) (State) (Zip Code)Phone 605-949-1362 Mobile same Email fszinbel@tnics.com2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 130
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply ground4. Location of point of diversion 1 Existing well Water license No 5746-3
NE 1/4 NE 1/4 (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)well located ~~at~~ New well's NW 1/4 NE 1/4 Sec 8-T121N-R52W County Grant5. County or counties where water will be used Grant6. Annual period during which water is to be used Apr. 1 - September 307. 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
Rest of Section 8	160		
NW 1/4	105		
NW 1/4 NE 1/4	25		
all in Sec 8-T121N-R52W			

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

We plan to construct 1 pivot NW 1/4 of Section 8 using
1 well under the water license No 5746-3 and drilling
well approximately 1000 ft to the west in section 8

I, Ferdy Zinbel Owner, 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 1 Have test holes been drilled ☒ Yes ☐ No Drilled by Weiber Well Drilling
(if yes, please provide copies of logs)b) If existing wells, how many Provide copy of log(s), if available. Drilled by Lee well Drilling

For either Existing or Proposed Wells:

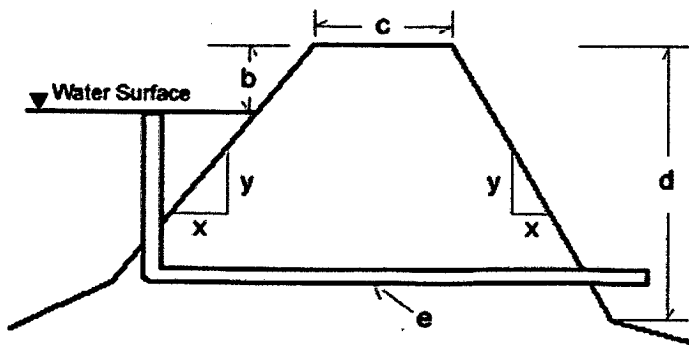
c) Well Depth (required) 60' Depth to Top of Water Bearing Material 50 Depth to Water from Surface 10'd) Distance to nearest domestic well on applicant's property 1 mile Property owned by others **2. Wastewater Disposal System Information**a) Type of System (i.e. septic tank, drain field) b) System Capacity (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 Feetj) Drainage Area Above Dam Acres

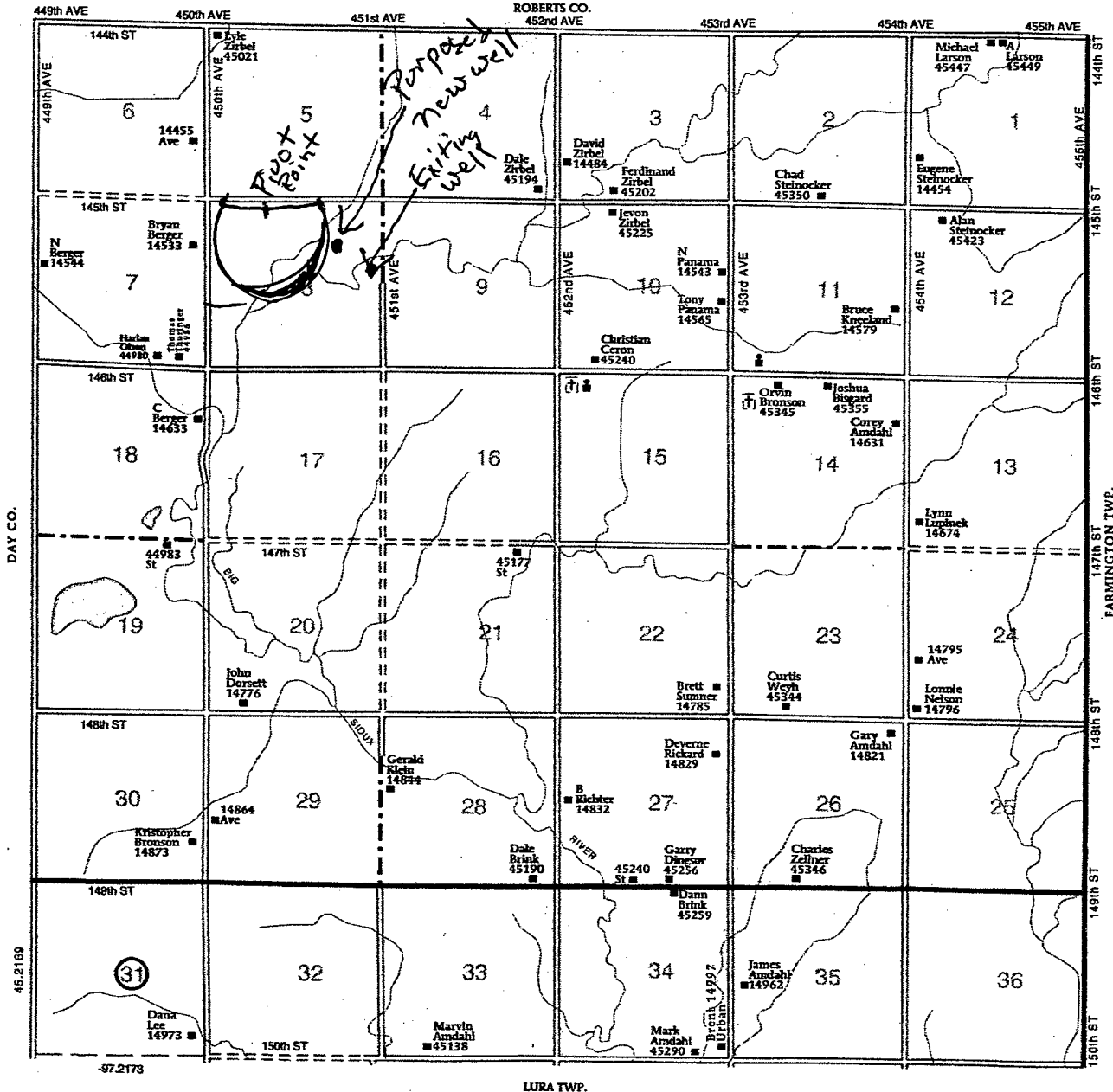
Please turn to the **DISTRICT MANAGER** Page in
this book to see how you can receive your
FREE DIGITAL FLIP BOOKS

T-121-N

BLOOMING VALLEY DIRECTORY

R-52-W

(Residents - Owners or Partners)



121N 52W
Section: 06

121N 52W
Section: 05

121N 52W
Section: 04

121N 52W
Section: 07

121N 52W
Section: 08

121N 52W
Section: 09

121N 52W
Section: 18

121N 52W
Section: 17

121N 52W
Section: 16

x Proposed
New Well
Existing Well



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date October 12, 2021

RECEIVED OF Zirbel Farms 45202 145st St., Ortley SD 57256

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

Fee for Application for Permit No. <u>8554-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>850.00</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. <u>8554-3</u>	\$ <u>200.00</u>
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>1050.00</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

October 19, 2021

RECEIVED

OCT 18 2021

WATER RIGHTS
PROGRAM

Ferdy Zirbel
45202 145th St
Ortley SD 57256

Dear Mr. Zirbel:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Grant County. To complete the application, the following needs to be clarified and returned.

- Item No. 2 on the application lists Total Acreage 130 - acres. Item No. 7 lists irrigation of the NW 1/4 Section 8 – 160 acres. How many acres will the proposed pivot cover? *Pivot will cover 130 acres.*
- Enclosed is the aerial photo map for the location of the irrigation. On the map, outline the acreage to be irrigated and please mark the proposed new well location with an "X".
- From the map submitted with your application, it appears the area to be irrigated is located in the NW 1/4 and a portion of the NW 1/4 NE 1/4 Section 8-T121N-R52W. Do you agree?

If you have any questions, please contact me. *Yes.*

Sincerely,

Karen Schlaak

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

enclosures

Water Rights Program - File Documentation

NAME: Ferdy Zirbel

ADDRESS: Ortley SD

DATE: 11-8-21

RE: Pending application

COMMENTS:

Talked with Ferdy Zirbel who indicated it was their intention to have both the proposed well and the existing well authorized by Water Right No. 7060-3 to be connected. They would like to be able to irrigate the existing lands authorized by Water Right No. 7060-3 and the new lands from both wells.



Karen Schlaak
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. 8554-3, Zirbel Bros.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 8554-3, Zirbel Bros., 45202 145th St, Ortleby SD 57256.

The Chief Engineer is recommending APPROVAL of Application No. 8554-3 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 existing and proposed well approved under Water Permit No. 8554-3 may be located near domestic wells. 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. The proposed well authorized by Permit No. 8554-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
December 15, 2021

**REPORT TO THE CHIEF ENGINEER
WATER PERMIT APPLICATION NO. 8554-3
ZIRBEL BROTHERS
DECEMBER 9, 2021**

Water Permit Application No. 8554-3 proposes to appropriate water at a maximum instantaneous diversion rate of 1.78 cubic feet per second (cfs) of water from one existing well and one well to be completed, both approximately 60 feet-deep, into the Big Sioux: North aquifer. As per Figure 1, the existing well is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the proposed well is to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for the irrigation of 130 acres located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; all in Section 8, T121N-R52W. The proposed well will also be utilized to irrigate 140 acres, authorized under Water Right No. 7060-3, located in the NE $\frac{1}{4}$ Section 8; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9; all in T121N-R52W. The site is in Grant County, approximately 3.5 miles south of Ortl, SD.

AQUIFER: Big Sioux: North (BS: N)

Aquifer Characteristics

The Big Sioux: North aquifer is composed of surficial outwash that ranges from medium sand to medium gravel usually found in the flood plain of the Big Sioux River and its tributaries (Hansen, 1990). The aquifer is hydraulically connected to lakes in the area, such as Pelican Lake, Lake Kampeska, and Still Lake, as well as the Big Sioux River and its tributaries (Hansen, 1990; Putnam & Thompson, 1996). Hedges et al., (1982) estimated that the Big Sioux: North aquifer underlies approximately 83,500 acres in Codington, Grant, Hamlin, Roberts, and Day counties and contains an estimated 187,880 acre-feet (ac-ft) of recoverable water in storage. Stonesifer (2013) used several studies to refine the delineation of the aquifer to an estimated areal extent of approximately 111,700 acres.

The well completion report (Water Rights, 2021a) on file for Water Right No. 7060-3 indicates one foot of topsoil overlying sand. The sand changes from yellow to a darker color after 15 feet. At 50 feet, the sand exhibits a lighter color and a coarser grain size. At 66 feet, a light-colored clay is encountered. The well is screened at an interval between 45 – 65 feet and had a static ground water surface measured 8 feet, at the time of completion in October 2008, below ground surface. The aquifer is under water-table conditions this location.

Within one mile of the proposed diversion point for this application, the Big Sioux: North aquifer has saturated aquifer thickness ranging from 30 to 58 feet with an average of 49 feet, a depth to the top of aquifer ranging from approximately 1 to 25 feet, with an average of 6 feet below ground surface, and static water levels at well completion (1997 – 2014) and varying from 6 to 12 feet, with an average of 8 feet below the ground surface (Water Rights 2021a and 2021b).

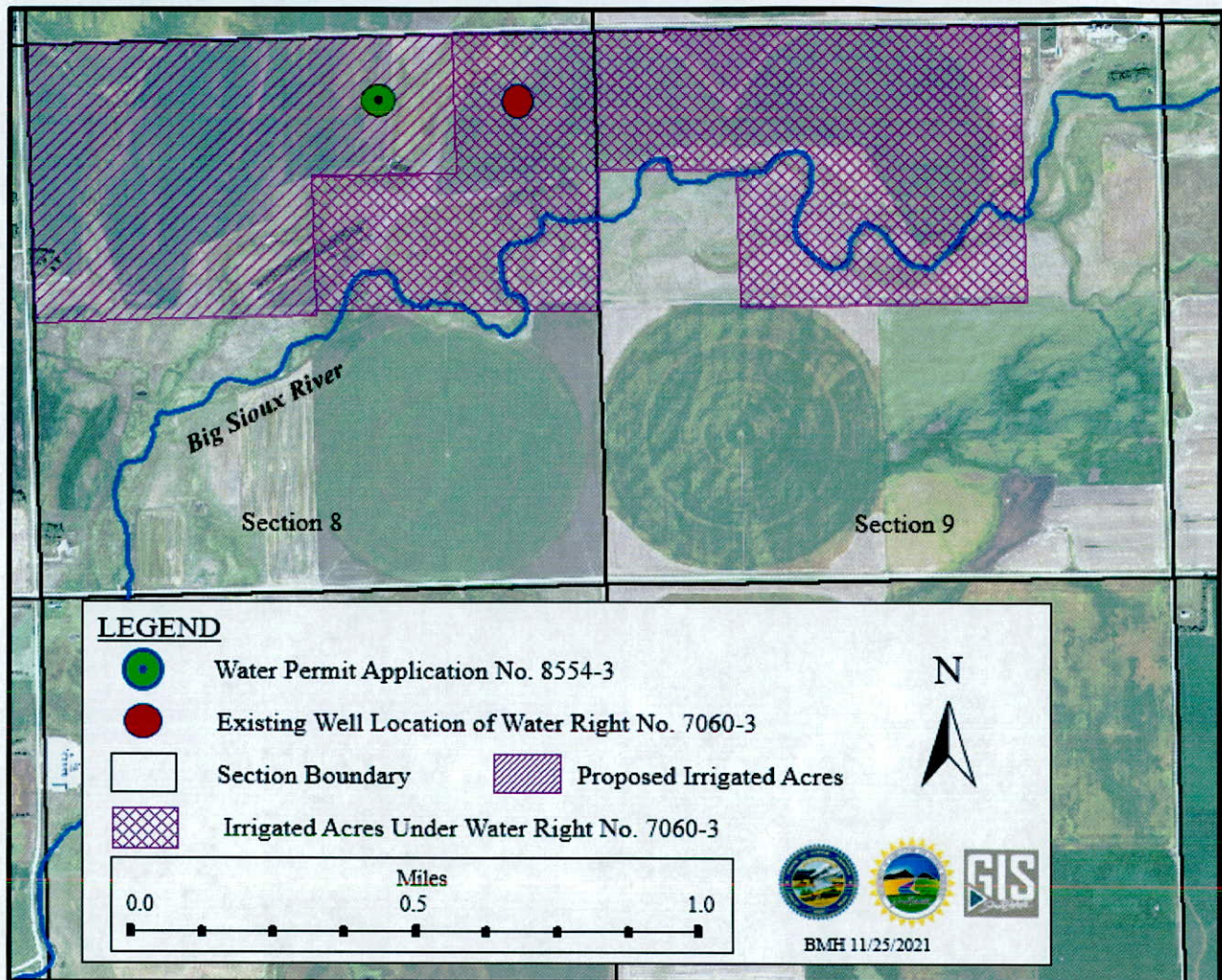


Figure 1. Water Permit Application No. 8554-3 shown in relation to Water Right No. 7060-3 (Water Rights, 2021a).

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

Pursuant to SDCL 46-2A-9, a permit to appropriate water may only be issued if there is reasonable probability that unappropriated water is available for the applicant's proposed use, the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, the proposed use is a beneficial use, and the permit is 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 Big Sioux: North aquifer.

WATER AVAILABILITY

Water Permit Application No. 8554-3 proposes to appropriate water from the Big Sioux: North 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 as defined in SDCL 46-1-6(17) 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:

Recharge to the aquifer is from infiltration of precipitation and seepage from lakes, ponds, streams, and rivers when water levels in those sources are higher than the aquifer water levels (Putnam & Thompson, 1996). Table 1 contains several estimates for recharge rates to the Big Sioux aquifer applied to the areal extent of the Big Sioux: North aquifer (Hedges et al., 1985). Combining the lowest and highest recharge rates listed for the Big Sioux aquifer results in a range from 2.7 to 6.5 inches/per (in/yr). Applying this range over the 111,700 acre areal extent Big Sioux: North aquifer estimated by Stonesifer (2013) results in an estimated average annual recharge range of 25,132 to 60,504 acre-feet/year (ac-ft/yr) for the Big Sioux: North aquifer. An annual recharge value of 29,787 ac-ft/yr is achieved for the Big Sioux: North aquifer when applying the Hedges et al. (1985) recharge value of 3.2 in/yr, specific to the Big Sioux: North aquifer, to the areal extent of 111,700 acres as estimated by Stonesifer (2013).

Table 1. Recharge rates to Big Sioux aquifer (Hedges et al., 1985).

Analysis Method	Inches/year	Recharge ^a (ac-ft/yr)	Comments
Base Flow recession	6.5	60,504	Average of all management units in Basin
Observation well	2.7 - 5.6	25,132 – 52,127	Range of all management units
Observation well	3.2	29,787	Value specific to Big Sioux: North
a - determined from Big Sioux: North areal extent of 111,700 acres from Stonesifer (2013)			

Discharge:

Discharge from the Big Sioux: North aquifer occurs through evapotranspiration, well withdrawals, and outflow to hydraulically connected surface water (Hansen, 1990). Currently, there are 103 water rights/permits (38 non-irrigation, 62 irrigation, and 3 Future Use) appropriating water from the Big Sioux: North aquifer (Water Rights, 2021a).

The total estimated volume of water to be withdrawn from non-irrigation permits can be determined by assuming that water rights/permits limited by an annual volume will pump the entire appropriated volume annually or that water rights/permits not limited by annual volume will pump at the maximum permitted diversion rate 60 percent of the time. Additionally, if permits are required to submit annual usage amounts to DANR, the average of this actual usage is utilized for their estimated volume. A summary of the 35 non-irrigation water rights/permits, not required to report annual usage, are listed in Table 2. A summary of 3 non-irrigation permits required to report annual usage are listed in Table 3 (Water Rights, 2007-2020).

Table 2. Non-irrigation permits, not required to report annual usage, with estimated annual volume usage (Water Rights, 2021a).

Use ^a	No. of Water Rights/Permits	Permitted Diversion rate (cfs)	Permitted Annual Volume (ac-ft/yr)	Expected Annual Use (ac-ft/yr)
MUN	13	11.70	1,160	6,246
IND	5	3.81	N/A	1,657
RWS	1	2.44	N/A	1,061
COM	15	2.38	41	1,075
SHD	1	0.08	N/A	35
Total:	35	20.41	1,201	10,074
a - MUN: Municipal; IND: Industrial; RWS: Rural Water System; COM: Commercial; SHD: Suburban Housing Development				

Table 3. Non-irrigation permits, required to report annual usage, with estimated annual volume usage (Water Rights, 2007-2020).

Year	6595-3 (RWS)	6856-3, 7055-3 (MUN)
2007	44	4,052
2008	127	468
2009	164	3,726
2010	143	1,918
2011	143	1,918
2012	108	2,528
2013	127	4,095
2014	136	2,233
2015	140	2,728
2016	156	2,055
2017	150	2,222
2018	124	3,295
2019	137	2,800
2020	110	3263
average (ac-ft/yr)	129	2,664
RWS: Rural Water Supply; MUN: Municipal		

Well withdrawals from the Big Sioux: North aquifer are also for irrigation use with actual pumpage from the aquifer reported to the DNR-Water Rights Program through annual irrigation questionnaires. Currently, there are 62 irrigation water rights/permits in the Big Sioux: North aquifer (Water Rights, 2021a). Historically, the average annual reported pumping for the entire Big Sioux: North aquifer is approximately 2,399 ac-ft/yr (Water Rights, 1979-2020). Figure 2 shows the historical reported irrigation usage for the Big Sioux: North aquifer.

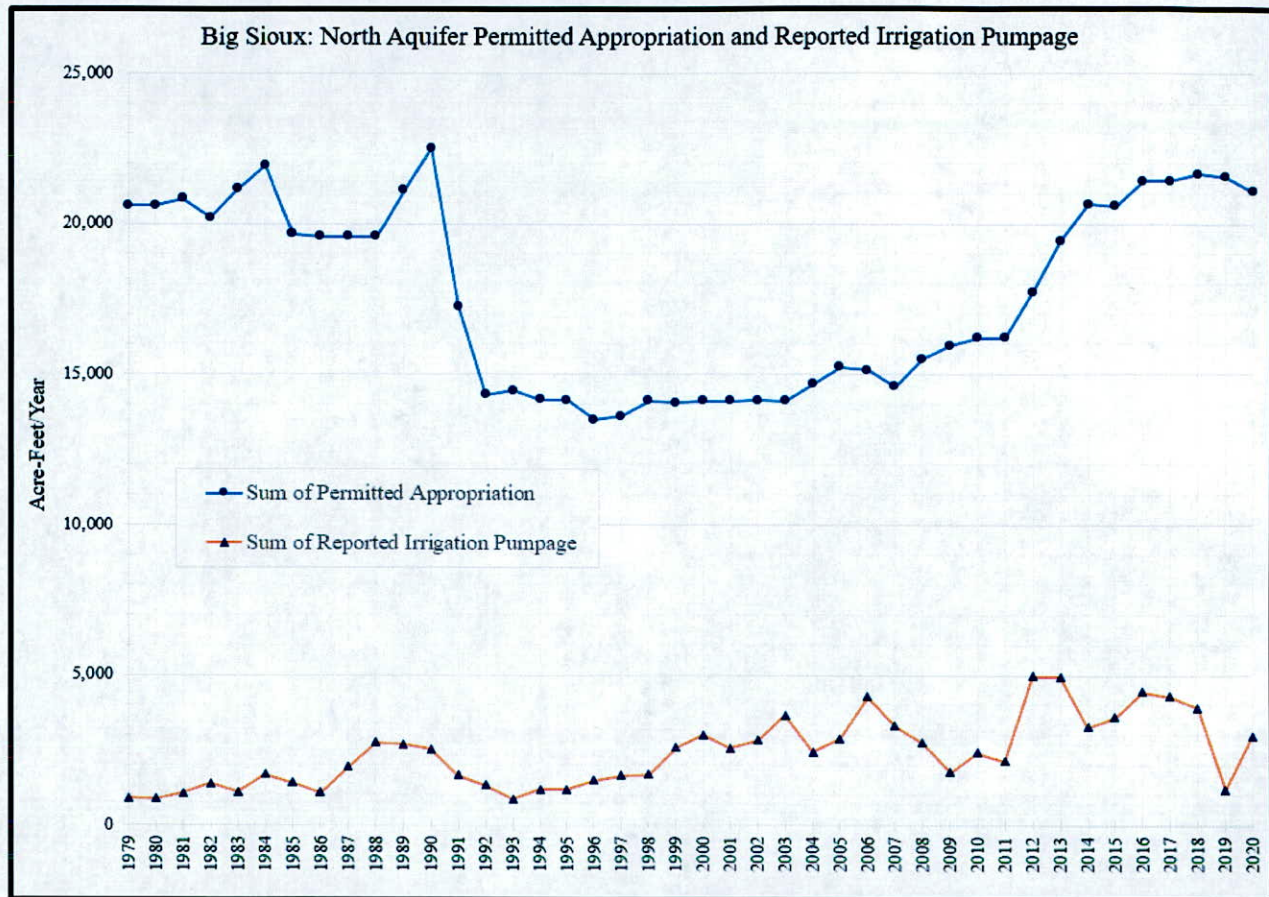


Figure 2. Comparison of permitted appropriation to reported irrigation pumpage for the Big Sioux: North aquifer (Water Rights, 1979-2020).

There are three future use permits appropriating water from the Big Sioux: North aquifer. The future use areas are all in Codington County and held by the City of Watertown (Permit Nos. 1218-3, 2107-3, and 5862-3). These permits have combined reservation of 3,469 ac-ft/yr of water.

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

Water Balance:

The average annual withdrawal rate from the entire Big Sioux: North aquifer is 18,735 ac-ft/yr (non-irrigation: 12,867; irrigation: 2,399; future use: 3,469). The estimated annual recharge ranges from 25,132 to 60,504 ac-ft/yr for the Big Sioux aquifer and 29,787 ac-ft/yr for the Big Sioux: North portion of the aquifer. The expected use of 130 ac-ft/yr (irrigating 130 acres with an average application rate of 1 foot per acre) by this application does not result in an exceedance of the minimum recharge rate compared to the annual withdrawal for the Big Sioux:

North. Therefore, there is reasonable probability unappropriated water is available for this application.

Observation Well Data

Administrative Rule of South Dakota 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 29 observation wells completed into the Big Sioux: North aquifer (Water Rights, 2021c). Figures 3 through 5 are hydrographs for the observation wells within 3.5 miles of the proposed application location. The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing. They are representative of the hydrographs for the other observation wells completed into the Big Sioux: North aquifer. The hydrographs show the water level of the aquifer is 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. This recovery indicates that climatic conditions (the natural effects of recharge to and discharge from the aquifer) govern the long-term fluctuations of the water level rather than the impacts of pumping from the Big Sioux: North aquifer. This indicates that there is a reasonable probability that unappropriated water available in this aquifer.

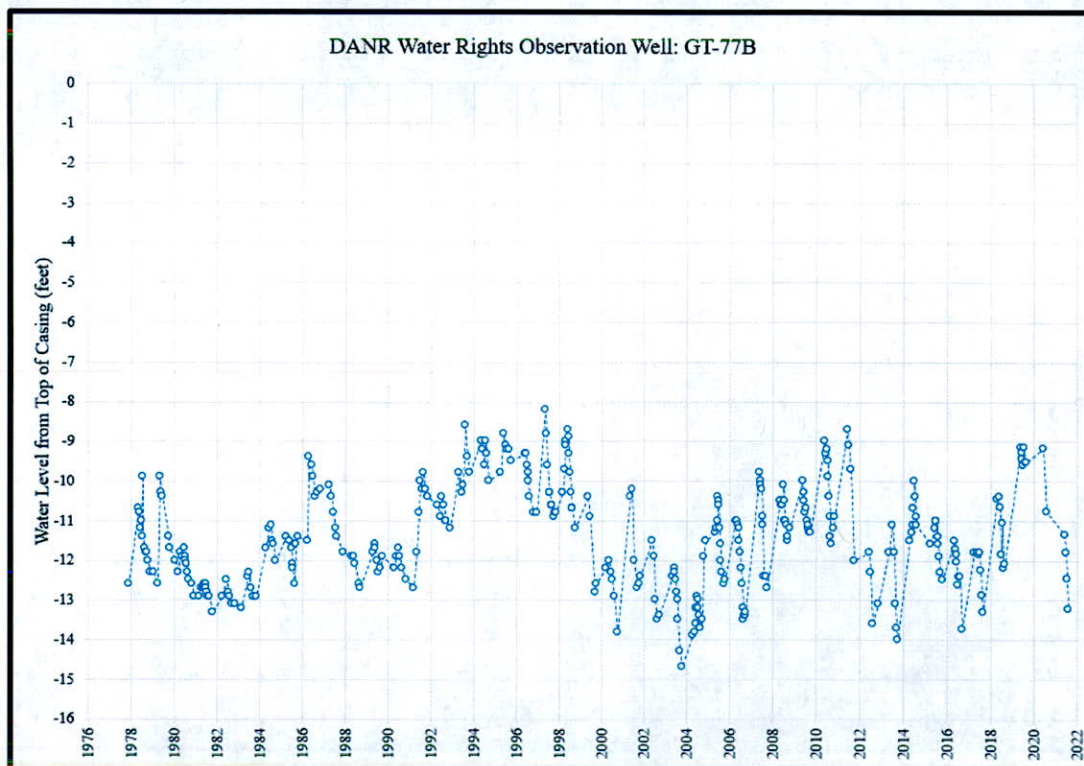


Figure 3. Hydrograph for observation well GT-77B. It is approximately 0.9 miles south of the proposed well location for Water Permit Application No. 8554-3 (Water Rights, 2021c).

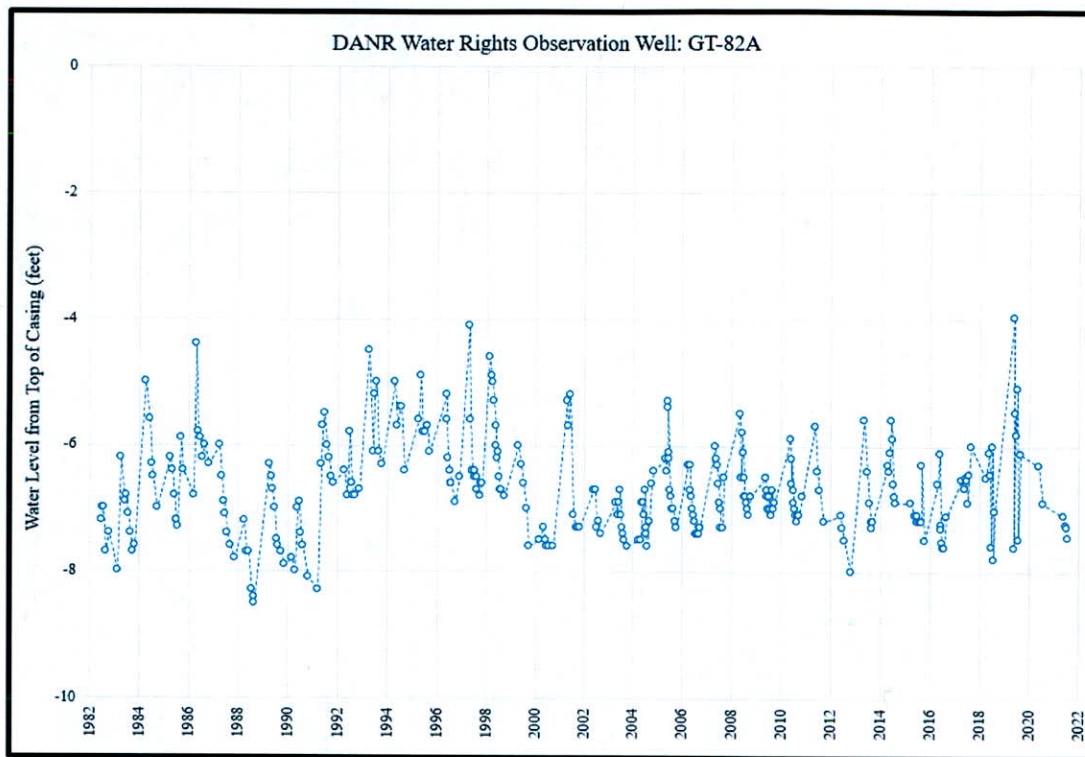


Figure 4. Hydrograph for observation well GT-82A. It is approximately 3.5 miles east of the proposed well location for Water Permit Application No. 8554-3 (Water Rights, 2021c).

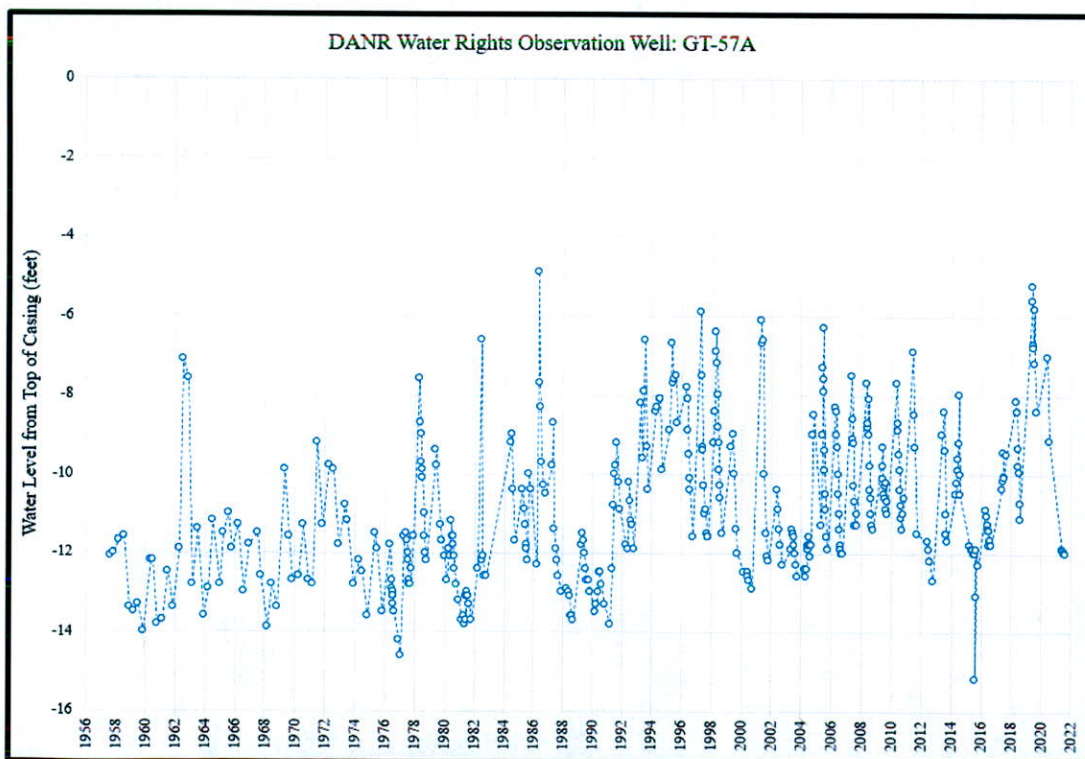


Figure 5. Hydrograph for observation well GT-57A. It is approximately 3.5 miles east of the proposed well location for Water Permit Application No. 8554-3 (Water Rights, 2021c).

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS

Currently, there are a total of 103 water rights/permits, (62 irrigation, 38 non-irrigation, and 3 future use), appropriating water from the Big Sioux: North aquifer (Water Rights, 2021a). The closest water right is No. 7060-3, an irrigation permit held by Zirbel Dairy Farms, approximately 0.2 miles east of the proposed well location. Zirbel Dairy also maintains 3 additional permits within 0.7 miles of the proposed location. The closest water right/permit, not held by the applicant, is No. 6098-3, maintained by Cheryl Berger, and is located 0.7 miles to the southeast of this application. Table 4 lists the water rights/permits shown in Figure 6 located within 2 miles of the proposed well location.

There are numerous domestic wells on file with the DANR-Water Rights Program with the closest being approximately 0.5 miles south of the proposed well site (Water Rights 2021b). There are also several domestic wells within approximately one mile of the well site proposed by this application that appear to be completed into the Big Sioux: North aquifer (Water Rights, 2018c). Additionally, there may be domestic wells completed into the Big Sioux: North aquifer that are not on file with the DANR-Water Rights Program. 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.

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”.

There have been numerous complaints concerning the adverse effects of irrigation pumpage capturing water intended for dugouts collecting water from the Big Sioux: North aquifer in Grant County (Water Rights, 2021d). Investigations, conducted by DANR staff, concluded that dugouts are not considered adequate wells and not afforded protection under ARSD 74:02:04:20(7).

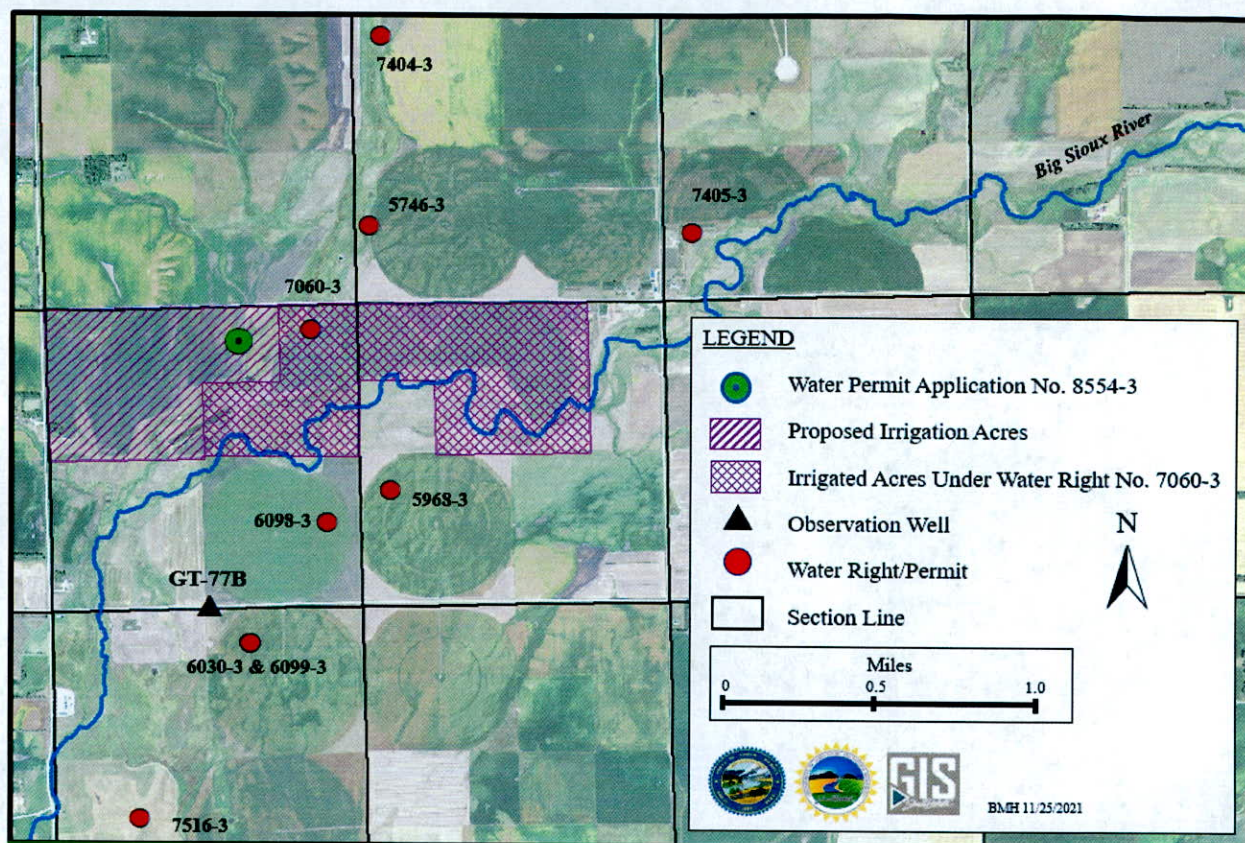


Figure 6. Existing Big Sioux: North aquifer water rights/permits in the vicinity of Water Permit Application No. 8554-3 (Water Rights 2021a, Water Rights 2021c).

Table 4. Water rights/permits shown in Figure 5 (Water Rights, 2021a).

Permit Number	Name	Rate (cfs)	Acres	Use ^a	Status ^a	County ^a
5746-3	ZIRBEL DAIRY	2.00	247	IRR	LC	GT
5968-3	DON ENDRES	2.11	132			
6030-3	ENDRES FAMILY TRUST	2.12	132			
6098-3	CHERYL BERGER	2.00	110			
6099-3	ENDRES FAMILY TRUST	2.11	132			
7060-3	ZIRBEL DAIRY	1.78	140			
7404-3	ZIRBEL DAIRY	1.78	240			
7405-3	ZIRBEL DAIRY	2.45	192			
7516-3	DAVID ZUBKE	2.00	145			

a - IRR: Irrigation; LC: Licensed Water Right; GT: Grant County

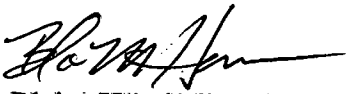
The Big Sioux: North aquifer is a relatively thin aquifer in some locations with a limited amount of water in storage. While the average annual withdrawal would not exceed average annual recharge to the aquifer, conditions may occur when withdrawal exceeds recharge. When this occurs, water will be removed from storage reducing the saturated thickness of the aquifer. If the saturated thickness is reduced to the extent that water rights/permits can no longer pump at their developed or “historically established” diversion rates, this may be considered an adverse impact. If approved, the water permit should include a qualification that the well owner should

control their withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

When considering that drawdown from pumping does not extend far from the pumping well in an unconfined aquifer, an average of 49 feet of saturated thickness for the aquifer in this area, the hydrographs of nearby observation wells not showing detrimental impact of pumping, and the lack of well interference complaints for adequate wells due to pumping in Grant County, there is reasonable probability that the proposed diversion can be developed without unlawfully impairing existing appropriative or domestic water users with adequate wells.

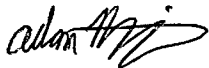
CONCLUSIONS:

1. Water Permit Application No. 8554-3 proposes to appropriate water at a maximum instantaneous diversion rate of 1.78 cubic feet per second (cfs) of water from one existing well and one well to be completed, both approximately 60 feet-deep, into the Big Sioux: North aquifer. The existing well is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the proposed well is to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for the irrigation of 130 acres located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; all in Section 8, T121N-R52W.
2. The proposed well will also be utilized to irrigate 140 acres, authorized by Water Right No. 7060-3, located in the NE $\frac{1}{4}$ Section 8; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9; all in T121N-R52W.
3. Based on the hydrologic budget for the Big Sioux: North aquifer, there is reasonable probability unappropriated water is available for this proposed water use.
4. There is a reasonable probability the diversion 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
SD DANR-Water Rights Program

REFERENCES:

- Hansen, D. S. 1988. *Appraisal of the Water Resources of the Big Sioux Aquifer, Moody County, South Dakota; Water-Resources investigation Report 87-4057*. Huron, South Dakota: U.S. Geological Survey.
- Hansen, D. S. 1990. *Water Resources of Codington and Grant Counties, South Dakota; Water-Resources Investigation Report 89-4147*. Huron: U.S. Geological Survey.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. *Evaluation of Ground-water Resources in Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report*. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Allen, J., Holly D.E., 1985, *Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge*. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Putnam, L. D., & Thompson, R. C. (1996). *Appraisal of the water resources of the Big Sioux aquifer, Codington and Grant Counties, South Dakota: Water-Resources Investigations Report 96-4275*. Rapid City: U.S. Geological Survey.
- Stonesifer, J. R. (2013). *Report to the Chief Engineer Water Permit Application No. 7857-3: Casey and April Johnston*. Pierre, South Dakota: SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. (1979-2020). *Irrigation Questionnaires*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. (2007-2020). *Non-Irrigation Water Use Data*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2021a. *Water Right/Permit Files*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2021b. *Well Completion Reports*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2021c. *Observation Well Files*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights. 2021d. *Grant County Files*. SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, January 20, 2022 11:11 AM
To: fszirbel@tnics.com
Subject: map
Attachments: 2432.pdf

Here is a copy of the map submitted with Water Permit No. 8554-3. Send us a letter requesting the additional well. You need to state that you are not requesting any additional water. Just explain what you told me about the well drillers suggestion. Mark the proposed location of the 2nd well on the map.

Karen Schlaak

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



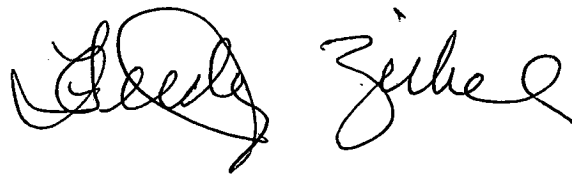
Requesting permission to drill an additional well,
adjacent north of the purposed well under water right
permit NO. 8554-3. No more water is requested.

RECEIVED

JAN 24 2022

PETROLEUM RELEASE FUND

Thankyou

A handwritten signature in black ink, appearing to read "David Ziehl". The signature is written in a cursive style with a large loop for the 'D' and a long, sweeping tail for the 'Z'.

121N 52W
Section: 06

121N 52W
Section: 05

121N 52W
Section: 04

121N 52W
Section: 07

121N 52W
Section: 08

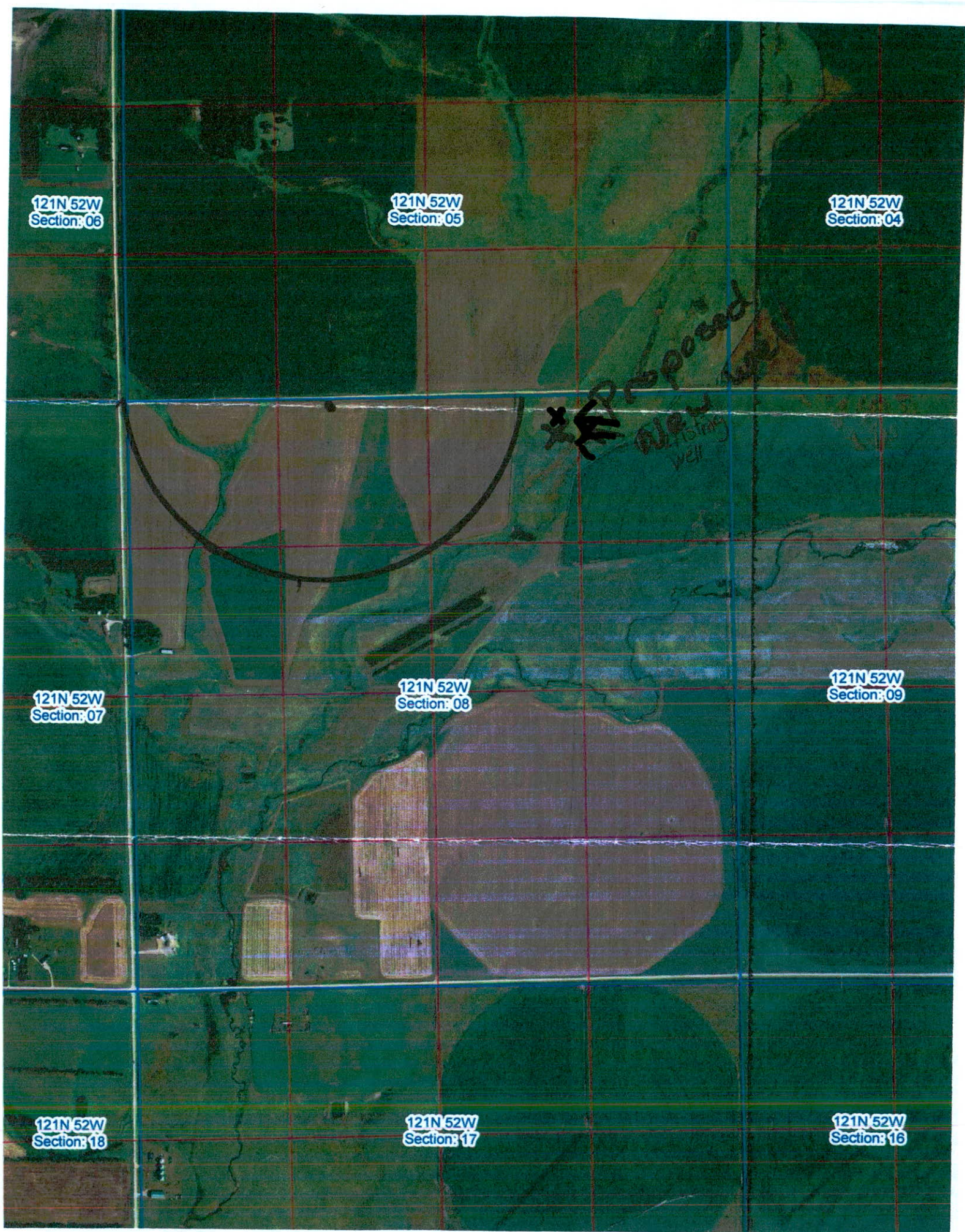
121N 52W
Section: 09

121N 52W
Section: 18

121N 52W
Section: 17

121N 52W
Section: 16

*Proposed
New
Monitoring
Well*



Approval of Change or Addition of Diversion Point

NAME: Ferdy Zirbel

ADDRESS: 45202 145th Street, Ortley, SD, 57256

DATE: January 27, 2022

COUNTY: Grant

TELEPHONE: 605-949-1362

GENERAL DESCRIPTION OF AUTHORIZED PROJECT:

This additional diversion point request is for Water Permit No. 8554-3, with a priority date of 10/12/2021, authorizing diversion of 1.78 cfs from one existing well and one proposed well to irrigate 130 acres plus another 140 acres authorized under Water Right No. 7060-3. Water is obtained from the Big Sioux: North aquifer. Water Permit No. 8554-3 was approved January 10, 2022, and is awaiting issuance at the time of this review.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed, or additional diversion points may be licensed, provided the following conditions are met and the change does not increase the potential for interference with other existing diversions:

- **Developed water source same as permitted source and no additional water appropriated**

The permit holder proposes to add a diversion point by installing a second proposed well (approximately 60 feet deep) just north of the proposed well in the NW ¼ NE ¼ Section 8, T121N-R52W. The water source for the additional proposed well remains the Big Sioux: North aquifer and no additional water is requested for appropriation.

- **If irrigation, no new land is irrigated**

The 130 acres authorized under No. 8554-3 and the 140 acres authorized under No. 7060-3 will remain the same. Therefore, same permitted acreage will be irrigated.

- **Review of Existing Diversions**

There are currently 103 water right/permits appropriating water from the Big Sioux: North aquifer. The closest water right is No. 7060-3, an irrigation permit held by Zirbel Dairy Farms, approximately 0.2 miles east of the proposed well location. Zirbel Dairy also maintains 3 additional permits within 0.7 miles of the proposed location. The closest water right/permit, not held by the applicant, is No. 6098-3, maintained by Cheryl Berger, and is located 0.7 miles to the southeast of this application. Since there is no increase in diversion rate and irrigated acres from what is authorized by Water Permit No. 8554-3 and, no history of complaints associated with existing Water Right No. 7060-3, there is reasonable probability that this addition of a second diversion point will not adversely or unlawfully impair existing rights.

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, December 20, 2021 9:23 AM
To: fszirbel@tnics.com
Subject: Water Permit Application No. 8554-3
Attachments: 8554-3.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(s) 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>

Called Mr. Birken also



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JAN 20 2022

WATER RIGHTS

PO Box 630567 Cincinnati, OH 45263-0567

LOCALiQ

Aberdeen News
Watertown Public Opinion

PROOF OF PUBLICATION

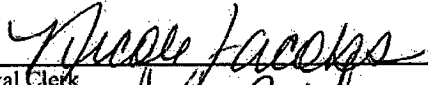
Ferdy Zirbel
Zirbel Bros., c/o Ferdy Zirbel
45202 145th ST
Ortley SD 57256-5117

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

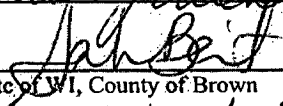
The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper in the issue dated:

12/29/2021

and that the fees charged are legal.
Sworn to and subscribed before on 12/29/2021



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$51.48

Order No: 6678875

of Copies:

Customer No: 657152

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin

NOTICE OF
APPLICATION NO. 8554-3
to Appropriate Water

Notice is given that Zirbel Bros., c/o Ferdy Zirbel, 45202 145th St, Ortleby SD 57256 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one existing well completed into the Big Sioux North Aquifer and one well to be completed into the Big Sioux North Aquifer (both wells approximately 60 feet deep). The existing well is located in the NE 1/4 NE 1/4 and the proposed well is to be located NW 1/4 NE 1/4, both in Section 8 for irrigation of 130 acres located in the NW 1/4, NW 1/4 NE 1/4 Section 8; all in T121N-R52W. The proposed well will also be used to irrigate 140 acres located in the NE 1/4 Section 8; W 1/2 NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 9; all in T121N-R52W covered by Water Right No. 7060-3. This site is located approximately three and one half miles south of Ortleby SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8554-3 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 January 10, 2022.

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 January 10, 2022.

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 \$51.48.
Dec. 29, 2021 #6678875

Printer's Affidavit of Publication

RECEIVED

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

JAN 03 2022

WATER RIGHTS
PROGRAM

Debbie Hemmer

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Grant County Review, Inc., and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, Co-owner of said newspaper, in charge of the accounts receivable department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of Application No. 8554-3 to Appropriate

Water, Zirbel Bros

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

<u>December 29</u>	<u>20</u>	<u>21</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>

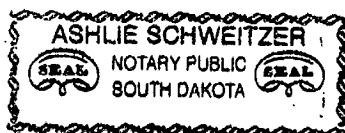
That \$ 40.98, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Debbie Hemmer

Subscribed and sworn to before me this 29th day of Dec 20 21

Ashlie Schweitzer
Notary Public, Grant County, South Dakota

My Commission Expires:
September 21, 2027



Publication Fee \$ 40.98
Notarial Fee \$
Total \$ 40.98

NOTICE OF APPLICATION

NO. 8554-3 to Appropriate Water

Notice is given that Zirbel Bros., c/o Ferdy Zirbel, 45202 145th St, Ortle SD 57256 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one existing well completed into the Big Sioux North Aquifer and one well to be completed into the Big Sioux North Aquifer (both wells approximately 60 feet deep). The existing well is located in the NE 1/4 NE 1/4 and the proposed well is to be located NW 1/4 NE 1/4, both in Section 8 for irrigation of 130 acres located in the NW 1/4, NW 1/4 NE 1/4 Section 8; all in T121N-R52W. The proposed well will also be used to irrigate 140 acres located in the NE 1/4 Section 8; W 1/2 NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 9; all in T121N-R52W covered by Water Right No. 7060-3. This site is located approximately three and one half miles south of Ortle SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8554-3 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.

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Printer's Affidavit of Publication
and Attorney's Affidavit Ex-Rel. Fees

In _____ Court

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

}
ss.

Filed in the office of _____

on the

day of _____, 20__

Attorney for _____

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.

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Polished once at an approximate cost of \$40.98.

NOTICE OF APPLICATION NO. 8554-3 to Appropriate Water

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Published once at the total approximate cost of _

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, December 20, 2021 8:53 AM
To: Watertown Public Opinon (legals@thepublicopinion.com)
Subject: 8554-3, Zirbel Bros.
Attachments: 8554-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on December 29, 2021.

Zirbel Bros., c/o Ferdy Zirbel, 45202 145th St, Ortley SD 57256 (605 949-1362) 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>



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, December 20, 2021 8:52 AM
To: Julie Madison, Grant County Review (gcreview@itcmilbank.com)
Subject: 8554-3, Zirbel Bros.
Attachments: 8554-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on December 29, 2021.

Zirbel Bros., c/o Ferdy Zirbel, 45202 145th St, Ortleby SD 57256 (605 949-1362) has been notified to contact you to authorize publication and arrange for payment.

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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 NEWSPAPERS RIGHT AWAY.**

December 20, 2021

Zirbel Bros.
Ferdy Zirbel
45202 145th St
Ortley SD 57256

Dear Mr. Zirbel:

Water Permit Application No. 8554-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Grant Co. Review printed at Milbank (Ph # 605 432-4516) and the Public Opinion printed at Watertown (Ph # 605 886-6901). You will need to contact the newspapers 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 papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have 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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAR 01 2022

Ferdy Zirbel
45202 145th St
Ortley SD 57256

Dear Mr. Zirbel:

Enclosed is Water Permit No. 8554-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Please note that your request dated January 22, 2022, for an additional well to what is authorized by Water Permit No. 8554-3 was granted and included on the 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