

WATER PERMIT NO. 8583-3

Name of Applicant: Leesman Ranch

Address: 19607 315th Ave, Blunt SD 57522

Phone: 605 280-6065

Amount of Water Claimed: 6.67 cfs

Total Acres: 680

Source of Water Supply: dugouts and groundwater (2 existing wells & 8 new wells)

Water to be used for: irrigation

County: Sully

Type of Waste Disposal System:

Location: 13 southeast of Onida

PRIORITY

Date Received: 1-20-22

Application/License Fee: \$ 1950

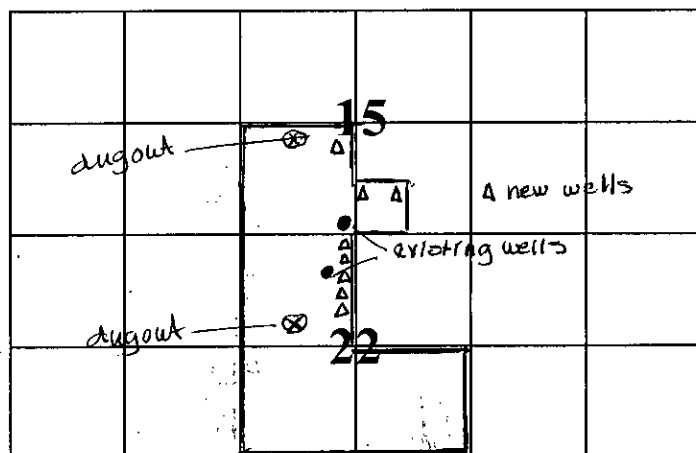
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: dugouts – N 1/2 SW 1/4 Sec 15, S 1/2 NW 1/4 Sec 22; existing wells – SE 1/4 SW 1/4 Sec 15, NE 1/4 NW 1/4 Sec 22; Proposed wells – NE 1/4 SE 1/4, SW 1/4 SE 1/4 Sec 15 and E 1/2 NW 1/4 Sec 22; all in T113N-R75W

Land to be Irrigated: S 1/2 Sec 15, W 1/2, NW 1/4 Sec 22; all in T113N-R75W



Depth of Well: 34 feet

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 1-24-22

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8583-3**

Date of first receipt of application January 20, 2022.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8583-3 to Leesman Ranch, c/o Leigh Leesman, 19607 315th Ave, Blunt SD 57522 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. 8583-3 appropriates 6.67 cubic feet of water per second from two dugouts located in the N 1/2 SW 1/4 Section 15, S 1/2 NW 1/4 Section 22; two existing wells located in the SE 1/4 SW 1/4 Section 15, NE 1/4 NW 1/4 Section 22; and up to eight proposed wells located in the NE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 15 and E 1/2 NW 1/4 Section 22; all in T113N-R75W. The existing and new wells are/or will be completed into the Highmore Blunt Aquifer (approximately 34 feet deep) for irrigation of 680 acres located in the SW 1/4, SW 1/4 SE 1/4 Section 15; S 1/2, NW 1/4 Section 22; all in T113N-R75W. This site is located approximately 13 miles southeast of Onida 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: April 1 – October 31.
3. The date from which applicant may claim right is January 20, 2022.
4. The date of approval of Permit No. 8583-3 is April 4, 2022.
5. One-fifth of the construction is to be completed on or before October 4, 2024.
6. All construction is to be completed on or before April 4, 2027.
7. Water is to be put to beneficial use on or before April 4, 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 wells and dugouts approved under Water Permit No. 8583-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals 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 wells authorized by Permit No. 8583-3 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

APR 28 2022
date



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

RECEIVED

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8583-3</u>	(office use only) Hydrologic Unit <u>10146103</u>	JAN 20 2022 WATER RIGHTS PROGRAM
	Basin <u>Missouri River</u>		
	Newspaper <u>Onida Watchman</u>		
	<u>Plainsman</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 of Applicant Leesman Ranch Phone 280-6065
(check one) Owner ☐ Tenant/lessee ☐
Mailing Address 19607 31st Ave Blunt SD 57522
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 6.67 *CFS or 3000 **GPM ***AF Total Acreage 680
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply 2 Dugouts and up to 8 new wells & 2 existing wells
4. Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Sully
Dugout - Northern most 20 AC SW 1/4 S 1/2 NW 1/4 Sec 22
existing wells - SE 1/4 SW 1/4 Sec 15; NE 1/4 NW 1/4 Sec 22; Proposed wells - NE 1/4 SW 1/4,
5. County or counties where water will be used Sully SW 1/4 SE 1/4 Sec 15; and E 1/2 NW 1/4 Sec
6. Annual period during which water is to be used April 1 - Oct 31 22; all in T113N-R75W
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>S 1/2 15-113-75</u>	<u>200</u>		
<u>S 1/2 22-113-75</u>	<u>320</u>		
<u>NW 1/4 22-113-75</u>	<u>160</u>		

8. Give a description of the project. (Attach sheet if more space is needed)
Morris is digging hole on Northern most 20 AC on SW 1/4. This will be deep
and water will be pumped out of this hole

STATE OF SOUTH DAKOTA)
County of Hughes) SS

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

I, Leroy Leesman, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Applicant's signature Leroy Leesman

Subscribed and sworn to before me this _____ day of _____ 20 _____

Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth ≈ 34 feet
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicant's property _____ On 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 _____

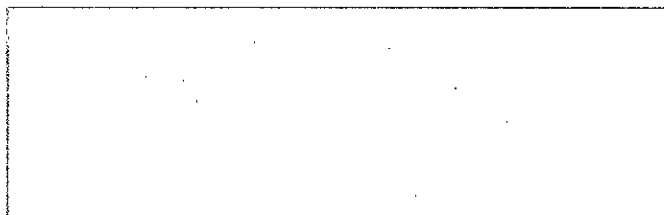
3. Dugout Information

- a) Surface Dimensions 100' x 400' Depth 20'
- b) Depth to water (ground surface to water level) 8'

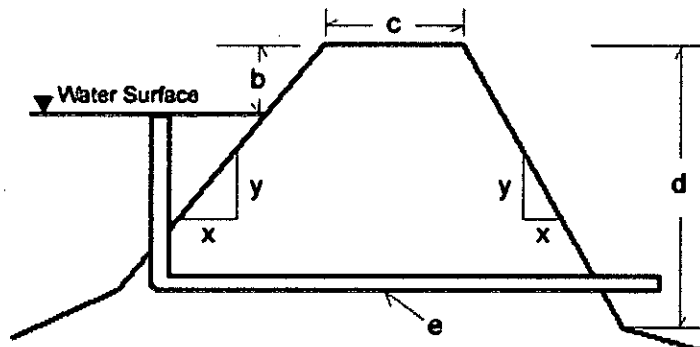
4. Water Storage Dams

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.

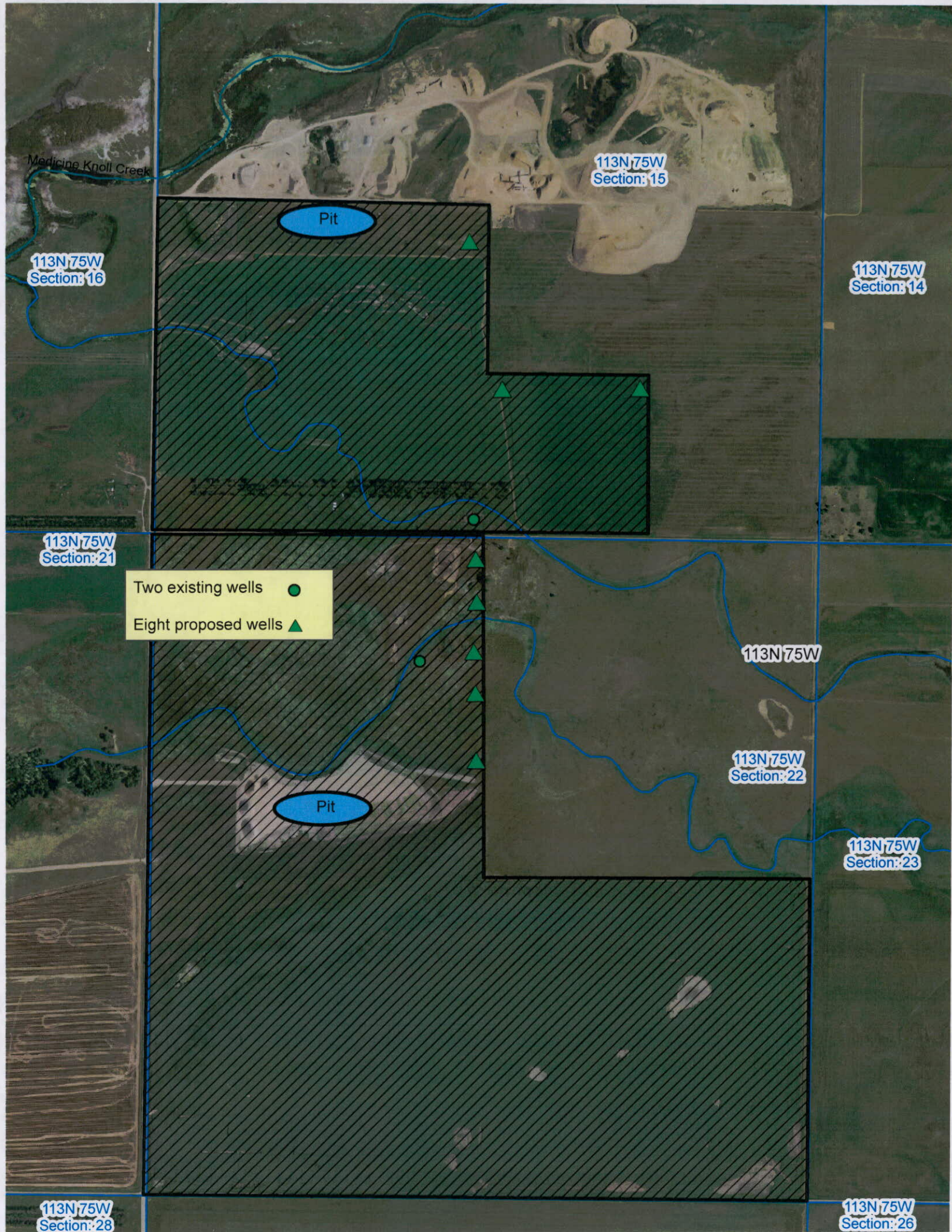
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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



ACE PROPERTY AND CASUALTY INSURANCE COMPANY RAIN AND HAIL L.L.C.

can/Policyholder Information

MAN RANCH
9 206TH ST
RE SD 57501-0000

Agency/Agent Information

FCS OF AMERICA/PIERRE
PO BOX 10
PIERRE SD 57501-0010
mailto:

Page 34

Date 05/06/2019

Policy MP-0797775

State SOUTH DAKOTA 40

For 2019 and succeeding years

SSN/EIN/Assigned Type of Entity
224-6743 *****0702 PARTNERSHIP

Phone
800-658-3627

Agency Code
4700-02

Map Overview

15 113N 75W

Map Key FSN, TRACT, FIELD, ACRES
displayed from top to bottom per CLU



CHUBB ACE PROPERTY AND CASUALTY INSURANCE COMPANY

RAIN AND HAIL L.L.C.

Applicant/Policyholder Information LEESMAN RANCH 30729 206TH ST PIERRE SD 57501-0000		Agency/Agent Information FCS OF AMERICA/PIERRE PO BOX 10 PIERRE SD 57501-0010 mailto:		Page 38	
Phone 605-224-6743	SSN/EIN/Assigned *****0702	Type of Entity PARTNERSHIP	Phone 800-658-3627	Agency Code 4700-02	Date 05/06/2019 Policy MP-0797775 State SOUTH DAKOTA 40 For 2019 and succeeding years
Legal Overview			22 113N 75W		



Legend

Sunflowers 345.81

☐ CLU Acres 345.81

Cover

SOUTH DAKOTA WATER WELL COMPLETION REPORT

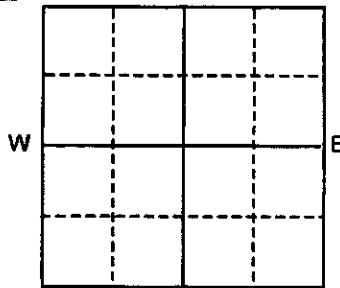
11-02

Location SE ¼ SW ¼ Sec 15 Twp 113 Rg 75

County Sully

North

Please mark well location with an "X"



Well Completion Date

9/25/2017

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

None ft. from (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/FT	5 IN	0 FT	34 FT	7 7/8 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
#20	2	Lb/gal	0 Ft	15 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 5 Inches Length 20 Feet

Material PVC

Slot Size .025 Set From 14 Feet to 34 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ Yes ☐ No

If so, what material? Enviro Plug

Describe packer(s) and location

Above Screen

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not?

Lab to which water-quality sample sent for analysis

Well Owner: Rollie Leesman

Business Name: Lessman Ranch

Address: 30729 206th St

City, State, Zip: Pierre SD 57501

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Yellow Gravel	1	4
Clay & Sand Streaks	4	15
Sand	15	34

STATIC WATER LEVEL 12 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Submersable
☐ Bailed
☐ Other

Pumping Level Below Land Surface

17 Ft. After 2 Hrs. pumped 30 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

This well was drilled under license # 722 and this report is true and accurate.

Drilling firm: Stretch's Well Service Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

NOV 29 2017

WATER RIGHTS PROGRAM

Date:

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 21, 2022

RECEIVED OF Leesman Ranch 19607 315th Ave., Blunt SD 57522

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

Fee for Application for Permit No. <u>8583-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>1750.00</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>8583-3</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>1950.00</u>

By Eric Gronlund
Chief Engineer
Em



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

File No. 8583-3 & 7265A-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Leigh Leesman (Leesman Ranch)
ADDRESS: 19607 315th Ave, Blunt SD
DATE: March 15, 2022 **PHONE:** 605.280.6065
RE: Status of Water Permit No. 7265A-3

COMMENTS:

I spoke with Leigh Leesman to confirm that the intent of filing Application No. 8583-3 was to replace Water Permit No. 7265A-3 for which construction had not been completed other than the existence of two wells. Ms. Leesman confirmed that the acreage covered by No. 7265A-3 had not been irrigated and the intent was for No. 8583-3 to replace No. 7265A-3. The construction period for No. 7265A-3 expired March 1, 2020.

RECOMMENDED ACTION:

I informed Ms. Leesman that the Water Permit No. 7265A-3 would be scheduled for cancellation consideration at the May 2022 Water Management Board meeting by which time we should know the disposition of Application No. 8583-3.

Ron Duvall, Water Rights Permitting Administrator
SD DANR, 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. 8583-3, Leesman Ranch**

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. 8583-3, Leesman Ranch, 19607 315th Avenue, Blunt SD 57522.

The Chief Engineer is recommending APPROVAL of Application No. 8583-3 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 wells and dugouts approved under Water Permit No. 8583-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals 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 wells authorized by Permit No. 8583-3 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
March 14, 2022

NOTE: Leesman Ranch holds Water Permit No. 7265A-3 which authorizes irrigation of portions of land proposed for irrigation under Application No. 8583-3. However, construction of works was not completed by March 1, 2020, as set forth under Water Permit No. 7265A-3. Therefore, Water Permit No. 7265A-3 is subject to cancellation for non-construction.

Protection will not be afforded to the two dugouts because they are acting as wells by intercepting the Highmore:Blunt aquifer. As wells, the dugouts do not meet well construction standards. During periods of low water levels in the aquifer, the dugouts may not be a reliable water source.

Report to the Chief Engineer
On Water Permit Application No. 8583-3
Leesman Ranch c/o Leigh Leesman

March 14, 2022

Water Permit Application No. 8583-3 proposes to divert water at a maximum instantaneous diversion rate of 6.67 cubic feet of water per second (cfs) from two dugouts located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 22, two existing wells located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, and up to eight proposed wells to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 and E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 22; all in T113N-R75W. The dugouts proposed to be used are incised into the Highmore Blunt aquifer, and the existing wells and proposed new wells are/or will be completed into the Highmore Blunt aquifer (approximately 34 feet deep) for the irrigation of 680 acres located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, S $\frac{1}{2}$, NW $\frac{1}{4}$ of Section 22; all in T113N-R75W. The site of interest is located in Sully County approximately 13 miles southeast of Onida, SD.

AQUIFER: Highmore Blunt (HB)

HYDROGEOLOGY:

The Highmore Blunt aquifer is primarily composed of fine to coarse sand and fine gravel deposited as glacial outwash and alluvium (Hamilton, 1986). The Highmore Blunt aquifer has been identified as occurring in Hand, Hughes, Hyde, and Sully Counties (Hedges et al., 1982; Water Rights, 2022c and 2022d). Hedges and others (1982) estimated the Highmore Blunt aquifer to underly approximately 73,400 acres and contain approximately 154,830 acre-feet of recoverable water in storage. Additional drilling and studies by the South Dakota Geological Survey (SDGS) (Hand, Hughes, and Hyde Counties completed; Sully County ongoing but drilling is nearing completion) have provided updated geologic information, in which the SDGS has used to update the approximate areal extent of the Highmore Blunt aquifer. The updated approximate areal extent of the Highmore Blunt aquifer is approximately 45,000 acres (SDGS, 2022a). It must be noted that the Highmore Blunt aquifer boundary is approximate and is subject to change as drilling continues. Figure 1 displays a map of the approximate delineation of the Highmore Blunt aquifer boundary (SDGS, 2022a), the location of the existing wells and proposed diversion points for this application, the water rights/permits currently authorized to divert water from the aquifer (Water Rights, 2022c), and observation wells completed into the aquifer (Water Rights, 2022b).

A hydrological investigation report has not been completed for Sully County at this time. In Hughes County, the Highmore Blunt aquifer has an average saturated aquifer thickness of 20 feet, and a documented maximum thickness of 45 feet (Hamilton, 1986). The Highmore Blunt aquifer is primarily unconfined, and the general direction of groundwater movement in the aquifer is generally from the east to the west in Hughes County (Hamilton, 1986; Koch, 1980).

A water well completion report was submitted with Water Permit Application No. 8583-3 for an existing well proposed to be used and completed into the Highmore Blunt aquifer in the SE ¼ SW ¼ of Section 15-T113N-R75W. The report lists “Top Soil” from 0 to 1 foot below the ground surface, “Yellow Gravel” from 1 to 4 feet, “Clay & Sand Streaks” from 4 to 15 feet, and “Sand” from 15 to 34 feet below the ground surface. The well was screened in “Sand” from 14 to 34 feet and had a static water level of approximately 12 feet below the ground surface at the time of well completion (September 25, 2017) (Water Rights, 2022d). Based on the submitted well completion report and the lithologic logs on file for nearby Highmore Blunt aquifer observation wells, the Highmore Blunt aquifer is unconfined at the existing well site and proposed diversion points (SDGS, 2022b; Water Rights, 2022b and 2022d).

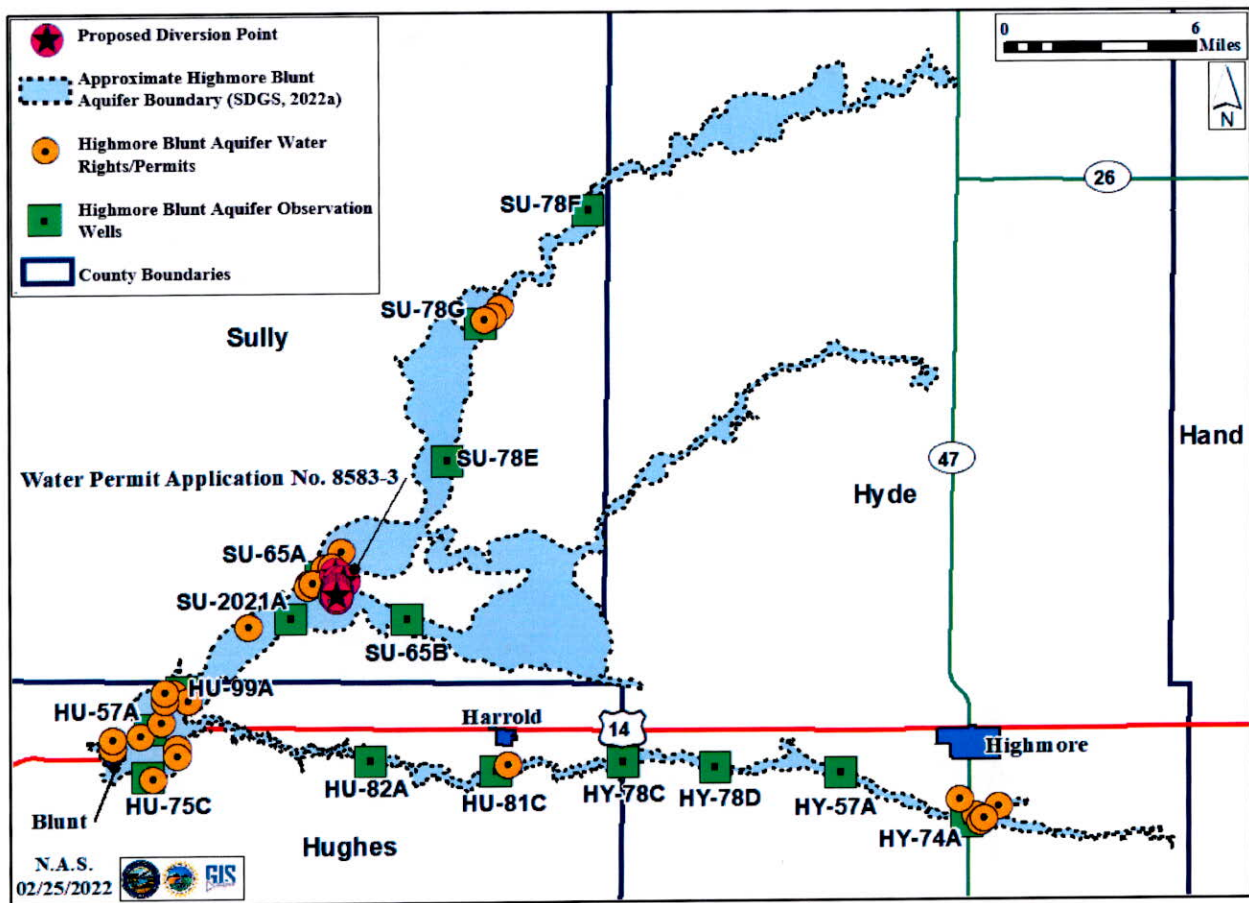


Figure 1. Approximate delineation of the Highmore Blunt aquifer boundary (SDGS, 2022a), the location of the existing wells and proposed diversion points for this application, the water rights/permits currently authorized to divert water from the aquifer (Water Rights, 2022c), and the observation wells completed into the aquifer (Water Rights, 2022b)

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 a reasonable probability that there is unappropriated water available for the applicant’s proposed use, that the diversion point can be developed without unlawful impairment of existing domestic water uses 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 as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Highmore Blunt aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8583-3 proposes to appropriate water from the Highmore Blunt aquifer. The probability of unappropriated water being available from the 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. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The Highmore Blunt aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010), and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Highmore Blunt aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Highmore Blunt aquifer is primarily through the direct infiltration of precipitation and snowmelt through the overlying alluvium and glacial drift (Koch, 1980).

Utilizing observation well analysis with data from hydraulically similar aquifers, Hedges and others (1985) estimated a recharge rate to unconfined and non-buried aquifers in eastern South Dakota to range between approximately 2 to 5.6 inches per year. Recharge to the Highmore Blunt aquifer is expected to be on the lower end of the recharge rate range estimated by Hedges and others (1985). Hamilton (1986) estimated a recharge rate to the Highmore Blunt aquifer (in Hughes County) to be approximately 900 acre-feet per year, or roughly 0.4 inches per year. Based on the estimated recharge rates of 0.4 to 2 inches per year, applied over the areal extent of the aquifer (SDGS, 2022a), the estimated average annual recharge rate to the Highmore Blunt aquifer ranges between approximately 1,500 to 7,500 acre-feet per year.

Discharge

Discharge from the Highmore Blunt aquifer is primarily through well withdrawals (Water Rights, 2022c and 2022d), evapotranspiration where the aquifer is at or near the ground surface, subsurface outflow toward the west into Hughes and Sully Counties, and localized discharges into Medicine Knoll Creek (Hamilton, 1986; Koch, 1980). Currently, there are 23 water rights/permits authorized to appropriate water from the Highmore Blunt aquifer (Water Rights, 2022c).

Table 1 summarizes the eight non-irrigation water rights/permits authorized to appropriate water from the Highmore Blunt aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2022c). Four municipal water rights were identified as being connected to a rural water system and likely maintain their wells for standby purposes (Drinking Water Program, 2022; Water Rights, 2022c); as such, the average annual water use for these water rights has been estimated to be zero acre-feet per year on Table 1. Overall, the estimated average annual withdrawals from the Highmore Blunt aquifer by non-irrigation water rights/permits is approximately 214.3 acre-feet per year (Table 1) (Water Rights, 2022c).

Table 1. Estimated annual use for the non-irrigation water rights/permits authorized to divert water from the Highmore Blunt aquifer (Drinking Water Program, 2022; Water Rights, 2022c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
744-3	City of Highmore	LC	MUN	1.66	n/a	0*
1130-3	City of Blunt	LC	MUN	0.13	n/a	0*
2455-3	Town of Harrold	LC	MUN	0.16	n/a	0*
2828-3	City of Blunt	LC	MUN	0.44	n/a	0*
4512-3	Pete Lien & Sons	LC	IND	0.26	n/a	112.9
6852-3	Todd Cowan	LC	COM	0.044	n/a	19.1
7215-3	Morris Inc	PE	IND	0.133	n/a	57.8
8346-3	Morris Inc	PE	IND	0.67	24.5	24.5
					TOTAL:	214.3
LC: Licensed Water Right, PE: Water Permit; COM: Commercial; IND: Industrial; MUN: Municipal;						
*Identified as being connected to a rural water system						

Currently, there are 15 irrigation water rights/permits authorized to appropriate water from the Highmore Blunt aquifer (Water Rights, 2022c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. In the file for Water Right No. 4834-3, in the year 2000, the permit holder indicated the 360 acres authorized by this permit are not currently irrigated but may be irrigated in the future depending on land renters (Water Rights, 2022c). The applicant is not currently sent an irrigation questionnaire so the annual withdrawal rate by Water Right No. 4834-3 is unknown (Water Rights, 2022a). This permit accounts for the difference in permits currently authorized to appropriate water from the Highmore Blunt aquifer, and the number of permits listed as reporting on Table 2. Generally, irrigators in eastern South Dakota apply less than one foot of water per acre per year. However, to account for the fluctuation in wet and dry cycles from year to year, the one foot of water per acre per year application rate will be used to somewhat overestimate the annual withdrawal rate for this irrigation water right. Therefore, Water Right No. 4834-3 is estimated to withdraw approximately 360 acre-feet per year (Water Rights,

2022c). The estimated average annual withdrawal rate for the Highmore Blunt aquifer irrigation water rights/permits that have reported over the period of record, plus the estimated use for Water Right No. 4834-3, is approximately 1,017.8 acre-feet per year (Table 2) (Water Rights, 2022a).

Table 2. Reported historic irrigation use from the Highmore Blunt aquifer (Water Rights, 2022a)

Year	No. of Permits Reporting	Reported Pumpage (acre-feet)
1979	25	989
1980	25	900
1981	25	872
1982	19	478.91
1983	20	1,094.38
1984	24	760
1985	17	877
1986	18	1,481
1987	17	1,083
1988	16	1,460.5
1989	14	738
1990	14	1,002
1991	13	876
1992	11	694
1993	11	464
1994	12	917.17
1995	11	811.81
1996	11	900.2
1997	11	304
1998	11	947.04
1999	11	496.28
2000	9	326.14
2001	9	298.3
2002	9	620.75
2003	7	543.56
2004	8	623.99
2005	8	464.9
2006	8	439.93
2007	8	403.04
2008	10	404.94
2009	10	468.88
2010	10	291.67
2011	10	209.91
2012	12	498.61
2013	12	556.81
2014	12	743.76
2015	13	477.98
2016	13	488.54
2017	14	424.66
2018	14	727.99
2019	14	21.21
2020	14	446.7
Min	7	21.21
Max	25	1,481
Average	13.3	657.8

There are domestic wells completed into the Highmore Blunt aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2022d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Highmore Blunt aquifer is the uppermost aquifer available; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Highmore Blunt aquifer.

Hydrologic Budget Summary

The estimated average annual recharge rate to the Highmore Blunt aquifer ranges between approximately 1,500 to 7,500 acre-feet per year. Based on the water rights/permits currently authorized to appropriate water from the Highmore Blunt aquifer, the estimated average annual withdrawal rate from this aquifer is approximately 1,232.1 acre-feet per year (non-irrigation: 214.3 acre-feet/year; irrigation: 1,017.8 acre-feet/year).

If Water Permit Application No. 8583-3 is approved, and assuming an average application rate of one foot per year applied to each acre authorized to be irrigated, the estimated average annual withdrawal rate for Application No. 8583-3 is approximately 680 acre-feet per year. If Water Permit Application No. 8583-3 is approved, the estimated average annual withdrawal rate from the Highmore Blunt aquifer would be approximately 1,912.1 acre-feet per year (non-irrigation: 214.3 acre-feet/year; irrigation: 1,017.8 acre-feet/year; Water Permit Application No. 8583-3 (if approved): 680 acre-feet/year).

The estimated average annual withdrawal rate includes 360 acre-feet of usage for Water Right No. 4834-3 even though the permit holder is not currently irrigating as previously discussed; therefore, based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Highmore Blunt aquifer for the proposed appropriation. Water Right No. 4834-3 should be investigated for whether it is subject to cancellation.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall 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.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DNR-Water Rights Program monitors 15 observation wells completed into the Highmore Blunt aquifer (Water Rights, 2022b). The five closest observation wells to the existing wells and proposed diversion points are SU-65A (approximately 0.6 miles northwest), SU-2021A (approximately 1.7 miles southwest), SU-65B (approximately 2.5 miles southeast), SU-78E (approximately 5.3 miles northeast), and HU-99A (approximately 5.8 miles southwest) (as shown in Figure 1). No water level reading data currently exists for observation well SU-2021A (Water Rights, 2022b). The hydrographs for these other four observation wells are

displayed in Figures 2 to 5 (Water Rights, 2022b). 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. It is worth noting the hydrograph titles display DENR Water Rights Observation Well on the hydrographs when the titles should display DANR Water Rights Observation Well on the hydrographs.

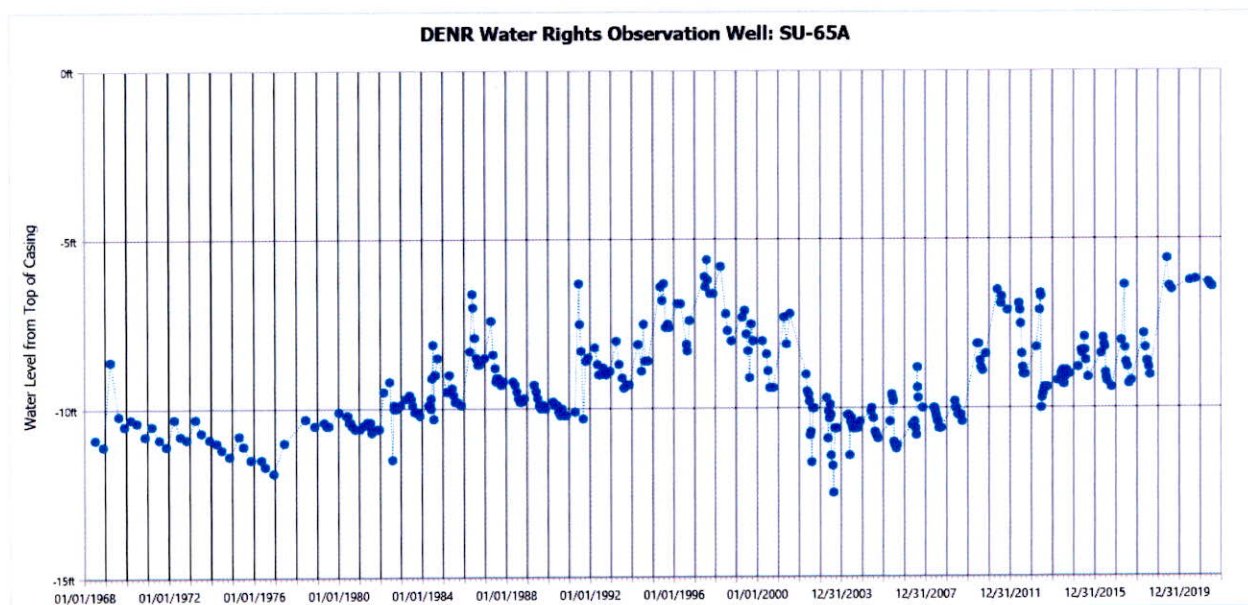


Figure 2. Hydrograph for observation well SU-65A (Water Rights, 2022b)

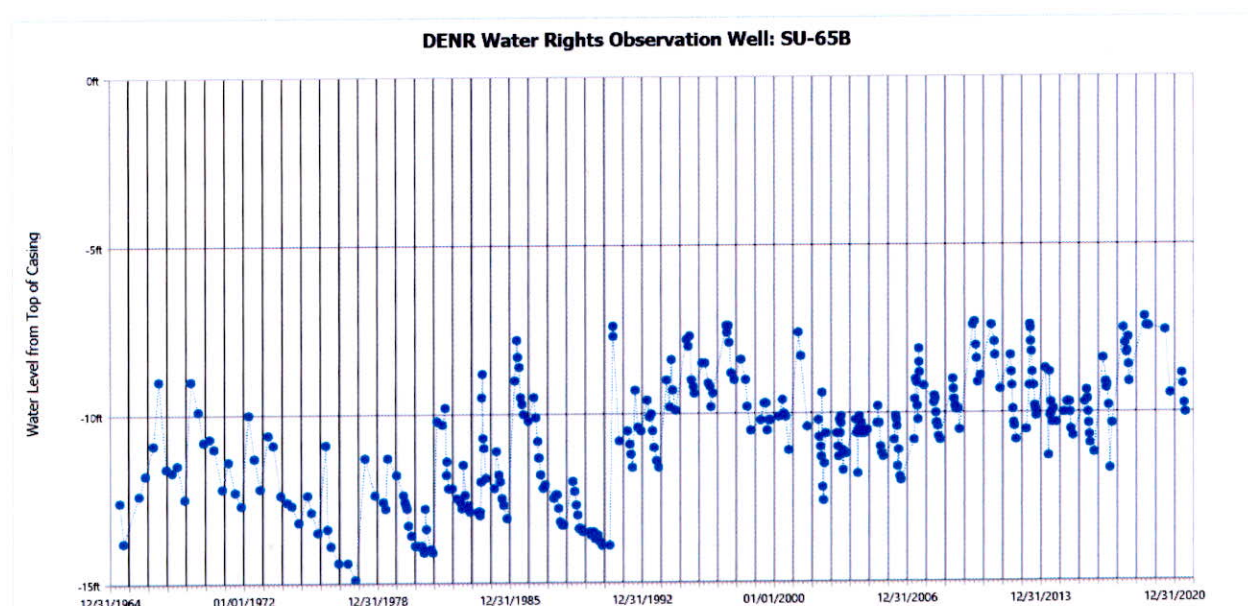


Figure 3. Hydrograph for observation well SU-65B (Water Rights, 2022b)

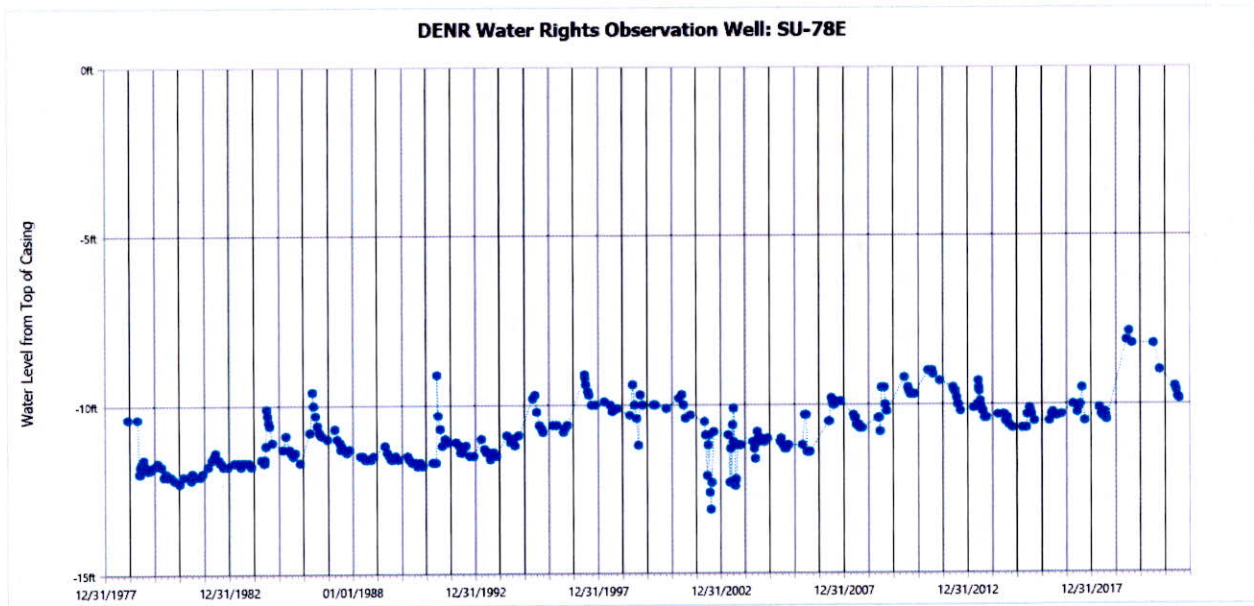


Figure 4. Hydrograph for observation well SU-78E (Water Rights, 2022b)

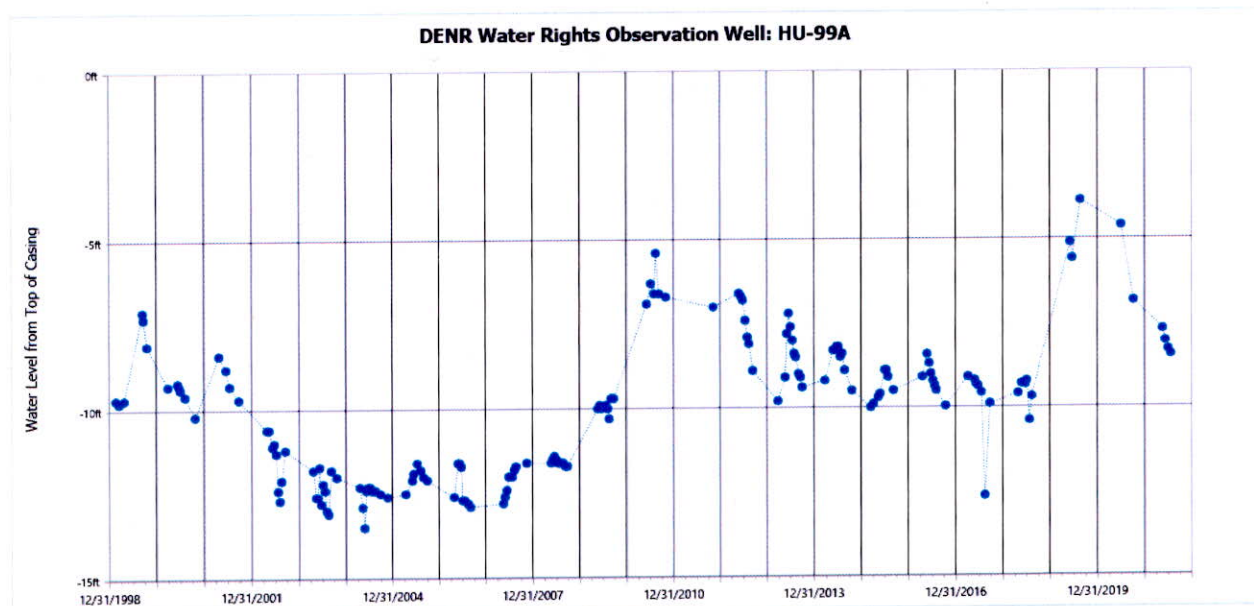


Figure 5. Hydrograph for observation well HU-99A (Water Rights, 2022b)

The hydrographs for the observation wells display stable to slightly increasing water levels over their respective periods of record. The hydrographs for these four observation wells were compared to the hydrographs for the other observations wells completed into the Highmore Blunt aquifer and each displayed a similar trend as shown on the hydrographs displayed in Figures 2 to 5 (Water Rights, 2022b). The hydrographs for the Highmore Blunt aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Highmore Blunt aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Currently, there are 23 water rights/permits authorized to appropriate water from the Highmore Blunt aquifer (Water Rights, 2022c). The closest water right/permit (not held by the applicant) to the existing wells and proposed diversion points is Water Permit No. 8346-3 which is held by Morris Inc. The diversion point for Water Permit No. 8346-3 is located approximately 0.6 miles northwest of the existing wells and proposed diversion points for this application (Table 3) (Figure 6) (Water Rights, 2022c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Highmore Blunt aquifer, with the closest domestic well on file (not held by the applicant) approximately one mile southeast of the existing wells and proposed diversion points (Water Rights, 2022d). There could potentially be other domestic wells completed into the Highmore Blunt aquifer near the existing wells and proposed diversion points that are not on file with the DANR-Water Rights Program.

Table 3. Highmore Blunt aquifer water rights/permits within approximately four miles of the existing wells and proposed diversion points, as shown in Figure 6 (Water Rights, 2022b)

Permit No.	Name	Status	Use	Acres if IRR	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)
4512-3	Pete Lien & Sons Inc	LC	IND		0.26	n/a
7215-3	Morris Inc	PE	IND		0.133	n/a
7265-3	Leesman Ranch	PE	IRR	523	7.47	n/a
7265A-3*	Leesman Ranch	PE	IRR	0	0	n/a
8145-3	Dan Fanger	PE	IRR	232	3.31	n/a
8346-3	Morris Inc	PE	IND		0.67	24.5
LC: Licensed Water Right, PE: Water Permit; IND: Industrial; IRR: Irrigation						
*Amendment of Water Permit No. 7265-3 for extension of time of construction period						

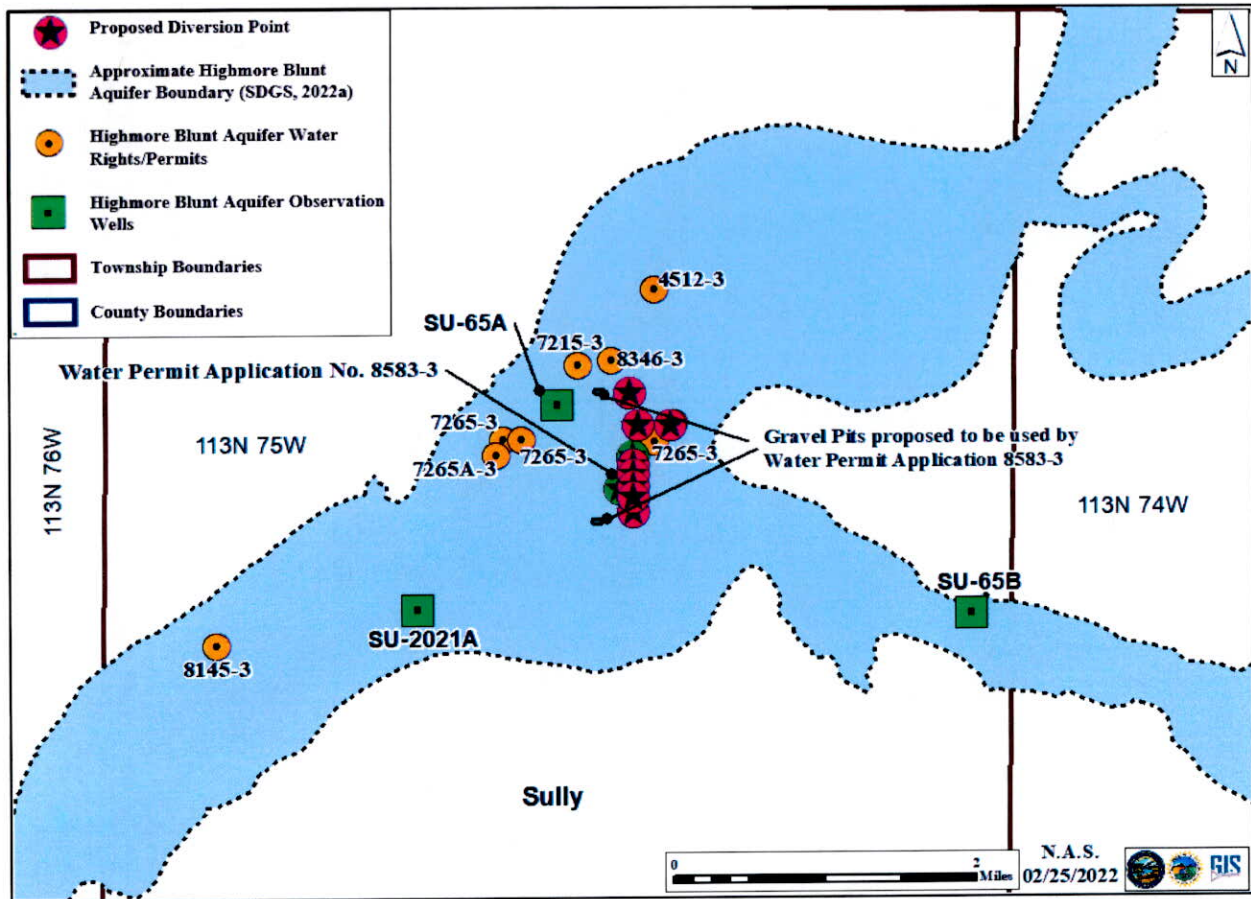


Figure 6. Approximate delineation of the Highmore Blunt aquifer boundary (SDGS, 2022a), the location of the existing wells and proposed diversion points for this application, and the water rights/permits and observation wells within approximately four miles of the existing wells and proposed diversion points (Water Rights, 2022b and 2022c)

The Highmore Blunt aquifer is primarily under unconfined conditions with some variation in depth to the top of the aquifer materials and saturated aquifer thickness (Hamilton, 1986; Koch, 1980; Water Rights, 2022d). Based on the submitted well completion report, the Highmore Blunt aquifer is unconfined at the existing well site and proposed diversion points (Water Rights, 2022d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer. However, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test.

In Hughes County (approximately five miles south of the existing wells and proposed diversion points), the Highmore Blunt aquifer has an average saturated aquifer thickness of 20 feet, and a documented maximum thickness of 45 feet (Hamilton, 1986). Based on the submitted well completion report, the Highmore Blunt aquifer has a saturated aquifer thickness of 22 feet (Water Rights, 2022d). Within approximately three miles of the existing wells and proposed diversion points, water well and test hole completion reports and lithologic logs on file for observation wells have saturated aquifer thicknesses ranging from approximately 13 to 36 feet (SDGS, 2022b; Water Rights, 2022b and 2022d). This would generally allow for enough

thickness for a pump to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6). Any drawdown as a result of the proposed diversion is not expected to unlawfully impair nearby adequate wells. In Sully and Hughes Counties, there are no substantiated complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Highmore Blunt aquifer (Water Rights, 2022e).

Examination of the hydrographs for observation wells completed into the Highmore Blunt aquifer show no signs of being significantly impacted by drawdown caused by pumping, despite usually being located within a few miles of high-yield wells (assumed to be a well with an authorized diversion rate greater than 0.2 cfs) (Water Rights, 2022b and 2022c). When considering the saturated aquifer thickness of the aquifer at the existing well site and proposed diversion points, the lack of drawdown in the Highmore Blunt observation wells shown on the hydrographs, and the lack of well interference complaints for adequate wells completed into the Highmore Blunt aquifer in Sully and Hughes Counties, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed diversion by Water Permit Application No. 8583-3 will not impose unlawful impairments on existing users with adequate wells.

The Highmore Blunt aquifer is a relatively thin aquifer in some locations. While the average annual withdrawal rate would not exceed the average annual recharge rate to the aquifer, conditions may occur when withdrawal exceeds recharge. When this occurs, water would 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 unlawful impairment.

CONCLUSIONS:

1. Water Permit Application No. 8583-3 proposes to divert water at a maximum instantaneous diversion rate of 6.67 cfs from two dugouts, two existing wells, and up to eight proposed wells. The dugouts proposed to be used are incised into the Highmore Blunt aquifer, and the existing wells and proposed new wells are/or will be completed into the Highmore Blunt aquifer (approximately 34 feet deep) for the irrigation of 680 acres. The site of interest is located in Sully County approximately 13 miles southeast of Onida, SD.
2. Based on the observation well data and hydrologic budget, there is a reasonable probability that unappropriated water is available from the Highmore Blunt aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the proposed diversion by Water Permit Application No. 8583-3 will not unlawfully impair adequate wells for existing water right/permit holders and domestic users.

Nakaila Steen

Nakaila Steen
Natural Resources Engineer I
SD DANR - Water Rights Program
Reviewed by:

Adam Mathiowetz
Adam Mathiowetz, PE
Natural Resources Engineer IV
SD DANR - Water Rights Program

References

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- Water Rights, 2022d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2022e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

APR 11 2022

AFFIDAVIT OF PUBLICATION

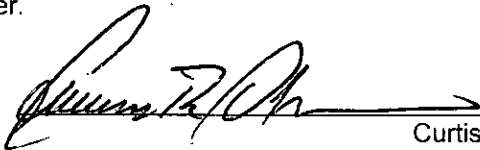
WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA)
COUNTY OF SULLY)

Curtis R. Olson of said County and State, being first duly sworn on his oath, says that the **ONIDA WATCHMAN** is a weekly newspaper of general circulation, published in the English language in the City of Onida, in said County and State, by said Curtis R. Olson, and has been admitted to the United States mail under the second class mailing privilege at all times hereinafter mentioned, and that all of said times has had more than 200 bona fide paid subscribers; that I, the undersigned, am the publisher of said newspaper, in charge of the legal/display advertising department thereof, and have personal knowledge of all the facts stated in the affidavit; and that the advertisement headed:

**NOTICE OF APPLICATION NO. 8583-3 TO
APPROPRIATE WATER**

A printed copy of which is hereto attached, was printed and published in said newspaper for **ONE** successive issues, the first publication made **2022** the **24th** day of **MARCH**, and the last publication on **2022** the -- day of --, and that **\$42.60** being the full amount of the fee for publication of the annexed notice insured solely to the benefit of the publisher of said newspaper; that no arrangements or understanding for a revision thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whatsoever.



Curtis R. Olson

Subscribed and Sworn to me this

4th Day of April, 2022

(SEAL)

My commission expires February 26, 2026



Notary Public in and for Sully County, South Dakota

**NOTICE OF
APPLICATION
NO. 8583-3 TO
APPROPRIATE
WATER**

Notice is given that Leesman Ranch, c/o Leigh Leesman, 19607 315th Ave, Blunt SD 57522 has filed an application for a water permit to appropriate 6.67 cubic feet of water per second from two dugouts located in the N 1/2 SW 1/4 Section 15, S 1/2 NW 1/4 Section 22; two existing wells located in the SE 1/4 SW 1/4 Section 15, NE 1/4 NW 1/4 Section 22; and up to eight proposed wells located in the NE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 15 and E 1/2 NW 1/4 Section 22; all in T113N-R75W. The existing and new wells are/or will be completed into the Highmore Blunt Aquifer (approximately 34 feet deep) for irrigation of 680 acres located in the SW

1/4, SW 1/4 SE 1/4 Section 15; S 1/2, NW 1/4 Section 22; all in T113N-R75W. This site is located approximately 13 miles southeast of Onida SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8583-3 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 April 4, 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 applica-

tion 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 April 4, 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 March 24, 2022 at the total approximate cost of \$42.60.

RECEIVED

Proof Of Publication

APR 06 2022

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

WATER RIGHTS
PROGRAM

Legal Notice Number: 1310

I, Kim Davis, being duly sworn on oath say that the Plainsman is a daily paper published at Huron, Beadle County South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am a Legal Advertising Coordinator of said newspaper and know that facts herein state. The annexed notice headed: Leesman Ranch – Water Permit was published for one day, in said newspaper and not in any supplement of the said newspaper; the publication was on 3/23/2022. That the full amount of the fee charged for the publishing \$ 46.89 insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.

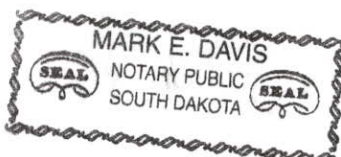


Subscribed and sworn to me before this date 4/1/22.



Notary Public, South Dakota

My Term Expires 12/27/2024



**NOTICE OF
APPLICATION
NO. 8583-3 to**

Appropriate Water

Notice is given that Leesman Ranch, c/o Leigh Leesman, 19607 315th Ave, Blunt SD 57522 has filed an application for a water permit to appropriate 6.67 cubic feet of water per second from two dugouts located in the N 1/2 SW 1/4 Section 15, S 1/2 NW 1/4 Section 22; two existing wells located in the SE 1/4 SW 1/4 Section 15, NE 1/4 NW 1/4 Section 22; and up to eight proposed wells located in the NE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 15 and E 1/2 NW 1/4 Section 22; all in T113N-R75W. The existing and new wells are/or will be completed into the Highmore Blunt Aquifer (approximately 34 feet deep) for irrigation of 680 acres located in the SW 1/4, SW 1/4 SE 1/4 Section 15; S 1/2, NW 1/4 Section 22; all in T113N-R75W. This site is located approximately 13 miles southeast of Onida SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8583-3 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 April 4, 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 April 4, 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.

No. 1310 (adv.)
Published one time at the total approximate cost of \$46.89.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, March 15, 2022 12:44 PM
To: 'editor@onidawatchman.com'
Subject: 8583-3, Leesman Ranch
Attachments: 8583-3public.short_final.docx; FORM8.FRM.doc

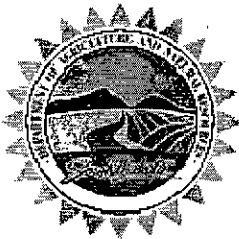
Attached is a notice to be published on March 24, 2022.

Leesman Ranch, c/o Leigh Leesman, 18607 315th Ave, Blunt SD 57522 (605 280-6065) 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: Tuesday, March 15, 2022 12:45 PM
To: 'rcrandall@plainsman.com'
Subject: 8583-3, Leesman Ranch
Attachments: 8583-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on March 24, 2022.

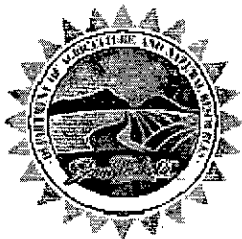
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Let me know if you have questions. Please acknowledge receipt of this email.

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 NEWSPAPERS RIGHT AWAY.**

March 15, 2022

Leesman Ranch
c/o Leigh Leesman
19607 315th Ave
Blunt SD 57522

Dear Ms. Leesman:

Water Permit Application No. 8583-3 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 Onida Watchman printed at Onida (Ph # 605 258-2604) and the Plainsman printed at Huron (Ph # 605 353-7414). 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.

NOTICE OF APPLICATION NO. 8583-3 to Appropriate Water

Notice is given that Leesman Ranch, c/o Leigh Leesman, 19607 315th Ave, Blunt SD 57522 has filed an application for a water permit to appropriate 6.67 cubic feet of water per second from two dugouts located in the N 1/2 SW 1/4 Section 15, S 1/2 NW 1/4 Section 22; two existing wells located in the SE 1/4 SW 1/4 Section 15, NE 1/4 NW 1/4 Section 22; and up to eight proposed wells located in the NE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 15 and E 1/2 NW 1/4 Section 22; all in T113N-R75W. The existing and new wells are/or will be completed into the Highmore Blunt Aquifer (approximately 34 feet deep) for irrigation of 680 acres located in the SW 1/4, SW 1/4 SE 1/4 Section 15; S 1/2, NW 1/4 Section 22; all in T113N-R75W. This site is located approximately 13 miles southeast of Onida SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8583-3 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 April 4, 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 April 4, 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__



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APR 28 2022

Leesman Ranch
c/o Leigh Leesman
19607 315th Ave
Blunt SD 57522

Dear Ms. Leesman:

Enclosed is Water Permit No. 8583-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures



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January 14, 2025

NOTICE

TO: LEESMAN RANCH, LEIGH LEESMAN, 19607 315TH AVE, BLUNT, SD 57522

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 8583-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 8583-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 8583-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LAKLGN**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
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JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
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January 30, 2025

8583-3

Leesman Ranch
c/o Leigh Leesman
19607 315th Ave
Blunt SD 57522

Dear Mr. Leesman:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 8583-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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