

WATER PERMIT NO. 8664-3

Name of Applicant: Reetz Farms

Address: 43399 146 St, Webster SD 57274

Phone: 605 881-0294

Amount of Water Claimed: 1.56 cfs

Total Acres: 111 acres

Source of Water Supply: Reetz Lake

Water to be used for: irrigation

County: Day

Type of Waste Disposal System:

Location: 6 miles south of Webster

PRIORITY

Date Received: 9-22-22

Application/License Fee: \$1050

Corrected Application Received:

Period of Annual Use: June 1 – Aug 31

Remarks: Requesting diversion rate slightly more than statutory limit

Diversion Point: S 1/2 NE 1/4 Sec 35-T121N-
R56W

Land to be Irrigated: SE 1/4 Sec 35-T121N-R56W

Depth of Well: NA

Well Driller:

Remarks:

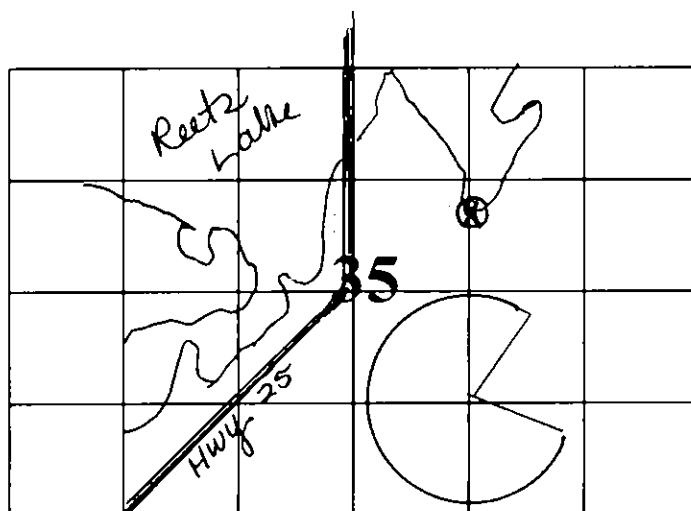
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 9-22-22

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 8664-3**

Date of first receipt of application September 22, 2022.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8664-3 to Reetz Farms, c/o Jamie Reetz, 43399 146th St, Webster SD 57274 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. 8664-3 appropriates 1.56 cubic feet of water per second from Reetz Lake at a pumping station located in the S 1/2 NE 1/4 Section 35 for irrigation of 111 acres located in the SE 1/4 Section 35; all in T121N-R56W. This site is located approximately 6 miles south of Webster SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.
3. The date from which applicant may claim right is September 22, 2022.
4. The date of approval of Permit No. 8664-3 is December 9, 2022.
5. One-fifth of the construction is to be completed on or before June 9, 2025.
6. All construction is to be completed on or before December 9, 2027.
7. Water is to be put to beneficial use on or before December 9, 2031.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resource

DEC 21 2022
date



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

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8664-3</u> Hydrologic Unit <u>10160010</u> Basin <u>James River</u> Newspaper <u>Reporter & Farmer</u> <u>Public Opinion</u> (office use only)
---	--

RECEIVED

SEP 22 2022

**OFFICE OF
WATER**

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 Reetz Farms

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

Mailing Address 43399 146 st Webster Sd 57274
(Address) (City) (State) (Zip Code)

Phone 6058810294 Mobile 6058810294 Email jwreetz@gmail.com

2. Amount of water claimed 1.56 *CFS or 700 **GPM 900-120 ***AF Total Acreage 1600 water:
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam dugout or annual use if applicable)

3. Source of water supply Reetz Lake

4. Location of point of diversion Surface Water T121N R56W Section 35 (S 1/2 NE 1/4)
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

Reetz Lake 5 miles South Webster SD 121 56W Section 35 County Day

5. County or counties where water will be used Day

6. Annual period during which water is to be used June-August May 1 - Oct 31

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

Land Description	Acres	Land Description	Acres
T121N R56W Section 35 <u>SE 1/4</u>	111		

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

1 center pivot to cover approximately 111 acres in Section 35

I, Jamie Reetz Secretary, the applicant, certify under
Name of Person Title (if applicable)

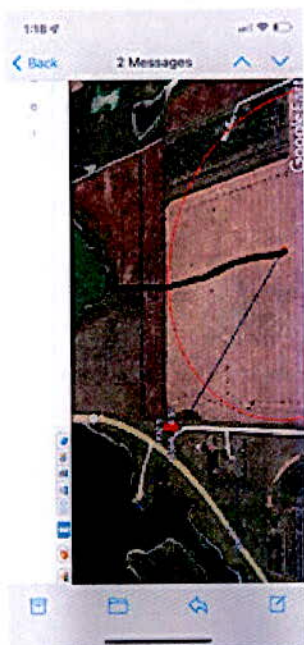
penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

2021-08

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)

Schlaak, Karen

From: Jamie Reetz <jwreetz@gmail.com>
Sent: Thursday, September 22, 2022 1:22 PM
To: Schlaak, Karen
Subject: [EXT] New water point



To avoid Hwy 25 it was proposed to go straight north of the center of the pivot into the water. This would be the new pumping point. I drew a black line and if you need a gps point I can get it to you later. All the water on all sides of the roads and highway are connected through culverts. I will make the payment via phone call today.
Sent from my iPhone

Schlaak, Karen

From: Jamie Reetz <jwreetz@gmail.com>
Sent: Thursday, September 22, 2022 2:22 PM
To: Schlaak, Karen
Subject: [EXT] Map diversion



*diversion pt
S 1/2 NE 1/4*

Sent from my iPhone

121N 56W
Section: 27

121N 56W
Section: 26

121N 56W
Section: 25

121N 56W
Section: 34

121N 56W
Section: 35

121N 56W
Section: 3

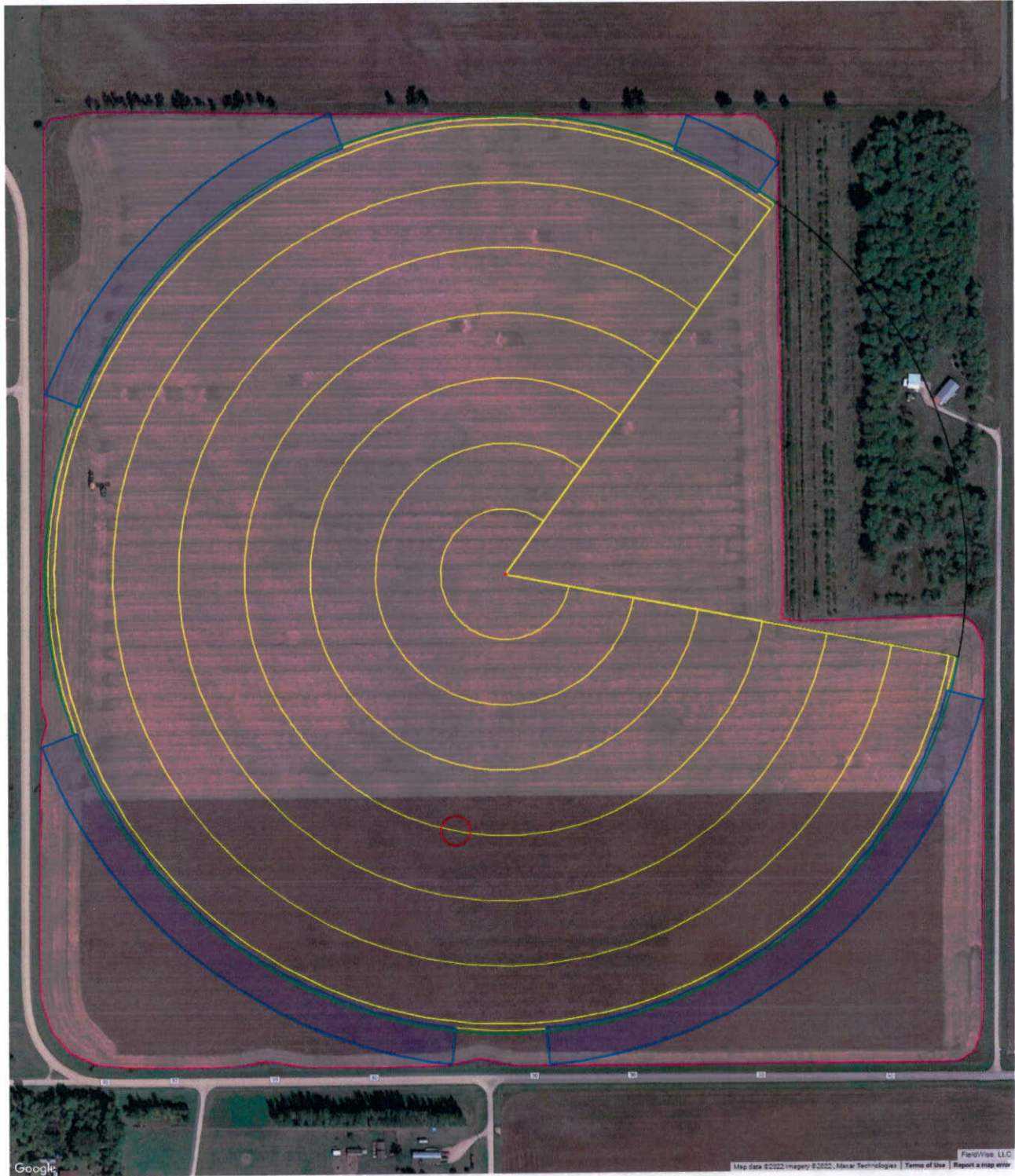
120N 56W
Section: 03

120N 56W
Section: 02

120N 56W
Section: 01



Customer: Customer
Project: New Project
Prepared by:





531398487

ANNUAL REPORT

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

Domestic Business Corporation
SDCL 59-11-24, 24.1

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Filing Fee: \$50

Total Fee: \$50

2021
FILING YEAR

1. Business ID and Name

DF049049
BUSINESS ID

REETZ FARMS, INC.
BUSINESS NAME

2. The jurisdiction under whose law it is formed **SOUTH DAKOTA**

3. The address of the principal executive office (business address):

Actual Street Address

43399 146TH ST
WEBSTER, SD 57274-6003

Mailing Address

43399 146TH ST
WEBSTER, SD 57274-6003

4. The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent, (b) a commercial registered agent, or (c) an office holder.

(a) The South Dakota Noncommercial Registered Agent's name

Name **LYLE W REETZ**

Actual Street Address in this State

43399 146TH STREET
WEBSTER, SD 57274-6003

Mailing Address in this State

5. The names and business addresses of its principal officers.

Title	Name	Address
President	LYLE REETZ	43999 146TH ST, WEBSTER, SD, 57274
Vice President	JAMIE REETZ	14571 433RD AVE, WEBSTER, SD, 57274
Secretary	LINDA REETZ	43999 146TH ST, WEBSTER, SD, 57274

6. The names and business addresses of its directors (governors).

Name	Address
------	---------

7. Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a civil and/or criminal penalty (SDCL 47-1A-129, 22-39-36).

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date September 22, 2022

RECEIVED OF Reetz Farms 43399 146 St., Webster SD 57274

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

Fee for Application for Permit No. <u>8664-3</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>8664-3</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
von

Schlaak, Karen

From: Fratzke, Lynda
Sent: Thursday, September 22, 2022 1:31 PM
To: jwreetz@gmail.com
Cc: Maberry, Vickie; Schlaak, Karen
Subject: FW: [EXT] Merchant Email Receipt

Thank you.

Lynda Fratzke
Fiscal Management
Dept. of Agriculture & Natural Resources Joe Foss Building
523 East Capitol Avenue
Pierre, SD 57501
Phone: (605)773-4216

-----Original Message-----

From: Auto-Receipt <noreply@mail.authorize.net>
Sent: Thursday, September 22, 2022 1:26 PM
To: Van Bockel, Jenny <Jenny.VanBockel@state.sd.us>; Fratzke, Lynda <Lynda.Fratzke@state.sd.us>; Keiser, Darcy <Darcy.Keiser@state.sd.us>; Weber, Amber <Amber.Weber@state.sd.us>; Briggs, Holly <Holly.Briggs@state.sd.us>
Subject: [EXT] Merchant Email Receipt

===== SECURITY STATEMENT =====

It is not recommended that you ship product(s) or otherwise grant services relying solely upon this e-mail receipt.

===== GENERAL INFORMATION =====

Merchant : DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (1869311) Date/Time : 22-Sep-2022 13:25:58 CDT

===== ORDER INFORMATION =====

Invoice :
Description : Water Permit-Reetz Farms
Amount : 1076.25(USD)
Payment Method: MasterCard xxxx8610
Transaction Type: Authorization and Capture

===== Line Items =====

===== RESULTS =====

Response : This transaction has been approved.
Auth Code : 06789P
Transaction ID : 63947539093
Address Verification : Street Address: No Match -- First 5 Digits of Zip: Match

==== CUSTOMER BILLING INFORMATION ===

Customer ID :

First Name : Jamie

Last Name : Reetz

Company :

Address :

City :

State/Province :

Zip/Postal Code : 57274

Country :

Phone :

Fax :

E-Mail : jwreetz@gmail.com

==== CUSTOMER SHIPPING INFORMATION ===

First Name :

Last Name :

Company :

Address :

City :

State/Province :

Zip/Postal Code :

Country :

===== ADDITIONAL INFORMATION =====

Tax :

Duty :

Freight :

Tax Exempt :

PO Number :

Schlaak, Karen

From: Jamie Reetz <jwreetz@gmail.com>
Sent: Thursday, September 22, 2022 1:27 PM
To: Schlaak, Karen
Subject: Re: [EXT] Map

Also. I talked to the irrigation guy and yes 700gpm is what it I will need. 111 acres u set water. Payment has been made.

Sent from my iPhone

On Sep 22, 2022, at 1:13 PM, Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

Jamie,

That maps you submitted will be okay. Do you agree that the 111 acres to be irrigated are located in the SE ¼ Section 35-T121N-R56W? Do you agree that the location of diversion point from Reetz Lake will be located in the SE ¼ NW ¼ Section 35-T121N-R56W? *See letter emailed map*

On the amount of water claimed you indicate 900-1200 gpm. This will need to be a specific amount. The statutory limit for irrigation of 111 acres is 1.58 cubic feet of water per second (cfs) or 713 gpm. It is possible to apply for a greater rate than 1 cfs per 70 acres but typically a low pressure pivot can operate in the 700 to 800 gpm range so there is no need to justify a greater amount if you don't need that greater amount. What is the amount needed to operate your proposed system?

The application/license fee for irrigation of 111 acres will be \$1,050.00. You can make a check payable to the Water Rights Program and mail to: Water Rights Program, 523 E Capitol, Pierre SD 57501 or to make payment with a credit card contact Lynda Fratzke (with our fiscal office) 605 773-4216. Please indicate that the payment is for a water permit application.

Let me know if you have questions.
Karen

From: Jamie Reetz <jwreetz@gmail.com>
Sent: Thursday, September 22, 2022 12:39 PM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: Fwd: [EXT] Map

Sent from my iPhone

Begin forwarded message:

From: Jamie Reetz <jwreetz@gmail.com>
Date: September 22, 2022 at 12:28:46 PM CDT

Schlaak, Karen

From: Jamie Reetz <jwreetz@gmail.com>
Sent: Thursday, September 22, 2022 12:32 PM
To: Schlaak, Karen
Subject: Re: [EXT] Water Permit Application

I apologize. I really have no idea what I am doing. This is the first pivot we have ever put in. So do you need a map of the irrigation system proposal or a map of the sight of the system. Also, what is the amount I need to submit and do I mail it or can I do a debit or cc payment over the phone. Thanks for the help. I will get you whatever you need. Thanks again.

Sent from my iPhone

On Sep 22, 2022, at 11:24 AM, Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

Jamie,
Received your water permit application. Please submit the required map and application/license fee to complete the application.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

Website: <https://danr.sd.gov>



Water Rights Program - File Documentation

NAME: Jamie Reetz – Reetz Farms

ADDRESS: Webster SD

DATE: 9-28-22

RE: Pending application

COMMENTS:

I called Jamie regarding the period of annual use listed on the application. Jamie indicated he was fine with changing the period of annual use to May 1 – October 31 which will give him more flexibility when operating the system.



Karen Schlaak
Water Rights Program

Gronlund, Eric

From: Gronlund, Eric
Sent: Friday, October 28, 2022 2:19 PM
To: Rath, Mark
Cc: Duvall, Ron
Subject: Application No. 8664-3, Reetz Farms

David Baukel called regarding this application. He and his sister (Anne Reishen who lives in Norway) own land on the perimeter of Reetz Lake. He indicated 150 acres of the 1700 surface acres of the lake are their property.

He wanted to know what this application meant to him. I explained the application is divert at 1.56 cfs (700 gpm) to irrigate 111 acres. Assuming an average application of 8 inches per year would equate to about a ½ inch of water. He did not think that would affect him so wasn't opposed to the application.

He did say that USFWS does have an easement on their property and he inquired about how the diversion could impact his compliance with the easement. I told him I could not answer that question. He indicated that ½ inch off the surface would make little to no difference in the area inundated by Reetz Lake.



Eric Gronlund, PE
Chief Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

Water Rights Program - DANR

File Documentation

No 8664-3

Name of Person: *Drew Ellis, US Fish and Wildlife Service - Waubay Refuge* **County:** *Day*

Date: *November 7, 2022*

RE: *Proposed irrigation project from Reetz Slough and a USFWS wetland easement*

Comments:

I contacted Mr. Ellis concerning the Reetz's application for an irrigation permit from Reetz Slough. I explained that David Baukel who owns some of the land under the lake was concerned that if the permit were approved, it might cause him to be in violation of the wetland easement that is on that land. Mr. Ellis said the effects of the Reetz's pumping would have negligible effect to the water body and that the pumping would not cause a violation of Baukel's wetland easement.



Mark D Rath
Natural Resources Engineer III
SD DANR-Water Rights Program

Water Rights Program - DANR

File Documentation

No 8664-3

Name of Person: *David Baukol*

County: *Day*

Date: *November 14, 2022*

RE: *Proposed irrigation project from Reetz Slough and a USFWS wetland easement on the Baukol property.*

Comments:

I left a message for David Baukol concerning the Reetz's application for an irrigation permit from Reetz Slough. Mr. Baukol returned my call and I had contacted Drew Ellis with Waubay Refuge the wetland easement on his property and I explained to Mr. Ellis you were concerned that if the permit were approved, it might cause him to be in violation of the wetland easement that is on that land. Mr. Ellis said the effects of the Reetz's pumping would have negligible effect to the water body and that the pumping would not cause a violation of Baukol's wetland easement and that he would document Mr. Baukol file our discussion.

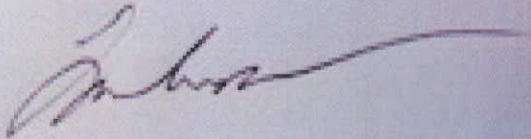


Mark D Rath
Natural Resources Engineer III
SD DANR-Water Rights Program

Reetz Farms Irrigation

I have no problems or issues with Reetz Farms Inc. Pumping water out of Reetz Lake for their irrigation pivot.

Lonnie/Nikki Amundson

A handwritten signature in dark ink, appearing to read 'Lonnie' or 'Nikki', with a long, sweeping horizontal line extending to the right.

Water Rights Program - DANR

File Documentation

No 8664-3

Name of Person: *Jamie Reetz -Reetz Farms*

Address: *43399 146 St, Webster SD 57274*

Date: *11/18/2022*

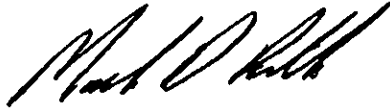
RE: *Advertising Application No. 8664-3*

County: *Day*

Phone: *605-881-0294*

Comments:

I called Mr. Reetz, I told him after internal discussion with Water Rights staff, we decided to go ahead with advertising the application. If there are any adjacent property owners in opposition to the application, they can petition in opposition and the issue will go in front of the Water Management Board for their decision. Mr. Reetz agreed that would be a good course of action.



Mark D Rath

Natural Resources Engineer III

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. 8664-3, Reetz Farms**

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. 8664-3, Reetz Farms, 43399 146 Street, Webster SD 57274.

The Chief Engineer is recommending APPROVAL of Application No. 8664-3 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:

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
October 7, 2022

REPORT ON WATER PERMIT APPLICATION NO. 8664-3

Reetz Farms

October 4, 2022

Application No 8664-3, proposes to appropriate 1.56 cubic feet of water per second (cfs) from Reetz Lake at a diversion point located in the S 1/2 NE 1/4 Section 35 for irrigation of 111 acres located in the SE 1/4 Section 35; all in T121N-R56W. This site is located approximately 6 miles south of Webster SD in Day County.

South Dakota Codified Law SDCL 46-2A-2 directs the Chief Engineer to make a recommendation to the Water Management Board on a permit application. The Chief Engineer needs to consider four criteria in making a recommendation on whether a permit should be approved, approved with qualifications, denied, or deferred. They are: 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. This report will analyze the available information to make a recommendation to the Chief Engineer on the first two criteria the Chief Engineer needs to consider in making an official recommendation to the Water Management Board.

Review of the Proposed Water Source

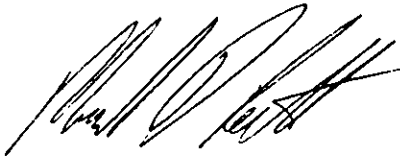
The source of water is Reetz Lake, is a nonmeandered lake with an approximately 12,100 acre watershed. Prior to the current wet cycle that started in the early 1990's the lake for several decades had encompassed approximately 250 acres of open water with an additional 700 acres of marsh wetland around the perimeter. In approximately 1993, water levels in the northeast South Dakota lakes region significantly increased with lake levels in Reetz Lake rising 15 to 20 feet. This volume of additional water equates to between 3,400 ac-ft to 4,500 ac-ft. If approved, this permit would authorize the use of 2 ac-ft per irrigated acre or a maximum of 222 ac-ft annually, likely the actual annual use would be much less. Water availability for this project should not be an issue.

Review of Existing Water Rights

Reetz Lake is part of a closed basin lake system without a normally functioning outlet. There are no other existing water rights/permits appropriating water from Reetz Lake (Water Rights. 2022.

Conclusions

1. This application proposes to appropriate 1.56 cubic feet of water per second (cfs) from Rectz Lake, a nonmeandered lake for irrigation of 111 irrigated acres.
2. With the current wet cycle starting in the early 1990's, the lake impounds an additional 3,400 ac-ft to 4,500 ac-ft from what had been impounded the previous several decades.
3. If approved, this permit would authorize the use of 2 ac-ft per irrigated acre or a maximum of 222 ac-ft annually, likely the actual annual use would be much less.
4. Water availability for this project should not be an issue.
5. There are no other existing water rights/permits appropriating water from Rectz Lake.



Mark D. Rath
Natural Resources Engineer III

References

1. Water Rights. 2022. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 18, 2022

David Baukol
2713 Keeble Ave
Grenville SD 57239

Dear Mr. Baukol:

For your information attached is a copy of the Notice of Application No. 8664-3, Reetz Farms scheduled to be published in the Watertown Public Opinion and the Webster Reporter and Farms.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

enclosure

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, November 21, 2022 9:06 AM
To: Jamie Reetz
Subject: Water Permit Application No. 8664-3
Attachments: 4446.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 papers as soon as possible (especially with the Thanksgiving Holiday) 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>



LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

PROOF OF PUBLICATION

Water Rights Program
Reetz Farms
43399 146Th ST
Webster SD 57274-6003

RECEIVED

DEC 12 2022

**OFFICE OF
WATER**

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:

11/29/2022

and that the fees charged are legal.
Sworn to and subscribed before on 11/29/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$47.00

Order No: 8085556

Customer No: 880305

of Copies:

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance

VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF APPLICATION NO. 8664-3 to Appropriate Water

Notice is given that Reetz Farms, c/o Jamie Reetz, 43399 146 St, Webster SD 57274 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from Reetz Lake at a pumping station located in the S 1/2 NE 1/4 Section 35 for irrigation of 111 acres located in the SE 1/4 Section 35; all in T121N-R56W. This site is located approximately 6 miles south of Webster SD. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8664-3 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 December 9, 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

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WATER**

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://dnr.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 December 9, 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 on Nov. 29, 2022 at the total approximate cost of \$47.00 and may be viewed free of charge at www.sdpublicnotices.com

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County of Day
State of South Dakota,

SS

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First Publication	Nov. 28;
Second Publication	"
Third Publication	"
Fourth Publication	"

Alexander H. Fanger

Alan M Suhr

LeAnn M. Suhr
Day County South Dakota
My Commission Expires January 12, 2024

Comments are sought for application for water permit to appropriate water

NOTICE OF APPLICATION

NO. 8664-3 TO APPROPRIATE WATER

Notice is given that Reetz Farms, c/o Jamie Reetz, 45399 St. Webster, SD 57274 has filed an application for water permit to appropriate 56 cubic feet of water per second from Reetz Lake at a pumping station located in the 1/2 NE 1/4 Section 35 for irrigation of 11 acres located in the SE 1/4 Section 35, II in T121N-R56W. This site is located approximately six miles south of Webster, SD.

Pursuant to SDCL 46-A-2, the Chief Engineer recommends APPROVAL of application No. 8664-3 with modifications because 1) unappropriated water is available, existing domestic water uses and water rights will not be unlawfully impaired, 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://damstsd.gov/public> or contact Ron Durvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or the recommendation shall allege that the application, upon approval, will cause injury to any 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://damstsd.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 December 8, 2022.

The petition shall include a statement describing the unique injury upon approval of the application to 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://damstsd.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

December 8, 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 \$4562 and can be viewed free of charge at www.sdpublicnotices.com.

Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, November 18, 2022 9:42 AM
To: 'news@reporterandfarmer.com'
Subject: 8664-3, Reetz Farms
Attachments: 8664-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 28, 2022.

Reetz Farms, c/o Jamie Reetz, 43399 146 St, Webster SD 57274 (605 881-0294) 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: Friday, November 18, 2022 9:43 AM
To: Watertown Public Opinon (legals@thepublicopinion.com)
Subject: 8664-3, Reetz Farms
Attachments: 8664-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 28, 2022.

Reetz Farms, c/o Jamie Reetz, 43399 146 St, Webster SD 57274 (605 881-0294) has been notified to contact you to authorize publication and arrange for payment.

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

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

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

November 18, 2022

Reetz Farms
c/o Jamie Reetz
43399 146th St
Webster SD 57274

Dear Mr. Reetz:

Water Permit Application No. 8664-3 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 Reporter & Farmer printed at Webster (Ph # 605 345-3356) and the Public Opinion printed at Watertown (see attachment for contact number). 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
Water Rights Program
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on November 28, 2022. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8664-3 to Appropriate Water

Notice is given that Reetz Farms, c/o Jamie Reetz, 43399 146 St, Webster SD 57274 has filed an application for a water permit to appropriate 1.56 cubic feet of water per second from Reetz Lake at a pumping station located in the S 1/2 NE 1/4 Section 35 for irrigation of 111 acres located in the SE 1/4 Section 35; all in T121N-R56W. This site is located approximately 6 miles south of Webster SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8664-3 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 December 8, 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.

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

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PIERRE SD 57501-3182
danr.sd.gov

DEC 21 2022

Reetz Farms
c/o Jamie Reetz
43399 146th St
Webster SD 57274

Dear Mr. Reetz:

Enclosed is Water Permit No. 8664-3 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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523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 8664-3

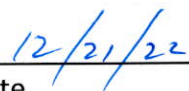
Name of Applicant: Reetz Farms, c/o Jamie Reetz

Date of Posting: 11/29/2022

Date of Removal: 12/21/2022



Ron Duvall, Water Rights Permitting Administrator



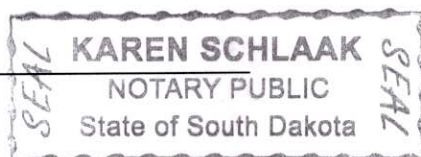
Date

Subscribed and sworn to before me, a notary public, this 21st day of Dec, 2022.



Notary Public - South Dakota
My commission expires: 4/1/2025

(SEAL)



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8664-3

I have this day, October 4, 2024, made a thorough examination of the water use system constructed by Reetz Farms 43399 146th St, Webster, SD 57274 of Permit No. 8664-3, bearing the priority of September 22, 2022 authorizing the diversion of 1.56 cu. ft. per second of the waters of Reetz Lake for irrigation purposes, in Day County.

A. Works used to divert the water: (SEE ATTACHED PHOTO)

Pump:

- 1) Make Cornell
- 2) Model 4RB F16
- 3) Size 4 inch
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. unknown
- 3) Horsepower rating 50 hp

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

- 1) Type PVC
- 2) Size 10 inches
- 3) Length 3100 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T & L
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

If no, describe: **Pumping rate exceeds authorized rate.**

2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

3) Exceptions to compliance are: Diversion point is outside of authorized public notice (S ½ NE ¼)

E. Condition and Location:

1. The system is in new condition with the point(s) of diversion located as follows: **SURFACE PUMP LOCATION From the NE corner Sec 35 T121N R56W, 900 ft S & 1740 ft W, Lat 45.25160 Long - 97.51633 (NW ¼ NE ¼).**
2. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

NW 1/4 SE 1/4 - 34 acres

NE 1/4 SE 1/4 - 11 acres

SE 1/4 SE 1/4 - 31 acres

SW 1/4 SE 1/4 - 33 acres

legal description/acreage

comprising a total of 109 acres of land and the license should be issued for 1.56 cfs

3. All structures, wells and lands on map Y

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

FSA maps and the ArcGIS program were used to construct the attached well location and irrigated area map which was used to estimate irrigated acreage.

The flow rate reported on the 2023 Irrigation Questionnaire was used to establish the system flow capacity.

The address and phone number in the permit application are current.

I talked to Mr. Jamie Reetz, farm operator, on the phone regarding Permit details.



Pumping plant located on Reetz Lake in Day County.

Darrell DeBoer

Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: October 7, 2024



SURFACE PUMP LOCATION
 From the NE corner
 Sec 35 T121N R56W
 900 ft S & 1740 ft W
 Lat 45.25160 Long -97.51633

IRRIGATED AREA
 NW 1/4 SE 1/4 - 34 acres
 NE 1/4 SE 1/4 - 11 acres
 SE 1/4 SE 1/4 - 31 acres
 SW 1/4 SE 1/4 - 33 acres



0 750 1,500 3,000 4,500 6,000 Feet

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APR 01 2025

OFFICE OF
WATERNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date

3/28/25

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

FROM:

Rce + 2 Farms Inc @ James Rce + 2
(name)717 West 12th Ave

(address)

Webster S.D. 57274

(city, state, zip)

605 881-0294

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8664-3 states that the water use system is to be constructed by
December 9, 2027 , and water is to be put to beneficial use by December 9, 2031 .
(date) (date)

The water use system was completed on

9/07/2024
(date)

Applying the water to beneficial use was completed on

3/28/25
(date)

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

James W. Rce + 2
(signature)

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Retz FarmsCOUNTY: DayADDRESS: 43399 146th StDATE: March 25, 2025**GENERAL DESCRIPTION OF AUTHORIZED PROJECT:**

The permit holder is authorized to appropriate 1.56 cubic feet of water per second from Reetz Lake at a pumping station located in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 35 for irrigation of 111 acres located in the SE $\frac{1}{4}$ Section 35; all in T121N, R56W. This site is located approximately 6 miles south of Webster SD.

AUTHORITY:

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

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

The permit holder completed the pumping station from Reetz Lake, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, T121N, R56W. No additional diversion was developed.

If irrigation, no new land is irrigated

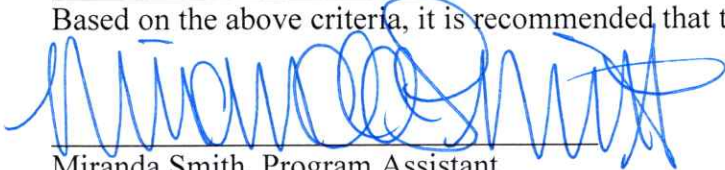
Water Permit No. 8664-3 irrigates 109 of the originally authorized 111 acres in the SE $\frac{1}{4}$ Section 35, T121N, R56W. No unauthorized acres were developed.

Review of Existing Diversions

Reetz Farms holds the only permit/water right for appropriations from Reetz Lake, so there should be no concern for impairment.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change in diversion point location be approved.



Miranda Smith, Program Assistant
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Mark Mayer, PE
Director of Office of Water



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

APR 28 2025

Reetz Farms Inc
c/o Jamie Reetz
717 West 12th Ave
Webster, SD 57274

No. 8664-3

Dear Mr. Reetz:

Enclosed is Water License No. 8664-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

So long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

Note: The inspection found your system for Water Right No. 8664-3 to be capable of diverting 1.78 cfs (approx. 800 gpm). Diversion of water under this license is limited to 1.56 cfs (approx. 700 gpm).

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8664-3**

(1) Reetz Farms, 717 W 12th Ave, Webster, SD 57274, made Application No. 8664-3, September 22, 2022, for a water permit to divert 1.56 cubic feet of water per second from Reetz Lake, Day County, South Dakota for irrigation purposes. Permit No. 8664-3, with a priority date of September 22, 2022, was approved December 9, 2022, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 9, 2027, and for the application to beneficial use of water on or before December 9, 2031.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on April 1, 2025. The Notice stated the diversion system was completed on September 7, 2024 and the water was placed to beneficial use on March 28, 2025.

An investigation conducted for licensing purposes found the diversion point developed outside of the permitted area. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding that the change in the diversion point location did not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 900 feet S and 1,740 feet W from the NE corner of Section 35, T121N, R56W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
(Latitude 45.25160 and Longitude -97.51633)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.

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

Section 35, T121N, R56W
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 11 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 33 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 31 acres
Total – 109 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Reetz Farms, the holder and/or owner of Water Right No. 8664-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from Reetz Lake, with a priority date of September 22, 2022, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8664-3 and subject to the following qualification:

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



Mark Mayer, PE
Director of Office of Water


date

