

WATER PERMIT NO. 8723-3

Name of Applicant: **Mark E Venner, Sr**

Address: **28127 200th St, Pierre SD 57501**

Phone: **605 222-0469**

Amount of Water Claimed: **1.11 cfs**

Total Acres: **215 acres**

Source of Water Supply: **Missouri River**

Water to be used for: irrigation

County: Hughes

Type of Waste Disposal System:

Location: 6 miles northwest of Oahe Dam

PRIORITY

Date Received: 1-31-23

Application/License Fee: **\$950**

Corrected Application Received: 2-8-23

Period of Annual Use: **April 1 – October 31**

Remarks: Increase acres and diversion rate on Water Permit No. 8382-3

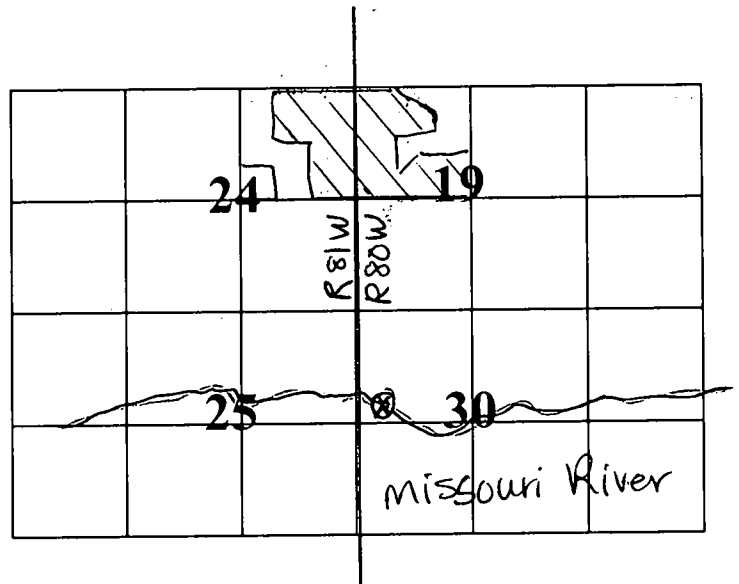
Diversion Point: SW 1/4 NE ^W1/4 Sec 30-T112N-
R80W

Land to be Irrigated: **NW 1/4 Sec 19-T112N-**
R80W and NE 1/4 Sec 24-T112N-R81W

Depth of Well: NA

Well Driller:

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **2-9-23**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8723-3**

Date of first receipt of application January 31, 2023.

Date of return to applicant for corrections, amendments, or changes February 3, 2023.

Date of receipt of corrected application February 8, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8723-3 to Mark E Venner Sr., 28127 200th Street, Pierre SD 57501 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. 8723-3 appropriates an additional 1.11 cubic feet of water per second (cfs) from the Missouri River and irrigation of an additional 215 acres. Water Permit No. 8382-3 authorizes 3.34 cfs from the Missouri River for irrigation of 320 acres located in the S 1/2 Section 19; all in T112N-R80W. This permit authorizes an additional 1.11 cfs from the existing Missouri River diversion point located in the SW 1/4 NW 1/4 Section 30-T112N-R80W to irrigate 215 acres located in the NW1/4 Section 19-T112N-R80W and the NE1/4 Section 24-T112N-R81W. This permit, and Water Permit No. 8382-3, combined, will authorize a total of 4.45 cfs for irrigation of 535 acres. The site is located approximately 6 miles northwest of the Oahe Dam.
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 – October 31.
3. The date from which applicant may claim right is January 31, 2023.
4. The date of approval of Permit No. 8723-3 is March 21, 2023.
5. One-fifth of the construction is to be completed on or before September 21, 2025.
6. All construction is to be completed on or before March 21, 2028.
7. Water is to be put to beneficial use on or before March 21, 2032.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

APR 19 2023
date



RECEIVED

JAN 31 2023

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8723-3</u> Hydrologic Unit <u>10130105</u> Basin <u>Missouri River</u> Newspaper <u>Capital Journal 224-7301</u> <u>Plainsman</u> (office use only) <u>353-7414</u>
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Application for Permit to Appropriate Water for Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 8382-3
(Use predates Mar 2, 1955)

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

Increase acres from 320 to 535.

1. Name to Appear on Irrigation Permit Mark E. Verner, Sr

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

Mailing Address 28127 200th St Pierre SD 57501

Phone (605) 224-5755 Mobile (605) 222-0469 Email vernerfarm@gmail.com

2. Amount of water claimed 3000 *CFS or 500 add'l **GPM --- ***AF Total Acreage 535
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable

3. Source of water supply see attachment 8382-3

4. Location of point of diversion see attachment 8382-3 Missouri River

SW 1/4 NW 1/4 Sec 30 - T112N - R80W County Hughes

5. County or counties where water will be used see attachment 8382-3

6. Annual period during which water is to be used see attachment 8382-3 April 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.
see attachment adding: (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 NW 1/4 Sec 19 - T112N - R80W	40	NW 1/4 NE 1/4 Sec 24 - T112N - R81W	10
NE 1/4	10	NE 1/4	40
SW 1/4	20	SW 1/4	20
SE 1/4	35	SE 1/4	40

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

Project description remain the same. See attached map for added acres.

I, [Signature]

Owner/Operator
Title (if applicable)

the applicant, certify under 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)

Mail to:	(office use only) No. _____ Hydrologic Unit _____
DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182	Basin _____
ph. (605) 773-3352	Newspaper _____

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.)

- Abstract*

**SOUTH DAKOTA
WATER PERMIT NO. 8382-3**

Date of first receipt of application November 27, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8382-3 to Mark E Venner Sr, 28127 200th St, Pierre SD 57501 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. 8382-3 appropriates ^{1500 gpm} 3.34 cubic feet of water per second from the Missouri River with the existing diversion point located in the SW 1/4 NW 1/4 Section 30 for irrigation of 320 acres located in the S 1/2 Section 19; all in T112N-R80W. This site is located approximately 6 miles northwest of the Oahe Dam.
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 November 27, 2018.
4. The date of approval of Permit No. 8382-3 is January 14, 2019.
5. One-fifth of the construction is to be completed on or before July 14, 2021.
6. All construction is to be completed on or before January 14, 2023.
7. Water is to be put to beneficial use on or before January 14, 2027.
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: Jeanne Goodman

Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 31 2019

date



Attorney

8382-3



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
March 1, 2018

Schlaak, Karen

From: Mark E. Venner, Sr. <vennerfarm@gmail.com>
Sent: Sunday, February 5, 2023 7:34 PM
To: Schlaak, Karen
Subject: Re: [EXT] New Water Permit Application

Yes, please proceed Karen.

The request is to raise the diversion from 1500 GPM to 2000 GPM and add 215 acre.

FYI, this is Subsurface Drip Irrigation (SDI) and we are a certified organic farm.

Thank You.

Best Regards,
...mark

Mark E. Venner, Sr
Venner Farm
28127 200th St
Pierre, SD 57501
(605) 224-5755
(605) 222-0469 mobile

On Fri, Feb 3, 2023 at 7:29 AM Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

Mr. Venner,

We have received your water permit application for an additional 215 acres. The new application requests diversion of 2,000 gpm. Existing Water Permit No. 8382-3 authorizes 1,500 gpm. Is the new application requesting an additional 500 gpm?

Also the application fee for irrigation of 215 acres will be \$950.00. Please submit.

Upon receipt of the fee and clarification of the amount of water, processing of the application will continue.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8723-3, Mark Venner Sr**

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. 8723-3, Mark Venner Sr, 28127 200th Street, Pierre SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 8723-3 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 qualification:

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
February 23, 2023

REPORT ON WATER PERMIT APPLICATION NO. 8723-3

Mark E Venner Sr

February 20, 2023

Application No 8723-3, proposes to appropriate an additional 1.11 cubic feet of water per second (cfs) from the Missouri River and irrigate an additional 215 acres. Water Permit No. 8382-3 authorizes 3.34 cfs from the Missouri River for irrigation of 320 acres located in the S 1/2 Section 19; all in T112N-R80W. This application proposes to appropriate an additional 1.11 cfs from the existing Missouri River diversion point located in the SW 1/4 NW 1/4 Section 30-T112N-R80W to irrigate 215 acres located in the NW1/4 Section 19-T112N-R80W and the NE1/4 Section 24-T112N-R81W. This application and Water Permit No. 8382-3, combined, will authorize a total of 4.45 cfs for irrigation of 535 acres. This site is located approximately 6 miles northwest of the Oahe Dam in Hughes 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 Project

The applicant holds Water Permit No. 8382-3 which appropriates 3.34 cfs from the Missouri River for irrigation of 320 acres located in Section 19-T112N-R80W. The applicant proposes to irrigate an additional 215 acres at a diversion rate of 1.11 cfs utilizing the existing diversion point. If this application is approved, combined, the two permits will authorize a total of 4.45 cfs for irrigation of 535 acres.

Review of the Proposed Water Source

The water source for this future use reservation is from the natural flow of the Missouri River flowing through Lake Oahe in the reach impounded behind Oahe Dam. The US Army Corps of Engineers constructed Oahe Dam impounding Lake Oahe in the 1950s and 1960's as a part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams, Ft. Peck, Garrison, Oahe, Big Bend, Ft. Randall, and Gavins Point, are operated as a system providing storage and water releases for congressionally authorized purposes, including irrigation. Specifically, Oahe Reservoir can impound up to 23.4 million acre-feet of water (MAF) when full (USACE. 2023). Natural flow in an instream reservoir system like the Missouri River mainstem system is the volume of water moving past a point along a river that is not augmented by artificial releases from the storage. When there is an excess of natural flow, the excess can be used to fill empty storage space in the instream reservoir and typically occurs during spring run-off. The natural

flow of the Missouri River is available for appropriation without the need for releases from storage in the reservoirs to augment the natural flow.

The flow hydrograph of the Missouri River in South Dakota has been altered in the past 60 to 80 years due to the presence of the Missouri River mainstem reservoir system, with excess natural flow going into storage and stored water released to supplement flows. The USGS, in a 2001 research study, made an estimation of the Missouri River natural flow of the river at Oahe Dam (Jacobson, 2001). A percentile hydrograph displaying the daily 50, 25 and 10 percentile flows corresponding to drier climatic conditions, can be derived from this study for the Missouri River at Oahe Dam (Figure 1). A percentile is a measure used in statistics to indicate the value below which a given percentage of observations in a group of observations fall, in this case daily flow. The Missouri River natural flow percentile hydrograph shows a double peak for the three percentile levels shown. The first March-April peak corresponds to the snowpack and spring rains runoff from the plains of Montana, Wyoming, North Dakota and South Dakota. The second June peak corresponds to snowmelt runoff from the mountains in Wyoming and Montana and from upstream summer thunderstorms. Considering the 10th percentile hydrograph, corresponding to the daily flow values at or below this level on average one out of ten years, there is ample natural flow available (Jacobson, 2001).

Even at the 10th percentile flow level, this hydrograph demonstrates there is ample natural flow available, if this application is approved for the irrigation season of April through October. Water availability is not a concern when using the natural flows of the Missouri River as a source.

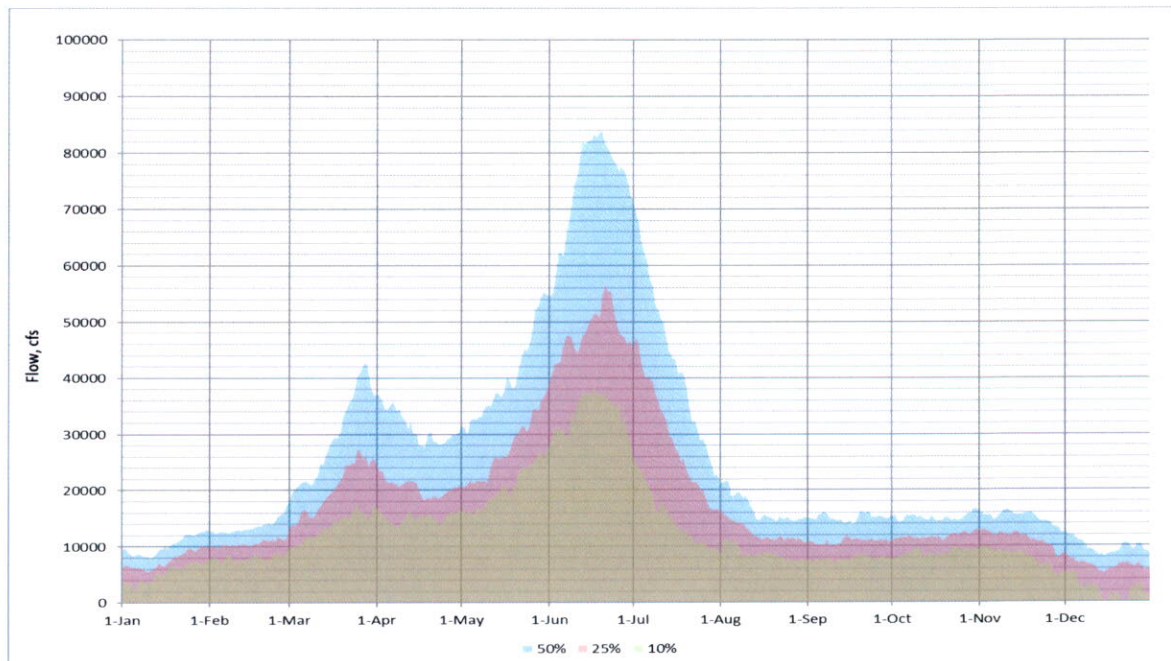


Figure 1. Natural Flow Hydrograph for the Missouri River at Oahe Dam (Jacobson, 2001).

Review of the Proposed Project and Existing Water Rights

There are 255 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1,264.79 cfs. Currently there are 15 future use permits reserving 355,201 acre-feet annually for contemplated future development from the Missouri River. There is one future use permit for approximately 1.1 million acre-feet held by the US Bureau of Reclamation for the suspended Oahe Irrigation Project (Water Rights. 2023). As Figure 1 demonstrates, existing water rights will not be adversely impacted by this project. Water availability is not a concern when using the natural flows of the Missouri River as a source.

Conclusions

1. This application proposes to appropriate 1.11 cubic feet of water per second (cfs) from the Missouri River for irrigation of 215 acres.
2. The water source for this project is from the natural flow of the Missouri River in the Lake Oahe reach.
3. The applicant holds Water Permit No. 8382-3 with a diversion rate of 3.34 cfs from the Missouri River for irrigation of 320 acres and using a common diversion point.
4. If this application is approved, combined, the two permits will authorize a total of 4.45 cfs for irrigation of 535 acres.
5. Water availability is not a concern when using the natural flows of the Missouri River as a source.
6. Since water availability is not an issue, approval of this permit will not adversely affect these existing rights.



Mark D. Rath
Natural Resources Engineer III

References

1. USACE. 2023. Missouri River Mainstem System 2022-2023 Annual Operation Plan, December 2022. US Army Corps of Engineers – Northwest Division Missouri Basin Water Management Division.
2. Water Rights. 2023. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
3. Jacobson. 2001. Visualization of Flow Alternatives, Lower Missouri River U.S. Geological Survey Open-file Report OF02-122. Robert B. Jacobson and Jeanne Heuser, U.S. Geological Survey, Columbia, MO.



**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 1, 2023

Mark E Venner Sr
28127 200th St
Pierre SD 57501

Dear Mr. Venner:

Water Permit Application No. 8723-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Capitol Journal printed at Pierre SD (Ph # 605 224-7301) and the Plainsman printed at Huron SD (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 publisher has 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.

NOTICE OF APPLICATION NO. 8723-3 to Appropriate Water

Notice is given that Mark E Venner, Sr, 28127 200th St, Pierre SD 57501 has filed an application for a water permit to appropriate an additional 1.11 cubic feet of water per second (cfs) from the Missouri River and irrigate an additional 215 acres. Water Permit No. 8382-3 authorizes 3.34 cfs from the Missouri River for irrigation of 320 acres located in the S 1/2 Section 19; all in T112N-R80W. This application proposes to appropriate an additional 1.11 cfs from the existing Missouri River diversion point located in the SW 1/4 NW 1/4 Section 30-T112N-R80W to irrigate 215 acres located in the NW1/4 Section 19-T112N-R80W and the NE1/4 Section 24-T112N-R81W. This application and Water Permit No. 8382-3, combined, will authorize a total of 4.45 cfs for irrigation of 535 acres. This site is located approximately 6 miles northwest of the Oahe Dam.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8723-3 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 March 21, 2023.

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 March 21, 2023.

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

Published once at the total approximate cost of_

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, February 28, 2023 3:40 PM
To: Ruby Crandall
Subject: 8723-3, Mark E Venner Sr.
Attachments: 8723-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on March 11, 2023.

Mark. E Venner Sr, 28127 200th St, Pierre SD 57501 (605 222-0469) 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, February 28, 2023 3:39 PM
To: Pierre Capital Journal (legals@capjournal.com)
Subject: 8723-3, Mark E Venner Sr.
Attachments: 8723-3public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on March 11, 2023.

Mark. E Venner Sr, 28127 200th St, Pierre SD 57501 (605 222-0469) 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>



Proof Of Publication ✓

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

RECEIVED ✓

MAR 23 2023

OFFICE OF
WATER

Legal Notice Number: 1864

I, Cadee Schelske, 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: Mark E. Venner – Water Rights No. 8723-3 was published for one day, in said newspaper and not in any supplement of the said newspaper; the publication was on 03/11/2023. 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.

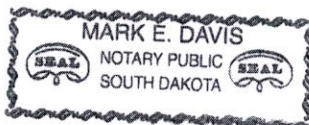
Cadee Schelske

Subscribed and sworn to me before this date 3/23/23.

[Signature]

Notary Public, South Dakota

My Term Expires 12/27/2024



[illegible][illegible]

Form 8

RECEIVED ✓

MAR 20 2023

OFFICE OF
WATER

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

) SS

County of Hughes)

I, Marylinn Baker

certify that the attached printed Notice was
taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was
published

in the newspaper on the following date:

3-11-23

Cost of Printing \$59.97

Marylinn Baker
(Signature)

Business Manager
(Title)

3-15-23
(Date Signed)

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, March 1, 2023 7:56 AM
To: Mark E. Venner, Sr.
Subject: Water Permit Application No. 8723-3
Attachments: 0098.pdf

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

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

APR 19 2023

Mark E Venner Sr.
28127 200th Street
Pierre SD 57501

Dear Mr. Venner:

Enclosed is Water Permit No. 8723-3 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
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.: 8723-3

Name of Applicant: Mark Venner

Date of Posting: 3/6/2023

Date of Removal: 4/19/2023



Ron Duvall, Water Rights Permitting Administrator

4/18/23

Date

Subscribed and sworn to before me, a notary public, this 18th day of April, 2023.



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

