

WATER PERMIT NO. 8764-3

Name of Applicant: **Jonathon Geraets**

Address: **47138 247th Street, Dell Rapids SD 57022** Phone: **605-929-7424**

Amount of Water Claimed: **1.78 cfs** Total Acres: **140**

Source of Water Supply: **Groundwater**

Water to be used for: **Irrigation** County: **Moody**

Type of Waste Disposal System:

Location: **22 miles east of Madison**

PRIORITY Date Received: **5-16-2023**

Application/License Fee: **\$1,050.00**

Corrected Application Received: **5-22-2023**

Period of Annual Use: **June 1 – September 30**

Remarks:

Diversion Point: **NE 1/4 corner Sec 26 -T106N-R49W**

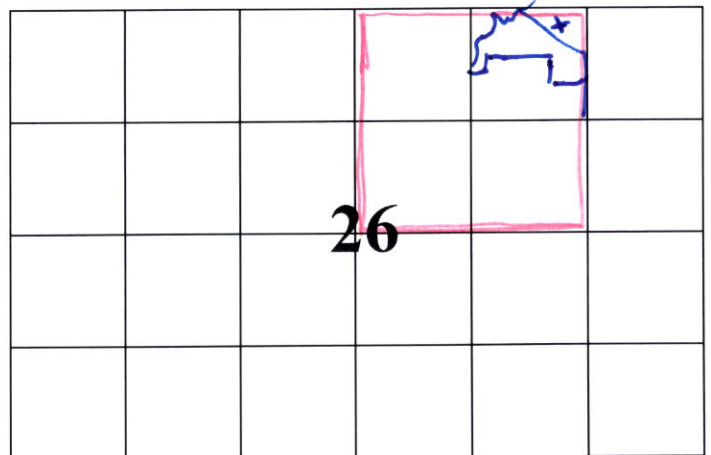
Land to be Irrigated: **NE 1/4 Sec 26-T106N-R49W**

Depth of Well: **149**

Well Driller: **Kaiser Well Drilling Inc.**

Remarks:

Type of Map: **aerial**



Reviewed and the Number Assigned on: **5-22-2023**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8764-3**

Date of first receipt of application May 16, 2023.

Date of return to applicant for corrections, amendments or changes May 18, 2023.

Date of receipt of corrected application May 22, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8764-3 to Jonathon Geraets, 47138 247th Street, Dell Rapids SD 57022 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. 8764-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 149 feet deep) located in the NE 1/4 NE 1/4 Section 26 for irrigation of 140 acres located in the NE 1/4 Section 26; all in T106N-R49W. This site is located approximately 3 miles southwest of Egan 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: June 1 – September 30.
3. The date from which applicant may claim right is May 16, 2023.
4. The date of approval of Permit No. 8764-3 is August 14, 2023.
5. One-fifth of the construction is to be completed on or before February 14, 2026.
6. All construction is to be completed on or before August 14, 2028.
7. Water is to be put to beneficial use on or before August 14, 2032.
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 well approved under Water Permit No. 8764-3 is 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. 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

AUG 31 2023

date



RECEIVED

MAY -16-2023

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

OFFICE OF
WATER

PAID

MAY 16 2023

Ck#

Rec#

Mail to:

SD DANR, Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182

ph. (605) 773-3352

No. 8764-3 Hydrologic Unit 10170203Basin Lower Big SiouxNewspaper Flandreau-Moody Co EnterpriseMadison Daily Leader
(office use only)

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 Jonathon Geraets

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

Mailing Address 47138 2475th Dell Rapids SD 57022
(Address) (City) (State) (Zip Code)Phone 605 428 3346 Mobile 605 929-7424 Email j-geraets69@hotmail.com2. Amount of water claimed 1.78*CFS or 800**GPM ***AF Total Acreage 140
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply Well / ground water4. Location of point of diversion 1 well in NE 1/4 section 26-106-49
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)County Moody5. County or counties where water will be used Moody6. Annual period during which water is to be used June July August September 307. List below each forty-acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE 1/4 section 26-106-49</u>	<u>140</u>		

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

I, Jonathon Geraets

Name of Person

Owner

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)

D. M. E. of Madison

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable)☐ Drilling new well(s) ☐ Using existing well(s)a) If new wells, how many _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:c) Well Depth (required) 149 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____d) Distance to nearest domestic well on applicant's property -0- Property owned by others 340
*David Shepard***2. Wastewater Disposal System Information**

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

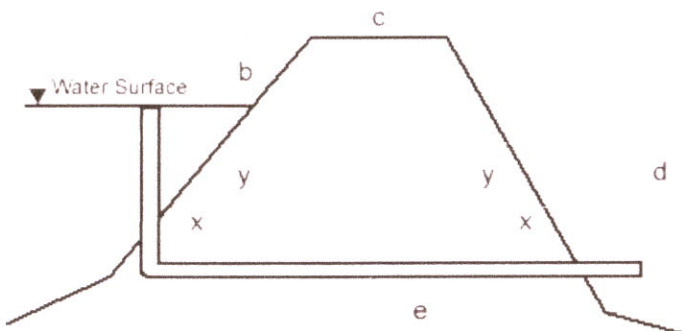
Upstream _____

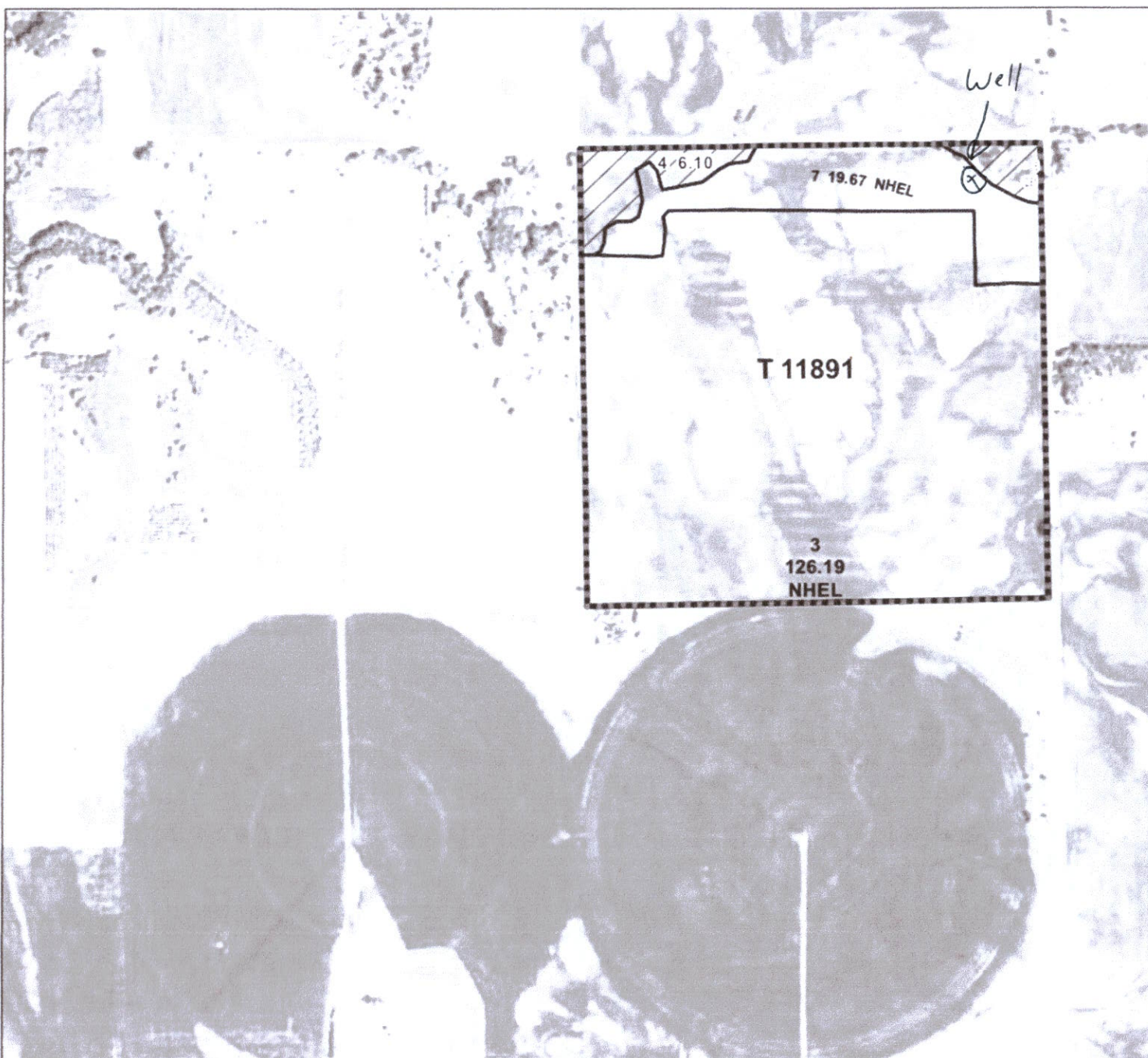
Downstream _____

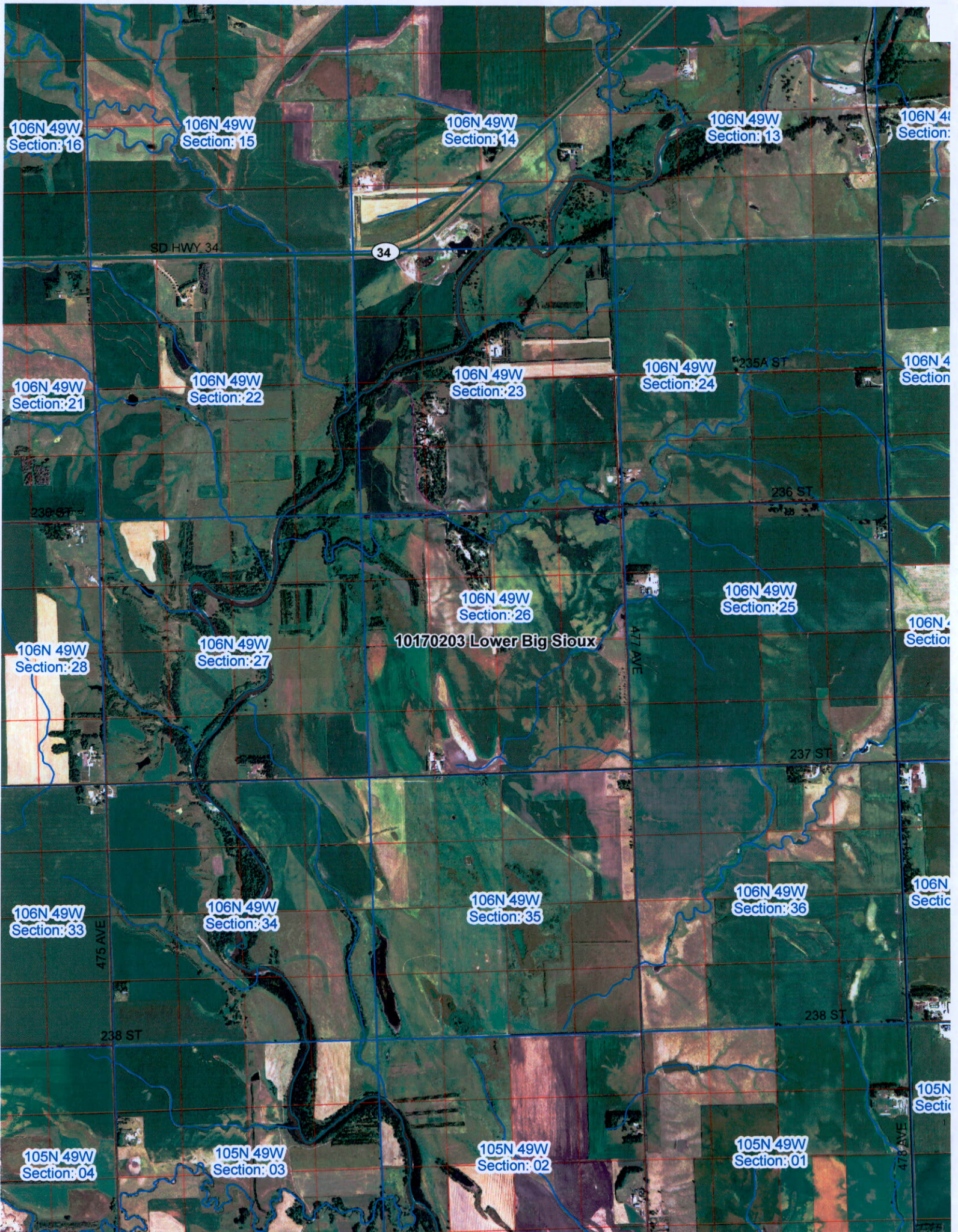
h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres







106N 49W
Section: 16

106N 49W
Section: 15

106N 49W
Section: 14

106N 49W
Section: 13

106N 49W
Section: 12

SD HWY 34

34

106N 49W
Section: 21

106N 49W
Section: 22

106N 49W
Section: 23

106N 49W
Section: 24

106N 49W
Section: 25

235A ST

236 ST

230 ST

106N 49W
Section: 28

106N 49W
Section: 27

10170203 Lower Big Sioux

106N 49W
Section: 26

106N 49W
Section: 25

106N 49W
Section: 24

477 AVE

237 ST

106N 49W
Section: 33

106N 49W
Section: 34

106N 49W
Section: 35

106N 49W
Section: 36

106N 49W
Section: 37

475 AVE

238 ST

238 ST

105N 49W
Section: 04

105N 49W
Section: 03

105N 49W
Section: 02

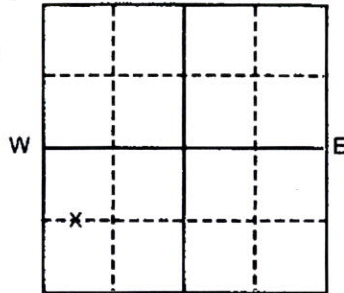
105N 49W
Section: 01

105N 49W
Section: 00

478 AVE

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 26 Twp 106N Rg 26WCounty MOODY ☒North per John Kaiser
Am 2/23/18Please mark well
location with an "X"

Well Completion Date

11-15-17

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
340 ft. from WELL (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

DIRECT ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
Sch40 LB/FT	10 IN	0 FT	129 FT	8.75 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
GRTWELDF	46	54 Lb/gal	0 Ft	125 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

TREMIE LINE PRESSURE PULL METHOD

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 10 Inches Length 20 Feet

Material STAINLESS STEEL

Slot Size .030 Set From 129 Feet to 149 Feet

Other information

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?☒ No, Why Not?Lab to which water
quality sample sent for analysis

NO PUMP

Well Owner: GLOBAL DAIRY

Business Name: TRENT DAIRY

Address: 46844 SD HWY 28

City, State, Zip: ESTELLINE ☒ SD ☒ 57034

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	2
YELLOW CLAY	2	18
YELLOW MIXED GRAVEL	18	23
BLUE CLAY	23	75
GREY SAND MIXED FINE-MED	75	90
BLUE CLAY	90	129
YELLOW MED-COURSE	129	149

STATIC WATER LEVEL 32 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: SUB PUMP☐ Bailed☐ Other

Pumping Level Below Land Surface

60 Ft. After 8 Hrs. pumped 600 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: NO PUMP GPM

REMARKS

40' FROM TEST HOLE

LEGAL DESC: LOT 1 BRANDORFF ADDITION

Howard Am

This well was drilled under license # 689 and this report is true and accurate.

Drilling firm: KAISER WELL DRILLING INC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED

FEB 01 2018

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 16, 2023

RECEIVED OF Jonathon/Megan Geraets 47138 247 St., Dell Rapids SD 57022

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

Fee for Application for Permit No. <u>8764-3</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>8764-3</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
vm

Rodriguez, Rachel

From: Jon Geraets <j_geraets69@hotmail.com>
Sent: Friday, May 19, 2023 5:04 PM
To: Rodriguez, Rachel
Subject: Re: [EXT] Application for irrigation permit

This is the only well on my property. The closet well is 340ft away on a property owned by David Sheppard

Sent from my iPhone

On May 19, 2023, at 3:31 PM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Thanks for the well depth. However, I still need the info for section d, highlighted below. Use your best estimate.

<image001.png>

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us
<image002.png>

From: Jon Geraets <j_geraets69@hotmail.com>
Sent: Friday, May 19, 2023 8:29 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] Application for irrigation permit

340ft. The other property does not belong to me it belongs to David Sheppard

Sent from my iPhone

On May 18, 2023, at 9:02 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Good morning Jonathan,

We have received your Application for Permit to Appropriate Water on May 16, 2023. However, to complete the application, the following is required:

1. Form2A (see attached) – Please complete section d – use your best estimate.

<image003.png>

Return to me, at your earliest convenience. Once I receive it, I can start working on processing your application.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us
<image002.png>

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Tuesday, April 18, 2023 10:11 AM
To: j_geraets69@hotmail.com
Cc: Schlaak, Karen <Karen.Schlaak@state.sd.us>; Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Application for irrigation permit

Jonathan,

Attached is the application form and also the well completion report from our files. If you have any questions about completing the application, please let me know.

Thank you,

Ron Duvall
Dept. of Agriculture & Natural Resources
Office of Water, Water Rights Program
605.773.3352
danr.sd.gov <image001.png>

<Form2A.pdf>



**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. 8764-3, Jonathon Geraets**

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. 8764-3, Jonathon Geraets, 47138 247th Street, Dell Rapids SD 57022.

The Chief Engineer is recommending APPROVAL of Application No. 8764-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 8764-3 is 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. 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
July 21, 2023

Report to the Chief Engineer
On Water Permit Application No. 8764-3

Jonathon Geraets

July 10th, 2023

Water Permit Application No. 8764-3 proposes to appropriate 1.78 cubic feet per second (cfs) from one well to be completed into the Howard aquifer (approximately 149 feet deep) located in the NE ¼ NE ¼ Section 26 for irrigation of 140 acres located in the NE ¼ Section 26; all in T106N-R49W. The proposed well site is located in Moody County approximately 3 miles southwest of Egan, SD.

AQUIFER: Howard (HO)

Hydrogeology

The Howard aquifer is a Quaternary-aged glacial outwash that consists of very fine to very coarse sand and very fine to fine gravel (Hamilton, 1989). The depth of the Howard aquifer in Moody and Lake Counties ranges from 100 feet to 470 feet below land surface and is under artesian conditions (Hansen, 1986). The average thickness of the Howard aquifer in Moody and Lake counties is 40 feet (Hansen, 1986). In Miner County, the Howard aquifer is estimated to underly approximately 110,100 acres according to Hedges et al. (1982). Hamilton (1989) estimated the aquifer to underly approximately 835 square miles (534,400 acres) in Kingsbury and Brookings Counties. Lindgren and Niehus (1992) estimated the Howard aquifer to underly approximately 15 square miles (9,600 acres) in Minnehaha County. Hansen (1986) estimated the Howard aquifer to underly 675 square miles (432,000 acres) of Lake and Moody Counties. Altogether, the total extent of the Howard Aquifer across six counties (Lake, Moody, Miner, Minnehaha, Kingsbury, and Brookings) is approximately 1,086,100 acres (as shown on Table 1). The direction of groundwater movement in the Howard aquifer is southward (Hamilton, 1989). The Howard aquifer is primarily confined, but there are some locations where the aquifer can be locally unconfined such as observation well MY-90A (Hamilton, 1989; Water Rights, 2023b). Based on observation wells and well completion reports of the Howard aquifer, the Howard aquifer may not be as expansive as previously expected (SDGS, 2023; Water Rights, 2023b and 2023d); however, further study would be required to confirm this.

Table 1. List of the areal extent of the Howard Aquifer

County	Areal Extent (acres)	Source
Brookings & Kingsbury	534,400	Hamilton, 1989
Lake & Moody	432,000	Hansen, 1986
Miner	110,100	Hedges et al., 1982
Minnehaha	9,600	Lindgren and Niehus, 1992

Water Well Completion Report

A water well completion report was submitted with Water Permit Application No. 8764-3 (Water Rights, 2023d). The water well was completed on November 11, 2017. The water well is completed into the Howard aquifer (Water Rights, 2023d). The top of aquifer bearing material is 129 ft below the ground surface, with a static water level of 32 feet below the ground surface, and a saturated aquifer thickness of 20 feet. The water well data indicates the Howard aquifer to be confined at this location with 97 feet of artesian head pressure at the time of well completion.

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 unappropriated water is available for the applicant’s proposed use, the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, the proposed use is a beneficial use, and the permit is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.” This portion of the report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic uses and water rights within the Howard aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8764-3 also proposes to appropriate water from the Howard 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 Howard aquifer is not older than or stratigraphically lower than the Greenhorn Formation, 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 Howard aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Howard aquifer is received primarily through infiltration of precipitation through hundreds of feet of overlying clayey till (Hamilton, 1989). There are also local thick sand deposits in the overlying till layer where greater recharge may occur (Hamilton, 1989). No aquifer specific recharge rate is available for the Howard aquifer. Hamilton (1989) has a recharge rate estimate of 0.01 in/yr but specifically notes it is likely there is a greater recharge rate locally. The small rate is due to the many feet of overlying till which has low transmissivity. However, Hedges et al. (1985) recommend a recharge rate range of 0.15 to 0.6 inches per year

for buried confined aquifers which will be used to estimate recharge (Hedges et al., 1985). While Hamilton (1989) does have a recharge rate estimate, it is more likely the Hedges et al. (1985) recharge is more accurate considering the number of various aquifers across the eastern half of South Dakota that were considered when developing that range. Therefore, the Hedges et al. (1989) recharge rate range will be used for this report. Considering the Howard aquifer underlies approximately 1,086,100 acres across six counties (Lake, Moody, Miner, Minnehaha, Kingsbury, and Brookings) (shown on Table 1); the recharge rate for the Howard aquifer ranges between 13,576 acre-feet/year to 54,305 acre-feet/year. However, the actual recharge to the aquifer could be much lower due to the likely smaller areal extent of the aquifer than what is currently mapped by the various reference sources.

Discharge

Discharge from the Howard aquifer in South Dakota primarily occurs through well withdrawals, fractures in the Sioux Quartzite, the Dell Rapids quarry, and leakage to the underlying Niobrara aquifer (Hansen, 1986). Currently, there are 21 water rights/permits authorized to appropriate water from the Howard aquifer (Water Rights, 2023c). Of those 21 water rights/permits, 15 are non-irrigation water rights/permits and 6 are irrigation water rights/permits (Water Rights, 2023c). There is one future use permit reserving 387 acre-feet/year of water from the Howard aquifer for the City of Madison (Water Rights, 2023c). There is also one other pending application with a priority date senior to this one (Application No. 8758-3) (Water Rights, 2023c).

Table 2 summarizes the 15 non-irrigation water rights/permits authorized to appropriate water from the Howard aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. The amount of water that can be withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw their entire appropriated volume every year. It is estimated that non-irrigation water rights/permits limited only by a diversion rate will pump at their maximum permitted diversion rate for 60 percent of the time. The 60 percent estimation was established by Water Rights Staff to be a reasonable and safe estimate of average annual withdrawals by non-irrigation appropriations. Historically, the 60 percent estimate has been accepted by the Water Management Board. It should be noted that some of the permits listed on Table 2 are connected to rural water systems and use rural water rather than their local wells; so, they will not contribute to the annual withdrawal rate. There are three cities listed on Table 2 that receive their water from another source (Drinking Water, 2023.). Both the City of Colman and City of Madison receive their water from the Big Sioux Community Water System; with Colman purchasing 100% of their water and Madison purchasing 27%, the rest is from local wells, of their water from the Big Sioux Community Water System. The City of Howard purchases 100% of their water from Kingbrook II Rural Water System. Based on review of well completion reports, lithological logs, and first occurrence map, Water Right No. 4162-3 is not completed into the Howard aquifer and will not be included in calculations (Jensen, 2002; Water Rights, 2023d). Overall, the estimated annual withdrawal rate for the Howard aquifer non-irrigation water rights/permits is approximately 1,361 acre-feet/year (Table 2) (Water Rights, 2023c).

Table 2. Estimated annual use for non-irrigation water rights/permits authorized to divert water from the Howard aquifer (Water Rights, 2023c)

Permit No.	Name	Status	Uses	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
5789-3	RAMSDELL'S FERTILIZER & PROPANE INC	LC	COM	0.18	N/A	78.19
8596-3	KINGFISHER ENTERPRISES	PE	COM	0.20	72.60	72.60
5465A-3	BRANDON KARBAN	LC	DOM	0.11	N/A	47.78
5955-3	SD SOYBEAN PROCESSORS	LC	IND	0.44	N/A	192.87
1061-3*	CITY OF COLMAN	LC	MUN	0.00	N/A	0.00
1599-3*	CITY OF HOWARD	LC	MUN	0.00	N/A	0.00
1604-3*	CITY OF MADISON	LC	MUN	0.89	N/A	386.62
1958-3	WINFRED WATER DISTRICT	LC	MUN	0.10	N/A	43.44
244-3*	CITY OF COLMAN	LC	MUN	0.00	N/A	0.00
4813-3	RUTLAND SCHOOL DIST 39-4	LC	MUN	0.03	N/A	14.34
5143A-3*	CITY OF HOWARD	LC	MUN	0.00	N/A	0.00
578-3*	CITY OF HOWARD	LC	MUN	0.00	N/A	0.00
5465-3	LAKE PRESTON	LC	MUN	0.56	N/A	243.26
6511-3*	CITY OF MADISON	LC	MUN	0.63	282.00	282.00
*Acquires water fully or partially from another water system					Total:	1,361
LC Licensed Water Right, PE Water Permit, COM Commercial, DOM Domestic, IND Industrial, MUN Municipal						

Currently, there are 6 irrigation water rights/permits appropriating water from the Howard aquifer (Water Rights, 2023c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The average annual withdrawal rate for the Howard aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2021) is approximately 62 acre-feet per year (Figure 6) (Water Rights, 2023a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2012 to 2021 is approximately 116 acre-feet per year (Figure 6) (Water Rights, 2023a).

There are two pending applications (this application and Application No.8758-3) that are requesting to irrigate a total of 267.5 acres. Generally, irrigators in eastern South Dakota apply less than one foot of water per acre per year. However, one foot of water per acre per year application rate will be used to somewhat overestimate the annual withdrawal rate. Therefore, a total of 267.5 acre-feet per year is being requested for these applications. Collectively, the average annual withdrawal rate for the irrigation appropriations from 2012 to 2021 (116 acre-feet/year), plus the pending applications (267.5 acre-feet/year), is approximately 383.5 acre-feet per year.

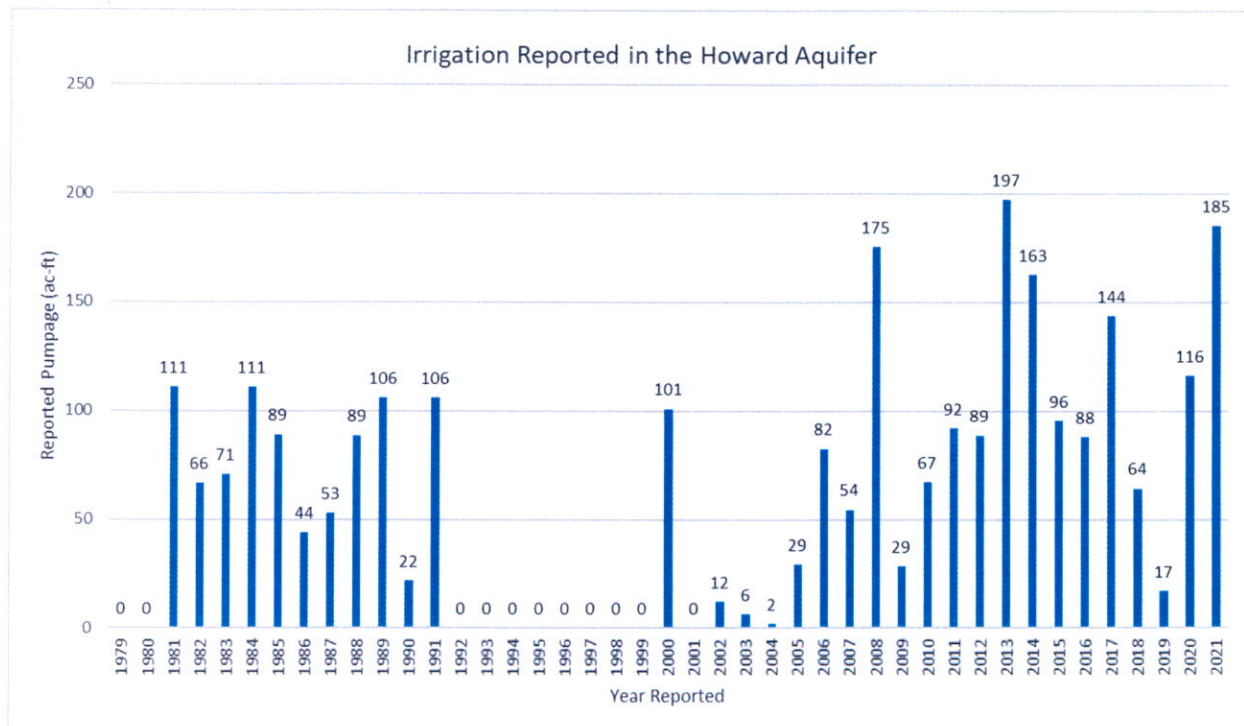


Figure 6: Reported historic irrigation use from the Howard aquifer (Water Rights, 2023a)

There are domestic wells completed into the Howard aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2023d). 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 Howard 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 Howard aquifer.

Hydrologic Budget Summary

The average annual recharge rate to the Howard aquifer ranges between 13,576 acre-feet/year to 54,305 acre-feet/year (Hedges et al., 1985). The average withdrawal rate from the Howard aquifer totals to approximately 2,131.5 acre-feet/year; (future use: 387 acre-feet/year; non-irrigation: 1,361 acre-feet/year; average irrigation appropriation between 2012 to 2021 plus proposed applications: 383.5 acre-feet/year). While it is likely, the aquifer extent and thus the recharge is smaller than estimated, the estimated average annual use is significantly smaller than the bottom end of the recharge range. Thus, it is reasonable to assume the aquifer is not nearing full appropriation. Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Howard aquifer for the proposed appropriation.

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.

The DANR-Water Rights Program monitors 7 observation wells completed into the Howard aquifer. The location of Water Rights monitored observation wells completed into the aquifer are shown on Figure 7 (Water Rights, 2023b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The closest observation well to the proposed diversion point is MY-90A (approximately 8 miles south) (Water Rights, 2023b). The hydrograph for this observation well is displayed in Figure 8 (Water Rights, 2023b). The data points utilized to construct the hydrographs are measurement 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 hydrographs. The data shown on Figure 8 matches potentiometric contours of the Howard aquifer in Moody County (Hansen, 1986). The majority of observation wells in the Howard aquifer have generally stable water levels over their periods of record.

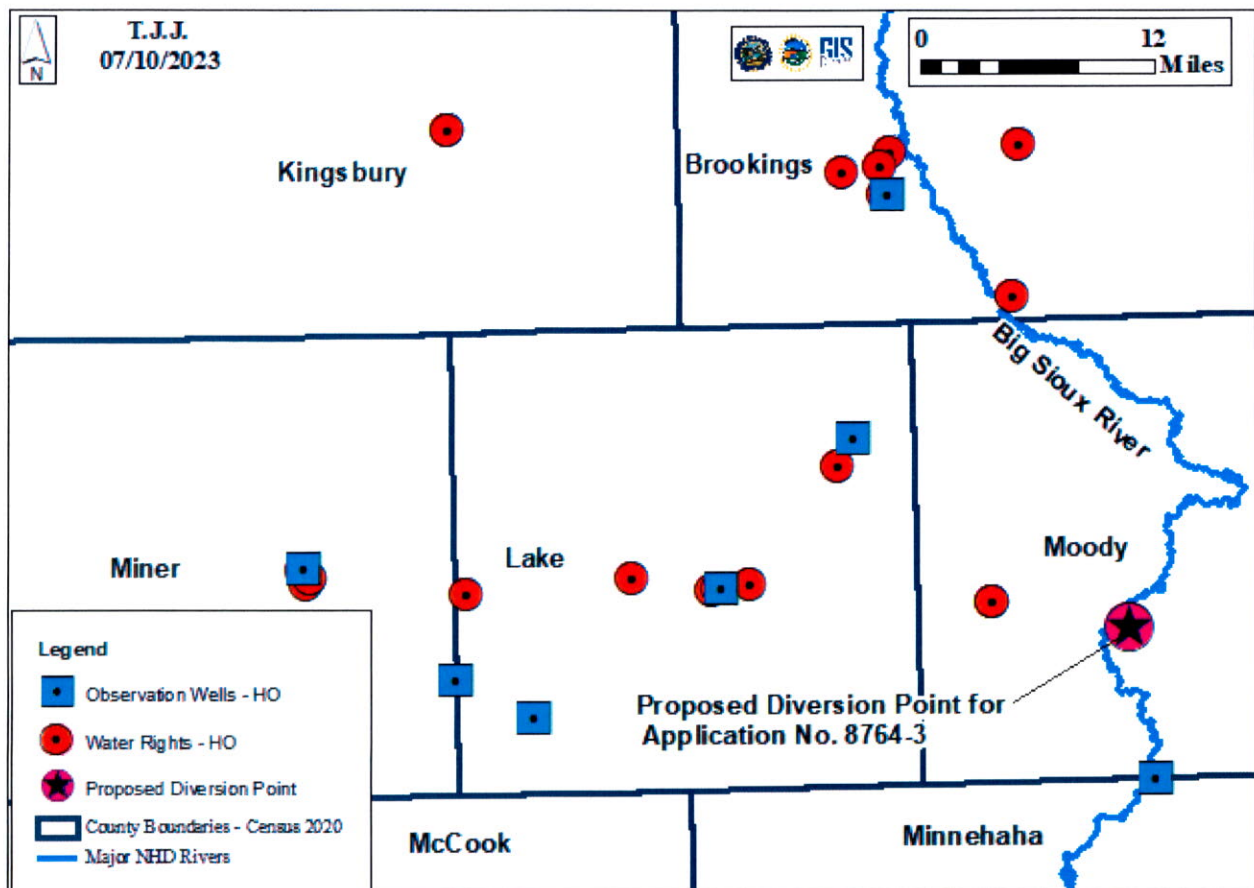


Figure 7. Map of the area Howard aquifer water rights/permits/observation wells (Water Rights, 2023b and 2023c), and the location of diversion point for Water Permit Application No. 8764-3.

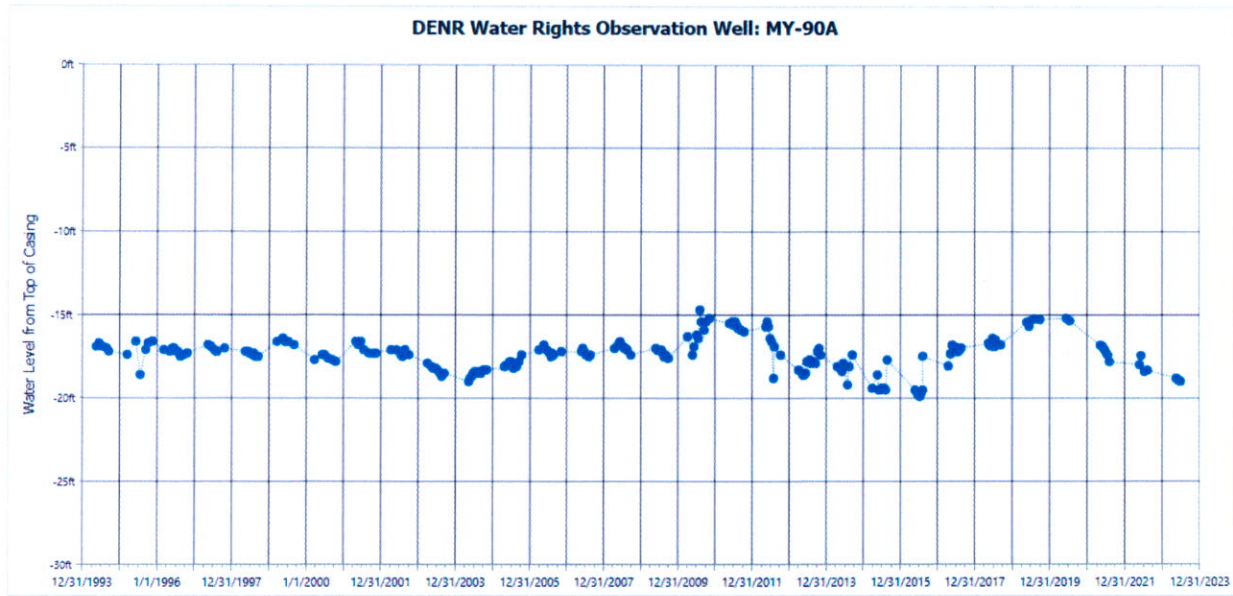


Figure 8. Hydrograph for observation well MY-90A (Water Rights, 2023b)

The hydrographs for the Howard aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) 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 water levels in the aquifer rather than the impacts of pumping from the Howard 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:

Water rights/permits appropriating water from the Howard aquifer in the general vicinity of the existing well site for this application are shown in Figure 9 and summarized in Table 3 (Water Rights, 2023c). The closest water right/permit to the diversion point is Water Right Nos. 244-3 & 1061-3 which are both held by City of Colman. However, the City of Colman receives their water from another system so the next closest water right/permit will be used. The next closest water right/permit to the diversion point is Water Right No. 4813-3 which is held by Rutland School District. The diversion point for Water Right No. 4813-3 is located approximately 17.3 miles northwest of the diversion point for this application (Water Rights, 2023c). There are domestic wells on file with the DANR-Water Rights Program that are completed into the Howard aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.2 miles southwest of the diversion point based on the well completion report submitted by the driller (Water Rights, 2023d). The location of the domestic wells is based on the information provided by the well driller on the submitted well completion report. There could potentially be

other domestic wells completed into the Howard aquifer near the diversion point that are not on file with the DANR-Water Rights Program.

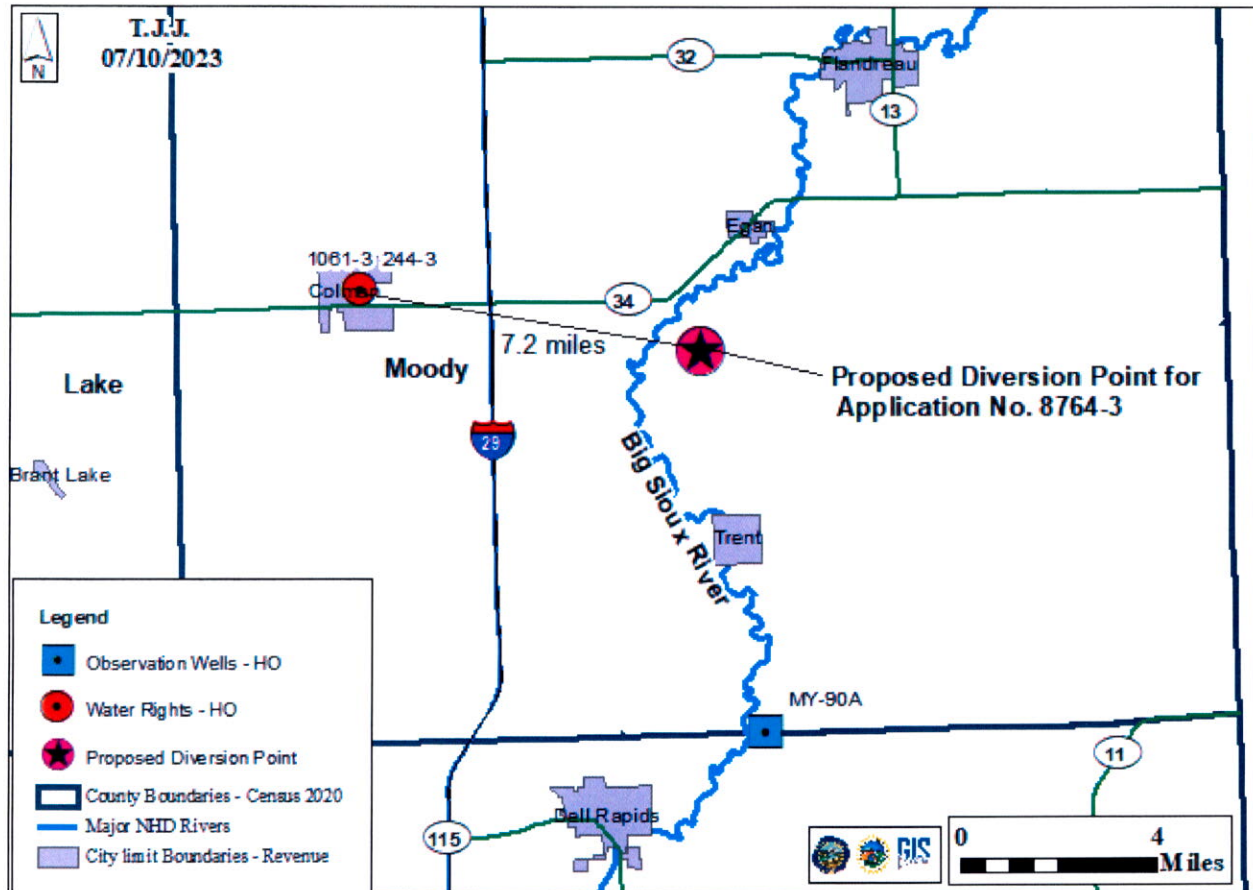


Figure 9. Map of the Howard aquifer water rights/permits within 8 miles of the proposed diversion point (Water Rights, 2023b and 2023c), and the location of diversion point for Water Permit Application No. 8764-3.

Table 3. List of water rights/permits shown in Figure 9.

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
244-3*	City of Colman	08/22/1956	License	Municipal	0.22	0
1061-3*	City of Colman	01/01/1947	License	Municipal	0.22	0

*These Water Rights receive their water from another water system

The Howard aquifer is primarily under confined conditions. In an confined aquifer, drawdown created by pumping can extend some distance from the pumped well. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“A well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer

has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs."

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use during the issuance of Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Board adopted the Findings of Facts and Conclusions of Law that noted the reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, "general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable..." (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered as an unlawful impairment, it would also conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to install or lower pumps depending on the specific characteristics of the Howard aquifer at their location. However, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20 (6) and (7)), the saturated aquifer thickness near the diversion point, and the lack of recent well interference complaints for adequate wells completed into the Howard aquifer in Moody County (Water Rights, 2023e), any drawdown created from the 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 appropriation will not impose unlawful impairments on existing users with adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 8764-3 proposes to appropriate 1.78 cfs from one well to be completed into the Howard Aquifer (approximately 149 feet deep) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ corner Section 26 for irrigation of 140 acres located in the NE $\frac{1}{4}$ Section 26; all in T106N-R49W.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Howard aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8764-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses in the Howard aquifer.

Reviewed by:



Tyler Jensen
Natural Resources Engineer I
SD DANR - Water Rights Program



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

References

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- Water Rights, 2023a. "1979-2022 Irrigation Summaries by Aquifer", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
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- Water Rights, 2023c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2023d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2023e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**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.**

July 26, 2023

Jonathon Geraets
47138 247th Street
Dell Rapids SD 57022

Dear Mr. Geraets:

Water Permit Application No. 8764-3 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 Moody County Enterprise printed at Flandreau SD (Ph # 605 997-3725) and the Daily Leader printed at Madison SD (Ph # 605 256-4555). 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,

Rachel Rodriguez

Rachel Rodriguez
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. 8764-3 to Appropriate Water

Notice is given that Jonathon Geraets, 47138 247th Street, Dell Rapids SD 57022 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 149 feet deep) located in the NE 1/4 NE 1/4 Section 26 for irrigation of 140 acres located in the NE 1/4 Section 26; all in T106N-R49W. This site is located approximately 3 miles southwest of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8764-3 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 August 14, 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 August 14, 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_

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, July 26, 2023 2:00 PM
To: mce6@mcisweb.com
Subject: 8764-3 Jonathon Geraets - Public Notice
Attachments: 8764-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on August 2, 2023.

Jonathon Geraets, 47138 247th Street, Dell Rapids SD 57022, (605 929-7424) 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, July 26, 2023 2:02 PM
To: ads@madisondailyleader.com
Subject: 8764-3 Jonathon Geraets - Public Notice
Attachments: 8764-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on August 2, 2023.

Jonathon Geraets, 47138 247th Street, Dell Rapids SD 57022, (605 929-7424) 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF MOODY) SS

MARY LYNN HEADRICK, of said county, being first duly sworn on oath says that she is the bookkeeper of the Moody County Enterprise, a weekly newspaper printed and published in said county of Moody and State of South Dakota, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least 200 copies weekly, and has been published within said county for 52 consecutive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the advertisement headed:

*notice of Application
No. 8764-3 to
Appropriate Water*

a printed copy of which, taken from the newspaper in which the same was published, is attached to this sheet and is made a part of this affidavit, was published in said newspaper at least once in each week for 1 successful weeks, on the day of each week on which said newspaper was regularly published, to wit:

8-2-23

that the full amount of the fee charged for the publication of said Notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever, and that the fees charged for the publication thereof are

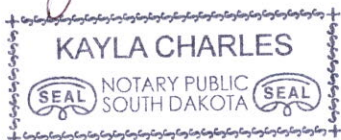
\$ *38²⁸*

my headrick bookkeeper

Subscribed and sworn to before me this day

August 3, 2023

Kayla
Notary Public, County Moody, South Dakota



My commission expires 3-30-2029

Water Permit Notice

NOTICE OF APPLICATION NO. 8764-3 TO APPROPRIATE WATER

Notice is given that Jonathan Geraets, 47138 247th Street, Dell Rapids SD 57022 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 149 feet deep) located in the NE 1/4 NE 1/4 Section 26 for irrigation of 140 acres located in the NE 1/4 Section 26; all in T106N-R49W. This site is located approximately 3 miles southwest of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8764-3 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 August 14, 2023.

RECEIVED

AUG 09 2023

OFFICE OF
WATER

County of _____

AFFIDAVIT OF PUBLICATION

Filed in the office of _____

on the _____ day of _____

, 20____

Attorney for _____

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

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 August 14, 2023.

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Published once at the cost of 38.28 and may be viewed free of charge at www.sdpublicnotices.com.

AFFIDAVIT OF PUBLICATION

Madison Daily Leader
PO Box 348
(605) 256-4555

Michelle Albers, of the City of Madison, County of Lake, State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation, printed and published in the City of Madison, in said County of Lake, by Wick Communications, Michelle Albers, Business Manager, and has been such legal newspaper during the times hereinafter mentioned; That the said Madison Daily Leader has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and how has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Business Manager of the said newspaper, a member of the Madison Daily Leader, staff thereof, and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

Notice of Application No. 8764-3

printed copy of which hereunto attached, was printed and published in the said newspaper for 1 successive week(s), once each week and on the same day of the week, on the following dates, to-wit:

PUBLICATION DATES:

2 Aug 2023

Notice ID: Fo0coFmpti9sEz0pjvIT

Notice Name: Notice of Application No. 8764-3

That \$47.22 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publication of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Michelle Albers
 Business Manager

VERIFICATION

STATE OF SOUTH DAKOTA
 COUNTY OF LAKE

Subscribed and sworn before me this

2nd day of August, A.D. 2023

Ann L. Koch
 Notary Public
 Exp. 11-14-25

NOTICE OF APPLICATION
NO. 8764-3 to Appropriate
Water

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OFFICE OF
WATER

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 August 14, 2023.

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Published Aug 2, 2023 at the total approximate cost of \$47.22 and may be viewed free of charge at www.sdpublicnotices.com

RECEIVED

AUG 07 2023

OFFICE OF
WATER

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, July 26, 2023 2:04 PM
To: Jon Geraets
Subject: 8764-3 Jonathon Geraets - Public Notice
Attachments: 8764-3_rec.pdf; 8764-3_Ltr.pdf; 8764-3_Pub.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 newspapers as soon as possible to authorize publication and arrange for payment. This information is also being mailed to you today.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

AUG 31 2023

Jonathon Geraets
47138 247th Street
Dell Rapids SD 57022

Dear Mr. Geraets:

Enclosed is Water Permit No. 8764-3 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
Posting on DANR Website**

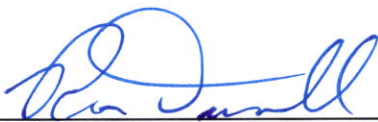
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the 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.: 8764-3

Name of Applicant: Jonathon Geraets

Date of Posting: 7/31/2023

Date of Removal: 8/31/2023



Ron Duvall, Engineer III

8/31/2023

Date

Subscribed and sworn to before me, a notary public, this 31 day of August, 2023.



Notary Public - South Dakota
My commission expires: **Rachel Rodriguez**
My Commission Expires
May 16, 2029

(SEAL)

