

WATER PERMIT NO. 8784-3

Name of Applicant: **Chad Fritz**

Address: **17017 416th Avenue, Raymond SD 57258** Phone: **605-881-1841**

Amount of Water Claimed: **.55 cfs** Total Acres: **No additional**

Source of Water Supply: **Groundwater**

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

Type of Waste Disposal System:

Location: **1 mile east of Raymond SD**

PRIORITY Date Received: **8-1-2023** Application/License Fee: **\$100.00**

Corrected Application Received: **N/A 8/1/23** Period of Annual Use: **April 1 – October 31**

Remarks: **Additional diversion rate and one additional well on existing Water Permit 6761A-3**

Diversion Point: **NE 1/4 NE 1/4 Section 27-T117N-
R59W**

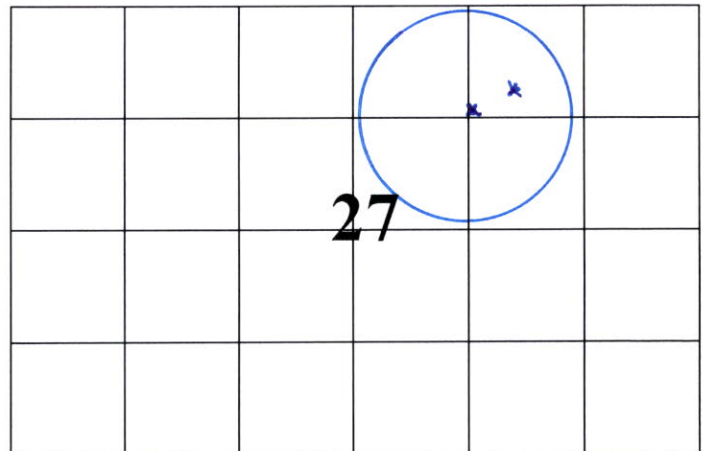
Land to be Irrigated: **NE 1/4 Section 27-T117N-
R59W**

Depth of Well: **150**

Well Driller: **Manikowski Well Drilling**

Remarks:

Type of Map: **N/A**



Reviewed and the Number Assigned on: **8-1-2023**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8784-3**

Date of first receipt of application August 1, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8784-3 to Chad Fritz, 17017 416th Avenue, Raymond SD 57258 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. 8784-3 appropriates an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of Permit No. 6761A-3 found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This Permit and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is August 1, 2023, (additional 0.55 cfs).
4. The date of approval of Permit No. 8784-3 is October 23, 2023.
5. One-fifth of the construction is to be completed on or before April 23, 2026.
6. All construction is to be completed on or before October 23, 2028.
7. Water is to be put to beneficial use on or before October 23, 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 wells approved under this Permit and 6761A-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells approved under this Permit will be located near a fen. The well owner under this Permit shall control withdrawals so that withdrawals do not cause a significant reduction in the flow of water of the fen. By determining that the permit holder is to control withdrawals to not cause a significant reduction in the flow of water of the fen, the Board holds that such reduction in pumping would be merited upon a showing that the reduction in flows were caused by pumping. The location of the fen and a spring are located as follows:

Kopriva spring/dugout - N 44° 55.852' W -97° 51.852'
Weber "fen" - N 44° 55.526' W -97° 51.925'

(continued)

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

WATER MANAGEMENT BOARD

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

NOV 09 2023
date



RECEIVED

AUG 01 2023

OFFICE OF
WATER

PAID

JUL 31 2023

Ck# 9371
Rec't# 7/31/23**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>8784-3</u> Hydrologic Unit <u>1016 0006</u> Basin <u>James River</u> Newspaper <u>Clark Co. Courier</u> <u>Public Opinion</u> (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.)

addition diversion rate and one additional well on existing Water Permit No. ~~6761-A~~ 6761A-31. Name to Appear on Irrigation Permit Chad Fritz**Note:** The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 17017 416th Ave Raymond SD 57258
(Address) (City) (State) (Zip Code)
Phone 605-881-1841 Mobile _____ Email chadfritz316@yahoo.com

2. Amount of water claimed .55 *CFS or about 250 **GPM _____ ***AF Total Acreage no additional
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply ground water - one existing and one new well4. Location of point of diversion NE 1/4 NE1/4 SEC 27 T117N R59W

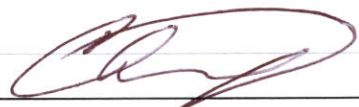
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Clark5. County or counties where water will be used Clark6. Annual period during which water is to be used 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.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
acreage described in 6761-A			
NE 1/4 Section 27 T117N R59W	120		

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

I, , 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)

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable)

☒ Drilling new well(s) ☒ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled? ☐ Yes ☐ No Drilled by Manikowski Well Drilling
(if yes, please provide copies of logs)
- b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:

- c) Well Depth (required) _____ Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____
- d) Distance to nearest domestic well on applicant's property _____ Property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

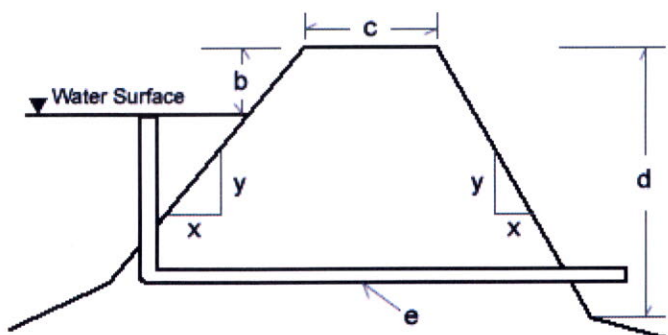
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____



- If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

SOUTH DAKOTA WATER WELL COMPLETION REPORT

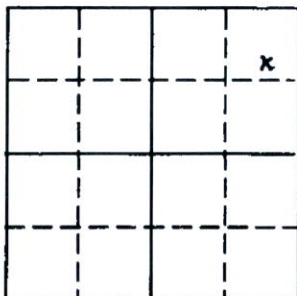
11-02

Location NE 1/4 NE 1/4 Sec 27 Twp 117 Rg 59

County

clark

North



Please mark well location with an "X"

Well completion Date

2-28-13

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 700 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe 8" x 1" 132' 12 1/4"

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR21 LB/FT</u>	<u>8 IN</u>	<u>11 FT</u>	<u>132 FT</u>	<u>12 1/4 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>High Strength Portland Cement</u>	<u>14</u>	<u>10.8 lb/gal</u>	<u>0</u> Ft	<u>120</u> Ft
<u>Grout</u>		<u>lb/gal</u>	<u>Ft</u>	<u>Ft</u>

Describe grouting procedure Tronic/line pumping from bottom to surface

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 8 Inches Length 17 FeetMaterial PVCSlot Size 1050 Set From 132 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? chlorine

Lab sample sent to for water quality analysis

- ☐ No, Why Not?

Well Owner:

Chad Fritz

Business Name:

Address1:

12017 4th Ave

Address2:

City, State, Zip:

Raymond, SD 57258

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top Soil	0	1
yellow clay	1	38
Blue clay	38	70
yellow sand & Gravel	70	124
Blue clay	124	132
Medium TO Coarse Sand	132	149
Shale	149	150

STATIC WATER LEVEL

49' 4"

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:

Submersible Pump☐ Bailed☐ Other

Pumping Level Below Land Surface

90 FL After2 Hrs. pumped465 GPM

FL After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

well #2North well

This well was drilled under license #

285

And this report is true and accurate.

Drilling firm:

Manikowski Well Drilling, Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

523 E. Capitol Ave., Pierre SD 57501

Please return White Copy to DENR Water Rights

RECEIVED
 APR 18 2013
 WATER RIGHTS
 PROGRAM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 14, 2023

Chad Fritz
17017 416th Ave
Raymond SD 57258

Dear Mr. Fritz:

An inspection by a staff engineer found your irrigation system developed in the NE ¼ of Section 27, T117N, R59W to exceed the permitted diversion rate and included an additional well.

We have partially completed Water Permit application form to bring your system into compliance. Please review the information. If it is correct, you may sign and return to our office with the necessary fee.

The fee for this application would be \$100.00.

As soon as the new permit is approved, we would be able to issue a Water License for the entire project as developed.

Sincerely,

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

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

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

No. 6761A-3 (office use only)
Hydrologic Unit 10160006
Basin James River 605-532-3654
Newspaper Clark Co. Courier 1191st Ave E Clark 57225
Public Opinion PO Box 10 Watertown 57201-605-886-1408

RECEIVED

AUG 20 2012

WATER RIGHTS
PROGRAM

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.)
Reinstate water permit 6761-3

1. Name of Applicant Chad Fritz Phone 605-881-1841
(check one) Owner ☒ Tenant/lessee
Mailing Address 17017 416th Ave Raymond SD 57258
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 0.78 *CFS or 350 **GPM ***AF Total Acreage 120
(*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

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County CLARK
well approx center NE1/4 Sec 27 117N 59W

5. County or counties where water will be used CLARK

6. Annual period during which water is to be used April - 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
NE1/4 NE1/4 27-117-59	30		
NW1/4 NE1/4 27-117-59	30		
SE1/4 NE1/4 27-117-59	30		
SW1/4 NE1/4 27-117-59	30		

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

REINSTATE Permit No. 6761-3 to develop center pivot irrigation

STATE OF SOUTH DAKOTA)
County of Clark) SS

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

I, Chad Fritz, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Chad Fritz

Subscribed and sworn to before me this 17th day of August, 2012

Melissa Mudgett
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6761A-3

Date of first receipt of application August 20, 2012.

Date of return to applicant for corrections, amendments or changes August 21, 2012.

Date of receipt of corrected application August 27, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6761A-3 to Chad Fritz, 17017 416th Ave, Raymond SD 57258 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. 6761A-3 reinstates Permit No. 6761-3. Permit No. 6761-3 appropriates 0.78 cubic feet of water per second from one well to be completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. The permit was approved February 12, 2007, and the project was to be completed February 12, 2012, with water being put to beneficial use by February 12, 2016. Permit No. 6761A-3 reinstates Water Permit No. 6761-3 since the project has not been completed.
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 August 20, 2012.
4. The date of approval of Permit No. 6761A-3 is November 12, 2012.
5. One-fifth of the construction is to be completed on or before May 12, 2015.
6. All construction is to be completed on or before November 12, 2017.
7. Water is to be put to beneficial use on or before November 12, 2021.
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 this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well approved under this Permit will be located near a fen. The well owner under this Permit shall control his withdrawals so that his withdrawals do not cause significant reduction in the flow of water of the fen. By determining that the permit holder is to control his withdrawals so that they do not cause a significant reduction in the flow of water of the fen, the Board holds that such reduction in pumping would be merited upon a showing by the complainant that the reduction in flows were actually caused by the pumping.

(continued)

3. The location of the fen which is protected by paragraph 2 above and the spring are located in

Kopriva spring/dugout – N 44° 55.852' W-97° 51.852'

Weber "fen" – N 44° 55.526' W-97° 51.925'

4. The well authorized by Permit No. 6761A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
5. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
6. Water Permit No. 6761A-3 cancels Water Permit No. 6761-3.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

DEC 05 2012

date

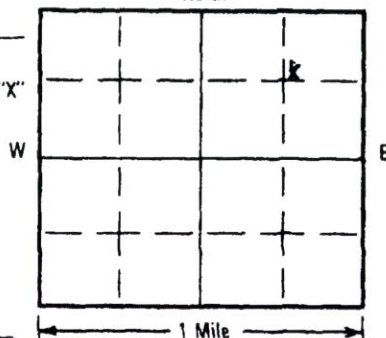


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NE 1/4 Sec 27 Twp 117 Rg 59
County Clark

Please mark well location with an "X"



Well Completion Date

12-6-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☐ Plastic ☐ OtherIf other describe None Installed

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Concrete</u>	<u>4</u>	lb./gal	<u>0</u> ft.	<u>130</u> ft.
		lb./gal	ft.	ft.

Describe grouting procedure Grout pumped from bottom of hole to top with Tremie lineSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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? _____

Laboratory sent to for water quality analysis _____

Well Owner: Chad Fritz

Business Name: _____

Address: Raymond, SD 57258

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top soil	0	2
yellow clay	2	42
oxidized sand	42	70
Blue clay	70	100
Medium To Coarse sand	100	130
Blue clay	130	132

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

AUG 20 2012

WATER RIGHTS PROGRAM

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Maniowski Well Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

North well

6761A-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location <u>NE 1/4 NE 1/4</u> Sec <u>27</u> Twp <u>117</u> Rg <u>59</u>		Well Owner: <u>Chad Fritz</u>																											
County <u>Clauk</u>		Business Name: _____																											
North <table border="1" style="margin: auto; border-collapse: collapse;"> <tr><td></td><td></td><td></td><td style="text-align: center;">x</td></tr> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> </table> W E Please mark well location with an "X" Well completion Date <u>2-28-13</u> 1 Mile Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>700</u> ft. from <u>septic tank</u> (identify source)					x													Address1: <u>18017 4th Ave</u>											
					x																								
Address2: _____																													
City, State, Zip: <u>Raymond, SD 57258</u>																													
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes ☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well		WELL LOG: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">FORMATION</th> <th colspan="2">DEPTH</th> </tr> <tr> <th>FROM</th> <th>TO</th> </tr> </thead> <tbody> <tr><td>Top Soil</td><td>0</td><td>1</td></tr> <tr><td>yellow clay</td><td>1</td><td>38</td></tr> <tr><td>Blue clay</td><td>38</td><td>70</td></tr> <tr><td>yellow sand & Gravel</td><td>70</td><td>124</td></tr> <tr><td>Blue clay</td><td>124</td><td>132</td></tr> <tr><td>Medium To Coarse Sand</td><td>132</td><td>149</td></tr> <tr><td>Shale</td><td>149</td><td>150</td></tr> </tbody> </table>		FORMATION	DEPTH		FROM	TO	Top Soil	0	1	yellow clay	1	38	Blue clay	38	70	yellow sand & Gravel	70	124	Blue clay	124	132	Medium To Coarse Sand	132	149	Shale	149	150
FORMATION	DEPTH																												
	FROM	TO																											
Top Soil	0	1																											
yellow clay	1	38																											
Blue clay	38	70																											
yellow sand & Gravel	70	124																											
Blue clay	124	132																											
Medium To Coarse Sand	132	149																											
Shale	149	150																											
METHOD OF DRILLING: <u>Forward Rotary</u>		STATIC WATER LEVEL <u>49' 4"</u> 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? _____																											
CASING DATA: ☐ Steel ☒ Plastic ☐ Other If other describe <u>8" x 1" 132' 12 1/4"</u> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>PIPEWEIGHT</th> <th>DIAMETER</th> <th>FROM</th> <th>TO</th> <th>HOLE DIAMETER</th> </tr> </thead> <tbody> <tr> <td><u>50 LB/FT</u></td> <td><u>8" IN</u></td> <td><u>11' FT</u></td> <td><u>132' FT</u></td> <td><u>12 1/4" IN</u></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>		PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER	<u>50 LB/FT</u>	<u>8" IN</u>	<u>11' FT</u>	<u>132' FT</u>	<u>12 1/4" IN</u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	WELL TEST DATA: ☒ Pumped Describe: <u>Submersible Pump</u> ☐ Bailed _____ ☐ Other _____ Pumping Level Below Land Surface <u>90</u> Ft. After <u>2</u> Hrs. pumped <u>465</u> GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM							
PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER																									
<u>50 LB/FT</u>	<u>8" IN</u>	<u>11' FT</u>	<u>132' FT</u>	<u>12 1/4" IN</u>																									
_____	_____	_____	_____	_____																									
_____	_____	_____	_____	_____																									
GROUTING DATA: Grout Type <u>High Strength Portland Cement</u> No. of Sacks <u>14</u> Grout Weight <u>10.8</u> Lb/gal <u>Grout</u> Lb/gal _____ Ft. _____ Ft. Describe grouting procedure <u>Tremie / air pumping from bottom to surface</u>		SCREEN: ☐ Perforated pipe ☒ Manufactured Diameter <u>8</u> Inches Length <u>17</u> Feet Material <u>PVC</u> Slot Size <u>1050</u> Set From <u>132</u> Feet to <u>149</u> Feet Other information _____																											
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No If so, what material? _____ Describe packer(s) and location _____		REMARKS <u>well #2 North well</u>																											
DISINFECTION: Was well disinfected upon completion? ☒ Yes, How? <u>chlorine</u> ☐ No, Why Not? _____ Lab sample sent to for water quality analysis _____		This well was drilled under license # <u>285</u> And this report is true and accurate. Drilling firm: <u>Manikowski Well Drilling, Inc</u> Signature of License Representative: <u>[Signature]</u> Signature of Well Owner or Equitable Property Holder: _____ Date: _____																											

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501

RECEIVED

APR 18 2013

WATER RIGHTS
PROGRAM

Southwell 6761A-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location <u>NE 1/4 NE 1/4</u> Sec <u>27</u> Twp <u>117</u> Rg <u>59</u>		Well Owner: <u>Chad Fritz</u>																												
County <u>Clark</u>		Business Name: _____																												
Please mark well location with an "X"		Address1: <u>17017 W6 Ave</u>																												
Well completion Date <u>1-29-13</u>		Address2: _____																												
Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>500</u> ft from <u>septic tank</u> (identify source)		City, State, Zip: <u>Raymond, SD 57258</u>																												
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes ☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well		WELL LOG:																												
METHOD OF DRILLING: <u>Forward Rotary</u>		DEPTH																												
CASING DATA: ☐ Steel ☐ Plastic ☐ Other If other describe _____		FORMATION																												
PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER <u>3PR</u> LB/FT <u>8</u> IN <u>71</u> FT <u>120</u> FT <u>12 1/4</u> IN <u>21</u> LB/FT _____ IN _____ FT _____ FT _____ IN _____ LB/FT _____ IN _____ FT _____ FT _____ IN		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>FORMATION</th> <th>FROM</th> <th>TO</th> </tr> <tr> <td><u>Top Soil</u></td> <td><u>0</u></td> <td><u>1</u></td> </tr> <tr> <td><u>yellow clay</u></td> <td><u>1</u></td> <td><u>34</u></td> </tr> <tr> <td><u>Blue clay</u></td> <td><u>34</u></td> <td><u>70</u></td> </tr> <tr> <td><u>yellow Gravel</u></td> <td><u>70</u></td> <td><u>100</u></td> </tr> <tr> <td><u>Blue clay</u></td> <td><u>100</u></td> <td><u>115</u></td> </tr> <tr> <td><u>medium Sand</u></td> <td><u>115</u></td> <td><u>120</u></td> </tr> <tr> <td><u>medium to coarse Sand</u></td> <td><u>120</u></td> <td><u>140</u></td> </tr> <tr> <td><u>Shale</u></td> <td><u>140</u></td> <td></td> </tr> </table>		FORMATION	FROM	TO	<u>Top Soil</u>	<u>0</u>	<u>1</u>	<u>yellow clay</u>	<u>1</u>	<u>34</u>	<u>Blue clay</u>	<u>34</u>	<u>70</u>	<u>yellow Gravel</u>	<u>70</u>	<u>100</u>	<u>Blue clay</u>	<u>100</u>	<u>115</u>	<u>medium Sand</u>	<u>115</u>	<u>120</u>	<u>medium to coarse Sand</u>	<u>120</u>	<u>140</u>	<u>Shale</u>	<u>140</u>	
FORMATION	FROM	TO																												
<u>Top Soil</u>	<u>0</u>	<u>1</u>																												
<u>yellow clay</u>	<u>1</u>	<u>34</u>																												
<u>Blue clay</u>	<u>34</u>	<u>70</u>																												
<u>yellow Gravel</u>	<u>70</u>	<u>100</u>																												
<u>Blue clay</u>	<u>100</u>	<u>115</u>																												
<u>medium Sand</u>	<u>115</u>	<u>120</u>																												
<u>medium to coarse Sand</u>	<u>120</u>	<u>140</u>																												
<u>Shale</u>	<u>140</u>																													
GROUTING DATA: Grout Type <u>Portland</u> No. of Sacks <u>13</u> Grout Weight <u>10.8</u> Lb/gal From <u>0</u> Ft To <u>110</u> Ft _____ Lb/gal _____ Ft _____ Ft		STATIC WATER LEVEL <u>47' 9"</u> FEET If flowing: closed in pressure _____ PSI																												
Describe grouting procedure <u>Truemic line</u> <u>Bottom 110' TO TOP</u>		GPM flow _____ through _____ Inch pipe Controlled by ☐ Valve ☐ Reducers ☐ Other _____																												
SCREEN: ☐ Perforated pipe ☒ Manufactured Diameter <u>8</u> Inches Length <u>20</u> Feet Material <u>PVC</u> Slot Size <u>1050</u> Set From <u>120</u> Feet to <u>140</u> Feet Other information _____		Reduced flow rate _____ GPM Can well be completely shut in? _____																												
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No If so, what material? _____ Describe packer(s) and location _____		WELL TEST DATA: ☒ Pumped Describe: <u>submersible pump</u> ☐ Bailed _____ ☐ Other _____																												
DISINFECTION: Was well disinfected upon completion? ☐ Yes, How? <u>chlorine</u> ☐ No, Why Not? _____ Lab sample sent to for water quality analysis _____		Pumping Level Below Land Surface <u>85</u> Ft After <u>2</u> Hrs. pumped <u>465</u> GPM _____ Ft After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM																												
REMARKS <u>well # 1 South well</u>		This well was drilled under license # <u>285</u> And this report is true and accurate. Drilling firm: <u>Manikowski Well Drilling, Inc.</u> Signature of License Representative: <u>[Signature]</u> Signature of Well Owner or Equitable Property Holder: _____ Date: _____																												

Please return White Copy to DENR Water Rights

523 E. Capitol Ave., Pierre SD 57501

RECEIVED
APR 18 2013
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date July 31, 2023

RECEIVED OF Chad Fritz 17017 416th Avenue Raymond SD 57258

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

Fee for Application for Permit No. <u>Additional Acres/6761A-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>100.00</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. _____	\$ _____
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>100.00</u>

By Eric Gronlund
Chief Engineer




**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. 8784-3, Chad Fritz**

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. 8784-3, Chad Fritz, 17017 416th Avenue, Raymond SD 57258.

The Chief Engineer is recommending APPROVAL of Application No. 8784-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The wells approved under this Permit and 6761A-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells approved under this Permit will be located near a fen. The well owner under this Permit shall control withdrawals so that withdrawals do not cause a significant reduction in the flow of water of the fen. By determining that the permit holder is to control withdrawals to not cause a significant reduction in the flow of water of the fen, the Board holds that such reduction in pumping would be merited upon a showing that the reduction in flows were caused by pumping. The location of the fen and a spring are located as follows:

Kopriva spring/dugout - N 44° 55.852' W -97° 51.852'
Weber "fen" - N 44° 55.526' W -97° 51.925'
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
September 7, 2023

Report to the Chief Engineer
On Water Permit Application No. 8784-3

Chad Fritz

September 8, 2023

Water Permit Application No. 8784-3 proposes to divert water at a maximum instantaneous diversion rate of 0.55 cubic feet per second (cfs) from an existing well authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 authorizes a maximum instantaneous diversion rate of 0.78 cfs from one well completed into the Altamont aquifer (132 feet deep) located in the approximate center of the NE $\frac{1}{4}$ of Section 27 for the irrigation of 120 acres located in the NE $\frac{1}{4}$ of Section 27; all in T117N-R59W. A licensing investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well, both located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27-T117N-R59W. If approved, Water Permit Application No. 8784-3 and Water Permit No. 6761A-3 will collectively authorize a maximum instantaneous diversion rate of 1.33 cfs from two wells for the irrigation of 120 acres. The site of interest is located in Clark County approximately one mile east of Raymond, SD.

AQUIFER: Altamont (A)

HYDROGEOLOGY:

The Altamont aquifer is a catch-all name for glacial-origin basal aquifers generally in the northeastern portion of South Dakota that do not fit into another named aquifer (Mathiowetz, 2021; Water Rights, 2023c). Hedges and others (1982) estimated the Altamont aquifers collectively underly in excess of 1,672,800 acres in Beadle, Brookings, Brown, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts and Spink Counties, and contains in excess of 7,197,360 acre-feet of recoverable water stored in the aquifers. In Clark County, Hedges and others (1982) estimated the Altamont aquifer to underly approximately 537,200 acres and contain approximately 3,326,400 acre-feet of recoverable water stored in the aquifer.

Hamilton (1986) identified six major glacial aquifers in Clark County. The aquifers were classified based on elevation. The three aquifers of higher elevation were classified as Prairie Coteau aquifers 1, 2, and 3, and the three aquifers of lower elevation were classified as Altamont aquifers 1, 2, and 3 (Hamilton, 1986). The Altamont 1 aquifer is between the elevations of 1,450 and 1,500 feet above NGVD29 and exists in east-central Clark County, the Altamont 2 aquifer is between the elevations of 1,360 and 1,500 feet above NGVD29 and is extensive throughout the county, and the Altamont 3 aquifer is between the elevations of 1,260 and 1,360 feet above NGVD29 (Hamilton, 1986). Based on the approximate elevation and location of the wells proposed to be used by Water Permit Application No. 8784-3, the existing wells for this application are completed into the Altamont 2 aquifer as defined as Hamilton (1986).

The Altamont 2 aquifer is a buried glacial outwash aquifer that is comprised of coarse sand, gravel, and sandy silt (Hamilton, 1986). The thickest sand and gravel occur in outwash channels that may be at least one mile wide (Hamilton, 1986). Hamilton (1986) estimated the Altamont 2 aquifer to underly approximately 630 square miles, or 403,200 acres in Clark County, and contain approximately 3.23 million acre-feet of recoverable water stored in the aquifer. On average, the Altamont 2 aquifer is approximately 30 feet thick, and the depth to the top of aquifer materials ranges from 10 to 480 feet below the ground surface (Hamilton, 1986). Groundwater in the Altamont 2 aquifer moves in several directions in the northeastern part of the aquifer due to varying altitudes of aquifer material deposition and the deposition pattern creating preferential flow paths, but the general direction of groundwater movement in the Altamont aquifer is to the west (Hamilton, 1986). Hamilton (1986) notes the Altamont 2 aquifer is hydraulically connected to the Altamont 3 aquifer near the western part of Clark County and the Altamont 1 aquifer near the center of the county.

For water management purposes, the Altamont aquifer has not been subdivided into management units by the SD DANR-Water Rights Program and the Water Management Board. Historically, water availability has been reviewed for the entire Altamont aquifer when considering a new water permit application (Water Rights, 2023c). However, more recent reviews have examined availability in the aquifer on a more localized scale. For Clark County, the DANR-Water Rights Program has not historically differentiated between units and considered all the deeper and hydraulically connected outwash deposits in Clark County as the Altamont aquifer. However, this report will briefly address the estimated average annual recharge and withdrawal rates to and from the Altamont 2 aquifer in Clark County.

Water well completion reports are on file for the existing wells proposed to be used by Water Permit Application No. 8784-3. The first report lists, “topsoil” from 0 to 1 foot below the ground surface, “yellow clay” from 1 to 34 feet, “blue clay” from 34 to 70 feet, “yellow gravel” from 70 to 100 feet, “blue clay” from 100 to 115 feet, “medium sand” from 115 to 120 feet, “medium to coarse sand” from 120 to 140 feet, then “shale” at 140 feet below the ground surface. The well was screened in “medium to coarse sand” from 120 to 140 feet and had an approximate static water level of 48 feet below the ground surface at the time of well completion (January 29, 2013). The second report lists, “topsoil” from 0 to 1 foot below the ground surface, “yellow clay” from 1 to 38 feet, “blue clay” from 38 to 70 feet, “yellow sand & gravel” from 70 to 124 feet, “blue clay” from 124 to 132 feet, “medium to coarse sand” from 132 to 149 feet, and “shale” from 149 to 150 feet below the ground surface. The well was screened in “medium to coarse sand” from 132 to 149 feet and had an approximate static water level of 49 feet below the ground surface at the time of well completion (February 28, 2013). Based on the well completion reports on file for the existing wells, and lithologic logs on file for nearby observation wells, the Altamont 2 aquifer is confined at the existing well sites (SDGS, 2023; Water Rights, 2023b and 2023d). Figure 1 displays the location of the existing wells proposed to be used by this application, the Altamont aquifer future use permits and water rights/permits, and observation wells (Water Rights, 2023b, 2023c, and 2023d).

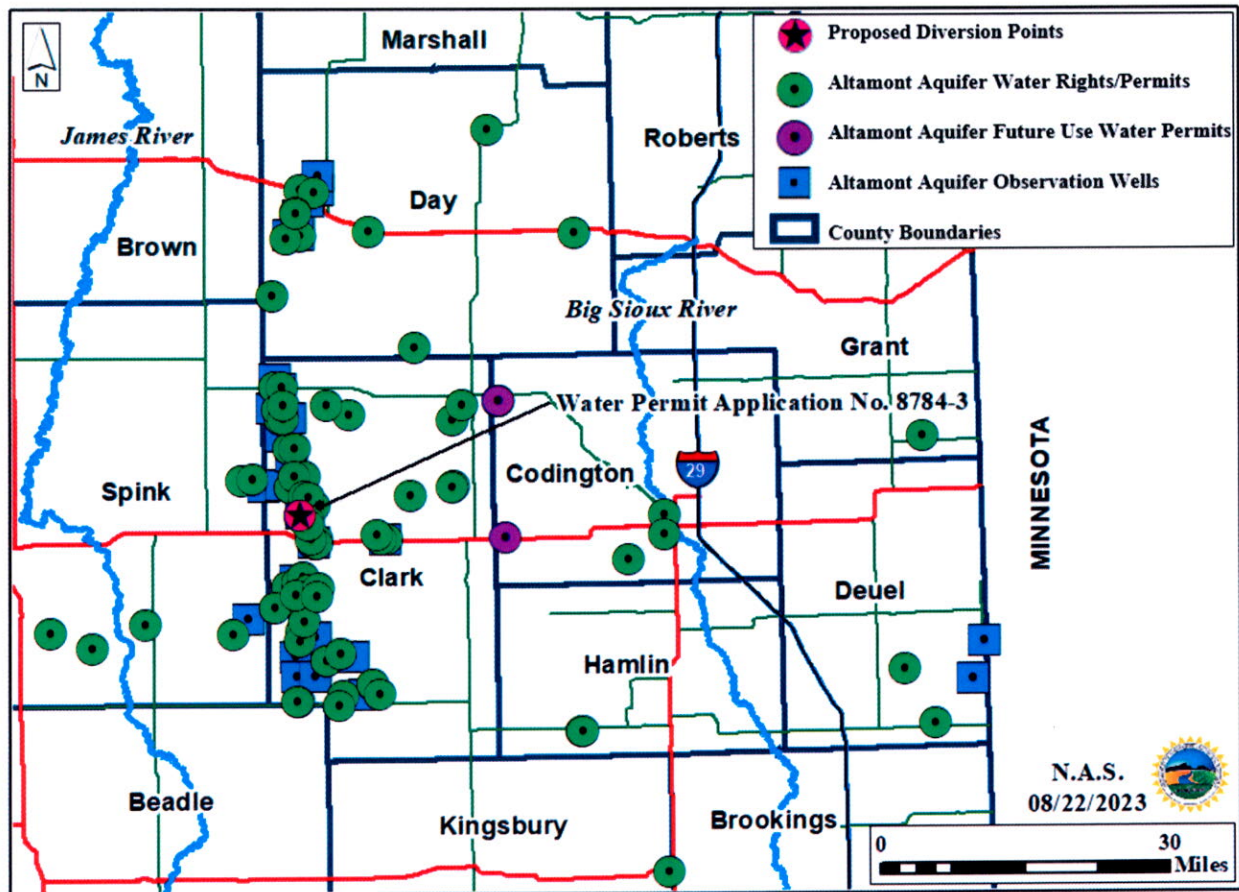


Figure 1. Location of the existing wells proposed to be used by Water Permit Application No. 8784-3 (Water Rights, 2023d), the Altamont aquifer future use permits and water rights/permits, and observation wells (Water Rights, 2023b and 2023c)

South Dakota Codified Law (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, “A permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant’s proposed use, that the diversion point can be developed without unlawful impairment of existing domestic water uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Altamont aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8784-3 proposes to appropriate water from the Altamont 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 Altamont aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010), and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Altamont aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Altamont aquifer in Clark County is primarily through the infiltration of precipitation and lateral groundwater inflow from other counties (Hamilton, 1986). Using observation well analysis, Hedges and others (1985) estimated the average annual recharge rate to the unconfined portion of the Altamont aquifer to be 2.2 inches per year. However, the Altamont aquifer is primarily confined over its entire extent, and the extent of the unconfined portion of the aquifer has not been delineated.

For confined aquifers, Hedges and others (1985) recommended recharge rates of 0.15 to 0.60 inches per year for use by management and development programs. Since the Altamont aquifer is primarily a confined aquifer, the recommended recharge range for confined aquifers will be used to assess the hydrologic budget of the Altamont aquifer. In Clark County, the estimated range of average annual recharge based on the aquifer’s areal extent of 537,200 acres determined by Hedges and others (1982) is 6,715 to 26,860 acre-feet per year (Table 1). For the Altamont aquifer in its entirety, the estimated range of average annual recharge based on the aquifer’s areal extent of 1,672,800 acres determined by Hedges and others (1982) is 20,910 to 83,640 acre-feet per year (Table 1).

Hamilton (1986) estimated a recharge rate of 1.5 inches per year due to the infiltration of precipitation to the Altamont 2 aquifer in Clark County. Using a recharge rate of 1.5 inches per year applied over the aquifer’s areal extent of 403,200 acres determined by Hamilton (1986) results in the average annual recharge rate to the Altamont 2 aquifer to be approximately 50,400 acre-feet per year (Table 1) (Hamilton, 1986).

Table 1. Estimated average annual recharge rates to the Altamont aquifer in Clark County and its entirety (Hamilton, 1986; Hedges et al., 1982 and 1985)

	Areal Extent (in Clark County) (estimated acres)	Areal Extent (entire Altamont aquifer) (estimated acres)	Recharge Rate (inches/year)	Avg Annual Recharge Rate (in Clark County) (acre-feet/year)	Avg Annual Recharge Rate (entire Altamont aquifer) (acre-feet/year)
Hedges et al. (1982 and 1985) - Altamont Aquifer	537,200	1,672,800	0.15 to 0.6 (confined aquifers)	6,715 to 26,860	20,910 to 83,640
Hamilton (1986) - Altamont 2 Aquifer	403,200		1.5	50,400	

Lastly, by applying the lower recharge rate of 0.15 inches per year determined by Hedges and others (1985) over the estimated areal extent of 403,200 acres determined by Hamilton (1986), the likely minimum annual recharge rate to the Altamont 2 aquifer in Clark County is approximately 5,040 acre-feet per year.

Discharge

Discharge from the Altamont aquifer in Clark County is primarily through groundwater outflow to other counties and well withdrawals (Hamilton, 1986; Water Rights, 2023d).

Currently, there are 78 water rights/permits authorized to appropriate water from the Altamont aquifer, plus two future use permits reserving water from the Altamont aquifer (Water Rights, 2023c). The two future use permits reserving water from the Altamont aquifer are Permit Nos. 4052-3 (held by the Town of Henry) and 4054B-3 (held by the Town of Wallace) (Water Rights, 2023c); however, both communities are on rural water so full development of these permits is unlikely (Friedeman, 2020; Water Rights, 2023c). Regardless, for the purpose of estimating average annual withdrawals from the Altamont aquifer, the two future use permits are assumed to be fully developable for a total of 881 acre-feet per year (Water Rights, 2023c).

Table 2 summarizes the 28 non-irrigation water rights/permits authorized to appropriate water from the Altamont 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 the 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. Eight municipal water rights were identified as being connected to a rural water system and likely maintain their wells for standby purposes (Drinking Water Program, 2023; Water Rights, 2023c); as such, the average annual water use for these water rights has been estimated to be zero acre-feet per year on Table 2. Overall, the average annual withdrawal rate for the Altamont aquifer non-irrigation water rights/permits is approximately 2,542 acre-feet per year (Table 2) (Water Rights, 2023c). For the Altamont aquifer non-irrigation water rights/permits within Clark County, the average annual withdrawal rate is approximately 1,077 acre-feet per year (Table 2) (Water Rights, 2023c).

Table 2. Summary of the non-irrigation water rights/permits authorized to appropriate from the Altamont aquifer with estimated annual use determined by their respective diversion rate or annual volume (Friedeman, 2020; Water Rights, 2023c)

Permit No.	Name	Status	County	Use	Diversion Rate (cfs)	Permitted Annual Volume (acre-feet/year)	Estimated Use (acre-feet/year)
451-3	City of Brandt	LC	DU	MUN	0.13		0*
1490-3	Town of Revillo	LC	GT	MUN	0.41		0*
1651-3	Town of Andover	LC	DA	MUN	0.11		0*
1718A-3	Ray Kasel LLC	LC	CK	IND	0.77	81	81
1913-3	City of Arlington	LC	KG	MUN	1.13		0*
3101-3	City of Waubay	LC	DA	MUN	0.56		243.3
4049-3	Town of Roslyn	LC	DA	MUN	0.26		0*
4054A-3	Town of Wallace	LC	CD	MUN	1		0*
4127-3	Town of Garden City	LC	CK	MUN	0.1		43.4
4320-3	City of Bristol	LC	DA	MUN	0.3		0*
4498-3	Town of Garden City	LC	CK	MUN	0.06		26.1
4861-3	City of Clark	LC	CK	MUN	0.6		0*
5461-3	Northern Border Pipeline	LC	CK	IND	0.056		24.3
5483-3	Carpenter Café	LC	CK	COM	0.01		4.3
5544-3	Duane I Pietz	LC	CD	COM	0.03		13
5626-3	Oak Valley Farms Inc	LC	CD	COM	1.56		677.7
6062-3	Hillcrest Hutterian Brethren	LC	CK	DM/DOM/LC	0.133		57.8
6741-3	Alliance Family Farms LLC	LC	CK	COM/LCO	0.178		77.3
6998-3	Riverview LLP	LC	CK	COM/LCO	0.89		386.6
7099-3	Lamont Feedlot	PE	CK	COM/LCO	0.062		26.9
8309-3	Otter Tail Power Company	PE	DU	IND/COM	0.22	12.3	12.3
8318-3	Fawn Lamb	LC	CK	COM	0.022		9.6
8376-3	Husky Farms LLC	LC	CK	COM/LCO	0.267	76.72	76.72
8414-3	Geronimo Energy	PE	CK	COM	0.011	1	1
8504-3	Redstone Farms RE LLC	PE	CK	COM/LCO	0.133	77	77
8570-3	Windy Ridge Hutterian Brethren	PE	CK	COM/LCO	0.11	55	55
8644-3	Riverview LLP	LC	HM	COM/LCO	1.33	519	519
8665-3	Tri R LLC	PE	CK	COM/LCO	0.223	130	130
						TOTAL:	2,542
LC: Licensed Water Right; PE: Water Permit; MUN: Municipal; COM: Commercial							
IND: Industrial *Identified as being connected to a rural water system							
CK: Clark; CD: Codington; DA: Day; DU: Deuel; GT: Grant; HM: Hamlin; KG: Kingsbury							

Currently, there are 50 irrigation water rights/permits appropriating water from the Altamont 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 all the Altamont aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2022) is approximately 2,458 acre-feet per year (Table 3) (Water Rights, 2023a). For the Altamont aquifer irrigation water rights/permits within Clark County, the average annual withdrawal rate is approximately 1,836 acre-feet per year (Table 3) (Water Rights, 2023a). Table 3 lists 55 irrigation water rights/permits as reporting in 2022; however, the 2022 IQ summary included three water permits that were cancelled in 2023 (Nos. 7965-3, 7967-3, and 8026-3) and two water permits that are identified as incorporated in the water rights database (Water Permit No. 6501-3 (applicable portions incorporated into 7371-3) and Water Permit No. 6990-3 (applicable portions incorporated into 7097-3)) (Water Rights, 2023a and 2023c).

Table 3. Reported historic irrigation use from the Altamont aquifer in South Dakota and only in Clark County (Water Rights, 2023a)

Year	No. of Altamont Aquifer Permits (in SD)	Volume Pumped in SD (acre-feet/year)	No. of Altamont Aquifer Permits (in Clark Co)	Volume Pumped in Clark County (acre-feet/year)
1979	49	3,060	24	1,473
1980	50	3,712	25	2,329
1981	56	3,699	30	2,690
1982	43	2,428	24	1,226
1983	41	3,601	26	2,671
1984	45	2,301	27	1,810
1985	44	2,639	27	1,917
1986	43	1,797	27	1,436
1987	41	3,892	25	2,453
1988	39	5,074	24	3,308
1989	39	4,751	24	3,316
1990	39	6,188	24	2,023
1991	39	2,131	25	1,622
1992	39	1,107	24	858
1993	40	52	25	42
1994	39	984	25	580
1995	39	410	25	286
1996	39	2,005	25	1,321
1997	39	644	25	357
1998	37	1,188	23	826
1999	38	1,333	24	1,171
2000	39	2,274	26	1,996
2001	38	2,109	25	1,616
2002	38	3,570	25	2,695
2003	39	2,878	26	2,286
2004	44	1,955	30	1,766
2005	44	2,365	30	2,190
2006	44	3,684	31	3,336
2007	46	2,652	33	2,144
2008	48	1,946	36	1,660
2009	47	843	34	720
2010	45	1,027	36	888
2011	45	1,058	36	981
2012	47	3,158	38	2,727
2013	51	2,383	42	1,978
2014	54	2,106	46	1,778
2015	52	1,755	44	1,503
2016	51	3,577	44	3,194
2017	53	2,930	44	2,581
2018	53	3,648	44	3,156
2019	53	128	45	123
2020	53	2,460	45	1,984
2021	53	3,585	45	3,000
2022	55	3,052	46	2,750
Min	37	52	23	42
Max	56	6,188	46	3,336
Avg	45	2,458	31	1,836

There are domestic wells completed into the Altamont 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 generally not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Altamont 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 Altamont aquifer.

Hydrologic Budget Summary

For the Altamont aquifer in its entirety, the estimated range of average annual recharge to the Altamont aquifer is 20,910 to 83,640 acre-feet per year (Hedges et al., 1982). The estimated average annual withdrawal rate from the entire Altamont aquifer totals approximately 5,881 acre-feet per year: non-irrigation: 2,542 acre-feet/year; irrigation: 2,458 acre-feet/year; Future Use Permits: 881 acre-feet/year; Water Permit Application No. 8784-3 (if approved, assuming one foot of water per acre application rate): 0 additional acre-feet/year since the acreage is already permitted under Water Permit No. 6761A-3.

In Clark County, the estimated average annual withdrawal rate from the Altamont aquifer totals approximately 2,913 acre-feet per year: non-irrigation: 1,077 acre-feet/year; irrigation: 1,836 acre-feet/year; Water Permit Application No. 8784-3 (if approved, assuming one foot of water per acre application rate): 0 additional acre-feet/year since the acreage is already permitted under Water Permit No. 6761A-3.

For the Altamont 2 in Clark County, the lowest estimated recharge rate to the Altamont 2 is approximately 5,040 acre-feet per year (Hamilton, 1986).

Although, average annual withdrawals were not specifically estimated for Hamilton's (1986) Clark County Altamont 2, the average annual withdrawal rate from the Altamont aquifer water rights/permits in Clark County are less than the lowest estimated value for average annual recharge to just Hamilton's (1986) Clark County Altamont 2.

Based on the hydrologic budget for the Altamont aquifer in its entirety and specifically in Clark County, there is a reasonable probability unappropriated water is available from the Altamont aquifer to supply 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.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors 30 observation wells completed into the Altamont aquifer (Water Rights, 2023b). The three closest observation wells to the wells the

applicant proposes to use are CK-78E (approximately 0.3 miles northeast), CK-78F (approximately 3.1 miles southeast), and CK-78D (approximately 3.2 miles northeast) (as shown in Figure 5) (Water Rights, 2023b). The hydrographs for these observation wells are displayed in Figures 2 to 4 (Water Rights, 2023b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing.

The hydrographs in Figures 2 to 4 were compared to the other hydrographs for observation wells completed into the Altamont aquifer also near the applicant's existing well sites and each have similar trends; therefore, the three observation wells used for this analysis are generally representative of the Altamont 2 aquifer near the applicant's existing well sites.

The hydrographs for the observation wells display stable to increasing water levels over their respective periods of record. The hydrographs for the Altamont aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Altamont 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.

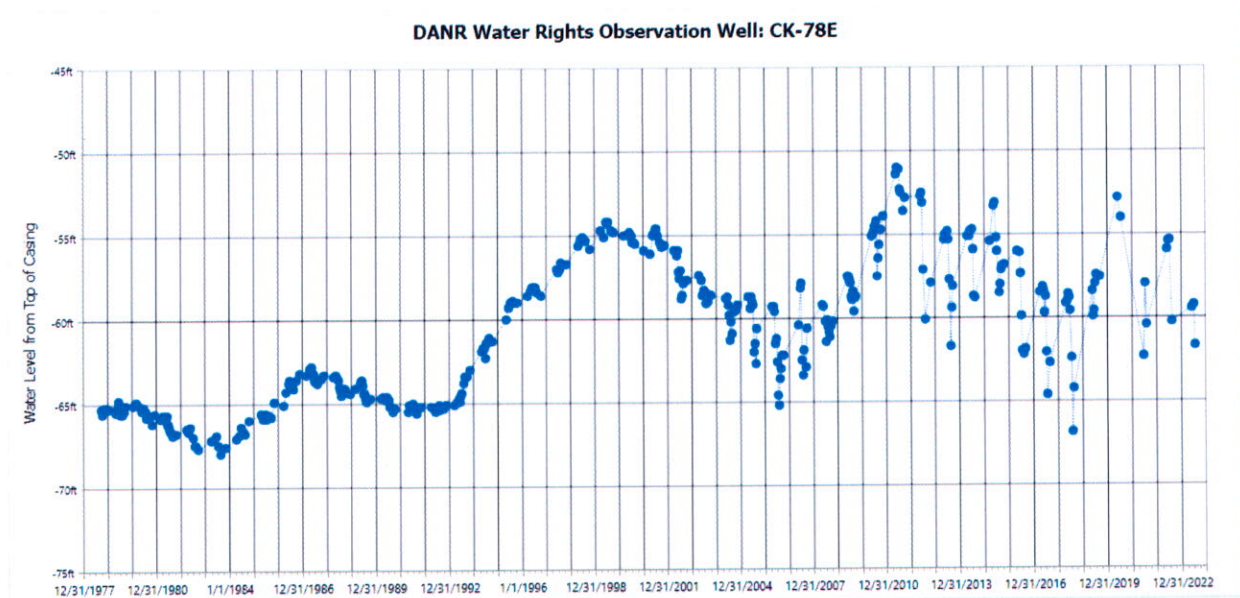


Figure 2. Hydrograph for observation well CK-78E (Water Rights, 2023b)

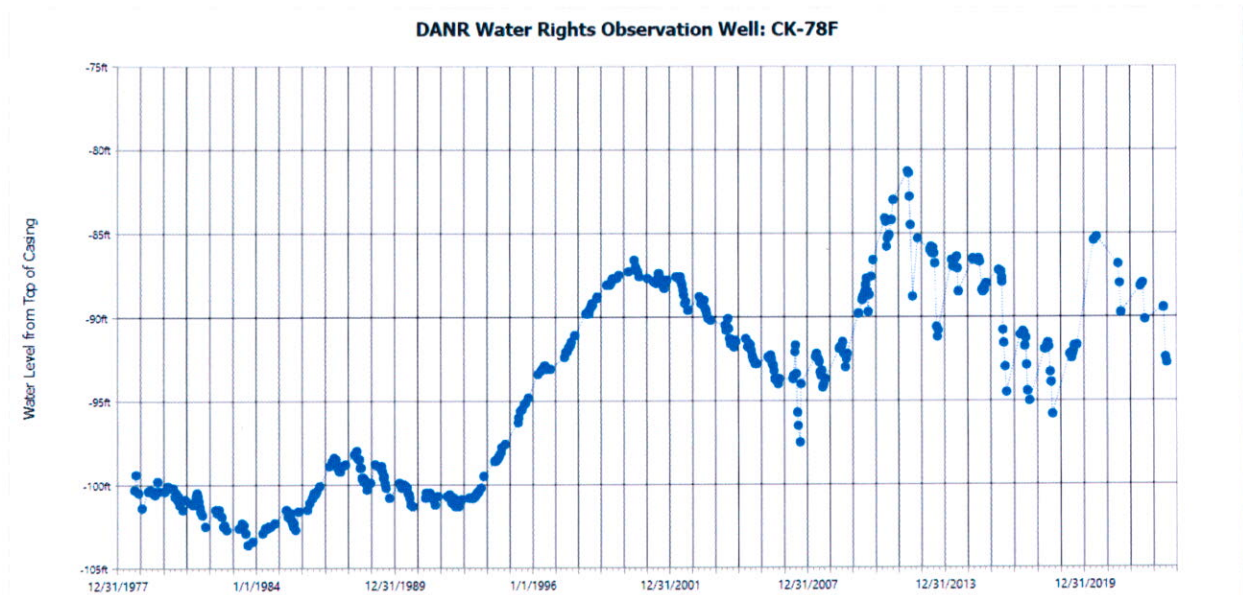


Figure 3. Hydrograph for observation well CK-78F (Water Rights, 2023b)

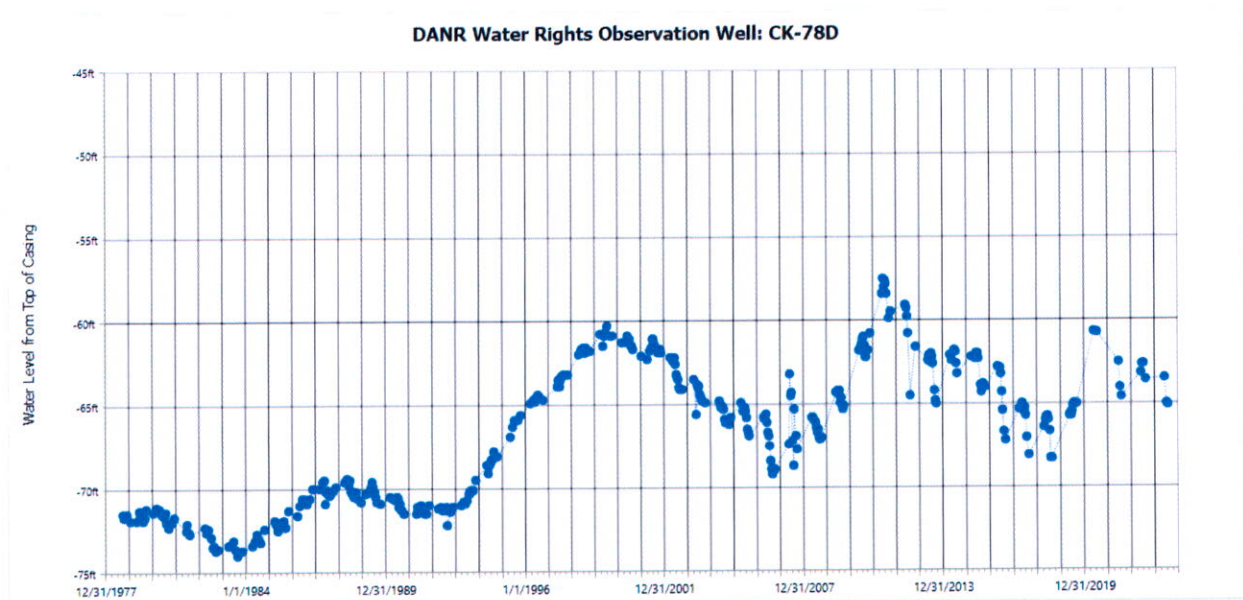


Figure 4. Hydrograph for observation well CK-78D (Water Rights, 2023b)

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Currently, there are 78 water rights/permits authorized to appropriate water from the Altamont aquifer, plus two future use permits reserving water from the Altamont aquifer (Water Rights, 2023c). The closest water right/permit to the existing wells is Water Right No. 7966-3, which is held by Dwight & Mark Noethlich (Water Rights, 2023c). The diversion point for Water Right No. 7966-3 is located approximately 1.1 miles southeast of the existing wells proposed to be used by this application (Figure 5) (Table 4) (Water Rights, 2023c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Altamont aquifer, with the closest domestic well on file (not held by the applicant) located approximately one mile north of the existing well sites (Water Rights, 2023d). There could potentially be other domestic wells completed into the Altamont aquifer near the wells the applicant proposes to use that are not on file with the DANR-Water Rights Program. The location of the domestic wells in the Water Rights Well Completion Report database is based on the location on the report listed by the driller at the time of well completion.

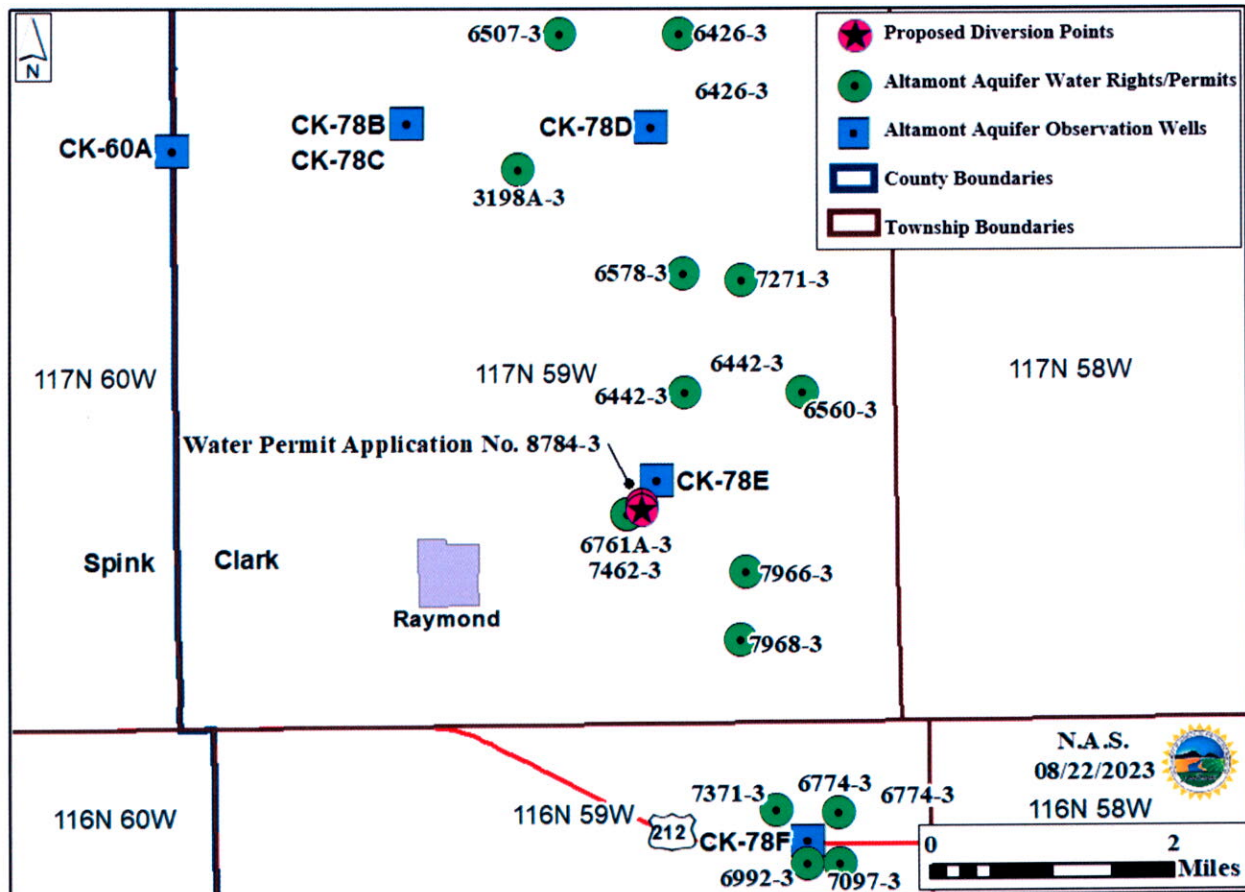


Figure 5. Location of the existing wells proposed to be used by Water Permit Application No. 8784-3 (Water Rights, 2023d) with the Altamont aquifer water rights/permits and observation wells within approximately five miles (Water Rights, 2023b and 2023c)

Table 4. Water rights/permits authorized to withdraw water from the Altamont aquifer within approximately fifteen miles of the existing well sites, as shown in Figure 5 (Water Rights, 2023c)

Permit No.	Name	Status	Use	Authorized Acres if IRR	Authorized Diversion Rate (cfs)
3198A-3	JV Kennealley	LC	IRR	261	1.88
6426-3	Thomas Wheeler	LC	IRR	256.5	2.22
6442-3	Louis Fritz	LC	IRR	268	3.56
6507-3	Thomas Wheeler	LC	IRR	13.03	1.78
6560-3	Louis Fritz	LC	IRR	124	1.78
6761A-3	Chad Fritz	PE	IRR	120	0.78
6774-3	R & R Farms	LC	IRR	262.5	3.56
6578-3	Louis Fritz	LC	IRR	135.5	1.78
6992-3	R & R Farms	LC	IRR	130.2	1.78
7097-3	James Orris	LC	IRR	280	3.56
7271-3	Louis Fritz	LC	IRR	136.5	1.78
7371-3	Russell Hurlbert	LC	IRR	191.5	2.78
7462-3	Chad Fritz	PE	IRR	0	1.23
7966-3	Dwight & Mark Noethlich	LC	IRR	130.8	1.78
7968-3	Dwight & Mark Noethlich	LC	IRR	134	1.78
LC: Licensed Water Right; PE: Water Permit; IRR: Irrigation					

In Clark County, the Altamont aquifer is primarily confined with some variation in depth to the top of the aquifer and saturated aquifer thickness (SDGS, 2023; Water Rights, 2023c and 2023d). Based on the well completion reports on file for the existing wells, and lithologic logs on file for nearby observation wells, the Altamont 2 aquifer is confined at the existing well sites (SDGS, 2023; Water Rights, 2023b and 2023d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test. However, observation wells completed into the Altamont aquifer in western Clark County near permitted/licensed diversion points can provide some insight on how the aquifer responds to pumping.

Observation well CK-76E (approximately 0.3 miles northwest of the existing wells) has eight high-yield irrigation wells within approximately three miles of it (Water Rights, 2023b and 2023c). The drawdown from pumping can be seen on the hydrograph for CK-76E, along with the aquifer returning to pre-pumping conditions between irrigation seasons (Figure 2) (Water Rights, 2023b). The lithologic log on file for CK-76E noted the well was drilled 90 feet deep, has a casing stickup height of 2.5 feet, with the top of aquifer is expected to be approximately 77 feet below the ground surface (SDGS, 2023). The lowest recorded static water level on the hydrograph is approximately 68 feet below the top of well casing (shown in Figure 2), which indicates there was still about 11 feet of artesian head pressure in CK-76E even during drier periods when high-yield irrigation wells are expected to be pumping more water (Water Rights, 2023b).

Observation well CK-76F (approximately 3.1 miles southeast of the existing wells) has four high-yield irrigation wells within approximately one mile of it (Water Rights, 2023b and 2023c). The drawdown from pumping can be seen on the hydrograph for CK-76F, along with the aquifer returning to pre-pumping conditions between irrigation seasons (Figure 3) (Water Rights, 2023b). The water levels in CK-76F vary between confined and unconfined, but CK-76F generally behaves as a confined aquifer well (Water Rights, 2023b). The lithologic log on file for CK-76F noted the well was drilled 150 feet deep, has a casing stickup height of 2.1 feet, with the top of aquifer expected to be approximately 98 feet below the ground surface (SDGS, 2023). The lowest recorded static water level on the hydrograph is approximately 104 feet below the top of well casing, which indicates there was a point in time when there was no artesian head pressure in CK-76F (shown in Figure 3) (Water Rights, 2023b). However, on average, the static water level on the hydrograph for CK-76F is approximately 90 feet below the top of well casing indicating there is approximately between five to ten feet of artesian head pressure on average in CK-76F (Water Rights, 2023b). The lack of artesian head pressure in CK-76F at its lowest recorded water level is not necessarily an indicator that nearby adequate wells are unlawfully impaired.

In Clark County, the Altamont 2 aquifer has a average saturated aquifer thickness of approximately 30 feet (Hamilton, 1986). At the existing well site, the saturated aquifer thickness ranges between approximately 17 to 20 feet (Water Rights, 2023d). This would generally allow for enough thickness for a pump to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6). Any drawdown as a result of the proposed diversion is not expected to unlawfully impair nearby adequate wells.

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 Altamont 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 of the Altamont aquifer in Clark County, the artesian head pressure for wells completed into the Altamont aquifer near the existing well locations, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment to existing water right/permit holders or domestic users with adequate wells. Additionally, the existing wells proposed to be used have been in place and are presumed to have been in use since roughly 2013 without any reported well interference complaints on file with the DANR-Water Rights Program (Water Rights, 2023d and 2023e). Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments to existing users with adequate wells.

Aquifer History in Clark County

There have been several controversies regarding springs and well interference involving the Altamont aquifer in Clark County that are summarized in detail in two reports authored by previous Water Rights Staff Engineer Ken Buhler (Buhler, 2012 and 2014). The most recent of these controversies was in 2004 and involved Water Right No. 6560-3 which has its respective diversion point located approximately 1.5 miles northeast to the existing wells proposed to be used by this application (Water Rights, 2023c). During the Water Management Board hearing for the issuance of Water Right No. 6560-3, interveners expressed concern over the possible impacts the proposed irrigation withdrawal may have on domestic water supplies that were dependent on discharge from a fen or spring. A qualification was included on Water Right No. 6560-3 directing the permit holder to control their withdrawals so that there is not a significant reduction in the flow of water of the fen. That qualification was also included with Water Permit No. 7462-3, held by Chad Fritz, which authorizes an increase in the diversion rate authority from the existing well proposed to be used (Water Rights, 2023c) and should be included on Water Permit Application No. 8784-3, if approved. At this time, no unlawful impairment has been reported and there are no substantiated complaints on file with the DANR-Water Rights Program regarding well interference between adequate wells completed into the Altamont aquifer (Water Rights, 2023e).

In 1975, a substantiated complaint occurred involving a spring in the county where the spring was located within the radius of influence of the pumping irrigation well authorized by Water Right No. 2489-3 (Buhler, 2014; Water Rights, 2023c). Nevertheless, except for the 1975 complaint, any complaints and concerns about pumping from the Altamont aquifer interfering with area springs have been unsubstantiated (Buhler, 2014; Water Rights, 2023c).

Springs with the Altamont aquifer as a water source are typically the result of downward sloping terrain along the edge of the Coteau Des Prairies incising area aquifers. Small fluctuations in the water levels of the incised aquifers could influence the discharge from springs. In examining the hydrographs for nearby observation wells (Figures 2 to 4), there are fluctuations in the water level of the aquifer in the area of the existing wells ranging between approximately 15 to 20 feet over the respective periods of record (Water Rights, 2023b). Given the amount of existing water

level fluctuation in the aquifer and the lack of documented interference with springs as a result of pumping from the Altamont aquifer since 1975, adverse impacts to these springs are not anticipated from the proposed diversion. The existing wells proposed to be used by this application are located approximately two miles from the top of the western slope of the Coteau (Water Rights, 2023c). Additionally, if approved, the low diversion rate (0.55 cfs) requested by Water Permit Application No. 8784-3 is not expected to have any impact on the area springs.

CONCLUSIONS:

1. Water Permit Application No. 8784-3 proposes to divert water at a maximum instantaneous diversion rate of 0.55 cfs from an existing well authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 authorizes a maximum instantaneous diversion rate of 0.78 cfs from one well completed into the Altamont aquifer (132 feet deep) for the irrigation of 120 acres. A licensing investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well.
2. If approved, Water Permit Application No. 8784-3 and Water Permit No. 6761A-3 will collectively authorize a maximum instantaneous diversion rate of 1.33 cfs from two wells for the irrigation of 120 acres. The site of interest is located in Clark County approximately one mile east of Raymond, SD.
3. Based on the hydrologic budget and observation well data, there is a reasonable probability that unappropriated water is available from the Altamont aquifer to supply the proposed appropriation.
4. There is a reasonable probability that the proposed diversion by Water Permit Application No. 8784-3 will not unlawfully impair adequate wells for existing water right/permit holders and domestic users.
5. The existing well proposed to be used by Water Permit Application No. 8784-3 will be located near a fen. If this application is approved, a qualification requiring the applicant to control their water withdrawals, so there is not a significant reduction in the flow of water in the fen, should be included.



Nakaila Steen
Natural Resources Engineer II
SD DANR - Water Rights Program

Reviewed by:



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

References

- Buhler, K.A., 2012. Report to the Chief Engineer on Water Permit Application No. 7419-3 - James Orris. SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Buhler, K.A., 2014. Report to the Chief Engineer on Water Permit Application No. 8026-3 -William V Hearnen. SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Fahrenbach, M.D., Steece, F.V., Sawyer, J.F., McCormick, K.A., McGillivray, G.L., Schulz, L.D., and Redden, J.A. 2010. South Dakota Stratigraphic Correlation Chart. Oil and Gas Investigations 3. SD DANR-Geological Survey, Vermillion, SD.
- Friedeman, B., 2020. "Public Water Systems on Full-Time Basis List." Environmental Scientist DANR-Drinking Water Program, Joe Foss Bldg, Pierre, SD.
- Hamilton, L.J., 1986. Geology and Water Resources of Clark County, South Dakota; Part II: Water Resources. South Dakota Geologic Survey Bulletin 29. Vermillion, SD.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Allen, J., Holly, D.E., 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Mathiowetz, A., 2021, May 6. Personal Communication. Natural Resources Engineer III, SD DANR – Water Rights Program, Joe Foss Bldg, Pierre, SD.
- SDGS, 2023. South Dakota Geological Survey Lithologic Logs Database. Accessed August 22, 2023, 2023. <http://cf.sddanr.net/lithdb/>.
- Water Rights, 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DANR-Water Rights Program file for Water Right No. 2313-2. Pierre, SD.
- Water Rights, 2023a. "1979-2022 Irrigation Summaries by Aquifer", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights, 2023b. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- 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.**

September 11, 2023

Chad Fritz
17017 416th Avenue
Raymond SD 57258

Dear Mr. Fritz:

Water Permit Application No. 8784-3 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 Clark County Courier printed in Clark SD (Ph # 605 605-532-3654) and the Public Opinion printed in Watertown SD (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,

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.

Instruction to Newspaper - Publish the Notice on September 20, 2023. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8784-3 to Appropriate Water

Notice is given that Chad Fritz, 17017 416th Avenue, Raymond SD 57258 has filed an application for a water permit to appropriate an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This application, if approved, and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8784-3 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 October 2, 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 October 2, 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: Monday, September 11, 2023 8:52 AM
To: clarkcountycourier@gmail.com
Subject: 8784-3 Chad Fritz - Public Notice
Attachments: 8784-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on September 20, 2023.

Chad Fritz, 17017 416th Avenue, Raymond SD 57258, (605 881-1841) 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: Monday, September 11, 2023 8:54 AM
To: legals@thepublicopinion.com
Subject: 8784-3 Chad Fritz - Public Notice
Attachments: 8784-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on September 20, 2023.

Chad Fritz, 17017 416th Avenue, Raymond SD 57258, (605 881-1841) 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



LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

PROOF OF PUBLICATION

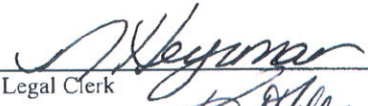
Water Rights Program
Fritz, Chad
17017 416Th AVE
Raymond SD 57258-6623

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

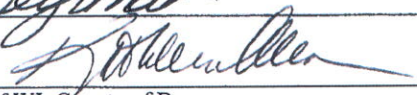
The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed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

10/11/2023

and that the fees charged are legal.
Sworn to and subscribed before on 10/11/2023



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$56.04

Order No: 9363459

Customer No: 1060939

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KATHLEEN ALLEN
Notary Public
State of Wisconsin

NOTICE OF
APPLICATION NO. 8784-3
to Appropriate Water
Notice is given that Chad
Fritz, 17017 416th Avenue,
Raymond SD 57258 has
filed an application for a
water permit to appropri-
ate an additional 0.55 cubic
feet of water per second
(cfs) to what is currently
authorized by Water
Permit No. 6761A-3. Water
Permit No. 6761A-3 appro-
priates 0.78 cfs from one
well completed into the
Altamont Aquifer (132 feet
deep) located in the
approximate center of the
NE 1/4 Section 27 to irri-
gate 120 acres located in
the NE 1/4 Section 27; all in
T117N-R59W. An investiga-
tion of the permit found the
system capable of divert-
ing an additional 0.55 cfs
from the permitted well
and an additional well both
located in the NE 1/4 NE
1/4 Section 27-T117N-R59W.
This application, if
approved, and Water
Permit No. 6761A-3 will
authorize a combined total
of 1.33 cfs from two wells
in the Altamont aquifer
with no additional acres to
what is authorized by No.
6761A-3. This site is located
approximately 1 mile east
of Raymond SD.
Pursuant to SDCL 46-2A-2,
the Chief Engineer recom-
mends APPROVAL of
Application No. 8784-3 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 regula-
tory authority of the Water
Management Board. The
Chief Engineer's recom-
mendation with qualifica-
tions, 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 peti-
tion opposing the applica-
tion 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 October 23, 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 October 23, 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 Oct. 11, 2023, at the total approximate cost of \$56.04 and may be viewed free of charge at www.sdpublicnotices.com 9363459

RECEIVED

OCT 23 2023

OFFICE OF
WATER

NOTICE OF APPLICATION N

Notice is given that Chad Fritz, 17017 416 Avenue, Raymond, S.D. 57258 has filed an application for a water permit to appropriate an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This application, if approved and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond, S.D.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8784-3 with qualifications because 1) un-

appropriated 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

Affidavit of Publication

State of South Dakota

§

County of Clark

Karli J. Paulson of said county, being first duly sworn, on oath says that she is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive 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

Water Rights Program

a printed copy of which taken from the paper in which 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

One

successive week(s), on the day of each week on which said newspaper was regularly published, to wit:

October 11, 2023

that the full amount of the fees for the publication of the annexed notice is

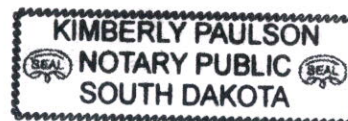
\$46.87

Karli Paulson

Subscribed and sworn to before me this

18th day of October, 2023

Kimberly Paulson



Notary Public
Clark County, South Dakota

My Commission expires: 04/27/2029

O. 8784-3 to Appropriate Water

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, S.D. 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 October 23, 2023.

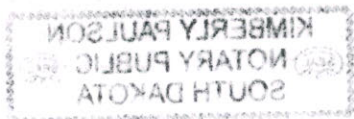
The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

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 October 23, 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
approximate cost of \$46.87
and can be viewed free of charge
at www.sdpublicnotices.com
10-11-23



Affidavit of Publication

State of South Dakota

§

County of Clark

Karli J. Paulson of said county, being first duly sworn, on oath says that she is the publisher of the **Clark County Courier**, a weekly newspaper printed and

NOTICE OF APPLICATION NO. 8784-3 to Appropriate Water

Notice is given that Chad Fritz, 17017 416 Avenue, Raymond, S.D. 57258 has filed an application for a water permit to appropriate an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This application, if approved and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond, S.D.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8784-3 with qualifications because 1) un-

appropriated 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, S.D. 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 October 23, 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 October 23, 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 approximate cost of \$46.87 and can be viewed free of charge at www.sdpublicnotices.com

10-11-23

\$46.87

Karli Paulson

Subscribed and sworn to before me this

18th day of October, 2023

Affidavit of Publication

NOTICE OF APPLICATION NO. 8784-3 to Appropriate Water

Notice is given that Chad Fritz, 17017 416 Avenue, Raymond, S.D. 57258 has filed an application for a water permit to appropriate an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This application, if approved and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond, S.D.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8784-3 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, S.D. 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 October 2, 2023.

The petition shall include a state-

of South Dakota

§

County of Clark

J. Paulson of said county, being first duly sworn, says that she is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a personal knowledge of all the facts therein; that said newspaper is a legal newspaper with a bona-fide circulation of at least two hundred copies weekly, and has been published within County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and is printed wholly or in part in an office located at said place of publication; that the

Water Rights Program

A copy of which taken from the paper in which the same was published, is attached to this sheet, and made a part of this Affidavit, was published in a newspaper at least once in each week for

One

successive week(s), on the day of each week on which said newspaper was regularly published, to

September 20, 2023

The full amount of the fees for the publication of the annexed notice is

\$46.87

Karli Paulson

Subscribed and sworn to before me this

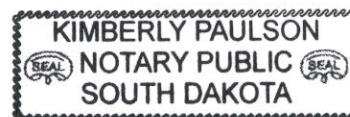
28th day of September, 2023

Kimberly Paulson

RECEIVED

OCT 02 2023

OFFICE OF
WATER



Notary Public
Clark County, South Dakota

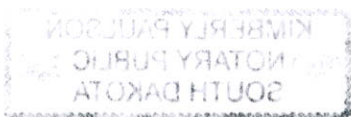
My Commission expires: 04/27/2029

ment 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 October 2, 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 approximate cost of \$46.87 and can be viewed free of charge at www.sdpublicnotices.com
9-20-23



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 3, 2023 10:09 AM
To: chadfritz316@yahoo.com
Subject: 8784-3 Chad Fritz - Public Notice
Attachments: ChadFritz.pdf

Good morning Chad,

Attached is the letter I am mail today regarding your public notice. Please call both papers asap, as the notice is schedule to publish on October 11, 2023. Once you have done so, please let me know that you have authorized and paid both newspapers. If you have any questions, you may call me at 605 773-4063 which is my direct line.

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

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

October 3, 2023

Chad Fritz
17017 416th Avenue
Raymond SD 57258

Dear Mr. Fritz:

Water Permit Application No. 8784-3 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 following newspapers:

Clark County Courier
Watertown Public Opinion

605 532-3654
Requires Prepayment - see enclosed email from Public Opinion

Please 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. Please review the notice prior to publication and notify this office, if you have any corrections or questions. The newspapers have 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.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, October 2, 2023 2:15 PM
To: Clark Courier
Subject: 8784-3 Chad Fritz - Public Notice
Attachments: 8784-3 Redopublic.short_final.docx; FORM8.FRM.doc

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

Chad Fritz, 17017 416th Avenue, Raymond SD 57258, (605 881-1841) 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: Monday, October 2, 2023 2:17 PM
To: legals@thepublicopinion.com
Subject: 8784-3 Chad Fritz - Public Notice
Attachments: 8784-3 Redopublic.short_final.docx; FORM8.FRM.doc

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

Chad Fritz, 17017 416th Avenue, Raymond SD 57258, (605 881-1841) 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



NOTICE OF APPLICATION NO. 8784-3 to Appropriate Water

Notice is given that Chad Fritz, 17017 416th Avenue, Raymond SD 57258 has filed an application for a water permit to appropriate an additional 0.55 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6761A-3. Water Permit No. 6761A-3 appropriates 0.78 cfs from one well completed into the Altamont Aquifer (132 feet deep) located in the approximate center of the NE 1/4 Section 27 to irrigate 120 acres located in the NE 1/4 Section 27; all in T117N-R59W. An investigation of the permit found the system capable of diverting an additional 0.55 cfs from the permitted well and an additional well both located in the NE 1/4 NE 1/4 Section 27-T117N-R59W. This application, if approved, and Water Permit No. 6761A-3 will authorize a combined total of 1.33 cfs from two wells in the Altamont aquifer with no additional acres to what is authorized by No. 6761A-3. This site is located approximately 1 mile east of Raymond SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8784-3 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 October 23, 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 October 23, 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_



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

NOV 09 2023

Chad Fritz
17017 416th Ave
Raymond SD 57258

Dear Mr. Fritz:

Enclosed is Water Permit No. 8784-3 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.: 8784-3

Name of Applicant: Chad Fritz

Date of Posting: 9/18/2023

Date of Removal: 11/9/2023



Ron Duvall, Engineer III

11/9/2023

Date

Subscribed and sworn to before me, a notary public, this 9 day of Nov, 2023.



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

(SEAL)



8784-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 26, 2024

Chad Fritz
17017 416th Ave
Raymond SD 57258

Dear Mr. Fritz:

This letter is intended to follow up on our telephone conversation discussing the duplicate payment for additional diversion authority for Water Permit No. 6761A-3, which had already been provided under Water Permit No. 7462-3.

A refund in the amount of \$100.00 will be provided to you by the State of South Dakota. Please allow up to two (2) weeks for the processing of that refund.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit Nos. 6761A-3, 7462-3, and 8784-3

I have this day, May 24, 2023, made a thorough examination of the water use system constructed by Chad Fritz, 17017 416th Ave, Raymond, SD 57258 of Permit Nos. 6761A-3 & 7462-3, bearing the respective priority dates of August 20, 2012, October 16, 2012, and August 1, 2023, authorizing the combined diversion of 2.55 cu. ft. per second of the waters of the Altamont Aquifer for irrigation purposes, in Clark County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Manikowski Well Drilling
- 2) No. of Wells 2
- 3) Depth(s) (south) 140 & (north) 149 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 8 inches
- 2) Length 120 & 132 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 20 & 17 feet
- 3) Static water level 49 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 800 total GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating Unknown hp

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

- 1) Type Buried PVC
- 2) Size 8 inches
- 3) Length 1100 feet

Comments: 6 inch pipe between wells

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1100 feet
- 3) Number of towers 6
- 4) End gun Y
- 5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate Y

Comments: Uses commercially available equipment

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y

If no, describe:

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: capable of pumping greater than statutory limit

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATIONS
From the NE corner Sec 27 T117N R59W WELL #1: 815 ft S & 475 ft W, Lat 44.91884 Long -
97.90329 WELL #2: 1,030 ft S & 505 ft W, Lat 44.91829 Long -97.90337 (NE 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
All land in Sec 27 T117N R59W
NW NE – 35.5 acres
NE NE – 21.5 acres
SE NE – 10.0 acres
SW NE – 21.5 acres

comprising a total of 88.5 acres of land and the license should be issued for 1.26 cfs

3. All structures, wells and lands on map Y

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

The irrigated acreage was determined with the aid of FSA imagery and ArcMAPS software.

The mailing address and the telephone number in the permit materials are current

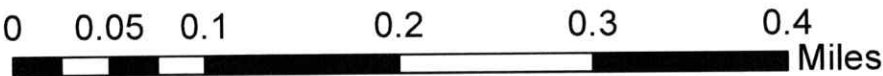
I talked to Chad Fritz during the field inspection visit.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **June 5, 2023**

*Public Notice for WP No. 7462-3 allowed for a
diversion rate greater than the 1/70
stat. limit. Issue license for 1.78 cfs + 88.5 ac.
AMD 8/28/24





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Rights Program, DANR Date 8-26-2024
523 E. Capitol Ave.
Pierre, SD 57501-3182
or via email to DANRmail@state.sd.us

FROM: Chad Fritz 605-881-1841
(name) (phone)
17017 416th Ave
(address) (email)
Raymond SD 57258
(city, state, zip)

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. 8784-3 states that the water use system is to be constructed by
10-23-28 , and water is to be put to beneficial use by 10-23-32 .
(date) (date)

The water use system was completed on Spring 2013
(date)
Applying the water to beneficial use was completed on Spring 2013
(date)

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

AUG 29 2024

6761A-3
7462-3
8784-3

Chad Fritz
17017 416th Ave
Raymond SD 57528

Dear Mr. Fritz:

Enclosed is Water License No. 8784-3. 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.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Sincerely,

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

NOTE: The applicable portions of Water Permit Nos. 6761A-3 & 7462-3 have been incorporated into Water Right No. 8784-3.

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8784-3**

(1) Chad Fritz, 17017 416th Ave, Raymond SD 57258, made Application No. 6761A-3, August 20, 2012, for a water permit to reinstate Permit No. 6761-3, authorizing the diversion of 0.78 cubic feet of water per second (cfs) from groundwater, one well (Altamont Aquifer), Clark County, South Dakota for irrigation purposes. Permit No. 6761A-3, with a priority date of August 20, 2012, was approved November 12, 2012, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 12, 2017, and for the application to beneficial use of water on or before November 12, 2021. The applicable portions of Permit No. 6761A-3 have been incorporated into this license.

On October 16, 2012, Chad Fritz made Application No. 7462-3, for a water permit to increase the diversion rate authorized by Permit No. 6761A-3, by an additional 1.23 cfs. Permit No. 7462-3, with a priority date of October 16, 2012, was approved January 14, 2013, and issued to the applicant for diversion of water with construction to be completed on or before January 14, 2018, and for the application of water to beneficial use on or before January 14, 2022. The applicable portions of Permit No. 7462-3 have been incorporated into this license.

On August 1, 2024, Chad Fritz made Application No. 8784-3, for a water permit to increase the diversion rate authorized by Permit No. 6761A-3, by an additional 0.55 cfs. The application also sought to authorize diversion from a second well completed into the Altamont Aquifer. Permit No. 8784-3, with a priority date of August 1, 2023, was approved October 23, 2023, and issued to the applicant for diversion of water with construction to be completed on or before October 23, 2028, and for the application of water to beneficial use on or before October 23, 2032.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on August 26, 2024. The Notice stated the diversion system was completed and the water was placed to beneficial use in the Spring of 2013.

(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 1.78 cubic feet of water per second for beneficial use. The locations of the diversion points are:

- Well #1: 815 ft S & 475 ft W of the NE corner Section 27, T117N, R59W (NE ¼ NE ¼)
(Latitude 44.91884 & Longitude -97.90329)
- Well #2: 1,030 ft S & 505 ft W of the NE corner Section 27, T117N, R59W (NE ¼ NE ¼)
(Latitude 44.91829 & Longitude -97.90337)

(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: April 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 27, T117N, R59W			
NE ¼ NE ¼	21.5 acres	SW ¼ NE ¼	21.5 acres
NW ¼ NE ¼	35.5 acres	SE ¼ NE ¼	10 acres
TOTAL: 88.5 acres			

continued

(5) Pursuant to South Dakota Water Law 46-5-30.1 Chad Fritz, the holder and/or owner of Water Right No. 8784-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, two wells (Altamont Aquifer), with priority dates of August 20, 2012 (0.78 cfs) & October 16, 2012 (1.0 cfs), from the locations 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. 8784-3 and subject to the following qualifications:

1. The wells approved under this Permit and Permit No. 6761A-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells approved under this Permit will be located near a fen. The well owner under this Permit shall control withdrawals so that withdrawals do not cause a significant reduction in the flow of water of the fen. By determining that the permit holder is to control withdrawals so not to cause a significant reduction in the flow of water to the fen, the Board holds that such reduction in pumping would be merited upon a showing that the reduction in flows were caused by pumping.
The location of the fen and spring are located as follows:

Kopriva spring/dugout: N 44° 55.852' / W -97° 51.852'

Weber fen: N 44° 55.526' / W -97° 51.925'

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


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

AUG 29 2024

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: CHAD FRITZ, 17017 416TH AVE, RAYMOND, SD 57258

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 8784-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 8784-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 8784-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

8784-3

Chad Fritz
17017 416th Ave
Raymond SD 57258

Dear Mr. Fritz:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 8784-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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