

WATER PERMIT NO. 8786-3

Name of Applicant: **Randy, Corey & Nikolas Svendsen**

Address: **1505 Summit Ln #303, Yankton SD 57078** Phone: **605-661-8759**

Amount of Water Claimed: **2.18 cfs** Total Acres: **153**

Source of Water Supply: **Groundwater**

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

Type of Waste Disposal System:

Location: **Approx. 7 miles northeast of Yankton SD**

PRIORITY Date Received: **8-1-2023**

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

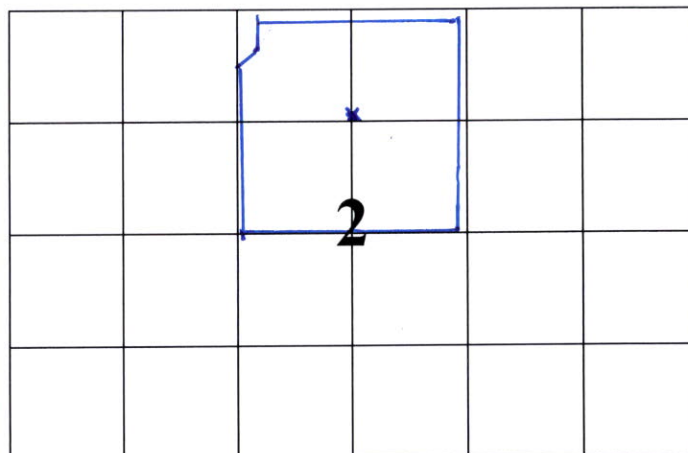
Corrected Application Received: **8-2-2023**

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

Remarks:

Diversion Point: **Approx. center of E 1/2 NW 1/4,
W 1/2 NE 1/4 Section 2-T94N-R55W**

Land to be Irrigated: **NE 1/4 NW 1/4, SE 1/4 NW
1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4 Section 2-
T94N-R55W**



Depth of Well: **240**

Well Driller:

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **8-2-2023**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8786-3**

Date of first receipt of application August 1, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8786-3 to Randy and Corey and Nikolas Svendsen, 1505 Summit Ln. # 303, Yankton SD 57078 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. 8786-3 appropriates 2.18 cubic feet of water per second from one well to be completed into the Lower James Missouri Aquifer (approximately 240 feet deep) located in the approximate center of the N 1/2 Section 2 for irrigation of 153 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 2; all in T94N-R55W. This site is located approximately 7 miles northeast of Yankton 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 1.
3. The date from which applicant may claim right is August 1, 2023.
4. The date of approval of Permit No. 8786-3 is October 13, 2023.
5. One-fifth of the construction is to be completed on or before April 13, 2026.
6. All construction is to be completed on or before October 13, 2028.
7. Water is to be put to beneficial use on or before October 13, 2032.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Water Permit No. 8786-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8786-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

NOV 09 2023
date



AUG 01 2023

OFFICE OF
WATER

PAID

JUL 31 2023
Ck# 200

Rec't# 7/31/23

Mail to:

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

ph. (605) 773-3352

No. 8786-3 Hydrologic Unit 10170102

Basin Vermillion

Newspaper Daily Press & Dakotan

(office use only)

Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Randy A Corey & Nikolas Svendsen

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

Mailing Address 1505 Summit Ln. #303 Yankton SD 57078
(Address) (City) (State) (Zip Code)

Phone 605-260-3810 Mobile 605-661-8759 Email rusven@gmail.com

2. Amount of water claimed 2.18 *CFS or **GPM ***AF Total Acreage 153
(*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 1 well on boarder between east 1/2 of NW 1/4 of 2-94-55
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
and boarder of west 1/2 of NE 1/4 of 2-94-55 County Yankton

5. County or counties where water will be used Yankton

6. Annual period during which water is to be used April 1 - October 1

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
S 1/2 of E 1/2 of NW 1/4 2-94-55	40		
N 1/2 of E 1/2 of NW 1/4 2-94-55	35		
S 1/2 of W 1/2 of NE 1/4 2-94-55	40		
N 1/2 of W 1/2 of NE 1/4 2-94-55	38		

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

Proposing to irrigate 153a of this quarter section less the building site.
One well will be used to provide source of water.
The well will be placed near the center of this quarter section

I, Randy Svendsen

Name of Person

Title (if applicable)

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

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 _____
(if yes, please provide copies of logs)

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

For either existing or proposed wells:

c) Well Depth (required) 240 Depth to Top of Water Bearing Material 100 Depth to Water from Surface 140

d) Distance to nearest domestic well on applicant's property — Property owned by others 2140'

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



United States
Department of
Agriculture

Yankton County, South Dakota



Common Land Unit  Tract Boundary
 Non-Cropland
 Cropland

Wetland Determination Identifiers

-  Restricted Use
-  Limited Restrictions
-  Exempt from Conservation Compliance Provisions

Unless otherwise noted,
crops listed below are:

Non-Irrigated
Intended for Grain
Corn = Yellow
Soybeans = Common
Wheat - HRS or HRW
Sunflowers = Oil or Non-oil

Producer initial _____
Date _____

2022 Program Year

Map Created April 12, 2022

Farm 475

2 -94N -55W

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

S.D. STATE Log. OF TEST HOLE NEAR WELL

YA-80 FA
elev. 1296 ft.

0

44 ft. yellow clay

44

52 ft. gray clay

96

average
depth to
water

144 ft. medium to

coarse sand,

with some gravel

and pebbles

240

20 ft. gray shale
(bedrock)

260

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date July 31, 2023

RECEIVED OF Farm Credit Services of America c/o Randy/Corey/Nikolas Svendsen 1505 Summit Ln. #303 Yankton SD 57078

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

Fee for Application for Permit No. <u>8786-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$850.00
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>8786-3</u>	\$200.00
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	\$1050.00

By

Eric Gronlund
Chief Engineer
vm



**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. 8786-3, Randy and Corey and Nikolas Svendsen**

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. 8786-3, Randy and Corey and Nikolas Svendsen, 1505 Summit Ln #303, Yankton SD 57078.

The Chief Engineer is recommending APPROVAL of Application No. 8786-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 8786-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8786-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
September 21, 2023

Report to the Chief Engineer

On Water Permit Application No. 8786-3

Randy, Corey & Nikolas Svendsen

September 25th, 2023

Water Permit Application No. 8786-3 proposes to appropriate water at a maximum instantaneous diversion rate of 2.18 cubic feet per second (cfs) from one well to be completed into the Lower James Missouri aquifer (approximately 240 feet deep) located in the approximate center of the N ½ Section 2 for irrigation of 153 acres located in the E ½ NW ¼, W ½ NE ¼ Section 2; all in T94N-R55W. The site of interest is located approximately 7 miles northeast of Yankton, SD.

AQUIFER: Lower James Missouri (LJM)

HYDROGEOLOGY:

The Lower James Missouri aquifer is a Quaternary aged glacial outwash that consists of fine sand to cobble gravel that is intermixed in some expanses with discontinuous layers of clayey till up to 25 feet thick (Lindgren and Hansen, 1990 and 1993). The Lower James Missouri aquifer is generally underlain by till or Carlile Shale; however, northeast of the James River the aquifer overlies Sioux Quartzite, while north and northwest of the James River the aquifer lies on the Niobrara Formation (Lindgren and Hansen, 1990 and 1993). The depth to the top of the Lower James Missouri aquifer ranges from the land surface in the James River floodplain to 245 feet below land surface (Lindgren and Hansen, 1990 and 1993). In Clay, Hutchinson, and Yankton Counties, the Lower James Missouri aquifer is estimated to underlie approximately 191,700 acres and contain approximately 2,795,400 acre-feet of recoverable water in storage (Hedges et al, 1982; see Table 1). The Lower James Missouri aquifer is hydrologically connected to Missouri: Elk Point aquifer, Choteau: East aquifer, Niobrara aquifer, and Lower James Missouri: Scotland aquifer, adjacent bedrock aquifers, and surface water features such as the James River and Missouri River (Hedges et al, 1982; Bugliosi, 1986; Lindgren and Hansen, 1990 and 1993; Water Rights, 2023b). The saturated thickness of the Lower James Missouri aquifer can range from approximately 50 to 150 ft (Bugliosi, 1986). The Lower James Missouri aquifer is predominantly under confined conditions but can be found to have unconfined conditions (Bugliosi, 1986; Lindgren and Hansen, 1990).

Table 1. Estimated areal extent and amount of recoverable water stored in the Lower James Missouri aquifer (Hedges et al, 1982)

Counties	Clay	Hutchinson	Yankton	Total:
Areal Extent (acres)	5,400	93,800	92,500	191,700
Recoverable Water in Storage (acre-feet)	81,000	633,150	2,081,250	2,795,400

A test hole log was submitted with Water Permit Application No. 8786-3 for Water Rights Program observation well YA-80FA; however, the test hole geology is slightly inconsistent

compared to the data available on the Observation Well Database (Water Rights, 2023b), so the next closest well completion report will be used instead. The closest well is located 0.4 miles southeast of the proposed diversion point and was completed on July 1st, 1981. The well is completed into the Lower James Missouri aquifer and had an approximate static water level of 132 feet below the ground surface, the top of aquifer material was 151 feet below the ground surface, and had a saturated thickness of 92 feet at the time of well completion (Water Rights, 2023d). Based on the geology of the test hole, observation wells near the diversion point, and water well completion reports near the proposed diversion point, the Lower James Missouri aquifer is expected to be locally confined by a clay layer or buried unconfined at the diversion point (Water Rights, 2023b and 2023d).

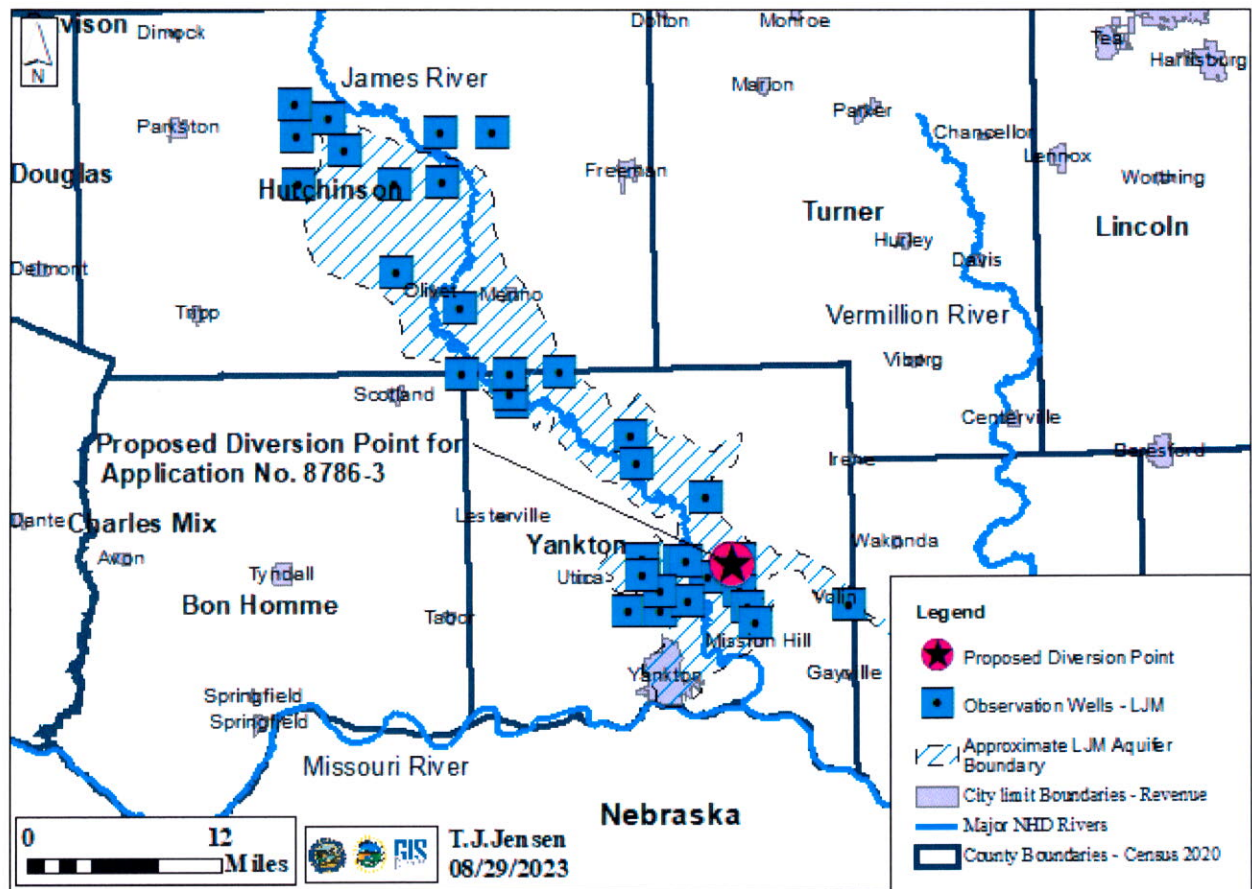


Figure 1. Map of the approximate Lower James Missouri aquifer boundary (modified from Hedges et al, 1982), and the location of observation wells (Water Rights, 2023b) and proposed diversion point for Water Permit Application No. 8786-3.

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

Pursuant to SDCL 46-2A-9, “A permit to appropriate water may be issued only if there is a reasonable probability that unappropriated water is available for the applicant’s proposed use, the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, the proposed use is a beneficial use, and the permit is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water

Management Board as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic uses and water rights within the Lower James Missouri aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8786-3 proposes to appropriate water from the Lower James Missouri 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 Lower James Missouri aquifer is not older than or stratigraphically lower than the Greenhorn Formation, and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Lower James Missouri aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Lower James Missouri aquifer is mostly by seepage from streams/surface water features, infiltration of precipitation, and inflow from hydrologically connected aquifers such as the Missouri: Elk Point, Choteau: East, Niobrara, and Lower James Missouri: Scotland aquifers (Bugliosi, 1986). Most of the recharge occurs in the spring and early summer months, and the short-term infiltration rates in the floodplain soil combined with rapid evapotranspiration rates causes most of the rainfall in the southern area of the aquifer to either be evaporated or transpired; because of this reason most of the recharge enters in the northern area of the Lower James Missouri aquifer (Bugliosi, 1986).

Using flow-net analysis Hedges et al (1985) estimated a recharge rate of 1.5 inches per year for the Lower James Missouri aquifer. The Lower James Missouri aquifer has an estimated areal extent of approximately 191,700 acres (Hedges et al, 1982). Therefore, the average annual recharge rate (based on Hedges et al, 1982 and 1985) is approximately 23,963 acre-feet/year.

Using observation well analysis, Hedges et al (1985) estimated a recharge rate of 3.9 inches per year for the unconfined portions of the Lower James Missouri aquifer. Stonesifer’s report (2014) estimated the unconfined portion of the aquifer to be 82,200 acres. However, this large areal extent includes portions of Plum Creek and Choteau: East aquifers, identified by Hedges et al (1982), for both the entire areal extent and the unconfined portions of the Lower James Missouri aquifer. The average annual recharge rate for unconfined portions of the Lower James Missouri aquifer based on Hedges et al (1985) estimated recharge rate of 3.9 inches per year and Stonesifer’s (2014) unconfined portion, is estimated to be 26,715 acre-feet/year. Since the

unconfined portion of the aquifer recharge rate does not necessarily account for any recharge that enters through the confined portion of the aquifer, it is probable that recharge to the aquifer exceeds 26,715 ac-ft/yr. From this data, the average annual recharge rate to the Lower James Missouri aquifer has a range between 23,963 to in excess of 26,715 acre-feet/year (Hedges et al, 1982 and 1985; Stonesifer, 2014).

Discharge

Discharge from the Lower James Missouri aquifer in South Dakota primarily occurs through well withdrawals, leakage to the James River, and evapotranspiration in areas where the aquifer is at or near land surface (Bugliosi, 1986; Lindgren and Hansen, 1990).

Currently, there are 134 water rights/permits authorized to appropriate water from the Lower James Missouri aquifer, and one pending application besides this application (Water Rights, 2023c). There are no future use permits reserving water from the Lower James Missouri aquifer (Water Rights, 2023c).

Table 2 summarizes the 8 non-irrigation water rights/permits authorized to appropriate water from the Lower James Missouri aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. The amount of water that can be withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw their entire appropriated volume every year. It is estimated that non-irrigation water rights/permits limited only by a diversion rate will pump at their maximum permitted diversion rate for 60 percent of the time. The 60 percent estimation was established by Water Rights Staff to be a reasonable and safe estimate of average annual withdrawals by non-irrigation appropriations. Historically, the 60 percent estimate has been accepted by the Water Management Board. Overall, the average annual withdrawal rate for the Lower James Missouri aquifer non-irrigation water rights/permits is approximately 1,595 acre-feet/year (Table 2) (Water Rights, 2023c).

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

Permit No.	Name	Status	Uses	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
4556-3	KNIFE RIVER	LC	COM	0.440	N/A	191.14
840-3	STUELPNAGELS INC	LC	COM	1.110	N/A	482.18
6264-3	YANKTON LAND & CATTLE CO	LC	COM, LCO	0.560	N/A	243.26
6320-3	WOLF CREEK HTTRN BRTH	LC	COM, DOM	0.080	N/A	34.75
6925-3	TSCHETTER COLONY	LC	COM, LCO	0.070	N/A	30.41
7827-3	MAXWELL COLONY	PE	COM, LCO	0.330	N/A	143.35
1288-3	NATIONAL FOOD STORES INC	LC	IND	0.160	N/A	69.5
8412-3	KNIFE RIVER	LC	IND	7.800	400	400
COM Commercial, IND Industrial, LC Licensed Water Right, PE Water Permit, LCO Livestock Confinement Operation, DOM Domestic					TOTAL:	1,595

Currently, there are 126 irrigation water rights/permits appropriating water from the Lower James Missouri aquifer (Water Rights, 2023c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The average annual withdrawal rate for the Lower James Missouri aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2022) is approximately 3,114 acre-feet per year (Table 3) (Water Rights, 2023a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2013 to 2022 is approximately 5,106 acre-feet per year (Table 3) (Water Rights, 2023a).

There are four water permits approved in 2023, that are not accounted for in Table 3: Water Permit Nos. 8736-3, 8740-3, 8762-3, and 8765-3 (Water Right, 2023c). Combined, these four water permits are authorized to irrigate 459.98 acres (Water Rights, 2023c). Water Permit Application No. 8786-3 and pending Application No. 8780-3 are requesting to irrigate a combined total of 253 acres. Generally, irrigators in eastern South Dakota apply less than one foot of water per acre per year. However, the one foot of water per acre per year application rate will be used to somewhat overestimate the annual withdrawal rate for these irrigation water rights/permits. Therefore, the estimated average annual withdrawal rate for the seven water permits approved in 2023 is approximately 460 acre-feet per year. The estimated average annual withdrawal rate for this application and other pending application is approximately 253 acre-feet per year. Collectively, the average annual withdrawal rate for the irrigation appropriations from 2013 to 2022 (5,106 acre-feet/year), plus the estimated average annual withdrawal rate for the irrigation water rights/permits approved in 2023 (460 acre-feet/year), this application and the other pending application (253 acre-feet per year), is approximately 5,819 acre-feet per year.

Table 3. Reported historic irrigation use from the Lower James Missouri aquifer (Water Rights, 2023a)

Year	No. of Permits Reporting	Reported Pumpage (acre-feet)
1979	22	588
1980	23	1,299
1981	27	1,835
1982	23	1,301.25
1983	27	1,306.54
1984	28	1,360
1985	27	1,483
1986	30	989.6
1987	30	1,041.60
1988	31	2,744.90
1989	31	2,144.80
1990	35	2,928.10
1991	42	2,599
1992	45	1,159
1993	45	230.44
1994	45	1,918.17
1995	41	1,483.32
1996	49	2,102.99
1997	50	2,320
1998	53	2,787.30
1999	50	2,102.15
2000	51	3,751.08
2001	53	2,940.09
2002	53	4,061.52
2003	53	2,843.15
2004	47	2,886.65
2005	48	2,866.63
2006	50	3,630.92
2007	56	3,425.91
2008	79	4,494.03
2009	84	1,463.27
2010	85	665.37
2011	89	4,147.47
2012	93	13,058.45
2013	118	7,855.75
2014	125	3,347.27
2015	127	4,822.86
2016	126	5,747.01
2017	126	5,727.12
2018	126	1,035.87
2019	127	328.01
2020	121	3,864.53
2021	120	8,195.56
2022	122	10,131.70
Max	127	13,058.5
Min	22	230.4
Avg (1979-2022)	64	3,114
Avg (2013-2022)	124	5,106

There are domestic wells completed into the Lower James Missouri aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2023d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Lower James Missouri 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 Lower James Missouri aquifer.

Hydrologic Budget Summary

The average annual recharge rate to the Lower James Missouri aquifer has a range between 23,963 to in excess of 26,715 acre-feet/year (Hedges et al, 1982 and 1985; Stonesifer, 2014). The average withdrawal rate from the Lower James Missouri aquifer totals to approximately 7,414 acre-feet/year; (non-irrigation: 1,595 acre-feet/year; irrigation (avg. 2013 to 2022 plus the water rights/permits approved between in 2023, and this application, plus one other pending application): 5,819 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Lower James Missouri aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.

The DANR-Water Rights Program monitors 34 observation wells completed into the Lower James Missouri aquifer (Water Rights, 2023b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The 3 closest observation wells to the proposed diversion point are YA-80HA (approximately 0.9 miles northwest), YA-80DA (approximately 2.7 miles west), and YA-80M (approximately 3.2 miles west) (Water Rights, 2023b). It should be noted that YA-80FA and YA-78E are closer to the diversion point however, they are special consideration wells due to an iron bacteria issue and may not be currently representative of the Lower James Missouri aquifer and thus are not included in this report. 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 measurement of the static water level in the observation wells from the top of the well casing. The data shown on Figures 2 and 3 share a similar trend to most of the other observation wells in the Lower James Missouri aquifer.

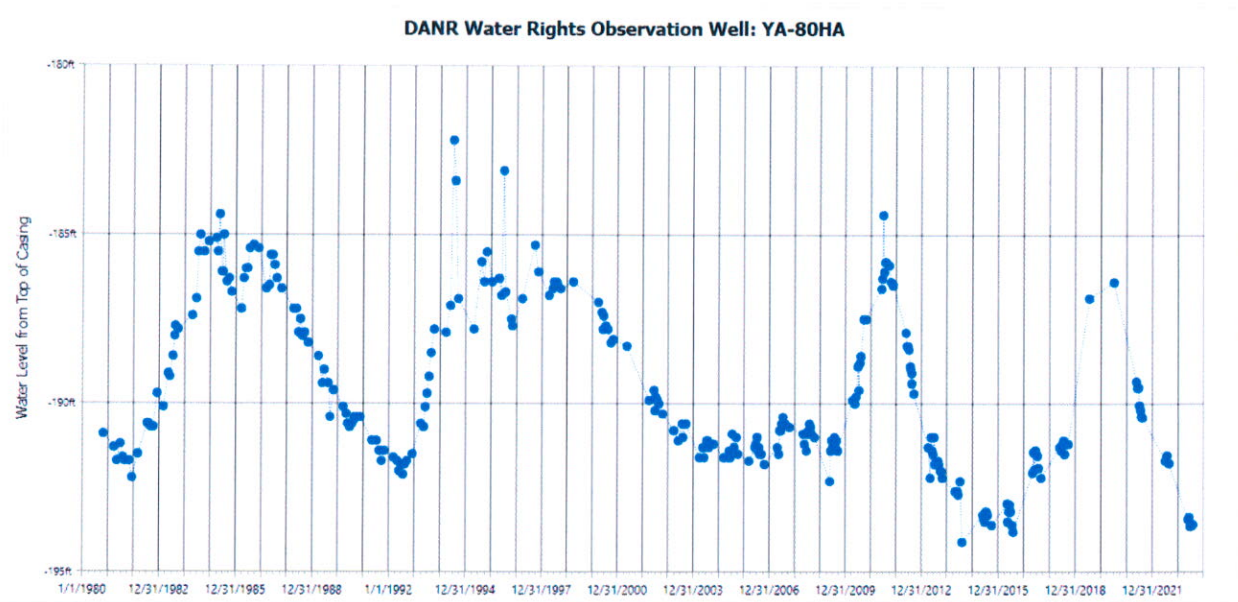


Figure 2. Hydrograph for observation well YA-80HA (Water Rights, 2023b)

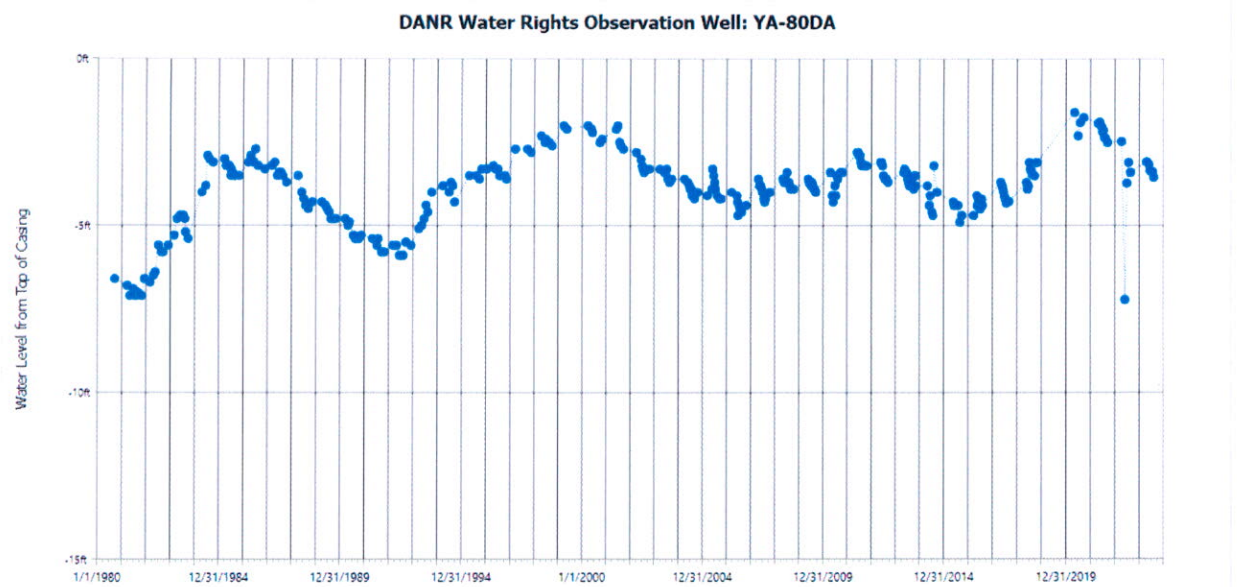


Figure 3. Hydrograph for observation well YA-80DA (Water Rights, 2023b)

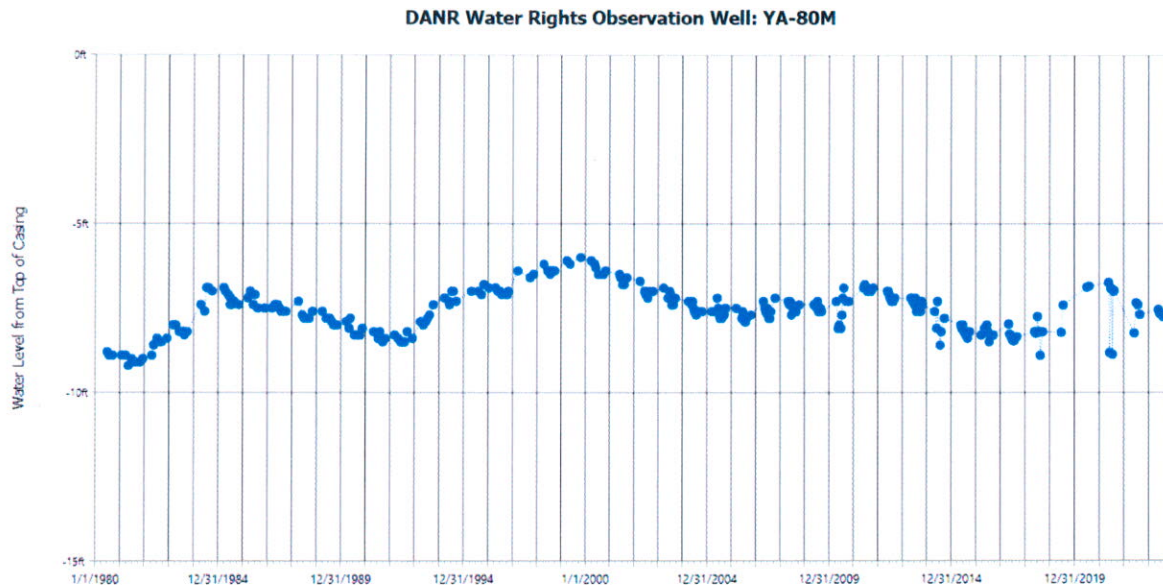


Figure 4. Hydrograph for observation well YA-80M (Water Rights, 2023b)

The hydrographs for the observation wells display generally stable water levels over their respective periods of record. The hydrograph for Figure 2 displays a slight downward trend in recent years. This is likely due to the significant recent development of permits in the area of this well. This would cause a lowering of the artesian head pressure in the confined portions of the aquifer as the aquifer equilibrates to the increased use. The hydrographs for the Lower James Missouri aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Lower James Missouri aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Water rights/permits appropriating water from the Lower James Missouri aquifer in the general vicinity of the proposed well site for this application are shown in Figure 5 and summarized in Table 4. The closest water right/permit, not held by the applicant, to the diversion point is Water Right No. 4629-3, as shown on Figure 5, which is held by Samantha Hagedorn. The diversion point for Water Right No. 4629-3 is located approximately 0.7 miles southwest of the diversion point for this application (Water Rights, 2023c). It should be noted that Water Right No. 8233-3 is closer to the diversion point but is also owned by Svendsen & Sons (Water Rights, 2023c). There are domestic wells on file with the DANR-Water Rights Program that are completed into

the Lower James Missouri aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.6 miles south of the diversion point (Water Rights, 2023d). The locations of the domestic wells are provided by the well driller at the time of well completion.

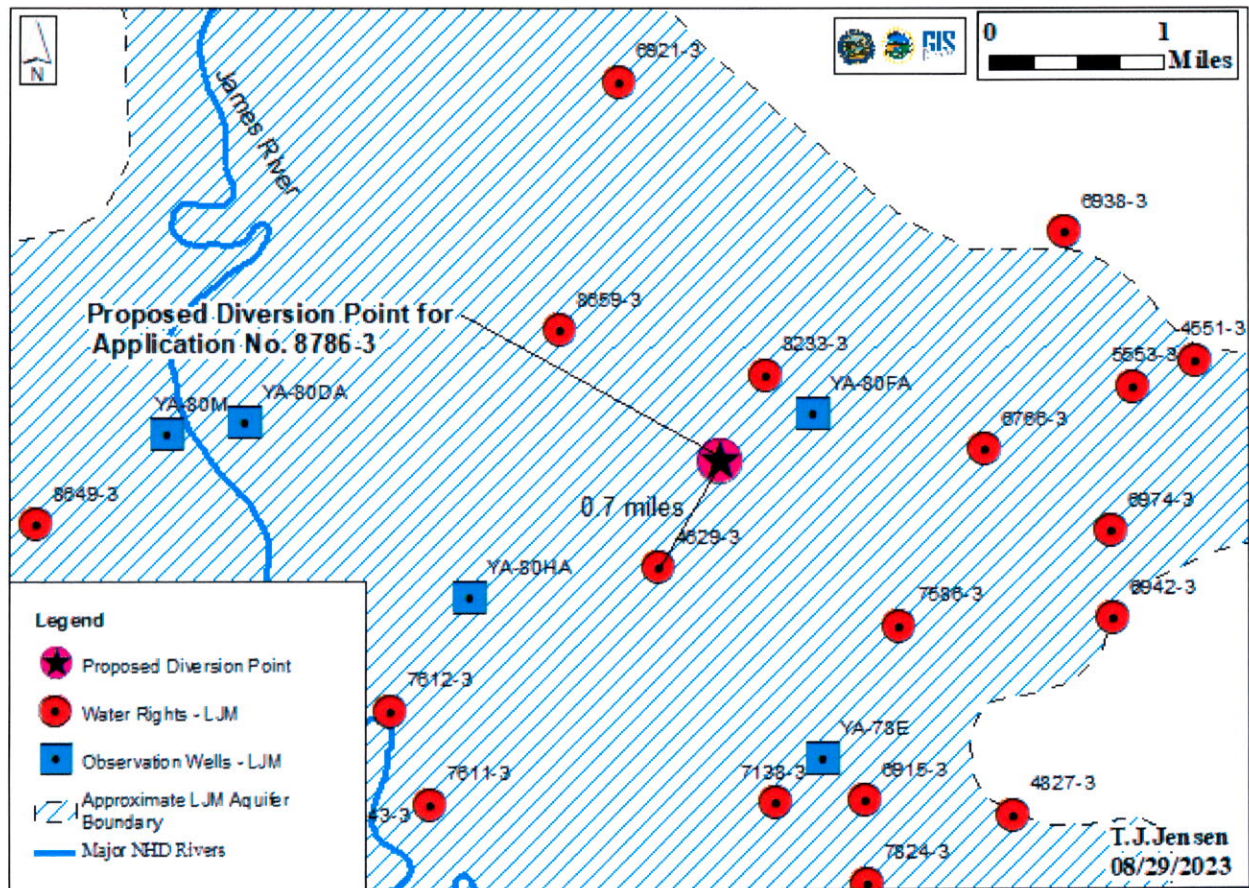


Figure 5. Map of the approximate Lower James Missouri aquifer boundary (modified from Hedges et al, 1982), the Lower James Missouri aquifer water rights/permits within 4 miles of the proposed diversion point (Water Rights, 2023c), and the location of proposed diversion point for Water Permit Application No. 8786-3.

Table 4. List of Lower James Missouri aquifer water rights/permits within 4 miles of the proposed diversion point shown on Figure 5 (Water Rights, 2023c)

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
4551-3	Dennis/Darrell Nelson	08/25/1980	License	Irrigation	1.78	140
4629-3	Mary Anne Boyd	01/19/1981	License	Irrigation	1.78	154
4827-3	Gary Smith	10/26/1981	License	Irrigation	1.83	128
5553-3	Lyle Stratman	03/27/1991	License	Irrigation	2	211
6766-3	Valerie West - Svendsen	11/09/2006	License	Irrigation	1.94	136
6915-3	Gary Smith	12/07/2007	License	Irrigation	1.65	64
6921-3	Randy Svendsen & Sons	12/10/2007	License	Irrigation	1	128
6938-3	Dean R Morman	01/16/2008	License	Irrigation	1.56	132
6942-3	Craig L Johnson	01/22/2008	License	Irrigation	2.11	292
6974-3	Paul Gustad	01/18/2008	License	Irrigation	1.56	127
7138-3	Morris Nelson Farms Inc	05/21/2009	License	Irrigation	1.89	134
7586-3	Three Sister Farms	12/20/2012	License	Irrigation	1.78	143
7611-3	Dan Hacecky	01/04/2013	License	Irrigation	1.83	77
7612-3	Dan Hacecky	01/04/2013	License	Irrigation	1.65	153
7824-3	Gary Smith	04/14/2008	License	Irrigation	1.78	115
8233-3	Randy Svendsen & Sons	03/08/1982	License	Irrigation	1.78	268
8649-3	Marquardt Family LP	09/30/2010	License	Irrigation	4.34	388
8659-3	Dahlerup Family Trust	02/12/2014	License	Irrigation	3.12	368

The Lower James Missouri aquifer varies between confined and unconfined conditions (Bugliosi, 1986; Lindgren and Hansen, 1993). Based on the geology listed on the test hole completion report, lithologic logs of observation wells near the proposed diversion point, and water well completion reports near the proposed diversion point, it is inconclusive if the proposed diversion point is experiencing confined conditions from local clay layers or buried unconfined conditions. Since either locally confined conditions or buried unconfined conditions could be possible, both conditions must be considered. In an unconfined aquifer, drawdown created by pumping does not extend far from the pumped well. However, in a confined aquifer, drawdown from a pumping well can extend some distance from the well. The exact drawdown behavior of a well cannot be known without an aquifer performance test.

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). When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), the saturated aquifer thickness near the diversion point, and the lack of well interference complaints for adequate wells completed into the Lower James Missouri aquifer in Yankton County, any drawdown created from the diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells (Water Rights, 2023e). Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 8786-3 proposes to appropriate 2.18 cfs from one well to be completed into the Lower James Missouri aquifer (approximately 240 feet deep) located in the N $\frac{1}{2}$ Section 2 for irrigation of 153 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2; all in T94N-R55W. The site of interest is located approximately 7 miles northeast of Yankton, SD.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Lower James Missouri aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8786-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.



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

Reviewed by:



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

References

- Bugliosi., E.F., 1986. Water Resources of Yankton County, South Dakota. USGS Water-Resources Investigations Report 84-4241. USGS. Huron, SD.
- 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.
- 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: Bed rock Topography and Distribution, Task 2: Extent of Aquifers, Task 3 Ground-Water Storage, Task 4: Computerized Data Base. United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Lindgren, R.J., and Hansen, D.S., 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. Water-Resources Investigations Report 90-4093. U.S. Geological Survey, Huron, South Dakota.
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- Stonesifer, J.R., 2014. Report to the Chief Engineer, Water Permit Application No. 7977-3, Dahlerup Family Trust, April 25, 2014. SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- 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 NEWSPAPER RIGHT AWAY.**

September 26, 2023

Randy, Corey & Nikolas Svendsen
1505 Summit Ln #303
Yankton SD 57078

Dear Sirs:

Water Permit Application No. 8786-3 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 Daily Press & Dakotan printed in Yankton SD (Ph # 605 665-7811). You will need to contact the newspaper 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 newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 8786-3 to Appropriate Water

Notice is given that Randy and Corey and Nikolas Svendsen, 1505 Summit Ln #303, Yankton SD 57078 has filed an application for a water permit to appropriate 2.18 cubic feet of water per second from one well to be completed into the Lower James Missouri Aquifer (approximately 240 feet deep) located in the approximate center of the N 1/2 Section 2 for irrigation of 153 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 2; all in T94N-R55W. This site is located approximately 7 miles northeast of Yankton SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8786-3 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 13, 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 13, 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 25, 2023 2:00 PM
To: Michael Pietz
Subject: 8786-3 Randy, Corey & Nikolas Svendsen - Public Notice
Attachments: 8786-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 3, 2023.

Randy and Corey and Nikolas Svendsen, 1505 Summit Ln #303, Yankton SD 57078, (605 661-8759 or 605 260-3810) has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

OCT 05 2023

OFFICE OF
WATER

RANDY SVENDSEN
1505 SUMMIT LANE #303
YANKTON SD 57078

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
NOTICE OF APPLICATION NO.

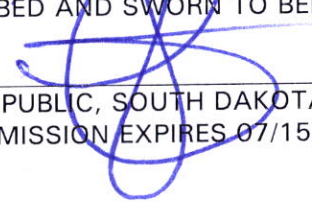
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 3rd DAY OF October, 2023
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$40.32 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 10/03/2023

FILED ON: 10/03/2023



SUBSCRIBED AND SWORN TO BEFORE ME THIS 3rd DAY OF October, 2023



NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 07/15/2028

Notice is given that Randy and Corey and Nikolas Svendsen, 1505 Summit Ln #303, Yankton SD 57078 has filed an application for a water permit to appropriate 2.18 cubic feet of water per second from one well to be completed into the Lower James Missouri Aquifer (approximately 240 feet deep) located in the approximate center of the N 1/2 Section 2 for irrigation of 153 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 2; all in T94N-R55W. This site is located approximately 7 miles northeast of Yankton SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8786-3 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 13, 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 13, 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 \$40.32 and can be viewed free of charge at www.sdpublicnotices.com

Published October 3, 2023.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, September 25, 2023 2:12 PM
To: rusven@gmail.com
Subject: 8786-3 Randy, Corey & Nikolas Svendsen - Public Notice
Attachments: Svendsen_rec.pdf; Svendsen Ltr.pdf; PublicNotice.pdf

Good afternoon,

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

NOV 09 2023

Randy, Corey & Nikolas Svendsen
1505 Summit Ln. #303
Yankton SD 57078

Dear Sirs:

Enclosed is Water Permit No. 8786-3 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.: 8786-3

Name of Applicant: Randy and Corey and Nikolas Svendsen

Date of Posting: 10/2/2023

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)



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

Date 10-30-2024

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

FROM:

Randy, Corey, + Nicholas Svendsen
(name)

1505 Summit Lane #303
(address)

Yankton SD 57078
(city, state, zip)

605-661-8759
(phone)

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

Water Permit No. 8786-3 states that the water use system is to be constructed by

5-15-2024, and water is to be put to beneficial use by 7-1-2024.
(date) (date)

The water use system was completed on 4-20-2024.
(date)

Applying the water to beneficial use was completed on 7-10-2024.
(date)

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

Randy Svendsen
(signature)





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 6, 2024

8786-3

Randy, Corey, and Nikolas Svendsen
1505 Summit Ln, # 303
Yankton SD 57078

Dear Svendsens:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system authorized by Water Permit No. 8786-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

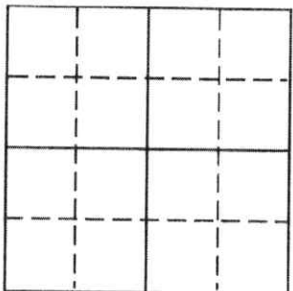
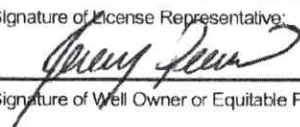
Sincerely,

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

8786-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>SE</u> $\frac{1}{4}$ <u>NW</u> $\frac{1}{4}$ Sec <u>2</u> Twp <u>94N</u> Rg <u>55W</u> County <u>Yankton</u> GPS Coordinates Lat: <u>42°59'28.20"N</u> Lon: <u>97°18'31.04"W</u> Please mark well location with an "X" on section grid  Well Completion Date <u>6/18/2024</u> Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>2500</u> ft. from <u>Septic</u> (identify source)		Well Owner: <u>Randy Svendsen</u> Business Name: _____ Address: <u>1505 Summit Lane #303</u> City, State, Zip: <u>Yankton, SD 57078</u>																																	
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Monitoring Well ☒ Irrigation ☐ Industrial ☐ Institutional ☐ Test Hole ☐ Dewatering Well ☐ Geothermal ☐ Other _____		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>Topsoil</td> <td>0.0</td> <td>10.0</td> </tr> <tr> <td>Brown Clay</td> <td>10.0</td> <td>50.0</td> </tr> <tr> <td>Medium Sand</td> <td>50.0</td> <td>240.0</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		FORMATION	DEPTH		FROM	TO	Topsoil	0.0	10.0	Brown Clay	10.0	50.0	Medium Sand	50.0	240.0																		
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GROUTING DATA: Grout Type No. of Sacks Grout Weight From To Bentonite 78 Lb/gal 0.0 Ft 175.0 Ft _____ _____ Lb/gal Ft Ft Describe grouting procedure <u>Tremie</u>		RECEIVED FEB 26 2025 OFFICE OF WATER																																	
SCREEN: ☒ Perforated pipe ☐ Manufactured Diameter <u>12</u> Inches Length <u>40.0</u> Feet Material <u>PVC</u> Slot Size <u>.60</u> Set From <u>175.0</u> Feet to <u>215.0</u> Feet Other information _____																																			
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No If so, what material? _____ Describe packer(s) and location _____		WELL TEST DATA: ☒ Pumped Describe: _____ ☐ Bailed ☐ Air ☐ Other _____ Pumping Level Below Land Surface <u>154.0</u> Ft. After <u>6.0</u> Hrs. pumped <u>1,120.0</u> GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM																																	
DISINFECTION: Was well disinfected upon completion? ☒ Yes, How? _____ ☐ No, Why Not? _____ Lab sample sent to for water quality analysis _____		REMARKS <u>Pumped really good! Sucked air at 1500 GPM</u> This well was drilled under license # <u>773</u> And this report is true and accurate. Drilling firm: <u>Quality Well Service LLC</u> Signature of License Representative:  Signature of Well Owner or Equitable Property Holder: _____ Date: <u>2-7-25</u>																																	

Please return White Copy to DANR Water Rights 523 E. Capitol Ave., Pierre SD 57501