

WATER PERMIT NO. 8790-3

Name of Applicant: William D. or Judy Knutson

Address: 29897 Frog Creek Road, Centerville SD 57014

Phone: 605-670-1693

Amount of Water Claimed: 1.78 cfs

Total Acres: 86

Source of Water Supply: Groundwater

Water to be used for: Irrigation

County: Clay

Type of Waste Disposal System:

Location: Approx. 4 miles southwest of Centerville SD

PRIORITY

Date Received: 8-17-23

Application/License Fee: \$950.00

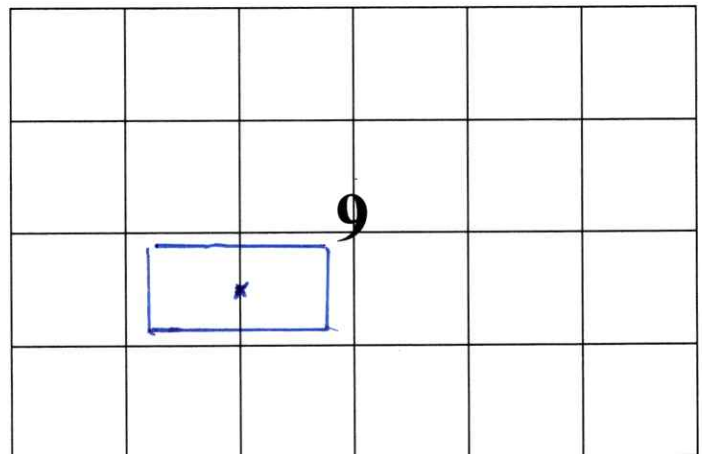
Corrected Application Received: 8-17-2023

Period of Annual Use: April 1 – October 31

Remarks: Marty & Teresa Gilbertson (son-in-law) of the Knutson's

Diversion Point: NW 1/4 SW 1/4 Section 9-T95N-R52W

Land to be Irrigated: N 1/2 SW 1/4 Section 9-T95N-R52W



Depth of Well: 150

Well Driller:

Remarks:

Type of Map: aerial

Reviewed and the Number Assigned on: 8-17-23

By: Rachel Rodriguez

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8790-3**

Date of first receipt of application August 16, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8790-3 to William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014 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. 8790-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 150 feet deep) located in the NW 1/4 SW 1/4 Section 9 for irrigation of 86 acres located in the N 1/2 SW 1/4 Section 9; all in T95N-R52W. This site is located approximately 4 miles southwest of Centerville 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 16, 2023.
4. The date of approval of Permit No. 8790-3 is November 6, 2023.
5. One-fifth of the construction is to be completed on or before May 6, 2026.
6. All construction is to be completed on or before November 6, 2028.
7. Water is to be put to beneficial use on or before November 6, 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. 8790-3 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. 8790-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8790-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 86 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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

DEC 29 2023
date



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

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8790-3</u> Hydrologic Unit <u>10170102</u> Basin <u>Vermillion</u> Newspaper <u>Plain Talk</u> <u>Daily Press & Dakotan</u> (office use only)
---	---

PAID
AUG 16 2023
Ck# cedek
Rec't# 816123

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 William D or Judy Knutson
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.
Mailing Address 29897 Frog Creek Road Centerville SD 57014
Marty (Address) Bill (City) (State) (Zip Code)
Phone 605-670-1693 Mobile 665-929-3163 Email marty.gilbertson1@gmail.com
2. Amount of water claimed _____ *CFS or 800 **GPM _____ ***AF Total Acreage 85-4186
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply _____
4. Location of point of diversion 1 well N 1/2 SW 1/4 9-95-52W (NW 1/4 SW 1/4)
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Clay
5. County or counties where water will be used Clay
6. Annual period during which water is to be used 4/1 thru 10/1
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
<u>N 1/2 SW 1/4 9-95-52</u>	<u>86</u>	<u>N 1/2 SW 1/4 9-95-52</u>	<u>84.37</u>

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

RECEIVED

AUG 17 2023

OFFICE OF
WATER

I, William D. Knutson owner, 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 _____
(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) 150 Depth to Top of Water Bearing Material _____ Depth to Water from Surface 45
- d) Distance to nearest domestic well on applicant's property 3/4 mile? 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

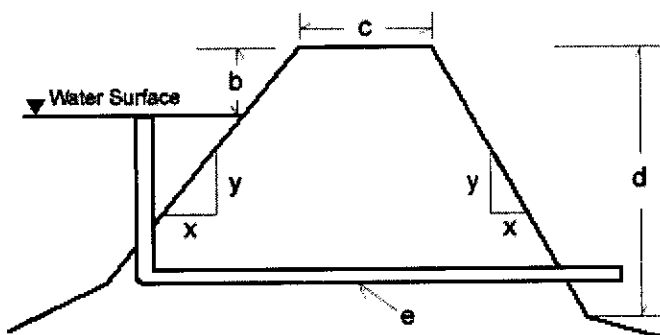
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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

96N 52W
Section: 32

96N 52W
Section: 33

96N 52W
Section: 34

96N
Section

95N 52W
Section: 05

95N 52W
Section: 04

95N 52W
Section: 03

95N
Section

95N 52W
Section: 08

95N 52W
Section: 09

10170102 Vermillion

95N 52W
Section: 10

95N 52W
Section: 17

95N 52W
Section: 16

95N 52W
Section: 15

95N 52W
Section: 20

95N 52W
Section: 21

95N 52W
Section: 22



United States
Department of
Agriculture

Clay County, South Dakota



Common Land Unit

PLSS

- ☐ Cropland
- ☐ Tract Boundary

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

Producer Initial _____
Date _____

2023 Program Year

Map Created April 28, 2023

Farm 6638

9-95N-52W-Clay

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).

Marty and Teresa Gilbertson

419 Park Lane

Vermillion, SD 57069

605-670-1693

Marty.gilbertson1@gmail.com

Greetings,

Please find the attached well permit for Bill and Judy Knutson. I am Bill and Judys son in law, and my son Gavin is the Farm operator for the 80 that we are applying for the water permit on. If at all possible, I think it would be helpful to direct all questions to me as they may arise. It would create a lot less confusion for Bill and Judy to get this moving forward if you can do that.

Please call or email with any questions!!

Thank you very much!!

Marty

A handwritten signature in black ink, appearing to read "Marty Gilbertson". The signature is written in a cursive, flowing style. The first name "Marty" is on the left, and the last name "Gilbertson" is on the right, with a long horizontal stroke extending from the end of the last name.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 16, 2023

RECEIVED OF Marty/Teresa Gilbertson for William/Judy Knutson 29897 Frog Creek Road Centerville SD 57014

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

Fee for Application for Permit No. <u>8790-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>750.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>8790-3</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>950.00</u>

By Eric Gronlund
Chief Engineer
vm

Rodriguez, Rachel

From: marty.gilbertson1@gmail.com
Sent: Monday, August 21, 2023 5:47 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] Application for Water Permit for Irrigation

Yes that looks correct. Yes , round it up.
Thanks!!

Marty Gilbertson
419 Park Lane
Vermillion, South Dakota
57069

Cell Phone 605-670-1693
Projects Team
Sent from [Mail](#) for Windows 10

From: [Rodriguez, Rachel](#)
Sent: Thursday, August 17, 2023 11:11 AM
To: marty.gilbertson1@gmail.com
Subject: Application for Water Permit for Irrigation

Good morning Marty,

I am in receipt of the water permit application. To complete the application, I need the following:

1. Attached is a map of the area to be irrigated (see purple lines) based on your map. Please verify that the area is correct. Also, you have total acreage of 85.41 on no. 2 of the application, and the acres for irrigation you wrote 84.37. These two numbers need to match. Is it okay if I round up to 86 acres?

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8790-3, William D. or Judy Knutson**

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. 8790-3, William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 8790-3 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. 8790-3 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. 8790-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8790-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 86 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
October 16, 2023

Report to the Chief Engineer
On Water Permit Application No. 8790-3

William & Judy Knutson

October 17th, 2023

Water Permit Application No. 8790-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri: South aquifer (approximately 150 feet deep) located near the NW ¼ SW ¼ Section 9 for irrigation of 86 acres located in the N ½ SW ¼ Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The site of interest is located approximately 4 miles southwest of Centerville, SD in Clay County.

AQUIFER: Upper Vermillion Missouri: South (UVM:S)

HYDROGEOLOGY:

The Southern management unit of the Upper Vermillion Missouri aquifer, referred to as the UVM:S aquifer for the remainder of this report, is a Quaternary aged glacial outwash that has materials ranging in size from a fine sand to a medium-pebble gravel (Lindgren & Hansen, 1990). The UVM:S aquifer is primarily confined but can be found under unconfined conditions in areas where the UVM:S aquifer is hydrologically connected to the Parker-Centerville aquifer (Holmes & Filipovic, 2015). The UVM:S aquifer is overlain by a till layer with a range of thickness from approximately 160 feet to 0 feet (Holmes & Filipovic, 2015). From 2013 to 2014, the SD DENR-Geological Survey completed a study to further understand the geologic and hydrologic conditions of the entire Upper Vermillion Missouri aquifer (Holmes & Filipovic, 2015). From this study, the Water Management Board, in a meeting held on March 6th, 2014, adopted three management units (North, South, and West) that divided the Upper Vermillion Missouri aquifer for the purposes of water management (Water Rights, 2014). The UVM:S aquifer is hydrologically connected to the other portions of the Upper Vermillion Missouri aquifer, the Parker-Centerville aquifer, and the Lower Vermillion Missouri aquifer (Buhler, 2014; Mathiowetz, 2018; Niehus, 1997; Holmes & Filipovic, 2015). Hedges and others (1982) delineated a boundary between the Upper Vermillion Missouri aquifer and Lower Vermillion Missouri aquifer with portions of each boundary being modified by Buhler (2014) and Mathiowetz (2018) in response to additional study of the Upper Vermillion Missouri aquifer, as shown on Figure 1. Figure 1 also shows the estimated areal extent of the UVM:S aquifer, the area utilized for this report is approximately 78,820 acres (Buhler, 2014).

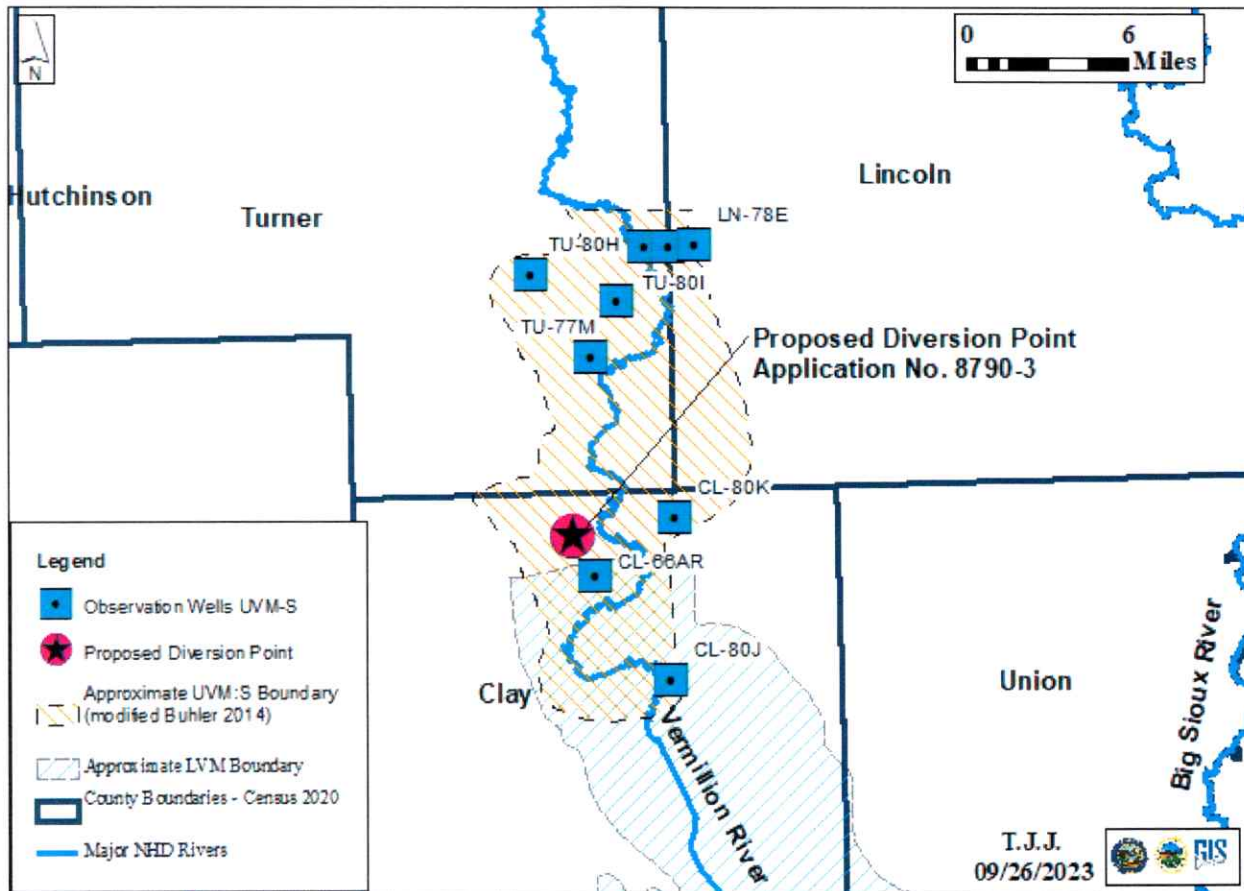


Figure 1. Map of the approximate UVM:S and LVM aquifer boundary delineated by Hedges and others (1982) with a portion of the UVM:S aquifer boundary modified by Buhler (2014), and the location of proposed diversion point for Water Permit Application No. 8790-3, and UVM:S aquifer observation wells and Water Rights (Water Rights, 2023a and 2023b).

A water well completion report was not submitted with the application. The closest water well completion report is located 0.4 miles southeast of this application's proposed diversion point, a well which was completed into the UVM aquifer on July 27th, 2011 (Water Rights, 2023a). The depth to the top of aquifer material is 73 feet below the ground surface, static water level is approximately 55 feet below the ground surface, and a saturated aquifer thickness of at least 130 feet at the day of completion (Water Rights, 2023a). Based on this water well completion report and other reports near the proposed diversion point, the UVM:S aquifer is expected to be confined at the diversion point (Water Rights, 2023a 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 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 UVM:S aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8790-3 proposes to appropriate water from the UVM:S 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 UVM:S 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 UVM:S aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the UVM:S aquifer is received primarily through infiltration of precipitation where the aquifer is at or near land surface. Additional recharge occurs where there is direct contact between the Upper Vermillion Missouri aquifer and Parker-Centerville aquifer (Lindgren & Hansen, 1990; Niehus, 1997; Holmes & Filipovic, 2015).

Using regional flow net analysis, Hedges and others (1985) estimated a recharge rate of 0.25 inches per year for the unconfined portion of the UVM aquifer. However, it should be noted that the entire UVM aquifer was analyzed as it was still considered one aquifer at the time. Using the current areal extent, from Buhler's report (2014), and Hedges and others (1985) estimated recharge rate, the estimated recharge rate of the UVM:S aquifer should be 1,642 acre-feet per year; keeping in mind that this estimate is likely lower than the actual rate based on Holmes & Filipovic (2015) investigation and Buhler's (2014) report.

2014 Flow Net Analysis

From Buhler's (2014) analysis of the estimated groundwater outflow, recharge of the UVM:S aquifer exceeds withdrawals by a minimum estimate of 5,637 acre-feet per year. However, this recharge could be higher considering that another larger cross-section of the UVM:S aquifer shows recharge exceeding withdrawals by an estimated 8,223 acre-feet per year.

Discharge

Discharge from the UVM:S aquifer in South Dakota primarily occurs through well withdrawals, subsurface outflow to other glacial aquifers, and evapotranspiration in areas where the aquifer is at or near land surface (Lindgren & Hansen, 1990).

There are 99 water rights/permits authorized to appropriate water from the UVM:S aquifer (Water Rights, 2023b). Of these 99 water rights/permits, 31 are listed under UVM aquifer and 29 are listed under LVM aquifer in the water rights database, even though they are completed into the UVM:S aquifer. Since Buhler's (2014) flow net analysis will be used as a base for determining a rough estimate of the aquifer's recharge rate in excess of withdrawals, any water rights/permits that were approved at the time for the analysis will already be accounted for. So, the withdrawal rate of water rights/permits approved after the analysis will contribute to the average annual withdrawal rate of the UVM:S aquifer compared to the estimated average annual outflow from the aquifer.

The average annual withdrawal rate of the UVM:S aquifer water rights/permits approved since completion of Buhler's analysis is an estimated 2,307 acre-feet/year, as shown on Table 1. The withdrawal rate was found by summing the acreage of the 42 water rights/permits approved (shown on Table 1) since the completion of Buhler's (2014) report, then multiplying the total acreage by 0.5 feet/acre which is the annual average application rate per permitted acre in the UVM:S (Buhler, 2014). Applying the same rate to this application's requested acres provides a withdrawal rate of 43 acre-feet/year.

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

Table 1. List of average annual withdrawal rates of water right/permits from the UVM:S aquifer that were approved at or after the March 6th, 2014, Water Management Board meeting, water right/permits with a priority date before the meeting date but were not included in Buhler's analysis but are accounted for in this table (Buhler, 2014; Water Rights, 2023b)

Permit No.	Name	Priority Date	Status	Use	Acres	Estimated Use (acre-feet/year)
6811A-3	Jesse & Tanya Vandestroet	04/10/2014	PE	IRR	115	57.5
6820A-3	Jesse & Tanya Vandestroet	01/23/2014	PE	IRR	43	21.5
7383-3	Metabank	07/20/2012	PE	IRR	25	12.5
7384-3	Nicholas & Courtney Blake	07/20/2012	PE	IRR	80	40
7441-3	Jason or Alicia Knutson	09/26/2012	PE	IRR	140	70
7442-3	Leah Johnson	09/26/2012	PE	IRR	40	20
7466-3	Bethel Hagen Trust	10/18/2012	LC	IRR	152	76
7467-3	Cleland Hagen Trust	10/18/2012	PE	IRR	152	76
7600-3	Micheal D Stevens	12/28/2012	PE	IRR	180	90
7601-3	Micheal D Stevens	12/28/2012	PE	IRR	132	66
7603-3	Micheal D Stevens	12/28/2012	PE	IRR	120	60
7690-3	Tim or Dave Ostrem	12/20/2013	PE	IRR	160	80
7693-3	Metabank	02/06/2013	PE	IRR	27.7	13.85
7900-3	Leon Thompson	09/11/2013	PE	IRR	136	68
7919-3	Larry & Marlene Erickson	10/23/2013	PE	IRR	83.83	41.92
7945-3	Brad R or Linda R Trudeau	01/17/2014	PE	IRR	60	30
7947-3	Leon, Holly, & Jordan Rozeboom	01/23/2014	PE	IRR	133.44	66.72
7948-3	Majestic Farms LLP	01/23/2014	PE	IRR	55.02	27.51
7949-3	Jesse & Tanya Vandestroet	01/23/2014	PE	IRR	100.9	50.45
7964-3	Paul, Mike, & John Shubeck	02/12/2014	PE	IRR	128	64
7976-3	Vasgaard Properties	02/27/2014	LC	IRR	142	71
7990-3	Robert P Walsh	04/02/2014	PE	IRR	240	120
7993-3	Jesse & Tanya Vandestroet	04/10/2014	PE	IRR	53	26.5
7994-3	Metabank	04/10/2014	PE	IRR	72	36
7995-3	Jesse & Tanya Vandestroet	04/10/2014	PE	IRR	25	12.5
8007-3	Louis Latendresse	04/18/2014	PE	IRR	150	75
8070-3	Hansen Irrigated Farms LLC	01/07/2015	PE	IRR	96	48
8071-3	Hansen Irrigated Farms LLC	01/07/2015	PE	IRR	51	25.5
8072-3	Jesse & Tanya Vandestroet	01/07/2015	PE	IRR	40	20
8469-3	Double A Farms LLC	03/15/2021	PE	IRR	114	57
8470-3	Nicholas Blake	03/22/2021	PE	IRR	160	80
8492-3	Tim or Kari Ostrem	02/19/2021	PE	IRR	180	90
8542-3	Tyler Anderson	08/09/2021	PE	IRR	103	51.5
8588-3	T & D Farms	02/03/2022	PE	IRR	160	80
8598-3	Tim Wellenstein	02/24/2022	PE	IRR	126	63
8599-3	Farron Pratt & Michelle Pratt	02/24/2022	PE	IRR	17.5	8.75
8619-3	Tim or Kari Ostrem	03/09/2022	PE	IRR	300	150
8685-3	Joe Schumacher	11/28/2022	PE	IRR	160	80
8686-3	Smit Family Trust	12/20/2022	PE	IRR	120	60
8689-3	Richard P Hybertson	03/06/2023	PE	IRR	97	48.5
8690-3	Richard P Hybertson	03/06/2023	PE	IRR	72	36
8695-3	William H Hansen	12/28/2022	PE	IRR	72.03	36.02
PE: Water Permit, LC: Water Right License, IRR: Irrigation				TOTAL:	4,614	2,307

Hydrologic Budget Summary

The recharge rate of the UVM:S, based on Buhler's (2014) analysis, is estimated to exceed withdrawals from the UVM:S by an estimated 5,637 to 8,223 acre-feet per year at the time of Buhler's (2014) analysis. Previous water rights/permits listed as withdrawals from the Upper Vermillion Missouri aquifer and Lower Vermillion Missouri aquifer but had actually been connected to the UVM:S aquifer are included in Buhler's (2014) analysis.

Since many previous water rights/permits are already accounted for in Buhler's (2014) recharge rate in excess of withdrawals analysis, only the water rights/permits approved at or after the March 6th, 2014, Water Management Board meeting need to be considered. The estimated average annual withdrawal rate for those water rights/permits from the UVM:S aquifer is approximately 2,307 acre-feet per year. If this Water Permit Application No. 8790-3 is approved, an estimated proposed withdrawal of 43 acre-feet per year will be considered. Therefore, there is a reasonable probability that unappropriated water is available 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.

The DANR-Water Rights Program monitors nine observation wells completed into the UVM:S aquifer as shown on Figure 1 (Water Rights, 2023a). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The three closest observation wells to the diversion point are CL-66AR (approximately 1.6 miles southeast), CL-80K (approximately 3.8 miles east), and CL-80J (approximately 6.4 miles southeast) (Water Rights, 2023a). The hydrographs for these observation wells are displayed in Figures 2, 3, and 4 respectively (Water Rights, 2023a). 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.

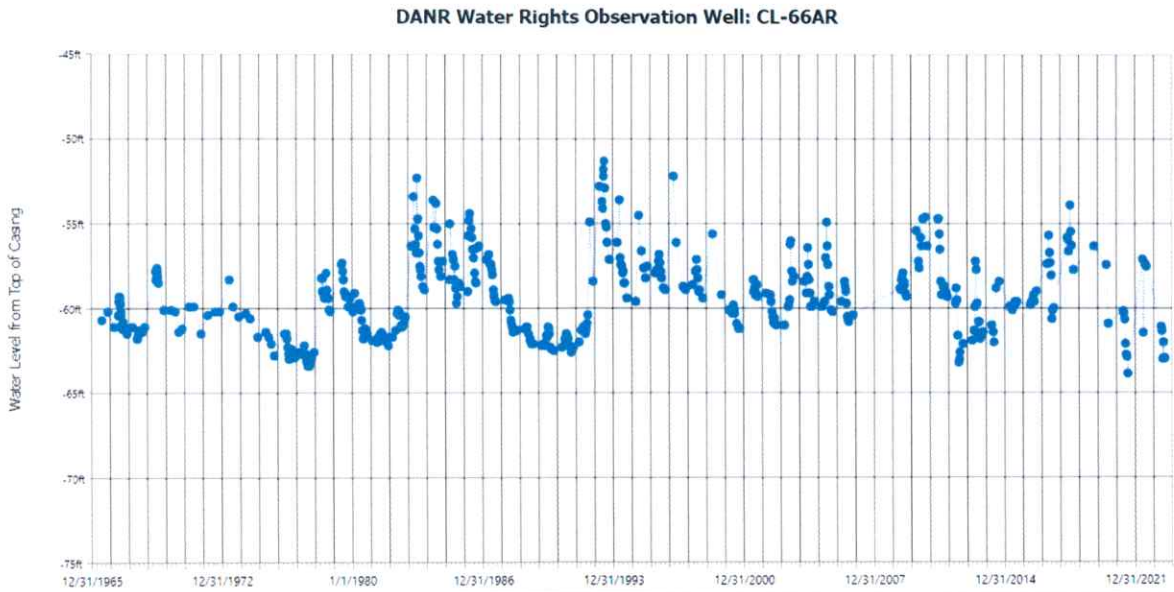


Figure 2. Hydrograph for observation well CL-66AR (Water Rights, 2023a)

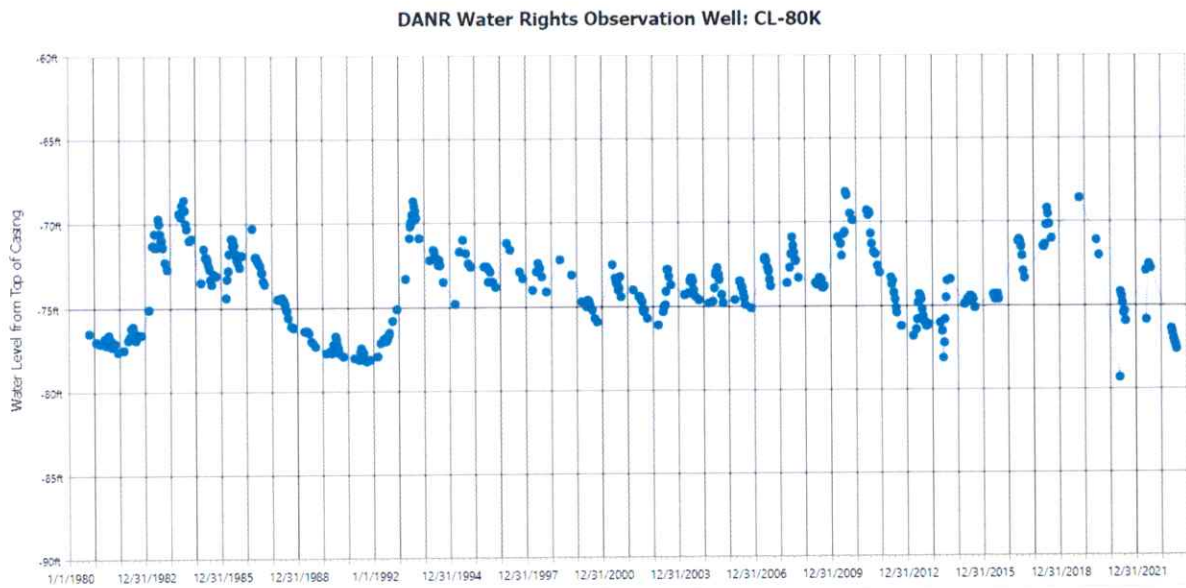


Figure 3. Hydrograph for observation well CL-80K (Water Rights, 2023a)

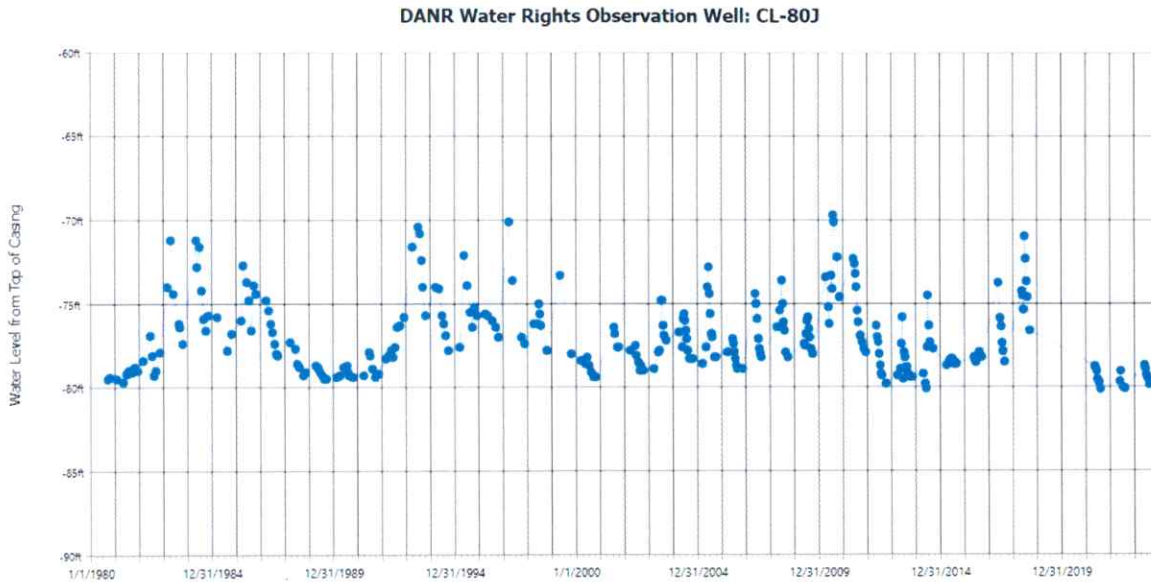
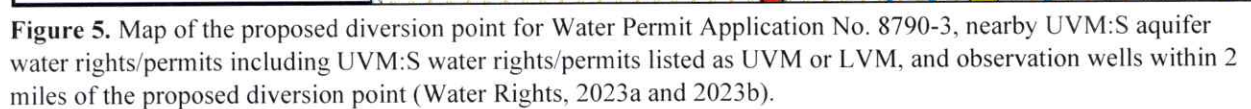


Figure 4. Hydrograph for observation well CL-80J (Water Rights, 2023a)

Currently all of observation wells in the UVM:S aquifer have a stable trend in the water level, as seen in Figures 2 to 4. The hydrographs for the UVM:S aquifer observation wells 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 water levels 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 UVM:S 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 in the general vicinity of the proposed well site for this application are shown in Figure 5 and summarized in Table 2. The closest water right/permit to the diversion point for this application is Water Right No. 7384-3 which is held by Nicholas & Courtney Blake. The diversion point for Water Right No. 7384-3 is located approximately 0.3 miles south of the proposed diversion point for this application (Water Rights, 2023b). There are domestic wells on file with the DANR-Water Rights Program that are completed into the UVM:S aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.4 miles southeast of the diversion point based on the legal description provided by the well driller on the well completion report (Water Rights, 2023c). There could potentially be other domestic wells completed into the UVM:S aquifer near the diversion point that are not on file with the DANR-Water Rights Program.



Country	Number of Bridges	Design	Structure	Use Type	GES	Access
---------	----------------------	--------	-----------	----------	-----	--------

75875	75880	75885	75890	75895	75900	75905	75910	75915	75920	75925	75930	75935	75940	75945	75950	75955	75960	75965	75970	75975	75980	75985	75990	75995	76000	76005	76010	76015	76020	76025	76030	76035	76040	76045	76050	76055	76060	76065	76070	76075	76080	76085	76090	76095	76100	76105	76110	76115	76120	76125	76130	76135	76140	76145	76150	76155	76160	76165	76170	76175	76180	76185	76190	76195	76200	76205	76210	76215	76220	76225	76230	76235	76240	76245	76250	76255	76260	76265	76270	76275	76280	76285	76290	76295	76300	76305	76310	76315	76320	76325	76330	76335	76340	76345	76350	76355	76360	76365	76370	76375	76380	76385	76390	76395	76400	76405	76410	76415	76420	76425	76430	76435	76440	76445	76450	76455	76460	76465	76470	76475	76480	76485	76490	76495	76500	76505	76510	76515	76520	76525	76530	76535	76540	76545	76550	76555	76560	76565	76570	76575	76580	76585	76590	76595	76600	76605	76610	76615	76620	76625	76630	76635	76640	76645	76650	76655	76660	76665	76670	76675	76680	76685	76690	76695	76700	76705	76710	76715	76720	76725	76730	76735	76740	76745	76750	76755	76760	76765	76770	76775	76780	76785	76790	76795	76800	76805	76810	76815	76820	76825	76830	76835	76840	76845	76850	76855	76860	76865	76870	76875	76880	76885	76890	76895	76900	76905	76910	76915	76920	76925	76930	76935	76940	76945	76950	76955	76960	76965	76970	76975	76980	76985	76990	76995	77000	77005	77010	77015	77020	77025	77030	77035	77040	77045	77050	77055	77060	77065	77070	77075	77080	77085	77090	77095	77100	77105	77110	77115	77120	77125	77130	77135	77140	77145	77150	77155	77160	77165	77170	77175	77180	77185	77190	77195	77200	77205	77210	77215	77220	77225	77230	77235	77240	77245	77250	77255	77260	77265	77270	77275	77280	77285	77290	77295	77300	77305	77310	77315	77320	77325	77330	77335	77340	77345	77350	77355	77360	77365	77370	77375	77380	77385	77390	77395	77400	77405	77410	77415	77420	77425	77430	77435	77440	77445	77450	77455	77460	77465	77470	77475	77480	77485	77490	77495	77500	77505	77510	77515	77520	77525	77530	77535	77540	77545	77550	77555	77560	77565	77570	77575	77580	77585	77590	77595	77600	77605	77610	77615	77620	77625	77630	77635	77640	77645	77650	77655	77660	77665	77670	77675	77680	77685	77690	77695	77700	77705	77710	77715	77720	77725	77730	77735	77740	77745	77750	77755	77760	77765	77770	77775	77780	77785	77790	77795	77800	77805	77810	77815	77820	77825	77830	77835	77840	77845	77850	77855	77860	77865	77870	77875	77880	77885	77890	77895	77900	77905	77910	77915	77920	77925	77930	77935	77940	77945	77950	77955	77960	77965	77970	77975	77980	77985	77990	77995	78000	78005	78010	78015	78020	78025	78030	78035	78040	78045	78050	78055	78060	78065	78070	78075	78080	78085	78090	78095	78100	78105	78110	78115	78120	78125	78130	78135	78140	78145	78150	78155	78160	78165	78170	78175	78180	78185	78190	78195	78200	78205	78210	78215	78220	78225	78230	78235	78240	78245	78250	78255	78260	78265	78270	78275	78280	78285	78290	78295	78300	78305	78310	78315	78320	78325	78330	78335	78340	78345	78350	78355	78360	78365	78370	78375	78380	78385	78390	78395	78400	78405	78410	78415	78420	78425	78430	78435	78440	78445	78450	78455	78460	78465	78470	78475	78480	78485	78490	78495	78500	78505	78510	78515	78520	78525	78530	78535	78540	78545	78550	78555	78560	78565	78570	78575	78580	78585	78590	78595	78600	78605	78610	78615	78620	78625	78630	78635	78640	78645	78650	78655	78660	78665	78670	78675	78680	78685	78690	78695	78700	78705	78710	78715	78720	78725	78730	78735	78740	78745	78750	78755	78760	78765	78770	78775	78780	78785	78790	78795	78800	78805	78810	78815	78820	78825	78830	78835	78840	78845	78850	78855	78860	78865	78870	78875	78880	78885	78890	78895	78900	78905	78910	78915	78920	78925	78930	78935	78940	78945	78950	78955	78960	78965	78970	78975	78980	78985	78990	78995	79000	79005	79010	79015	79020	79025	79030	79035	79040	79045	79050	79055	79060	79065	79070	79075	79080	79085	79090	79095	79100	79105	79110	79115	79120	79125	79130	79135	79140	79145	79150	79155	79160	79165	79170	79175	79180	79185	79190	79195	79200	79205	79210	79215	79220	79225	79230	79235	79240	79245	79250	79255	79260	79265	79270	79275	79280	79285	79290	79295	79300	79305	79310	79315	79320	79325	79330	79335	79340	79345	79350	79355	79360	79365	79370	79375	79380	79385	79390	79395	79400	79405	79410	79415	79420	79425	79430	79435	79440	79445	79450	79455	79460	79465	79470	79475	79480	79485	79490	79495	79500	79505	79510	79515	79520	79525	79530	79535	79540	79545	79550	79555	79560	79565	79570	79575	79580	79585	79590	79595	79600	79605	79610	79615	79620	79625	79630	79635	79640	79645	79650	79655	79660	79665	79670	79675	79680	79685	79690	79695	79700	79705	79710	79715	79720	79725	79730	79735	79740	79745	79750	79755	79760	79765	79770	79775	79780	79785	79790	79795	79800	79805	79810	79815	79820	79825	79830	79835	79840	79845	79850	79855	79860	79865	79870	79875	79880	79885	79890	79895	79900	79905	79910	79915	79920	79925	79930	79935	79940	79945	79950	79955	79960	79965	79970	79975	79980	79985	79990	79995	80000
-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------

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 UVM:S 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 history of irrigation in the area without any complaints of well interference (Water Rights, 2023d), and the saturated aquifer thickness near the diversion point, any drawdown created from the diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of 1.0 cfs per 70 acres or “the equivalent thereof.” The statute does provide that: “The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires...”

If approved, Water Permit Application No. 8790-3 would authorize a maximum instantaneous diversion rate of 1.78 cfs from one well for the irrigation of 86 acres. The map and application submitted by the applicant indicates the center pivot is likely only doing a partial rotation. A center pivot typically requires a certain diversion rate, 1.78 cfs in this case, to operate properly regardless of swinging a partial or full circle, so the statutory rate limit might be exceeded when a pivot is not completing a full circle. This reasoning has been accepted by the Water Rights Program and the Water Management Board in the past.

CONCLUSIONS:

1. Water Permit Application No. 8790-3 proposes to appropriate 1.78 cfs from one well to be completed into the UVM:S aquifer (approximately 150 feet deep) for irrigation of 86 acres. The site of interest is located approximately 4 miles southwest of Centerville, SD.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the UVM:S aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8790-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.
4. The applicant is requesting a diversion rate greater than statutory limit of 1 cfs per 70 acres to accommodate a center pivot doing a partial rotation. This is reasonable and has been accepted by the Water Management Board and the Water Rights Program in the past.



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

- Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, 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.
- Holmes, S.L., Filipovic, D. 2015. Hydrogeologic Investigation of the Upper-Vermillion-Missouri Aquifer. Open-File Report 93-UR. SD DENR-Geological Survey. Vermillion, SD.
- Lindgren, R.J., and Hansen, D.S., 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 90-4093, 100p.
- Mathiowetz, A. 2018. Report to the Chief Engineer on Water Permit Application 8335-3. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.
- Niehus, C.A., 1997. Water Resources of Lincoln and Union Counties, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 93-4195. U.S. Geological Survey. Vermillion, 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, 2014. Final Order. DENR-Water Rights Program File for Water Right No. 7466-3, Pages 152 to 156. SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights, 2023a. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2023b. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2023c. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2023d. 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.**

October 17, 2023

William D. or Judy Knutson
29897 Frog Creek Road
Centerville SD 57014

Dear Mr. & Ms. Knutson:

Water Permit Application No. 8790-3 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 Plain Talk printed in Vermillion SD (Ph # 605 624-2695) and the Daily Press & Dakotan printed in Yankton SD (Ph # 605 665-7811). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 8790-3 to Appropriate Water

Notice is given that William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 150 feet deep) located in the NW 1/4 SW 1/4 Section 9 for irrigation of 86 acres located in the N 1/2 SW 1/4 Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 4 miles southwest of Centerville SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8790-3 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 November 6, 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 November 6, 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: Tuesday, October 17, 2023 10:25 AM
To: Kelly Kronaizl
Subject: 8790-3 William D or Judy Knutson - Public Notice
Attachments: 8790-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 27, 2023.

William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014, (605-670-1693) 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: Tuesday, October 17, 2023 10:26 AM
To: Michael Pietz
Subject: 8790-3 William D or Judy Knutson - Public Notice
Attachments: 8790-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 27, 2023.

William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014, (605-670-1693) 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

DEC 11 2023

OFFICE OF
WATER

WILLIAM KNUTSON
419 PARK LANE
VERMILLION SD 57069

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

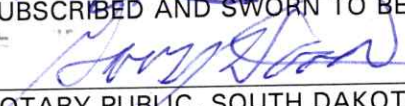
KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND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

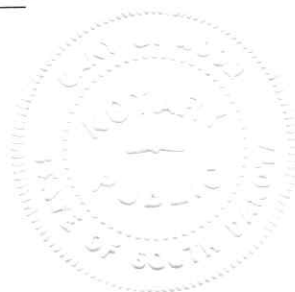
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 27th DAY OF October, 2023
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$40.96 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION 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: 10/27/2023

FILED ON: 12/08/2023


SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF December, 2023


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 03/06/2024



Notice is given that William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 150 feet deep) located in the NW 1/4 SW 1/4 Section 9 for irrigation of 86 acres located in the N 1/2 SW 1/4 Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 4 miles southwest of Centerville SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8790-3 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 November 6, 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 November 6, 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 \$40.96 and can be viewed free of charge at www.sdpublicnotices.com

Published October 27, 2023.

AFFIDAVIT OF PUBLICATION

PLAIN TALK

WILLIAM KNUTSON
419 PARK LANE
VERMILLION SD 57069

RECEIVED

OCT 30 2023

OFFICE OF
WATER

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

BETH RYE, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE ADVERTISING DIRECTOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, 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.

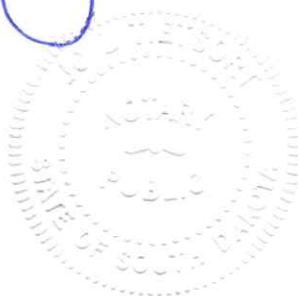
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 27th DAY OF October, 2023
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$40.96 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION 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: 10/27/2023

FILED ON: 10/26/2023


SUBSCRIBED AND SWORN TO BEFORE ME THIS 26th DAY OF October, 2023

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



Ad text : NOTICE OF APPLICATION NO. 8790-3 to Appropriate Water

Notice is given that William D. or Judy Knutson, 29897 Frog Creek Road, Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 150 feet deep) located in the NW 1/4 SW 1/4 Section 9 for irrigation of 86 acres located in the N 1/2 SW 1/4 Section 9; all in T95N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 4 miles southwest of Centerville SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8790-3 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 November 6, 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 November 6, 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 \$40.96 and can be viewed free of charge at www.sdpublicnotices.com

Published October 27, 2023.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 17, 2023 10:29 AM
To: marty.gilbertson1@gmail.com
Subject: 8790-3 William D or Judy Knutson - Public Notice
Attachments: 8790-3 Rec.pdf; 8790-3 ltr.pdf; 8790-3 PubNotice.pdf

Good morning Marty,

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.

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

DEC 29 2023

William D. or Judy Knutson
29897 Frog Creek Road
Centerville SD 57014

Dear Mr. Knutson:

Enclosed is Water Permit No. 8790-3 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.: 8790-3

Name of Applicant: William D. or Judy Knutson

Date of Posting: 10/24/2023

Date of Removal: 12/29/2023

Ron Duvall, Engineer III

12/29/2023

Date

Subscribed and sworn to before me, a notary public, this 29 day of December 2023.

Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)



8790-3

Dewell, Amanda

From: marty gilbertson <marty.gilbertson1@gmail.com>
Sent: Sunday, June 15, 2025 9:54 AM
To: Dewell, Amanda
Cc: blakefarms41@yahoo.com
Subject: Re: [EXT] Shared Irrigation
Attachments: Scan_20250615reappropriation.png

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED

JUN 16 2025

**Water Rights
Program**

Amanda,
please find the attached letter of request for the well reappropriation
for Bill Knutson.
Thank you!
Marty

Marty Gilbertson
419 Park Lane
Vermillion, South Dakota
57069

Cell Phone 605-670-1693

On Mon, Jun 9, 2025 at 1:46 PM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

Thank you Marty, once the request is received our office will begin processing the change in diversion point.

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Cell Phone 605-670-1693

On Wed, May 14, 2025 at 1:59 PM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

Marty,

This email is intended to follow up on your telephone conversation this morning, regarding your desire to have the acres authorized under Permit No. 8790-3 irrigated by Nicholas Blake's system, located directly to the south.

In review of Permit No. 8790-3, it seems that the simplest solution would be to change the diversion point location authorized by 8790-3, to allow irrigation of those acres from Blake's well. This would allow for his system to make a full circle and irrigate your acres, without having to reassign ownership or apply for a new permit. There are no fees associated with this process, however, a written request to have the diversion point changed to the location of Blake's well ("approximate center SW ¼ Section 9-T95N-R52W" as authorized under his Water Right No. 7384-3), would need to be submitted by William or Judy Knutson.

The change in diversion point would be processed with the understanding that ownership of the well would be maintained by Mr. Blake and that if relations fell apart, he could stop irrigating your property at any time. If that were to happen, you would have 3 years to complete a new well and set up your own system before your permit would become subject to cancellation pursuant to SDCL 46-5-37.

Please let me know if you have any questions. My direct line is (605) 910-5187.

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov

Amanda,

I am writing this letter to request change the diversion point from approximate center SW 1/4 Section 9-T95N-R52W" the permit we have obtained as authorized under Water Right No. 7384-3), to the diversion point location authorized by 8790-3, to allow irrigation of my acres from Mr. Nick Blake's well located south of our property.

Regards,
William D. Knutson
29897 Frog Creek Road
Centerville SD
57014

William D. Knutson

RECEIVED

JUN 1 6 2025

Water Rights
Program

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

NAME: William or Judy KnutsonCOUNTY: ClayADDRESS: 29897 Frog creek Rd, Centerville SD 57014DATE: June 17, 2025**GENERAL DESCRIPTION OF AUTHORIZED PROJECT:**

Water Permit No. 8790-3 authorizes diversion of 1.78 cfs from groundwater, one well, Upper Vermillion Missouri: South Aquifer (UVM:S) located in the NW ¼ SW ¼ Section 9 for irrigation of 86 acres located in the N ½ SW ¼ Section 9; all in T95N, R52W. Permit No. 8790-3 authorizes a total annual diversion of up to 2 ac-ft of water per irrigated acre.

AUTHORITY:

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

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

On June 16, 2025, the Water Rights Program received a request submitted by William Knutson to allow for Water Permit No. 8790-3 to utilize the well (completed into the UVM:S) authorized by Water Right No. 7384-3. Water Right No. 7384-3 is held by Nicholas & Courtney Blake. The well authorized under Water Right No. 7384-3 is located approximately two-tenths of a mile south of the well site initially proposed by Permit No. 8790-3

If irrigation, no new land is irrigated,

No additional acres are permitted for irrigation by the processing of this request.

Review of Existing Diversions

There are 25 other existing water permits/rights within 2 miles of the well authorized under Water Right No. 7384-3; 21 of which also authorize diversion from the UVM:S. The nearest permit/rights authorized for diversion from the UVM:S are 7441-3 (Jason or Alicia Knutson) and 5319-3 (Larry Erickson), located approximately one-half mile west, and east, respectively, from the well authorized under Water Right No. 7384-3. It was determined in the review of Water Permit No. 8790-3 that there was reasonable probability any interference due to pumping from the originally authorized well site would not adversely or unlawfully impair existing rights. The same would be expected for the use of the well authorized under Water Right No. 7384-3. There is no history of interference complaints on file for the UVM:S in Clay County.

The closest domestic well (completed into the UVM:S) is approximately 0.8 miles to the northeast, located in the NW ¼ SW ¼ Section 10, T95N, R52W, on property owned by Jesse Vandestroet, according to Regrid. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report. Permit No. 8790-3 has a qualification (1) which addresses the close proximity of domestic wells and other wells completed into the same aquifer. The qualification requires the permit holder to control withdrawals so as not to reduce water supplies in nearby adequate domestic wells or adequate wells utilized by senior water rights.

RECOMMENDED ACTION

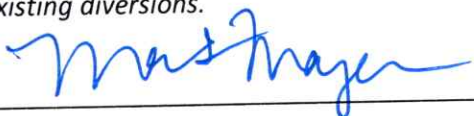
Based on the above criteria, it is recommended that the change in diversion point location be approved.



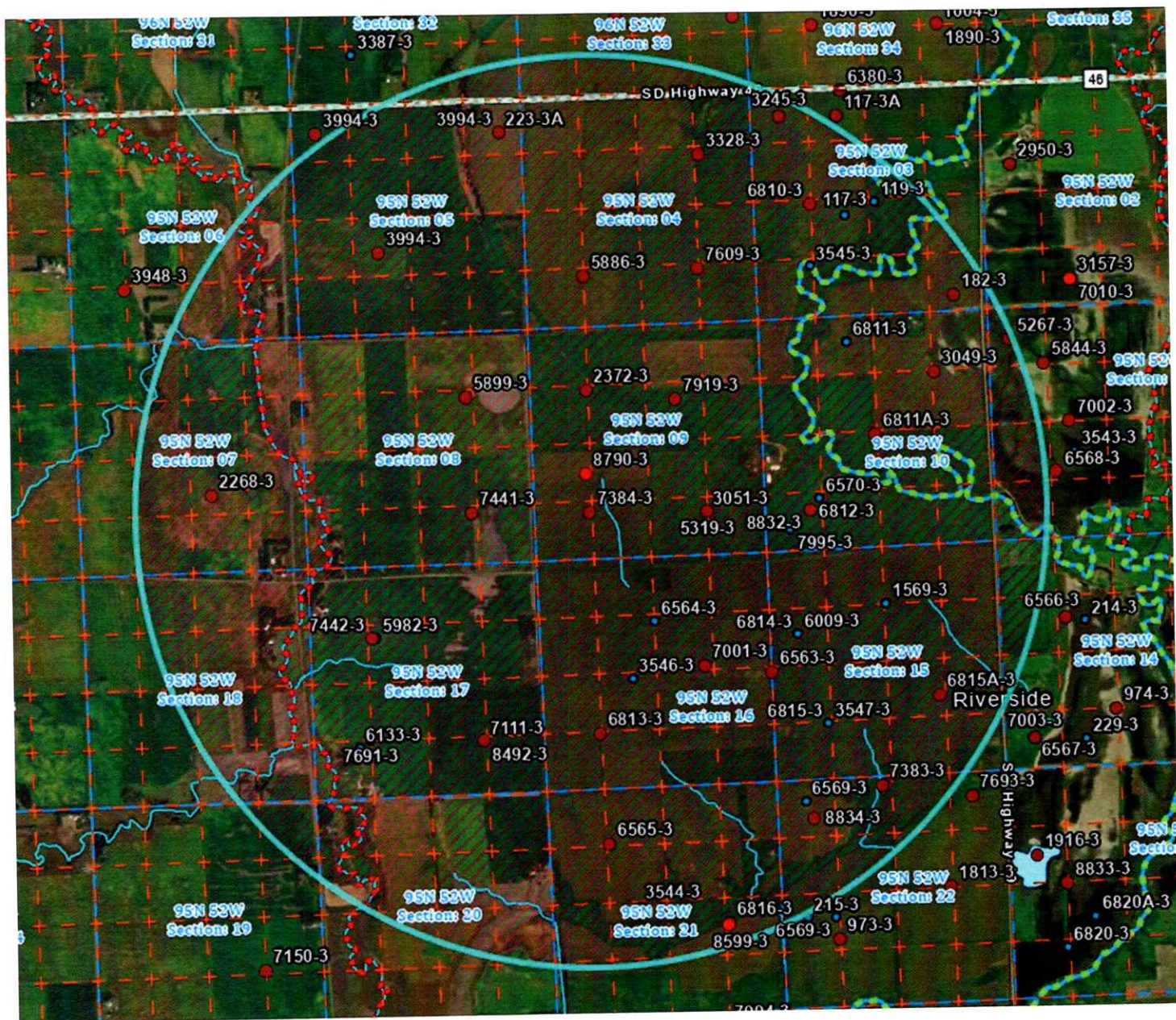
Amanda Dewell, Permitting Administrator
Water Rights Program

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

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



Mark Mayer, PE
Director of Office of Water





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 18 2025

8790-3

William or Judy Knutson
29897 Frog Creek Rd
Centerville SD 57014

Dear Mr. or Ms. Knutson:

This letter is in regard to your request for a change in diversion point location under Water Permit No. 8790-3. Your request was for appropriations to be made from an existing well, owned by Nicholas & Courtney Blake, located in the approximate center of the SW $\frac{1}{4}$ Section 9-T95N-R52W, authorized under Water Right No. 7384-3, so that the Blake's irrigation system could make a full circle, irrigating your acres adjacent to theirs.

Water Permit No. 8790-3 authorizes a diversion rate of 1.78 cfs from one well completed into the Upper Vermillion Missouri: South Aquifer, for irrigation purposes.

Upon review of your request and pursuant to SDCL 46-5-13.1, the change in well location is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4.

No increase to the number of irrigated acres or the rate of diversion is authorized and withdrawals under Permit No. 8790-3 must be controlled so as not to reduce needed water supplies in nearby adequate domestic wells or adequate wells having prior water rights.

If you have any questions, please contact Amanda Dewell at (605) 773-3352.

Sincerely,

Mark Mayer, PE
Director of Office of Water

Dewell, Amanda

From: Dewell, Amanda
Sent: Wednesday, June 18, 2025 5:00 PM
To: marty.gilbertson1@gmail.com
Subject: Water Permit 8790-3
Attachments: Change in DVP_approval letter_8790-3.pdf

Marty,

Attached is a copy of the approval letter, authorizing use of Blake's well located in the approx. center SW ¼ Sec 9-T95N-R52W, as permitted under Water Right No. 7384-3, to supply water to the acres authorized by Knutson's Permit No. 8790-3. The original signed letter has been mailed to William & Judy.

Please note that while this does allow for use of the well, if at any point in time the Blake family elects to stop servicing your acreage, you will need to have your own well drilled.

Please let me know if you have any additional questions or concerns.

Amanda Dewell

DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov

