

WATER PERMIT NO. 8792-3

Name of Applicant: City of Madison

Address: 116 W Center Street, Madison SD 57042 Phone: 605-256-7521

Amount of Water Claimed: 0.37 cfs Total Acres: 16

Source of Water Supply: Groundwater

Water to be used for: Irrigation County: Lake

Type of Waste Disposal System:

Location: In Madison SD

PRIORITY Date Received: 08-09-2023

Application/License Fee: \$700.00

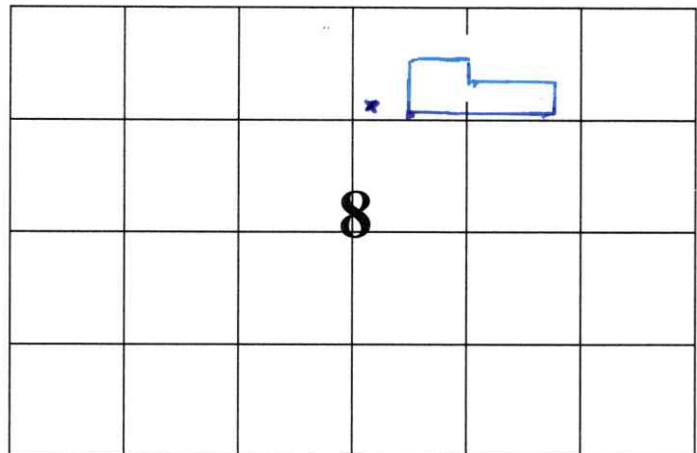
Corrected Application Received: 08-28-2023

Period of Annual Use: May 1 – October 31

Remarks: Irrigation of Baughman Bellatti Park

Diversion Point: NW 1/4 NE 1/4 Section 8-T106N-R52W

Land to be Irrigated: NW 1/4 NE 1/4, NE 1/4 NE 1/4 Section 8-T106N-R52W



Depth of Well: 280

Well Driller: Dave Putzke Well Drilling

Remarks:

Type of Map: aerial

Reviewed and the Number Assigned on: 08-28-2023

By: Rachel Rodriguez

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8792-3**

Date of first receipt of application August 9, 2023.

Date of return to applicant for corrections, amendments or changes August 11, 2023.

Date of receipt of corrected application August 28, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8792-3 to City of Madison, c/o Mike McGillivray, 116 W Center Street, Madison SD 57042 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. 8792-3 appropriates 0.38 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 280 feet deep) located in the NW 1/4 NE 1/4 Section 8 for irrigation of 16 acres (Baughman Bellatti Park) located in the N 1/2 NE 1/4 Section 8; all in T106N-R52W. This site is located in the city of Madison 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: May 1 – October 31.
3. The date from which applicant may claim right is August 9, 2023.
4. The date of approval of Permit No. 8792-3 is November 20, 2023.
5. One-fifth of the construction is to be completed on or before May 20, 2026.
6. All construction is to be completed on or before November 20, 2028.
7. Water is to be put to beneficial use on or before November 20, 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. 8792-3 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. 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. 8792-3 authorizes a maximum diversion rate of 0.38 cfs for the irrigation of 16 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JAN 02 2024
date



RECEIVED

AUG 09 2023

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8792-3</u> Hydrologic Unit <u>10170203</u> Basin <u>Lower Big Sioux</u> Newspaper <u>Madison Daily Leader</u> (office use only)
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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 City of Madison

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

Mailing Address _____

(Address)

(City)

(State)

(Zip Code)

Phone 605-256-7521 Mobile _____

Email parks@cityofmadisonsd.com

2. Amount of water claimed 230.38 *CFS or 170 **GPM 48 ***AF Total Acreage 16
(*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 NW 1/4 NE 1/4 section 8-T106N-R52W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Lake

5. County or counties where water will be used Lake

6. Annual period during which water is to be used May - October 31

7. List below each forty-acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>Baughman Bellatti Park</u>	<u>16</u>		
<u>NW 1/4 NE 1/4, NE 1/4 NE 1/4</u>			
<u>Sec 8 - T106N - R52W</u>			

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

Sports field irrigation

I, Mike McGillicray

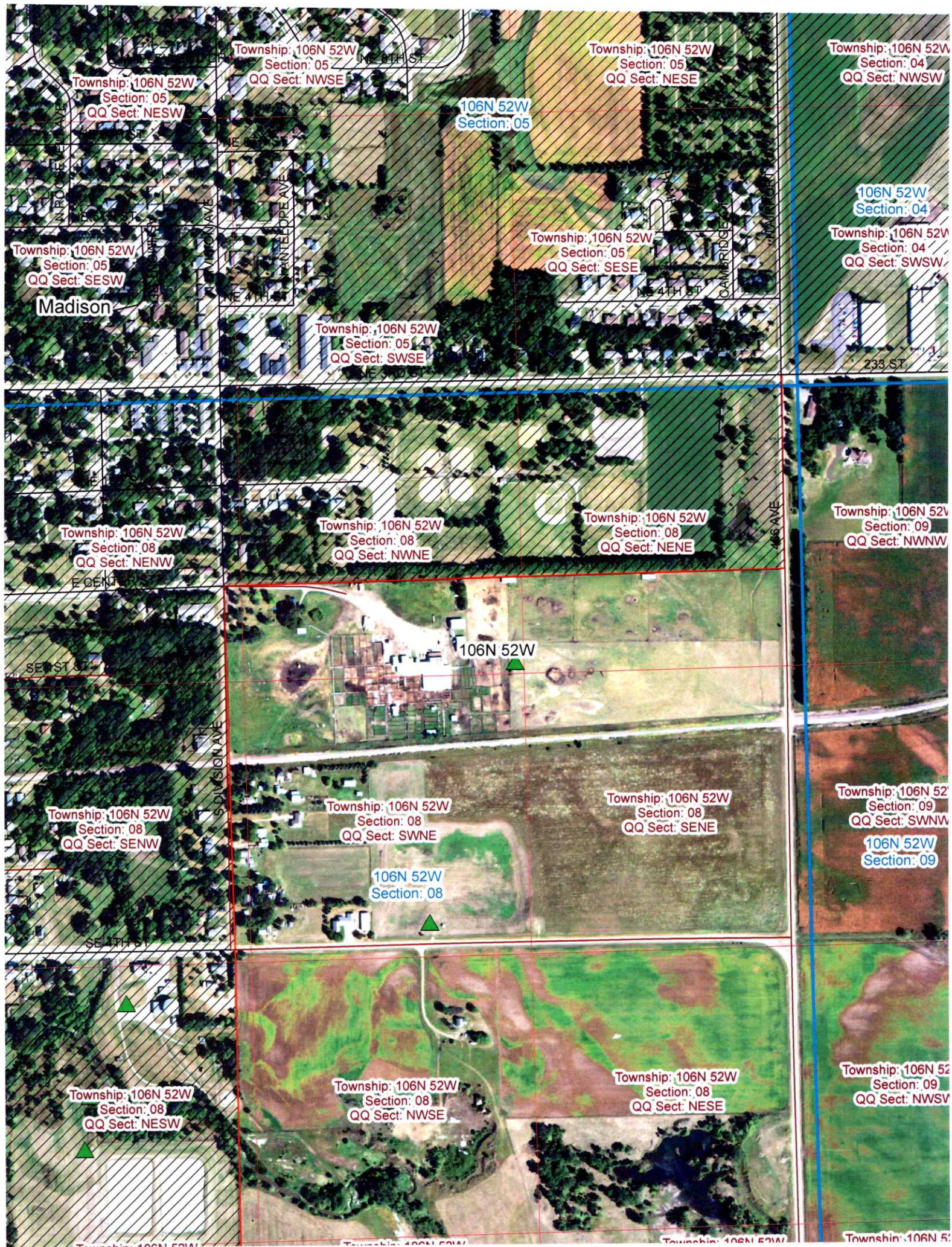
Name of Person

Parks Superintendent

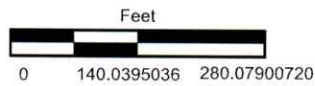
Title (if applicable)

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.



Buaghman Park Irrigation



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

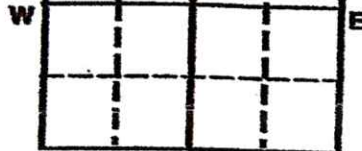
8792-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW NE 1/4 Sec 8 Twp 106 Rg 52County LakeNorth R55W
per Am 10/3/23

Please mark well location with an "X"

Well completion Date
5-17-23

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

ft. from City Sewer Network (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

RotaryCASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>8</u> IN	<u>0</u> FT	<u>280</u> FT	<u>12</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Shot DP</u>	<u>30</u>	<u>140</u> lbs	<u>0</u> R	<u>245</u> R
		<u>140</u> lbs	R	R

Describe grouting procedure Run 1" tricone logs + Pumped w/ grout machine

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 8 inches Length 20 Feet
 Material SS
 Slot Size 25 Set From 260 Feet to 280 Feet
 Other information Travel Pack
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? 10 gallon of Chlorine
☒ No, Why Not? Pumped
 Lab sample sent to for water quality analysis

Please return WHITE COPY to: DENR Water Rights

Well Owner:

Business Name: City of MadisonAddress: 1425 3rd SWCity, State, Zip: Madison SD 57042

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP Soil	0	2
Yellow Clay	2	25
Blue Clay	25	180
Pink + yellow clay	180	220
Clay + Sand mix	220	252
Sand Stone	252	280

STATIC WATER LEVEL

10.5

FEET

If flowing, closed in pressure

PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped☐ Bailed☐ OtherAIR

Pumping Level Below Land Surface

ft. After His. pumped GPM

ft. After His. pumped GPM

If pump installed, pump rate: GPM

REMARKS

This well was drilled under license #

439

And this report is true and accurate.

Drilling firm: Dave Putzke well Drilling & repair Inc

Signature of License Representative:

Dave Putzke

Signature of Well Owner or Equitable Property Holder:

RECEIVED

AUG 09 2023

Date:

523 E Capitol Ave.

Pierre SD 57501

OFFICE OF
WATER

INVOICE

SD Agriculture and Natural Resources
Water Rights
Attn: Rachel Rodriguez
523 East Capitol Ave.
Pierre SD 57501

DATE: AUGUST 11, 2023
INVOICE

TO City of Madison
116 W Center Street
Madison SD 57042

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
		Due upon receipt	

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Application Fee (\$500.00) plus Inspection Fee (\$200.00)		700.00

SUBTOTAL	\$700.00
SALES TAX	
TOTAL	\$700.00

Make all checks payable to DANR/Water Rights

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 28, 2023

RECEIVED OF City of Madison 116 W Center St., Madison SD 57042

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

Fee for Application for Permit No. <u>8792-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</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>8792-3</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>700.00</u>

By Eric Gronlund
Chief Engineer
zm



**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. 8792-3, City of Madison**

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. 8792-3, City of Madison, 116 W. Center Street, Madison SD 57042.

The Chief Engineer is recommending APPROVAL of Application No. 8792-3 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. 8792-3 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. 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. 8792-3 authorizes a maximum diversion rate of 0.38 cfs for the irrigation of 16 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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
October 27, 2023

Report to the Chief Engineer

Water Permit Application No. 8792-3

City of Madison, c/o Mike McGillivray

11 October 2023

Water Permit Application No. 8792-3 proposes to appropriate water at a maximum instantaneous diversion rate of 0.38 cubic feet of water per second (cfs) from one well completed into the Howard aquifer (approximately 280 feet deep) for the irrigation of 16 acres in Baughman Bellatti Park. The well is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, and the park is located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, all in T106N-R52W. The site is located in Lake County, in the City of Madison. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Aquifer: Howard (HO)

Description of Aquifer:

The Howard aquifer is a glacial outwash consisting of fine to very coarse quartzose sand to fine gravel (Hansen, 1986; Hamilton, 1989). The aquifer is often intermixed with till and clay lenses (Koch and McGarvie, 1988; Water Rights, 2023d). The aquifer directly overlies till, the Pierre Shale, or the Niobrara Formation in Miner, Lake and Moody Counties. In southern Lake and Moody Counties, as well as northeast Minnehaha County, the aquifer can also directly overlie the Sioux Quartzite (Hansen, 1986; Koch and McGarvie, 1988; Lindgren and Niehus, 1992). The aquifer is primarily confined and can be buried by as much as 470 feet of till (Hansen, 1986), and depth below the surface to the top of aquifer materials ranges from approximately 123 to 436 feet (Hamilton, 1989; Lindgren and Niehus, 1992).

The Howard aquifer underlies parts of Brookings, Kingsbury, Lake, Moody, Miner, and Minnehaha Counties. Table 1 lists the approximate areal extents of the aquifer in each of the counties. Based on observation wells and well completion reports of the Howard aquifer, the aquifer may not be as expansive as previously expected (Water Rights, 2023b and 2023d). However, further study would be required to confirm this.

Table 1. Areal Extent of the Howard Aquifer by County.

County	Areal Extent (acres)	Source
Brookings & Kingsbury	534,400	Hamilton, 1989
Lake & Moody	432,000	Hanson, 1986
Miner	110,100	Hedges et al., 1982
Minnehaha	9,600	Lindgren and Niehus, 1992
Total	1,086,100 acres	

According to files submitted with the application, there was a well completed on May 17, 2023, which will be used for Water Permit Application No. 8792-3, if approved (Water Rights, 2023d). According to the well completion report, the aquifer is under confined conditions. The report states that at the time of well completion, the static water level was approximately 105 feet deep, and the top of aquifer materials begin at a depth of approximately 220 feet below the ground surface. There is a confining clay layer found from a depth of 2 feet to 220 feet. According to the submitted well log, there is a sandstone layer from 252 to 280 feet, which is also where the screening for the well was placed (Water Rights, 2023d). Based on other well completion reports, the driller may have mis-identified the glacial sands of the Howard aquifer as a sandstone. Nearby well lithologies state that there is a fine, firm sand layer with clay lenses, or a good sand and gravel layer with clay lenses which were identified as the Howard aquifer, directly overlying shale. These nearby well completion reports match the lithology for the well drilled for this application (Mathiowetz, 2023; Water Rights, 2023d).

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

SDCL 46-2A-9 states that “a permit to appropriate water may only be issued 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 Howard aquifer.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of 1 cfs per 70 acres, or “the equivalent thereof.” The statute provides 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. 8792-3 would authorize a maximum instantaneous diversion rate of 0.38 cfs from one well for the irrigation of 16 acres, from May 1st through October 31st, or at a rate of 1.66 cfs per 70 acres. The applicant did not provide a reason for the

exceedance. However, the areas to be irrigated are turf sporting fields, which often require a greater diversion rate for proper application due to time constraints when sprinklers can be running. This reason falls within SDCL 46-5-6 which allows the Water Management Board to allow a greater diversion rate and has been accepted by the Board and the Water Rights Program in the past.

SDCL 46-6-3.1:

SDCL 46-6-3.1 states that “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.” Exceptions to this are for withdrawals from a groundwater formation older than or stratigraphically lower than the Greenhorn formation and are also for use by a water distribution system.

The Howard aquifer is not older than or stratigraphically lower than the Greenhorn formation, and this application is not for a water distribution system as defined by SDCL 46-1-6 (17) (Fahrenbach et al., 2010). Therefore, the average annual hydrologic budget (average recharge versus average withdrawals) must be considered.

Hydrologic Budget Analysis:

Recharge

Snowmelt and spring rainfall are the main sources of recharge to the Howard aquifer, and most likely infiltrate the aquifer in Kingsbury and Brookings Counties, due to the thick till that overlies the aquifer in Lake and Moody Counties (Hansen, 1986). The direction of water movement in Lake County is generally northwest to southeast (Hansen, 1986).

There is not a specific recharge rate available for the Howard aquifer. Leakage of precipitation through till was estimated to recharge the aquifer at a rate of 0.01 inches/year (Hamilton, 1989). However, this may be an underestimate due to intermixed layers of permeable sand in the till, and because precipitation is primarily infiltrated through more permeable regions of the aquifer, which then recharges Lake County via subsurface flow. This value was also estimated from hydrograph analysis of observation wells, and since this is a confined aquifer, water levels in the observation wells represent the artesian head pressure in that area and not a direct measurement of storage change within the aquifer. While an increase of artesian head pressure in a confined aquifer could be an indication of recharge exceeding withdrawals, it is not typically used to quantify a recharge rate. A review of observation well data will be done later in this report.

Hedges et al. (1985) calculated recharge rates for confined aquifers in South Dakota using flow net analysis. However, the minimum and maximum calculated rates found by the study were probably higher than the actual recharge rates (Hedges et al., 1985). Therefore, the report recommended that for confined aquifers, an estimated recharge rate ranging from 0.15 inches/year to 0.6 inches/year should be used if there has not been a more thorough individualized study for that aquifer (Hedges et al., 1985).

Using the Hedges et al. (1985) recharge rate estimations and multiplying those values by the total areal extent of the Howard aquifer (Table 1), the recharge rate for the Howard aquifer ranges between approximately 13,576 acre-feet/year and 54,305 acre-feet/year. However, the actual recharge to the aquifer could be lower if the areal extent of the aquifer is smaller than what was mapped by the sources listed in Table 1.

Discharge

Discharge from the Howard aquifer occurs through subsurface outflow from Lake and Moody Counties to the Dell Rapids Quarry, leakage to the underlying Niobrara aquifer in the southwest and central part of Lake County, leakage to fractures in underlying Sioux Quartzite, and through well withdrawals (Hansen, 1986; Lindgren and Niehus, 1992; Water Rights, 2023d).

There are currently 24 existing water rights/permits authorized to appropriate water from the Howard aquifer, including one Future Use Water Permit No. 6512-3 for the City of Madison, reserving 387 acre-feet of water from Howard aquifer (Water Rights, 2023c).

Of the 24 water rights/permits appropriating water from the Howard aquifer, 8 are for irrigation use (Water Rights, 2023c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The Howard aquifer has been used for irrigation from 1981 through 1991 and again from 2000 to the present. The average annual withdrawal for the Howard aquifer irrigation water rights/permits that have reported over the period of record 1979 to 2022 is approximately 65 acre-feet (Water Rights, 2023a). To reflect the current development of irrigation water right/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2013 to 2022 will be used for the budget, and is approximately 126 acre-feet (Water Rights, 2023a).

Water Permits Nos. 8758-3 and 8764-3 were recently approved by the Chief Engineer in 2023 and are not listed on the 2022 irrigation questionnaire. Together, they are authorized to irrigate 267.5 acres (Water Rights, 2023d). Generally, non-turf irrigators in South Dakota apply less than one foot of water per acre per year. Assuming an application rate of one foot of water per acre per year, these permits are assumed to pump approximately 267.5 acre-feet/year.

Water Right No. 4813-3 for the Rutland School District has a municipal use well which is used for the turf irrigation of 0.75 acres. Irrigators in South Dakota are not authorized to use more than two feet of water per acre per year, and so Water Right No. 4813-3 will be assumed to apply 2 acre-feet/year per permitted acre, thus assuming to pump 1.5 acre-feet (Table 2). This application, No. 8792-3, is also requesting to irrigate 16 acres of turf. The same method will be used for a conservative estimate, and if approved, will be assumed to pump approximately 32 acre-feet/year.

Of the 24 water rights/permits appropriating water from the Howard aquifer, 15 are for non-irrigation use (Water Rights, 2023c). Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of the time at their respective permitted diversion rate. Water right/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. Municipal

water rights/permits that are connected to a rural water system likely maintain their wells for standby purposes and have been estimated to be zero acre-feet/year. Water Right No. 6511-3 for the City of Madison has one Howard aquifer well which is required to report annual use to the Chief Engineer. Since there are more than ten years of reported data, the average reported use from 2013 to 2022 will be used for Water Right No. 6511-3 (Water Rights, 2023f). These are standard methods used by the DNR Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2023c). Table 2 lists the non-irrigation water rights/permits and their respective estimated use.

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

Permit No.	Name	Status	Use	Authorized Annual Volume (acre-feet)	Authorized Diversion Rate (cfs)	Annual Estimated Use (acre-feet)
244-3	City of Colman*	LC	MUN	N/A	0.22	0
1061-3		LC	MUN	N/A	0.22	0
5143A-3		LC	MUN	N/A	0.22	0
578-3	City of Howard*	LC	MUN	N/A	0.16	0
1599-3		LC	MUN	N/A	1.1	0
1604-3		LC	MUN	N/A	1.22	530.0
6511-3	City of Madison**	LC	MUN	N/A	0.86	135.3
1958-3		LC	MUN	N/A	0.1	43.44
4162-3		LC	MUN	N/A	0.66	286.7
4813-3	Rutland School District 39-4	LC	MUN	0.75	0.033	1.5
5465-3	City of Lake Preston*	LC	MUN	N/A	0.56	0
5465A-3	Brandon Karban	LC	DOM	N/A	0.11	47.8
5789-3	Ramsdell's Fertilizer & Propane Inc.	LC	COM	N/A	0.18	78.2
5955-3	SD Soybean Processors	LC	IND	N/A	0.44	191.1
8596-3	Kingfisher Enterprises	PE	COM	72.6	0.2	72.6
LC: License; PE: Permit; MUN: Municipal; DOM: Domestic; IND: Industrial; COM: Commercial; *Identified as being connected to a rural water system; **Estimated use for Water Right No. 6511-3 based on average reported use to the Chief Engineer					Total	1,387

There are domestic wells completed into the Howard aquifer that do not require a water right/permit, so the total withdrawal amount for domestic use is unknown. Due to relatively low diversion rates and the availability of rural water, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget.

Hydrologic Budget Summary:

Recharge to the Howard aquifer is estimated to range between 13,576 acre-feet/year and 54,305 acre-feet/year. The estimated annual withdrawal from the Howard aquifer is 2,167.5 acre-feet/year, listed on Table 3. This application seeks to withdraw an estimated 32 acre-feet/year. Although the areal extent may not be as large as Table 1 describes, meaning less recharge, there is reasonable probability that unappropriated water is available.

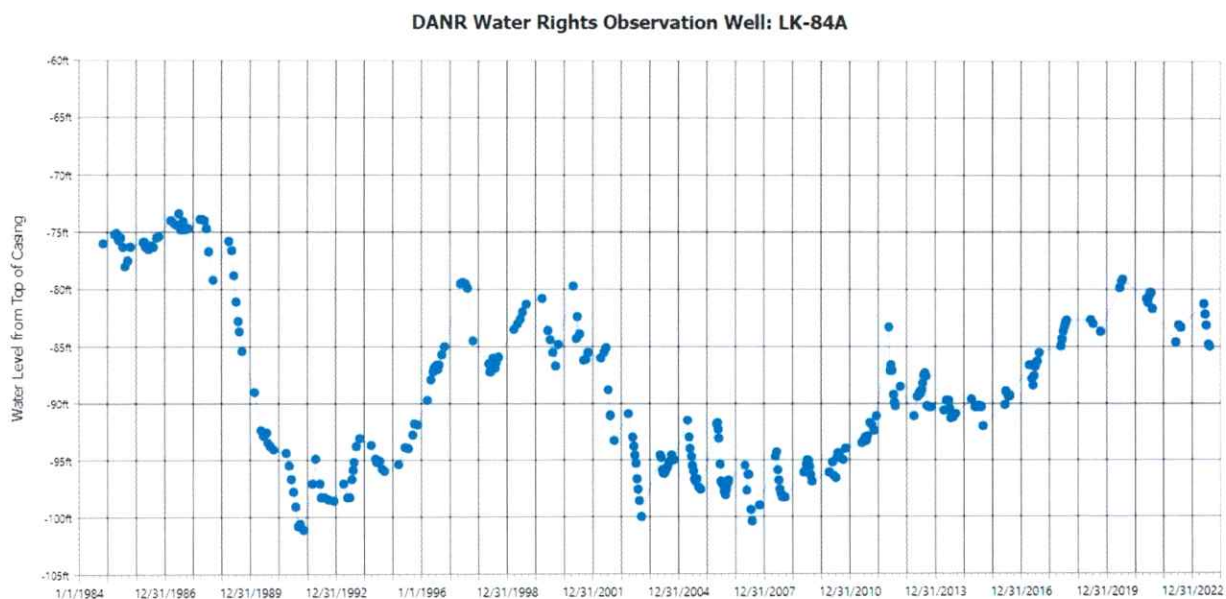
Table 3. Summary of estimated annual withdrawals from the Howard aquifer (Water Rights, 2023a, 2023c, 2023f).

Type of Water Right/Permit	Annual Withdrawal (acre-feet)
Future Use	387
Non-Irrigation	1,387
Irrigation (Average annual withdrawal from 2013 to 2022)	126
Water Permit No. 8758-3	127.5
Water Permit No. 8764-3	140
Total	2,167.5

Observation Well Data:

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

The DANR Water Rights Program monitors 7 observation wells completed into the Howard aquifer (Water Rights, 2023b). The three closest observation wells to the diversion point for Application No. 8792-3 are LK-84A (approximately 0.5 miles southeast), LK-81A (approximately 10.4 miles northeast), and LK-79F (approximately 11.7 miles southwest). Water levels for these observation wells illustrate recent water level trends, climatic conditions, and local pumping for the Howard aquifer. Hydrographs of observation wells are constructed by measuring the static water level from the top of the well casing over a period of record (Water Rights, 2023b).

**Figure 1.** Hydrograph for observation well LK-84A (Water Rights, 2023b).

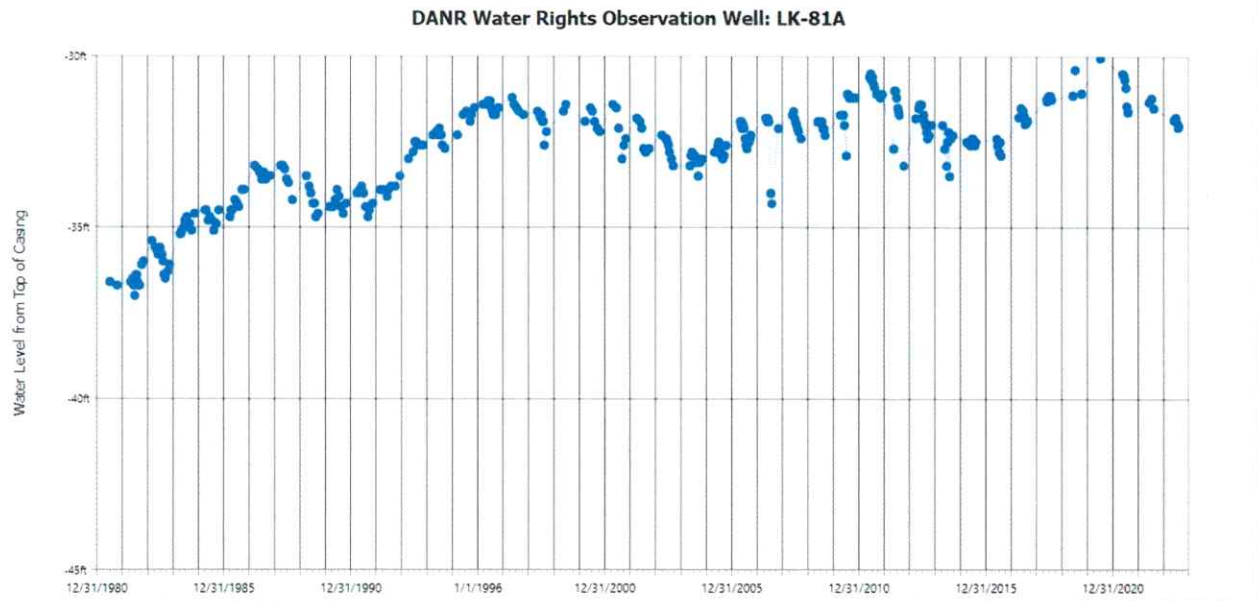


Figure 2. Hydrograph for observation well LK-81A (Water Rights, 2023b).

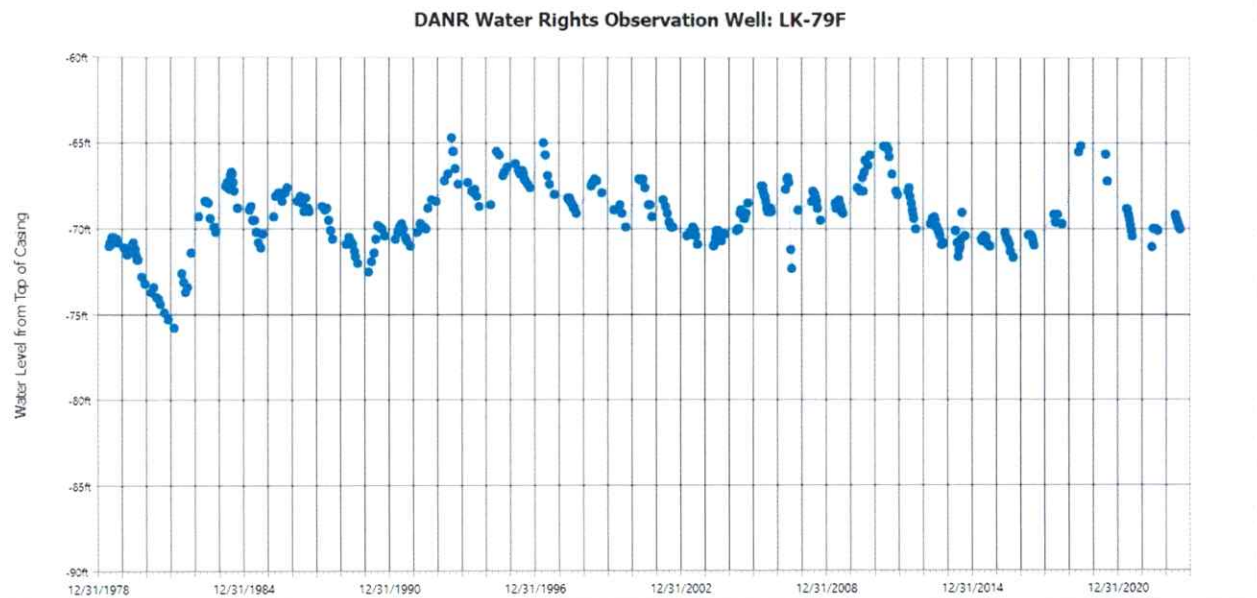


Figure 3. Hydrograph for observation well LK-79F (Water Rights, 2023b).

The observation well hydrographs shown in Figures 1 through 3 convey climatic fluctuations occurring in approximately 10-year intervals, and seasonal declines due to increased withdrawals and decreased recharge during the summer, which recover after the spring recharge period. There are downward trends during the years 1989-1992 and the years 2002-2004. The years 2021 to the present is also a drought period, and explains recent dips in water levels (NOAA, 2023; Water Rights, 2023b). These have been and still are times of drought in the state of South Dakota and are reflected in the hydrographs (NOAA, 2023), particularly well LK-84A. Water levels in well LK-84A appear to be recovering since the water level drops during those two periods.

Observation well LK-84A has the deepest depth to static water level in general, and this well shows climate trends over longer periods of time. Wells LK-81A and LK-79F have shallower depth to static water level, meaning more artesian head pressure in those areas of the aquifer, indicating that long-term climate fluctuations may not be as discernable for these deeply buried, higher pressured wells. Three of the four observation wells that are not specifically mentioned in this report show similar water level trends as the three hydrographs in Figures 1 through 3. Observation well BG-2000A shows water levels declining in a drought season in 2012, and then recovering after the wet years of 2015 and 2019 (NOAA, 2023). There has been some recent decline in artesian head pressure since 2021 (Water Rights, 2023b). This may be due to drought in South Dakota and its close proximity with a high-yield irrigation well (Water Rights, 2023c).

Overall, water levels are rising during wetter periods and declining, then stabilizing during dry periods. The hydrographs nearest the diversion point for this application show a slightly increasing trend over their entire respective period of record. Climatic conditions, and therefore the effects of recharge to and natural discharge from the aquifer govern the long-term trends of water levels in the aquifer rather than the impacts of pumping. Since both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs show that unappropriated water is available for the proposed appropriation. Figure 4 shows a map with locations of observation wells relative to the location of the diversion point for Application No. 8792-3.

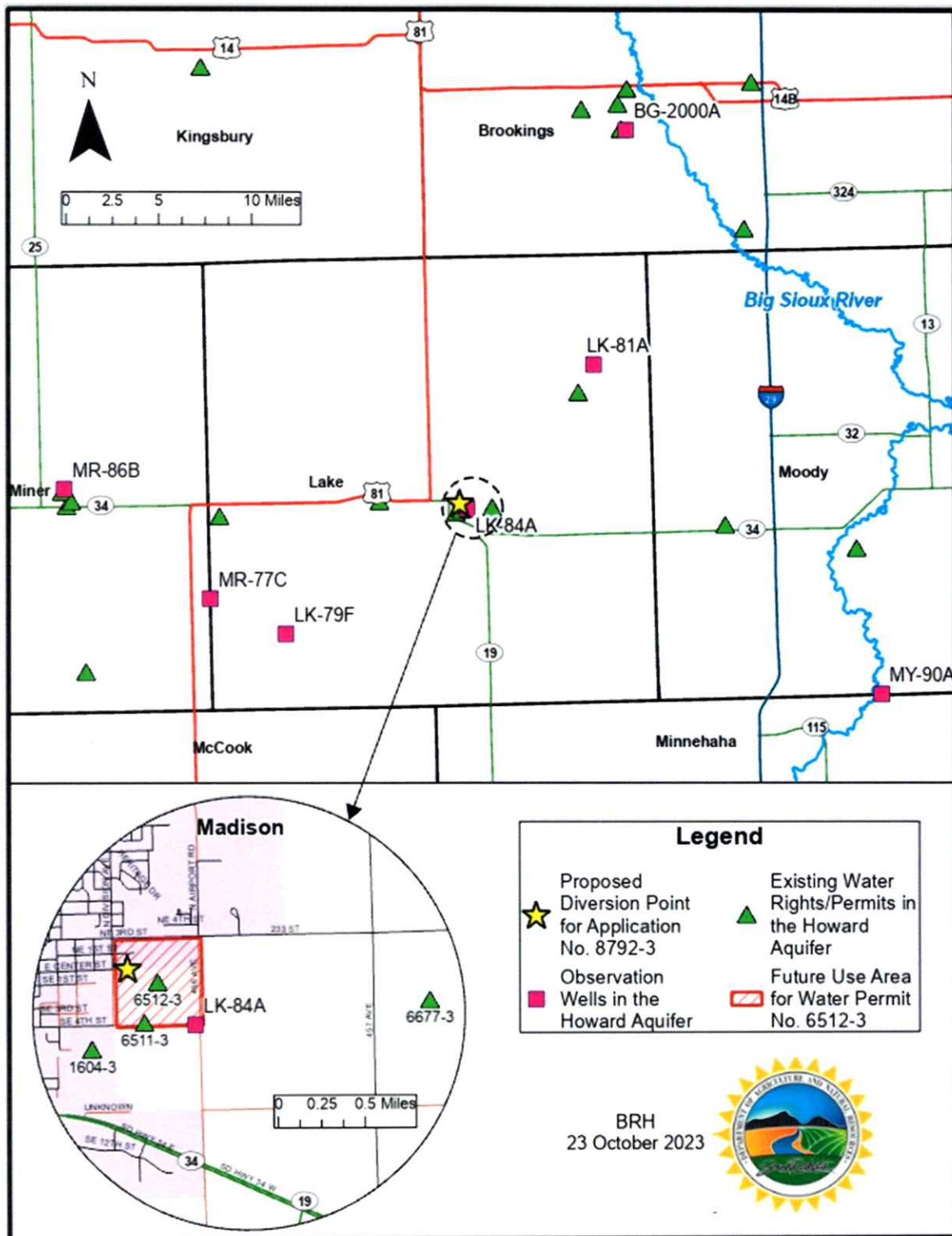


Figure 4. Map showing the location of the proposed diversion point for Application No. 8792-3, observation wells completed in the Howard aquifer, existing water rights/permits authorized to appropriate water from the Howard aquifer, and the future use area for Water Permit No. 6512-3 (Water Rights, 2023b and 2023c).

Potential for Unlawful Impairment:

Nearby Water Rights/Permits

Currently, there are 23 water rights/permits and one future use permit authorized to appropriate water from the Howard aquifer (Water Rights, 2023c). The potential diversion point for this application is located in the future use area for Future Use Permit No. 6512-3, also held by the City of Madison (Water Rights, 2023c) (Figure 4). The closest water right/permit (not including future use permits) to the existing well for Application No. 8792-3 is Water Right No. 6511-3, also held by the City of Madison. The diversion point for Water Right No. 6511-3 is located approximately 0.3 miles southwest of the proposed diversion point for this application (Figure 4) (Water Rights, 2023c). The nearest water right not held by the applicant is Water Right No. 6677-3, held by Dan and Jerry's Greenhouse, located approximately 1.8 miles west. Table 4 lists the nearest existing water rights/permits to the diversion point for Application No. 8792-3 which appropriate water from the Howard aquifer.

There are domestic wells on file with the DNR-Water Rights Program that are completed into the Howard aquifer, with the closest domestic well on file (not held by the applicant) located approximately 0.8 miles west of the proposed diversion point (Water Rights, 2023d). There could potentially be other domestic wells completed into the Howard aquifer near the proposed diversion point that are not on file with the DNR-Water Rights Program. The locations of the domestic wells are based on the location provided by the well driller at the time of well completion.

Table 4. List of existing Howard aquifer water rights/permits near the proposed diversion point as shown on Figure 4 (Water Rights, 2023c).

Permit No.	Name	Priority	Status	Use	Diversion Rate (cfs)	Volume (acre-feet)	Acres
6512-3	City of Madison	05/21/2004	FU	MUN	N/A	387	N/A
6511-3		05/21/2004	LC	MUN	0.86	N/A	N/A
1604-3		11/10/1960	LC	MUN	1.22	N/A	N/A
6677-3	Dan & Jerry's Greenhouse	11/21/2005	LC	IRR	0.12	N/A	15
FU: Future Use, LC: License, MUN: Municipal, IRR: Irrigation							

Potential of Drawdown

The Howard aquifer is confined at the existing well site, confirmed by the well completion report that was submitted with this application. Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer. However, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The nearest observation well LK-84A (Figure 4) is also confined and provides insight to how the aquifer responds to pumping. LK-84A is near high-yield wells (assumed to have a diversion rate greater than 0.2 cfs) (Table 4) and its hydrograph (Figure 1) shows water levels recovering after the spring recharge period, and long-term trends governed by climate, not local pumping. Aquifer

materials for the observation well start at a depth of 194 feet, and water levels generally range from 80 to 100 feet below the top of the casing, meaning there is adequate artesian head pressure and that the aquifer is not being over-pumped (Water Rights, 2023b and 2023d).

According to the well completion report for this application, the saturated aquifer thickness is approximately 60 feet. Nearby well completion reports for the Howard aquifer have saturated thicknesses of 36 and 50 feet (Water Rights, 2023d). This would generally allow enough thickness for a pump to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6).

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 (Water Rights, 1995). The Board adopted the Findings of Fact and Conclusions of Law from the case of Water Right No. 2313-3, which said that reserving artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4. SDCL 46-1-4 states that "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).

There have been complaints about well interference in Brookings County, but it is unclear whether the well complaints were about the Howard aquifer. In 1980, a complaint was filed about impairments to a well owned by a Mr. Tolzman. He stated that the water level in his well was 60-80 feet lower than it had been, and that a local irrigator was drying up the well. After testing the well, it was found that water level went down about 40 feet after pumping, and that Mr. Tolzman was over-pumping the well. A second well was installed and there was sufficient water. There have been no well interference complaints in Lake County (Water Rights, 2023e).

Any drawdown as a result of the diversion for this application is not expected to unlawfully impair nearby adequate wells; however, some existing well owners may need to lower pumps depending on the specific characteristics of the Howard aquifer at their location.

Conclusions:

1. Water Permit Application No. 8792-3 proposes to appropriate 0.38 cfs from an existing well completed into the Howard aquifer located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 for the irrigation of 16 acres located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, all in T106N-R52W during the irrigation season of May 1 to October 31. The site is located in Madison, South Dakota, in Lake County.
2. Based on a hydrologic budget analysis and observation well data, there is a reasonable probability that unappropriated water is available from the Howard aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8792-3, if approved, will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.
4. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres due to the irrigation area being turf for sporting fields, which often require a greater diversion rate for proper application due to time constraints as to when pumping can occur. This reason falls within SDCL 46-5-6 which allows the Water Management Board to allow a greater diversion rate.



Brittan R. Hullinger
Natural Resources Engineer I
SD DANR, Water Rights Program



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

References

- Fahrenbach, M.D., Steece, F.V., Sawyer, J.F., McCormick, K.A., McGillivray, G.L., Schulz, L.D., Redden, J.A. 2010. South Dakota Stratigraphic Correlation Chart. Oil and Gas Investigations 3. SD DANR Geological Survey. Vermillion, South Dakota.
- Hamilton, L.J. 1989. Water Resources of Brookings and Kingsbury Counties, South Dakota. Water-Resources Investigations Report 88-4185. U.S. Geological Survey. Huron, South Dakota.
- Hansen, D.S. 1986. Water Resources of Lake and Moody Counties, South Dakota. Water-Resources Investigations Report 84-4209. U.S. Geological Survey. Huron, South Dakota.

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.D., and Schoon, R.A. 1982. Evaluation of Groundwater Resources, Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 1: Bedrock Topography and Distribution. Task 2: Extent of Aquifers. Task 3: Ground-Water Storage. Task 4: Computerized Data Base. Office of Geological Survey. Vermillion, South Dakota.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Groundwater Resources, Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Groundwater Recharge. Office of Geological Survey. Vermillion, South Dakota.
- Koch, N.C. and McGarvie, S.D. 1988. Water Resources of Miner County, South Dakota. Water-Resources Investigations Report 86-4035. U.S. Geological Survey. Huron, South Dakota.
- Lindgren, R.J. and Niehus, C.A. 1992. Water Resources of Minnehaha County, South Dakota. Water-Resources Investigations Report 91-4101. U.S. Geological Survey. Huron, South Dakota.
- Mathiowetz, A. October, 2023. Personal Communication. Water Rights Engineer, DANR. Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- National Oceanic and Atmospheric Administration (NOAA). 2023. National Integrated Drought Information System (NIDIS). < <https://www.drought.gov/states/south-dakota#historical-conditions> >
- 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, South Dakota.
- Water Rights, 2023a. "1979-2022 Irrigation Summaries by Aquifer." SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- Water Rights, 2023b. Observation Well Data. SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- Water Rights, 2023c. Water Right/Permit Files. SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- Water Rights, 2023d. Well Completion Reports. SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- Water Rights, 2023e. County Files. SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.
- Water Rights, 2023f. "Non-irrigation Yearly Reports." SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.



**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.**

October 30, 2023

City of Madison
c/o Mike McGillivray
116 W Center Street
Madison SD 57042

Dear Mr. McGillivray:

Water Permit Application No. 8792-3 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 Leader printed in Madison SD (Ph # 605 256-4555). 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. 8792-3 to Appropriate Water

Notice is given that City of Madison, c/o Mike McGillivray, 116 W Center Street, Madison SD 57042 has filed an application for a water permit to appropriate 0.38 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 280 feet deep) located in the NW 1/4 NE 1/4 Section 8 for irrigation of 16 acres (Baughman Bellatti Park) located in the N 1/2 NE 1/4 Section 8; all in T106N-R52W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located in the city of Madison SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8792-3 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 20, 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 20, 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, October 30, 2023 8:49 AM
To: ann@madisondailyleader.com; ads@madisondailyleader.com
Subject: 8792-3 City of Madison - Public Notice
Attachments: 8792-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 9, 2023.

City of Madison, c/o Mike McGillivray, 116 W Center Street, Madison SD 57042, (605-256-7521) has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, November 1, 2023 1:52 PM
To: Column Support
Subject: RE: [EXT] Notice Order Confirmed

Good afternoon,

This applicant did not provide an email. You will need to contact them to obtain an email to continue the online process.

Thank you,

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



From: Column Support <help@column.us>
Sent: Wednesday, November 1, 2023 1:37 PM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: [EXT] Notice Order Confirmed



Hi Rachel,

Madison Daily Leader just confirmed that they have received your notice order.

Notice Name: Notice of Application No. 8792-3

Notice ID: PnhQNmTET403jlsahEDB

Receipt Confirmed: Nov. 1, 2023

Publication Dates: 11/09/23

You'll receive further updates if the publisher makes any changes to your notice before publication.

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Hudson, ss:

Casey Allen, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Madison Daily Leader, a newspaper printed and published in the City of Madison, County of Lake, State of South Dakota, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached.

The advertisement headed

Notice of Application No. 8792-3

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

PUBLICATION DATES:

Nov. 9, 2023

NOTICE ID: PnhQNmTET403jlsahEDB

NOTICE NAME: Notice of Application No. 8792-3

That \$49.35 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publication of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Casey Allen

(Signed) _____

VERIFICATION

State of New Jersey
County of Hudson

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

Subscribed in my presence and sworn to before me on this:

11/13/2023

Shanea H Holmes

Notary Public

This notarial act involved the use of communication technology

**NOTICE OF APPLICATION
NO. 8792-3 to Appropriate
Water**

Notice is given that City of Madison, c/o Mike McGillivray, 116 W Center Street, Madison SD 57042 has filed an application for a water permit to appropriate 0.38 cubic feet of water per second (cfs) from one well to be completed into the Howard Aquifer (approximately 280 feet deep) located in the NW 1/4 NE 1/4 Section 8 for irrigation of 16 acres (Baughman Bellatti Park) located in the N 1/2 NE 1/4 Section 8; all in T106N-R52W . The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located in the city of Madison SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8792-3 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 20, 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 20, 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

Published Nov 9, 2023 at the total approximate cost of \$49.35 and may be viewed free of charge at www.sdpublicnotices.com

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, October 30, 2023 8:53 AM
To: parks@cityofmadisonsd.com
Subject: 8792-3 City of Madison - Public Notice
Attachments: 8792-3_Rec.pdf; 8792-3_Ltr.pdf; 8792-3_PubNotice.pdf

Good Morning,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, November 1, 2023 1:46 PM
To: parks@cityofmadisonsd.com
Subject: FW: [EXT] Notice Order Confirmed for Public Notice

Good afternoon,

Please see the email below. You will need to view the notice and pay prior to publication. The Madison Daily Leader newspaper has switched to an online processing system.

Thank you,

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



From: Column Support <help@column.us>
Sent: Wednesday, November 1, 2023 1:37 PM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: [EXT] Notice Order Confirmed



Hi Rachel,

Madison Daily Leader just confirmed that they have received your notice order.

Notice Name: Notice of Application No. 8792-3

Notice ID: PnhQNmTET403jlsahEDB

Receipt Confirmed: Nov. 1, 2023

Publication Dates: 11/09/23

You'll receive further updates if the publisher makes any changes to your notice before publication.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JAN 02 2024

City of Madison
c/o Mike McGillivray
116 W Center Street
Madison SD 57042

Dear Mr. McGillivray:

Enclosed is Water Permit No. 8792-3 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.: 8792-3

Name of Applicant: City of Madison, Mike McGillivray

Date of Posting:

Date of Removal: 1/2/2024



Ron Duvall, Engineer III

1/2/2024

Date

Subscribed and sworn to before me, a notary public, this 2nd day of January, 2024.



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

(SEAL)





1079-3 1453-3 1604-3 371-1 372-3
6512-3 6511-3 6510-3 747-3 6040-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

8792-3

City of Madison
c/o Finance Officer
503 S Highland Ave
Madison SD 57042

Attention Finance Officer:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to the City of Madison at 116 W Center St, Madison SD 57042. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **FFDLQE**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

553 NFE 1 C24C0010/15/25
RETURN TO SENDER
: CITY OF MADISON
503 S HIGHLAND AVE
MADISON SD 57042-3227

RETURN TO SENDER