

WATER PERMIT NO. 8811-3

Name of Applicant: Nathan Meland

Address: 43812 516th Street, Wallace SD 57272

Phone: 605-520-4223

Amount of Water Claimed: No add'l

Total Acres: 30

Source of Water Supply: Slough

Water to be used for: Irrigation

County: Codington

Type of Waste Disposal System:

Location: Approx. 14 miles southeast of Webster SD

PRIORITY Date Received: 12-11-23

Application/License Fee: \$500.00

Corrected Application Received: N/A

Period of Annual Use: July 1 – August 31

Remarks: Inspection by DeBoer identified add'l 30 acres not authorized by applicants current permits

Diversion Point: Approx center SW 1/4 Sec 9-T119N-R55W

Land to be Irrigated: NW 1/4 Sec 16-T119N-R55W

			16		

Depth of Well: N/A

Well Driller: N/A

Remarks:

Type of Map: aerial

Reviewed and the Number Assigned on: 12-12-23

By: Rachel Rodriguez

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8811-3**

Date of first receipt of application December 11, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8811-3 to Nathan Meland, 43812 516th Street, Wallace SD 57272 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. 8811-3 authorizes irrigation of an additional 30 acres to the irrigated acreage covered by Permit Nos. 8209-3, and 8490-3, with no additional water diversion rate. Water Permit 8209-3 authorizes 0.87 cubic feet of water per second (cfs) from a 26 acre slough located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Water Permit 8490-3 authorizes irrigation of 30 additional acres located in the NW 1/4 Section 16-T119N-R55W from the same slough identified on No. 8209-3. Water Permit Nos. 8209-3 and 8490-3, combined, authorize diversion of 0.87 cfs for irrigation of 91 acres. An investigation of said permits found irrigation of an additional 30 acres over the authorized 91 acres. This permit, Water Permit Nos. 8209-3, and 8490-3 will authorize a combined total of 121 acres with no increase in the 0.87 cfs diversion rate. This site is located approximately 3 miles northeast of Wallace 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: July 1 – August 31.
3. The date from which applicant may claim right is December 11, 2023.
4. The date of approval of Permit No. 8811-3 is January 26, 2024.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

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

FEB 05 2024
date



RECEIVED

DEC 11 2023

FORM 2: Application for irrigation in South Dakota
(type or print)OFFICE OF
WATER**PAID**

DEC 11 2023

Ck# 4209
Rec't# 12/11/23

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8811-3</u> Hydrologic Unit <u>10170201</u>
	Basin <u>Upper Big Sioux</u>
	Newspaper <u>Watertown Public Opinion</u>
	(office use only)

Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Nathan Meland

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

Mailing Address 43812 516th St Wallace SD 57272
(Address) (City) (State) (Zip Code)

Phone 605-520-4223 Mobile 605-758-2123 Email melfarm1882@gmail.com

2. Amount of water claimed _____ *CFS or _____ **GPM _____ ***AF Total Acreage 30.0
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply slough in the SW 1/4 - Section 9 - T119N - R55W

4. Location of point of diversion aprox center of SW 1/4 - Section 9 - T119N - R55W

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

County Codington

5. County or counties where water will be used Codington

6. Annual period during which water is to be used July 1 - Aug 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
NW 1/4 Sec16-T119N-R55W	30.0		

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

I, Nathan Meland, 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

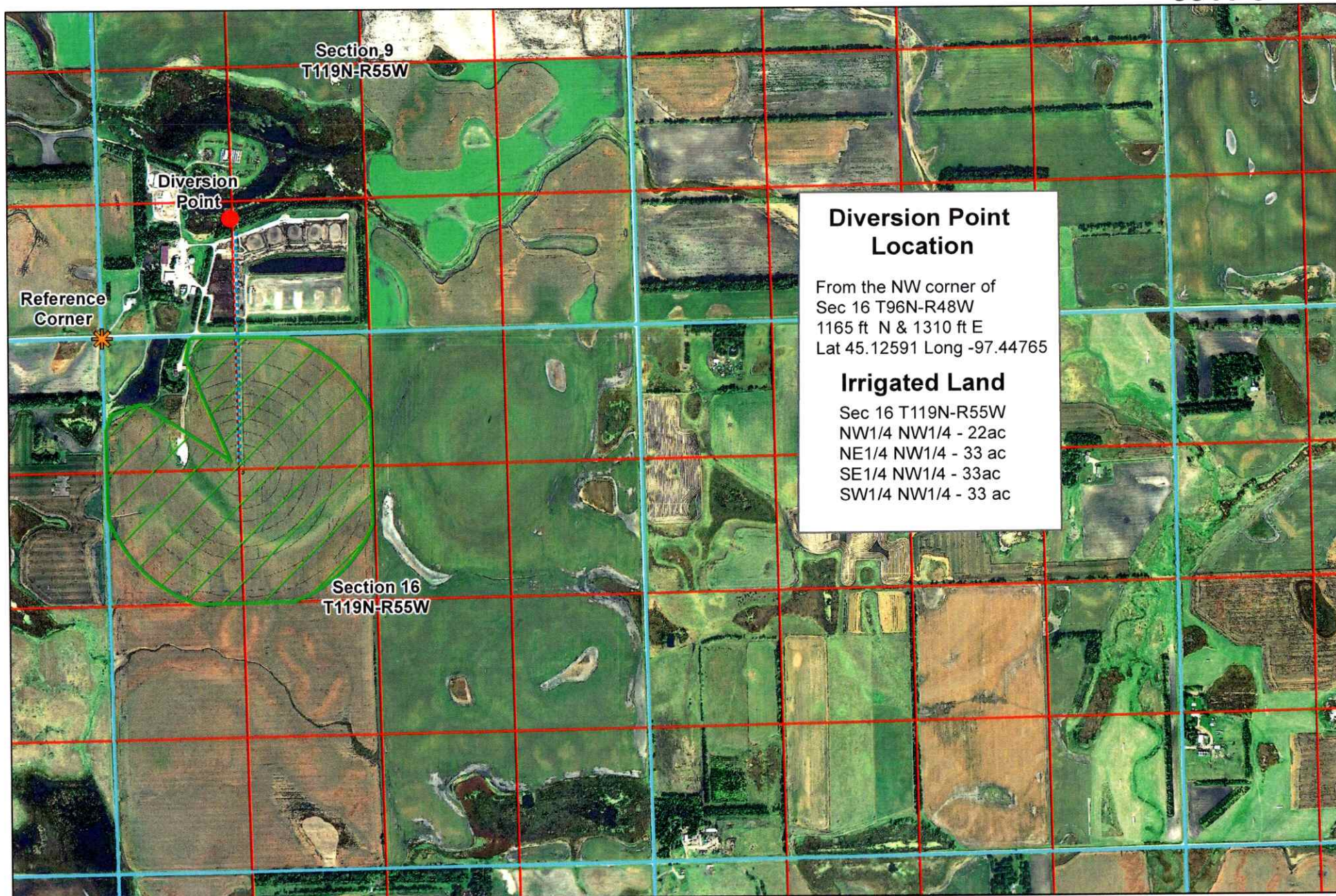
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)



Following the pivot lines, you can see that the irrigated area is 119.2 acres.

You are already permitted for 91 acres.
 $119.2 - 91 = 28.2$

To be safe I would recommend your permit be for an additional 30 acres.



0 950 1,900 3,800 5,700 7,600 Feet



**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. 8811-3, Nathan Meland**

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. 8811-3, Nathan Meland, 43812 516th St, Wallace SD 57272.

The Chief Engineer is recommending APPROVAL of Application No. 8811-3 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:

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
January 5, 2024

REPORT ON WATER PERMIT APPLICATION NO. 8811-3

Nathan Meland

January 2, 2024

Application No. 8811-3, Nathan Meland, proposes to irrigate an additional 30 acres. Water Permit 8209-3 authorizes 0.87 cubic feet of water per second (cfs) from a 26 acre slough located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Water Permit 8490-3 authorizes irrigation of 30 additional acres located in the NW 1/4 Section 16-T119N-R55W from the same slough identified in No. 8209-3. Water Permit Nos. 8209-3 and 8490-3 authorize a total diversion of 0.87 cfs for irrigation of 91 acres. An investigation of said permits revealed irrigation of an additional 30 acres over the authorized 91 acres. This application and Water Permit Nos. 8209-3 and 8490-3 will authorize a combined total of 121 acres and with no increase in the 0.87 cfs diversion rate. The proposed project is located approximately 3 miles northeast of the town of Wallace in northwest Codington County.

Review of the Proposed Project

The applicant proposes to irrigate an additional 30 acres using the water source authorized under Water Permit Nos. 8209-3 and 8490-3, a 26 surface acre slough located on property entirely owned by the applicant. The contributing watershed for the slough is approximately 4,828 acres to irrigate 121 acres. An analysis using the Natural Resources Conservation Service method for estimating watershed runoff was completed (USDA-NRCS, 1984). The analysis estimated the drainage area above the dam to be 4,828 acres and had a potential annual yield with a 50% chance of occurrence or 1 out of 2 years of yielding 281 acre-feet annually. At a 20% chance of occurrence, 1 out of 5 years, the annual runoff yield is estimated to be 724 acre-feet. If approved the permit holder will be allowed to use up to 242 ac-ft of water per year, although actual water use would be expected to be less than half that amount.

Utilizing a slough cannot be considered a reliable water source due to the cyclic nature of the climate. The 30 year (1991-2020) average annual precipitation for the Codington County SD was 24.90 inches. This is an increase of 2.00 inches over the previous 30 year (1961-1990) average annual precipitation for the Codington County SD of 22.90 inches (NOAA-NCEI, 2024). The applicant should recognize that when the area experiences drier climatic conditions, there could be water supply problems for the project from this water source.

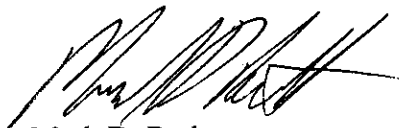
Review of Existing Water Rights

The only other existing water rights/permits diverting from this water source are held by the applicant. However, if this slough were to fill up and spill, the downstream waterway the slough would spill to is a tributary to Grass Lake located several miles downstream. The South Dakota Department of Game Fish and Parks holds Recognized Vested Water Right No. 881-3 for annual

storage of up to 4,200 acre-feet (Water Rights, 2024). The 4,828 acres of the watershed upstream of the proposed project is approximately 6% of the entire 66,360 acre Grass Lake watershed. Approval of this application would not be expected to adversely affect water levels in Grass Lake.

Conclusions

1. This application proposes to irrigate an additional 30 acres for an existing irrigation project authorized by Water Permit Nos. 8209-3 and 8490-3. Water is diverted from a 26 acre slough a rate of 0.87 cfs to irrigate at total of 121 acres.
2. South Dakota Department of Game Fish and Parks holds a recognized vested water right for water in Grass Lake downstream from this proposed project. Approval of this application is not expected to adversely affect water levels in Grass Lake.
3. Runoff calculations for the watershed upstream of this project estimates there will be sufficient water available for the project one out of every two years. However, the water source cannot be depended upon as a reliable source during times of drier climatic conditions.



Mark D. Rath

Natural Resources Engineer III

References

NOAA-NCEI. 2024. National Oceanic and Atmospheric Administration – National Centers for Environmental Information, Climate at a Glance Global Time Series.
<https://www.ncei.noaa.gov/access/monitoring/climate-at-a-glance/global/time-series>.

USDA-NRCS, 1984. Engineering Field Manual – Annual Surface Yield (Method A). US Department of Agriculture, Natural Resources Conservation Service.

Water Rights. 2024. Water Right/Permit Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, SD.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

January 8, 2024

Nathan Meland
43812 516th Street
Wallace SD 57272

Dear Mr. Meland:

Water Permit Application No. 8811-3 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 Public Opinion printed in Watertown SD (see contact information for prepayment). 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. 8811-3 to Appropriate Water

Notice is given that Nathan Meland, 43812 516th Street, Wallace SD 57272 has filed an application for a water permit to irrigate an additional 30 acres. Water Permit 8209-3 authorizes 0.87 cubic feet of water per second (cfs) from a 26 acre slough located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Water Permit 8490-3 authorizes irrigation of 30 additional acres located in the NW 1/4 Section 16-T119N-R55W from the same slough identified on No. 8209-3. Water Permit Nos. 8209-3 and 8490-3 authorize a total diversion of 0.87 cfs for irrigation of 91 acres. An investigation of said permits found irrigation of an additional 30 acres over the authorized 91 acres. This application and Water Permit Nos. 8209-3 and 8490-3 will authorize a combined total of 121 acres with no increase in the 0.87 cfs diversion rate. This site is located approximately 3 miles northeast of Wallace SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8811-3 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 January 26, 2024.

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 January 26, 2024.

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.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, January 8, 2024 8:35 AM
To: legals@thepublicopinion.com
Subject: 8811-3 Nathan Meland - Public Notice
Attachments: 8811-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on January 16, 2024.

Nathan Meland, 43812 516th Street, Wallace SD 57272, melfarm1882@gmail.com, (605-758-2123) has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

PROOF OF PUBLICATION

Water Rights Program
Meland Nathan
43812 156Th ST
Wallace SD 57272-5011

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

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

01/16/2024

and that the fees charged are legal.
Sworn to and subscribed before on 01/16/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$55.75

Order No: 9718980

Customer No: 1268150

PO #:

of Copies:
1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

**NOTICE OF
APPLICATION NO. 8811-3
to Appropriate Water**

Notice is given that Nathan Meland, 43812 516th Street, Wallace SD 57272 has filed an application for a water permit to irrigate an additional 30 acres. Water Permit 8209-3 authorizes 0.87 cubic feet of water per second (cfs) from a 26 acre slough located in the approximate center of the SW 1/4 Section 9 for irrigation of 61 acres located in the NW 1/4 Section 16; all in T119N-R55W. Water Permit 8490-3 authorizes irrigation of 30 additional acres located in the NW 1/4 Section 16-T119N-R55W from the same slough identified on No. 8209-3. Water Permit Nos. 8209-3 and 8490-3 authorize a total diversion of 0.87 cfs for irrigation of 91 acres. An investigation of said permits found irrigation of an additional 30 acres over the authorized 91 acres. This application and Water Permit Nos. 8209-3 and 8490-3 will authorize a combined total of 121 acres with no increase in the 0.87 cfs diversion rate. This site is located approximately 3 miles northeast of Wallace SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8811-3 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.

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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 January 26, 2024.

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<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 January 26, 2024.

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 on Jan. 16, 2024 at the total approximate cost of \$55.75 and may be viewed free of charge at www.sdpublicnotices.com

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Monday, January 8, 2024 9:29 AM
To: Rodriguez, Rachel
Cc: melfarm1882@gmail.com
Subject: [EXT] 9718980 RE: 8811-3 Nathan Meland - Public Notice
Attachments: Order_Confirmation_Liners - 2024-01-08T102746.665.pdf

*Prepayment
is required!*

Hello!

Please find your order confirmation and proof of ad attached. Please note that prepayment is required.

Your ad is set to run in the **Watertown Public Opinion** on 1/16. The **total cost is \$55.75** which includes an affidavit that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply with any changes before payment is made.

Please call the number below my signature by 1/12 @ 8am for PAYMENT of the ad in order to run. Anyone who answers can help you. You may **reference ad# 9718980.**

Thank you!

Kerri Furnace

Public Notice Representative



LocaliQ



USA TODAY
NETWORK

Office: 844-254-5287

*NOTE: We are not legally trained, and it is your responsibility to make sure your AD meets the requirements of your State/Court which includes wording and publication times. Please verify all information is there and that it is correct. If your ad is not complaint with applicable law and needs to be re-published you will be responsible for all additional fees incurred.

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Monday, January 8, 2024 9:35 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 8811-3 Nathan Meland - Public Notice

Attached is a notice to be published on January 16, 2024.

Nathan Meland, 43812 516th Street, Wallace SD 57272, melfarm1882@gmail.com, (605-758-2123) 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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, January 8, 2024 9:48 AM
To: melfarm1882@gmail.com
Subject: 8811-3 Nathan Meland - Public Notice
Attachments: 8811-3 Rec.pdf; 8811-3 Ltr.pdf; 8811-3 PubNotice.pdf; WatertownPubOpinion.pdf

Good Morning Nathan,

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

Return
8/28/23
CK No. 4209MF

July 25, 2023

Nathan Meland
43812 156th St
Wallace SD 57272

8209-3
8490-3

Dear Mr. Meland:

I am writing you today in regard to Water Permit Nos. 8209-3 & 8490-3. Permit No. 8209-3 authorizes the appropriation of 0.87 cubic feet of water per second from a 26 acre slough for the irrigation of 61 acres within the NW ¼-Section 16-T119N-R55W. Permit No. 8480-3 authorizes an additional 30 acres in the same area for a total of 91 irrigated acres in the NW ¼-Section 16-T119N-R55W.

In a recent field inspection conducted by staff engineer, Darrell DeBoer, it was noted that you had developed more than the authorized 91 acres. (see enclosed map)

For this reason, you will need to complete a new Permit Application. I have gone ahead and filled in the blanks as needed. Please complete the highlighted portions of the application and return it to our office with a check for \$500.00 made payable to the SD Water Rights Program. Since you had already paid the licensing fee of \$200.00 for the above permits a new licensing fee would not be needed.

If you have any questions, please call myself or Ron Duvall at 605-773-3352.

Sincerely,

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

enclosure

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8209-3, 8490-3 and 8811-3

I have this day, May 8, 2023, made a thorough examination of the water use system constructed by Nathan Meland 43812 156th St, Wallace, SD 57272 of Permit No. 8209-3, bearing the priority of March 15, 2016 authorizing the diversion of 0.87 cu. ft. per second of the waters of a local slough for irrigation purposes, in Codington County.

A. Works used to divert the water:

Pump:

- 1) Make Austin
- 2) Model centrifugal
- 3) Size 4"
- Capacity 390 GPM

Motor:

- 1) Make Dayton
- 2) Size 10 hp

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

- 1) Type Buried PVC pipe
- 2) Size 8 inches
- 3) Length 2,240 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Zimmatic (used)
- 2) Overall length 1,040 feet
- 3) Number of towers 9
- 4) End gun Y
- 5) Capacity 900 GPM (See Section F)

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y/N

If no, describe: (See Section F)

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: **WATER SOURCE LOCATION From the NW corner Sec 9 T119N R55W, 1,165 ft N & 1,310 ft E, Lat 45.12591 Long - 97.44765 (SE ¼ SW ¼).**
2. The works are capable of diverting and conveying to the place of use 0.87 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>legal description/acreage</u>	<u>legal description/acreage</u>
NW NW – 22.0 acres	
NE NW – 33 acres	
SE NW – 33 acres	
SW NW – 33 acres	

comprising a total of 121 acres of land and the license should be issued for 0.87 cfs
3. All structures, wells and lands on map Y

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

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

The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity. However, it is not as it may appear. First, a 10-hp powered pump is used to move water from the slough to a holding pond as shown on the map. The slough pump discharge is estimated to be about 390 gpm from an engineering pump equation when pump efficiency, pump head, etc. is considered. Mr. Meland did not provide a pump discharge to this Inspector, so it was estimated. Water is then stored in the holding pond where a larger pumping unit is used to supply about 900 gpm to the center pivot when needed.

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

I talked to Mr. Meland during the field inspection visit.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: May 15, 2023

Report of Examination of Works

Permit No. 8209-3, 8490-3 and 8811-3



Site where water is pumped from the slough. There is a horizontal tube that extends into the slough from the bottom of the black cylindrical riser.



Phot of the slough pump on wheels that is powered by a 10 hp electric motor.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8811-3**

(1) Nathan Meland, 43812 516th St, Wallace SD 57272, made Application No. 8811-3, December 11, 2023, for a water permit to authorize the irrigation of 30 additional acres to those previously covered under Permit Nos. 8209-3 & 8490-3, with no increase to the rate of diversion. Permit No. 8811-3, with a priority date of December 11, 2023, was approved January 26, 2024.

Water Permit No. 8209-3 appropriates 0.87 cubic feet of water per second (cfs) from a 26-acre slough, located in the approximate center of the SW $\frac{1}{4}$ Section 9, for the irrigation of 61 acres located in the NW $\frac{1}{4}$ Section 16; all in T119N-R55W. *(The applicable portions of Permit No. 8209-3 are incorporated into Water Right No. 8811-3.)*

Water Permit No. 8490-3 authorizes the addition of 30 acres, located in the NW $\frac{1}{4}$ Section 9, T119N, R55W, to those authorized under Permit No. 8209-3, to be irrigated from the same water source, with no addition to the rate of diversion. *(The applicable portions of Permit No. 8490-3 are incorporated into Water Right No. 8811-3.)*

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,165 ft N & 1,310 ft E of the SW corner of Section 9, T119N, R55W (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
(Latitude 45.12591 & Longitude -97.44765)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: July 1 – August 31.

(4) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 16, T119N, R55W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 22 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33 acres
TOTAL: 121 acres

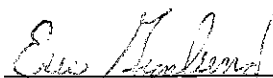
(5) Pursuant to South Dakota Water Law 46-5-30.1 Nathan Meland, the holder and/or owner of Water Right No. 8811-3 is issued a license to appropriate water, the right to use 0.87 cubic feet of water per second from a large slough, from the location specified in (2) of this license for irrigation purposes, with priority dates of March 15, 2016, for 0.87 cfs & 61 acres, February 10, 2021 for 30 acres, and December 11, 2023 for 30 acres.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8811-3 and subject to the following qualification:

continued

Qualification

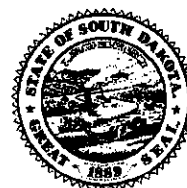
1. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.



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

FEB 05 2024

date





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

FEB 05 2024

8811-3

Nathan Meland
43812 516th St
Wallace SD 57272

Dear Mr. Meland:

Enclosed is Water License No. 8811-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

So long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

NOTE: The applicable portions of Permit Nos. 8209-3 & 8490-3 are incorporating into this license.

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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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.: 8811-3

Name of Applicant: Nathan Meland

Date of Posting: 1/16/2024

Date of Removal: 2/5/2024



Ron Duvall, Engineer III

2/7/2024

Date

Subscribed and sworn to before me, a notary public, this 7th day of February, 20 24.



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



(SEAL)