

WATER PERMIT NO. 8849-3

Name of Applicant: **Reiter, Jim & ETAL Reiter, Dan Steve & Brian**

Address: **617 N Oakridge Rd, Brandon SD 57005** Phone: **605-582-6510**

Amount of Water Claimed: **0.06 cfs** Total Acres: **2.5**

Source of Water Supply: **Groundwater**

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

Type of Waste Disposal System:

Location: **East side of Brandon SD**

PRIORITY Date Received: **03-29-24**

Application/License Fee: **\$700.00**

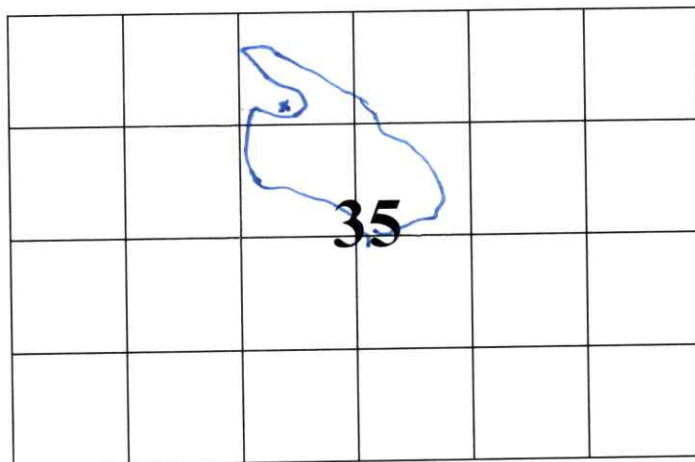
Corrected Application Received: **04-02-24**

Period of Annual Use: **April 1 – October 31**

Remarks: **Well - 30 gpm, pond 400 gpm**

Diversion Point: **NE 1/4 NW 1/4 Sec 35-T102N-R48W**

Land to be Irrigated: **E 1/2 NW 1/4, W 1/2 NE 1/4**
Sec 35-T102N-R48W



Depth of Well: **42**

Well Driller: **Putzke Well Drilling**

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **04-03-24**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8849-3**

Date of first receipt of application March 29, 2024.

Date of return to applicant for corrections, amendments or changes April 2, 2024.

Date of receipt of corrected application April 3, 2024.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8849-3 to Reiter, Jim & ETAL Reiter, Dan, Steve and Brian, 617 N Oakridge Road, Brandon SD 57005, 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. 8849-3 appropriates 0.067 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux: South Aquifer (approximately 42 feet deep) located in the NE 1/4 NW 1/4 Section 35 for irrigation of 2.5 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 35; all in T102N-R48W. Water will be diverted from the well to a pond in the NE 1/4 NW 1/4 Section 35-T102N-R48W and then be diverted from the pond at a rate up to 0.89 cfs to irrigate 2.5 acres of the golf course. This site is located in Brandon SD on the northeast side.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 29, 2024.
4. The date of approval of Permit No. 8849-3 is June 24, 2024.
5. One-fifth of the construction is to be completed on or before December 24, 2026.
6. All construction is to be completed on or before June 24, 2029.
7. Water is to be put to beneficial use on or before June 24, 2033.
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. 8849-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8849-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8849-3 authorizes a maximum diversion rate of 0.89 cfs from the pond for the irrigation of 2.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUL 25 2024
date



Mail to:	No. <u>8849-3</u> Hydrologic Unit <u>10170203</u>
SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	Basin <u>Lower Big Sioux</u>
	Newspaper <u>Sioux Falls Argus Leader</u>
	(office use only)

RECEIVED

MAR 29 2024

OFFICE OF
WATER

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 Reiter, Jim & ETAL Reiter, Dan, Steve & Brian

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

Mailing Address 617 N Oakridge Rd Brandon SD 57005
(Address) (City) (State) (Zip Code)

Phone 605-582-6510 Mobile 605-351-3985 Email reiter@alliancecom.net

2. Amount of water claimed 0.06 *CFS or 1-well 1-pond **GPM ***AF Total Acreage 2.5
(*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 NE 1/4 NW 1/4 - pond

4. Location of point of diversion 1 well in NE 1/4 NW 1/4 & SW 1/4 NE 1/4 sec 35-T102-48
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Minnehaha

5. County or counties where water will be used Minnehaha

6. Annual period during which water is to be used April-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
NE 1/4 of NW 1/4 of sec 35-T-102-48	1.5	E 1/2 NW 1/4 Sec 35 see map	
SW 1/4 of NE 1/4 of sec- 35-T102-48	.5	W 1/2 NE 1/4 Sec 35	
Lot B Tract 3 Splitrock Estates addn.	.5		

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

We are drilling a 40' well to supply water to our pond in order to be able to irrigate our Hidden Valley golf course greens from the pond in the event that the Splitrock Creek, which we have water rights it irrigate from dries up. The well will hopefully supply 20 to 30gpm to the pond. We will then be able to hopefully pump 350gpm from the pond for 1-2hrs/day for 2 to 3 days/ week to at least be able to keep our greens alive through the growing season? The greens cover approximately 1.7 acres in the above mentioned land description.

I, James Reiter, 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.

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

Supplemental Information

(Complete applicable portions only)

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)
a) If new wells, how many 1 Have test holes been drilled? ☒ Yes, ☐ No Drilled by Putzke Well Drilling

(if yes, please provide copies of logs)

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

For either existing or proposed wells:

- c) Well Depth (required) 42 Depth to Top of Water Bearing Material 27' Depth to Water from Surface 13'
d) Distance to nearest domestic well on applicant's property _____ Property owned by others 1/2 mile

2. Wastewater Disposal System Information

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

3. Dugout Information

- a) Surface Dimensions _____ Depth 8'
b) Depth to water (ground surface to water level) 3'

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____ d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____ f)

Secondary Spillway Capacity _____

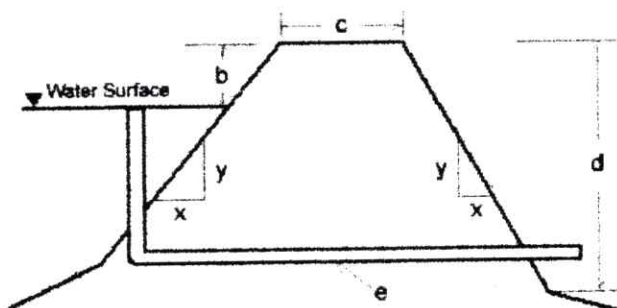
Spillway Width _____

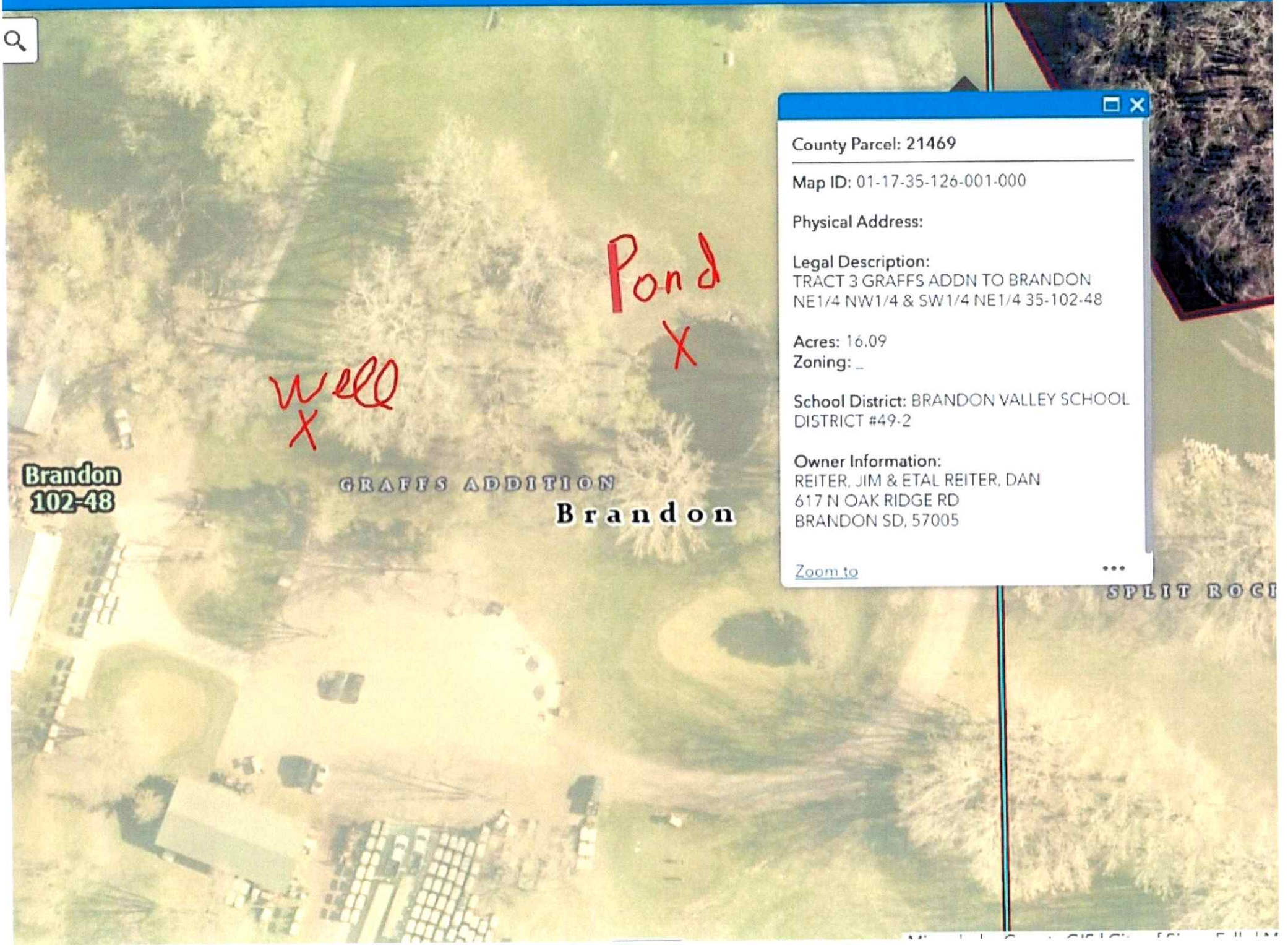
g) X & Y Slope (e.g. 3 to 1 is a typical slope)

Upstream _____

Downstream _____

h) Area of Impoundment _____





**Brandon
102-48**

GRAFFS ADDITION
Brandon

SPLIT ROCK



County Parcel: 21469

Map ID: 01-17-35-126-001-000

Physical Address:

Legal Description:
TRACT 3 GRAFFS ADDN TO BRANDON
NE1/4 NW1/4 & SW1/4 NE1/4 35-102-48

Acres: 16.09
Zoning: _

School District: BRANDON VALLEY SCHOOL
DISTRICT #49-2

Owner Information:
REITER, JIM & ETAL REITER, DAN
617 N OAK RIDGE RD
BRANDON SD, 57005

[Zoom to](#) 



SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Test Hole

Location NE 1/4 NW 1/4 Sec 35 T102 R48

Well Owner: Jim Reiter

Business Name: Reiter Enter Prizes

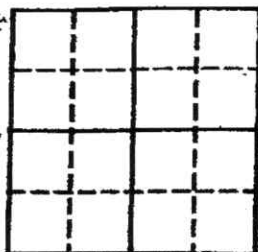
Address: Mail 617 N Oak Ridge Rd

City, State, Zip: Brandon S.D. 57005

County

North

Please mark well location with an "X"



Well completion Date

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

? ft from _____ (Identify source)

PROPOSED USE:

☐ Domestic Stock ☐ Municipal ☐ Business ☐ Test Hole
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe

PIPELENGTH	DIAMETER	FROM	TO	HOLE DIAMETER
FEET	IN	FT	FT	IN
LEFT	IN	FT	FT	IN
LEFT	IN	FT	FT	IN

GROUTING DATA:

Grout Type No. of Sacks Grout Weight From To
Lb/yd R R
Lb/yd R R

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☐ Manufactured

Diameter _____ inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

Lab sample sent to for water quality analysis? ☐ No, Why Not?

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Yellow clay	2	16
Mud	16	22
Fire Sand/mix w/ clay	22	32
Tan rock	32	37
Black rock	37	42

STATIC WATER LEVEL

13

FEET

If flowing: closed in pressure

PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducer ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ h _____ GPM

REMARKS

Test Hole

This well was drilled under license of _____

4139

And this report is true and accurate.

Drilling firm: Dave Padake well drilling repair

Signature of License Representative: _____

Dave Padake

Signature of Well Owner or Eligible Property Holder: _____

Date: 3-19-24

Please return WHITE COPY to: DENR Water Rights

523 E Capitol Ave.

Pierre, S.D. 57501

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date April 3, 2024

RECEIVED OF Jim/Etal/Dan/Steve/Brian Reiter 617 N. Oakridge Rd., Brandon SD 57005

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

Fee for Application for Permit No. <u>8849-3</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>8849-3</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
me

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Jim Reiter; Dave Putzke

DATE: 4/26/2024 TELEPHONE: Reiter: 605-351-3985; Putzke 605-361-9333

RE: Target Aquifer for Irrigation Well

COMMENTS:

Called Jim Reiter to discuss target aquifer for proposed irrigation well. Mr. Reiter was uncertain but believed it was the Big Sioux aquifer and not the "Split Rock" aquifer. Based on that it would be the sand and gravel from 15 to 32 feet below ground surface on the test hole log in the application. Mr. Reiter stated I should call the driller to confirm though.

Called Dave Putzke of Dave Putzke Well Drilling Inc. Dave stated the target aquifer was the sand and gravel from 15 to 32 feet below ground surface as shown on the test hole log.

Based on that information, the proposed well would be completed into the Big Sioux: South aquifer.



Adam Mathiowetz
Natural Resources Engineer
DANR-Water Rights Program

Rodriguez, Rachel

From: WIRELESS CALLER <+16053513985>
Sent: Tuesday, April 2, 2024 10:21 AM
To: Rodriguez, Rachel
Subject: Voice Mail (46 seconds)
Attachments: audio.mp3

Hey Rachel, This is Jim Ryder, Hidden Valley Golf Course over in Brandon. I got your e-mail and I think I I'm going to be 74 years old, so I struggle with this a little bit. But I think I've got this figured out and I think I emailed you what I a circle around the entire property. But it's kind of confusing because we're just going to be watering the greens. And there's like if you see in there a little round green spots, those are all the greens and there's like 18 of them. But could you give me a call at 605-351-3985, so I can kind of explain that to you. Thanks. Bye.

You received a voice mail from [WIRELESS CALLER](#).

Thank you for using Transcription! If you don't see a transcript above, it's because the audio quality was not clear enough to transcribe.

[Set Up Voice Mail](#)

Rodriguez, Rachel

From: Jim Reiter <reiter@alliancecom.net>
Sent: Tuesday, April 2, 2024 10:19 AM
To: Rodriguez, Rachel
Subject: RE: [EXT] Water rights, Jim Reiter-Hidden Valley golf course, Brandon, SD
Attachments: Map.pdf

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, April 2, 2024 9:35 AM
To: reiter@alliancecom.net
Subject: FW: Water rights, Jim Reiter-Hidden Valley golf course, Brandon, SD

Good Morning Jim,

Your applications looks good. I just need the well and irrigation area clarified:

- Based on your map, I was unable to determine if it is in the NW or NE. Attached is a map, please mark the location of the well with an X and outline the area to be irrigated.
- A fee of \$700 is due

Once I receive the items above, I can begin processing your application.

Thank you,

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



From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, April 2, 2024 9:03 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: FW: [EXT] Water rights, Jim Reiter-Hidden Valley golf course, Brandon, SD

I just spoke w/ Jim.

Water pumping from well into pond @ 30GPM. Water pumped from pond for irrigation @ 400GPM.
Regulation pond is approx. 100ft Wide x 100ft Long x 6ft Deep

Aside from having him pay the \$700 fee, do you see any other issues w/ his application in the immediate?

Amanda Dewell

Rodriguez, Rachel

From: Dewell, Amanda
Sent: Tuesday, April 2, 2024 8:29 AM
To: Jim Reiter
Cc: Rodriguez, Rachel
Subject: RE: [EXT] Water rights, Jim Reiter-Hidden Valley golf course, Brandon, SD
Attachments: img20240329_06595197.pdf; img20240329_06582580.pdf; Send-Screenshot_25-3-2024_115249_gis.minnehahacounty.org.jpeg

Good morning, Jim,

The governor gave us the day off yesterday, so I am just looking over your application this morning. I am unable to open the map you'd attached. Are you able to send that again in a different format?

For the GPM you indicated 30 – 400 GPM. This number should be the maximum pump rate, although you might not always move water at that higher volume.

For the location of the diversion point, you've listed 2 separate quarter quarters. Is one for the well and one for the pond? If so, which is which?

I've CC'd Rachel Rodriguez since she is the Program Assistant who will need all of this information. If you can email back to confirm, we can adjust the application accordingly.

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



From: Jim Reiter <reiter@alliancecom.net>
Sent: Friday, March 29, 2024 7:42 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: [EXT] Water rights, Jim Reiter-Hidden Valley golf course, Brandon, SD

Confirm receipt

Amanda, I will try to call you between 8AM and 9 to ask you how I did with this Application and see what else I need to do or fix - 😊

Or - 🙄 depending how I did.

Thanks, Jim Reiter Hidden Valley Golf Course

From: Jim Reiter <outlook_E90DD7694707C344@outlook.com> **On Behalf Of** Jim Reiter
Sent: Friday, March 29, 2024 7:03 AM
To: Jim Reiter <reiter@alliancecom.net>
Subject: Send-Screenshot_25-3-2024_115249_gis.minnehahacounty.org.jpeg

Rodriguez, Rachel

From: Duvall, Ron
Sent: Monday, March 25, 2024 1:05 PM
To: Rodriguez, Rachel; Dewell, Amanda; Rath, Mark; Mathiowetz, Adam (DENR)
Cc: Gronlund, Eric
Subject: Golf course near Brandon

FYI,

Jim Ryder sp? called concerning irrigation of a small, private golf course near Brandon. Currently, Split Rock Creek is the water source but he intends to apply for a 40 feet deep well to use during periods when the creek is too low. If they become that water short, the intent is to only water the greens which amounts to about 2 acres. Water will be pumped from the well to a pond on the course and from the pond to water the greens. A test hole has been drilled. He doesn't have a copy but he is going to try and get it. He intends to submit a draft application for me to look over, then file the application after he gets some feedback on completeness. He indicated that he has also been speaking to Mark about doing this.

Thank you,

Ron



**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. 8849-3. Reiter, Jim & ETAL Reiter, Dan, Steve & Brian**

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. 8849-3, Reiter, Jim & ETAL Reiter, Dan, Steve & Brian, 617 N Oakridge Road, Brandon SD 57005.

The Chief Engineer is recommending APPROVAL of Application No. 8849-3 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. 8849-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8849-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8849-3 authorizes a maximum diversion rate of 0.89 cfs from the pond for the irrigation of 2.5 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer
May 31, 2024

Report to the Chief Engineer
On Water Permit Application No. 8849-3

Reiter Jim & ETAL

May 30th, 2024

Water Permit Application No. 8849-3 proposes to authorize 0.067 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux: South aquifer (approximately 42 feet deep) located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 for irrigation of 2.5 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, all in Section 35-T102N-R48W. Water will be diverted from the well to a pond in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35-T102N-R48W and then be diverted from the pond at a rate up to 0.89 cfs to irrigate 2.5 acres of the golf course. The application is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The site of interest is located on the northeast side of Brandon, SD in Minnehaha County.

AQUIFER: Big Sioux: South (BS:S)

HYDROGEOLOGY:

The South management unit of the Big Sioux aquifer is composed of fine to coarse poorly sorted sand and fine to coarse pebble gravel with thin interbedded clay layers in some areas (Lindgren & Niehus, 1994). The depth to the top of the Big Sioux: South aquifer material is approximately 12 feet below land surface (Niehus, 1997). The average thickness of the Big Sioux aquifer in Lincoln, Union, and Minnehaha Counties ranges from 22 to 28 feet (Lindgren & Niehus, 1994; Niehus, 1997). In Lincoln, Minnehaha and Union Counties, the Big Sioux: South aquifer is estimated to underly approximately 49,000 acres and contain approximately 163,740 acre-feet of recoverable water in storage, as shown in Figure 1 (Hedges et al, 1982). The direction of groundwater movement in the Big Sioux: South aquifer is in a southern direction and towards the Big Sioux River (Niehus, 1997). The aquifer is generally unconfined with the top of aquifer materials starting at or near the land surface, but the aquifer can be confined by overlying alluvium or till (Niehus, 1997).

A test hole completion report was submitted with Water Permit Application No. 8849-3. The test hole is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 T102N-R48W and was completed on March 19th, 2024 (Water Rights, 2024d). The test hole completion report indicates the top of aquifer material (gravel) at 15 feet below the ground surface, a static water level of 13 feet below the ground surface, and a total aquifer saturation of 17 feet (Water Rights, 2024d). The target aquifer material was determined by discussions with the applicant and their well driller. Several other nearby water well completion reports for the Big Sioux: South aquifer show the aquifer to be unconfined near the location of the diversion point (Water Rights, 2024b and 2024d).

Considering all the information listed above, the aquifer at the diversion point for this application is expected to be confined by an overlying clay layer. However, the aquifer will likely become unconfined later in the summer as drier conditions occur and due to the limited artesian head pressure of 2 feet. Furthermore, the nearby unconfined conditions and limited artesian head pressure means the well is likely to behave in a manner similar to an unconfined aquifer well.

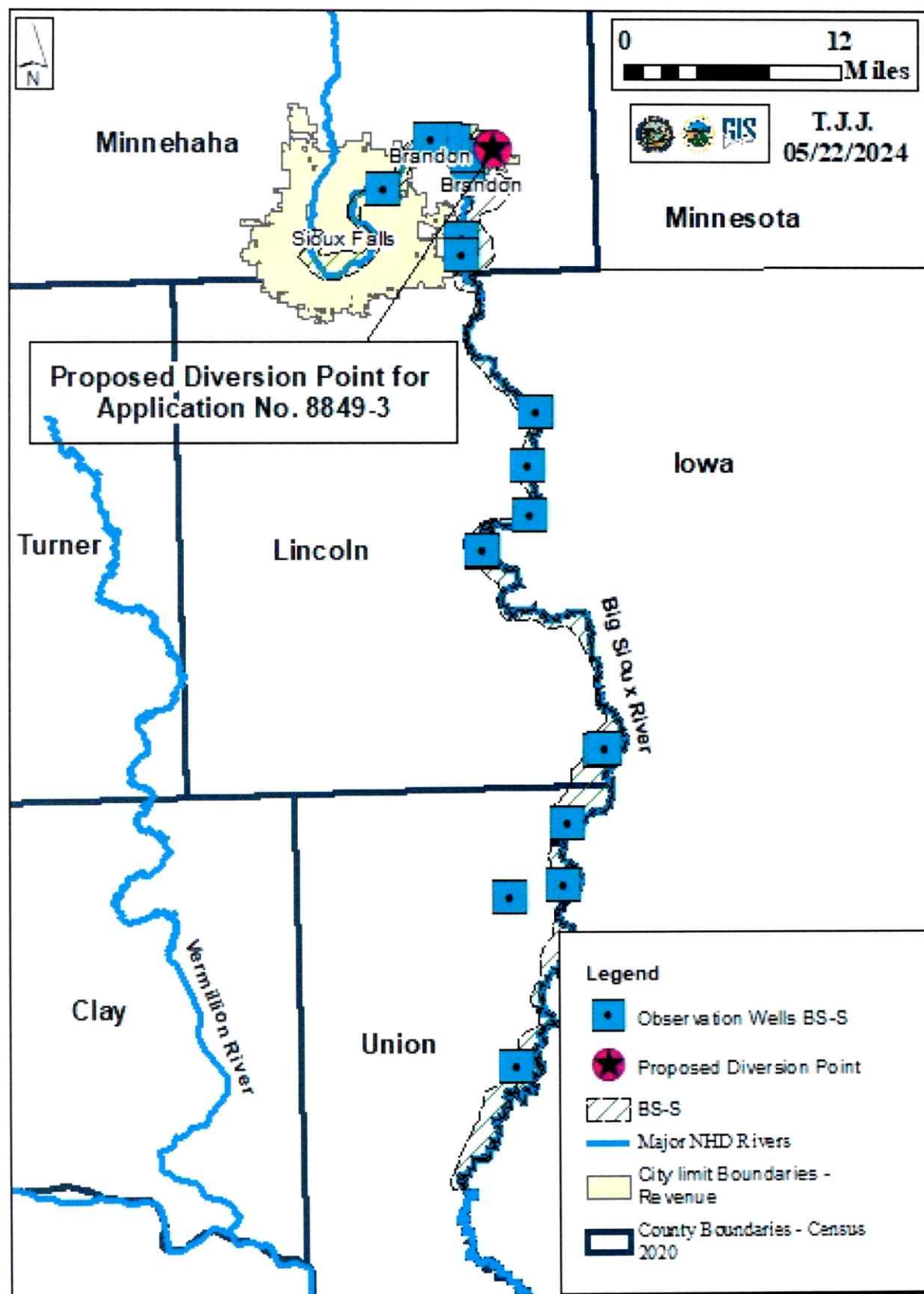


Figure 1. Map of the area Big Sioux: South aquifer observation wells (Water Rights, 2024b and 2024c), and the location of diversion point for Water Permit Application No. 8849-3.

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

Pursuant to SDCL 46-2A-9,

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

This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic uses and water rights within the Big Sioux: South aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8849-3 proposes to appropriate water from the Big Sioux: South aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1,

“No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.”

The Big Sioux: South aquifer is not older than or stratigraphically lower than the Greenhorn Formation, and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Big Sioux: South aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Big Sioux: South aquifer is received primarily through infiltration of precipitation and seepage through adjacent underground aquifers or surface water features such as the Big Sioux River (Lindgren & Niehus, 1994; Niehus, 1997). Using observation well analysis, Hedges et al (1985) estimated a recharge rate of 4.1 inches per year for the Big Sioux: South aquifer. The Big Sioux: South aquifer has an estimated areal extent of approximately 49,000 acres (Hedges et al, 1982). Therefore, the average annual recharge rate for the Big Sioux:

South aquifer (based on Hedges et al, 1985; Hedges et al, 1982) is approximately 16,742 acre-feet/year.

Discharge

Discharge from the Big Sioux: South aquifer primarily occurs through well withdrawals, seepage to surface water features, and evapotranspiration in areas where the aquifer is at or near land surface (Niehus, 1997). Currently, there are 63 water rights/permits authorized to appropriate water from the Big Sioux: South aquifer (Water Rights, 2024c). There are 2 future use permits reserving 1,912.7 acre-feet/year of water from the Big Sioux: South aquifer, shown on Table 1 (Water Rights, 2024c).

Table 1. Future Use Permit reserved water for the Big Sioux: South aquifer (Water Rights, 2024c)

Future Uses Permit Holder	Permit Nos.	Amount of Reserved Water (acre-feet)
City of Brandon	4002-3	685
City of Brandon	6696-3	1,227.70
TOTAL:		1,912.70

Table 2 summarizes the 26 non-irrigation water rights/permits authorized to appropriate water from the Big Sioux: South aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. The amount of water that can be withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw their entire appropriated volume every year. It is estimated that non-irrigation water rights/permits limited only by a diversion rate will pump at their maximum permitted diversion rate for 60 percent of the time. The 60 percent estimation was established by Water Rights Staff to be a reasonable and safe estimate of average annual withdrawals by non-irrigation appropriations. Historically, the 60 percent estimate has been accepted by the Water Management Board. It should be noted that some of the water permits/rights listed on Table 2 are connected to rural water systems and use rural water rather than their local wells; so, they will not contribute to the annual withdrawal rate. This includes water rights for the City of Harrisburg and Lincoln County Rural Water System which purchases all of their water from the Lewis and Clark Regional Water System (Drinking Water, 2024). The Town of Hudson also purchases all of their water from Rock Valley Rural Water System in Iowa (Drinking Water, 2024). The City of Canton only purchases 30% of their water from South Lincoln Water System (Drinking Water, 2024). Overall, the estimated average annual withdrawal rate for the Big Sioux: South aquifer non-irrigation water rights/permits is 7,186 acre-feet/year (Table 2) (Water Rights, 2024c).

Currently, there are 37 irrigation water rights/permits appropriating water from the Big Sioux: South aquifer (Water Rights, 2024c). Irrigation water rights/permits have been typically required to report their annual usage by submitting an irrigation questionnaire since 1979. The average annual withdrawal rate for the Big Sioux: South aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2022) is approximately 1,165 acre-feet per year (Table 3) (Water Rights, 2024a). To reflect the current development of irrigation water

rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2013 to 2022 is approximately 1,525 acre-feet per year (Table 3) (Water Rights, 2024a).

This application proposes to irrigate 2.5 acres if approved. Generally, crop irrigators in eastern South Dakota apply less than one foot of water per acre per year. But, turf irrigators, such as a golf course, typically use more water per acre. Thus, two foot of water per acre per year application rate will be used to estimate the annual withdrawal rate for this irrigation application. Therefore, this application will likely use approximately 5 acre-feet per year on average. Collectively, the average annual withdrawal rate for the irrigation appropriations from 2013 to 2022 (1,525 acre-feet/year), plus this application's proposed annual withdrawal rate (5 acre-feet/year), is approximately 1,530 acre-feet per year. It should be noted this is a backup source and it is likely that this proposed appropriation will be regularly pumped at that volume. However, it is reasonable and conservative to estimate water use assuming two feet of water per acre.

There are domestic wells completed into the Big Sioux: South aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2024d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Big Sioux: South aquifer is the uppermost aquifer available; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Big Sioux: South aquifer.

Table 2. Estimated annual use for non-irrigation water rights/permits authorized to divert water from the Big Sioux: South aquifer (Water Rights, 2024c)

Permit No.	Name	Status	Uses	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
1618-3	KNIFE RIVER	LC	COM	1.000	0.00	434
1908-3	VALLEY VIEW MOBILE HOME PARK	LC	COM	0.100	0.00	43
4792-3	L.G. EVERIST INC	LC	COM	1.000	0.00	434
5133-3	KNIFE RIVER	LC	COM	0.040	0.00	17
5517-3	ZOOLOGICAL SOCIETY	LC	COM	0.030	0.00	13
5684-3	GREAT PLAINS ZOO/MUSEUM	LC	COM	0.067	0.00	29
5842-3	MICHAEL DALE COUGHLIN	LC	COM	0.020	0.00	9
5591-3	AMOCO CORPORATION	LC	GWR	0.160	0.00	70
5755-3	AMOCO CORPORATION	LC	GWR	0.240	0.00	104
4842-3	BRANDON MATERIALS CO	LC	IND	1.110	0.00	482
5242-3	CITY OF SIOUX FALLS	LC	IND	1.560	110.00	110
6423-3	POET BIOREFINING - HUDSON LLC	LC	IND	1.780	1000.00	1,000
8366-3	GAGE BROTHERS	PE	IND	0.440	10.40	10
8462-3	ACE READY MIX	LC	IND	0.440	79.80	80
8526-3	L.G. EVERIST INC	PE	IND	3.330	1166.00	1,166
8569-3	L.G. EVERIST INC	PE	IND	1.440	1048.00	1,048
8767-3	KNIFE RIVER	PE	IND	0.000	1200.00	1,200
1139-3*	TOWN OF HUDSON	LC	MUN	0.710	0.00	0*
1262B-3*	CITY OF CANTON	LC	MUN	0.220	0.00	67*
4883-3*	CITY OF HARRISBURG	LC	MUN	0.500	0.00	0*
5869-3	CITY OF BRANDON	LC	MUN	0.780	0.00	339
7181-3	CITY OF BRANDON	LC	MUN	0.000	0.00	0
3454-3*	LINCOLN COUNTY RWS	LC	RWS	0.500	0.00	0*
6093-3	LYON & SIOUX RWS INC	LC	RWS	1.330	530.00	530
6924-3*	LINCOLN COUNTY RWS	PE	RWS	2.500	1344.00	0*
7203-3*	LINCOLN COUNTY RWS	PE	RWS	0.000	0.00	0*
LC Licensed Water Right, PE Water Permit, COM Commercial, GWR Ground Water Remediation, IND Industrial, MUN Municipal, RWS Rural Water System *acquires their water from another system					Total:	7,186

Table 3. Reported historic irrigation use from the Big Sioux: South aquifer (Water Rights, 2024a)

Year	No. of Reported Permits	Reported Pumpage (acre-feet)
1979	29	603
1980	29	575
1981	30	885
1982	22	468
1983	26	648
1984	25	806
1985	25	988
1986	26	874
1987	26	1,007
1988	27	2,112
1989	23	1,308
1990	26	1,188
1991	27	729
1992	28	206
1993	30	166
1994	29	898
1995	30	895
1996	30	957
1997	29	1,311
1998	29	818
1999	30	1,025
2000	31	1,352
2001	31	1,002
2002	32	1,193
2003	29	1,728
2004	29	1,280
2005	30	1,541
2006	30	1,709
2007	29	1,918
2008	30	1,157
2009	31	419
2010	32	139
2011	31	1,722
2012	32	2,403
2013	36	2,191
2014	36	1,012
2015	36	1,333
2016	37	1,494
2017	37	2,140
2018	37	479
2019	37	336
2020	36	1,733
2021	38	2,194
2022	39	2,337
Max	39	2,403
Min	22	139
Avg (1979-2022)	31	1,165
Avg (2013-2022)	37	1,525

Hydrologic Budget Summary

The average annual recharge rate to the Big Sioux: South aquifer is estimated to be about 16,742 acre-feet/year (Hedges et al, 1985; Hedges et al, 1982). The estimated average withdrawal rate from the Big Sioux: South aquifer totals to approximately 10,629 acre-feet/year; (future use: 1,913 acre-feet/year; non-irrigation: 7,186 acre-feet/year; and irrigation (avg 2013 to 2022) and pending applications: 1,530 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Big Sioux: South aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

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

The DANR-Water Rights Program monitors 20 observation wells completed into the Big Sioux: South aquifer. The observation wells completed into the aquifer are shown on Figure 1 (Water Rights, 2024b). The observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The three closest observation wells to the proposed diversion point are MA-75A (approximately 1.4 miles west), MA-75C (approximately 1.6 miles southwest), and MA-80GA (approximately 2.2 miles northwest) (Water Rights, 2024b). The water level elevations for these observation wells are displayed in Figure 2 (Water Rights, 2024b). The majority of observation wells in the Big Sioux: South aquifer have a stable water level, with several observation wells that are under the influence of heavy pumping showing a history of slightly declining water levels that eventually stabilize. The data shown on Figure 2 shares a similar trend with most of the observation wells in the Big Sioux: South aquifer. The 2023 data for MA-75A is suspect and was not included in this hydrograph. The data will be reevaluated once several measurements are taken in 2024.

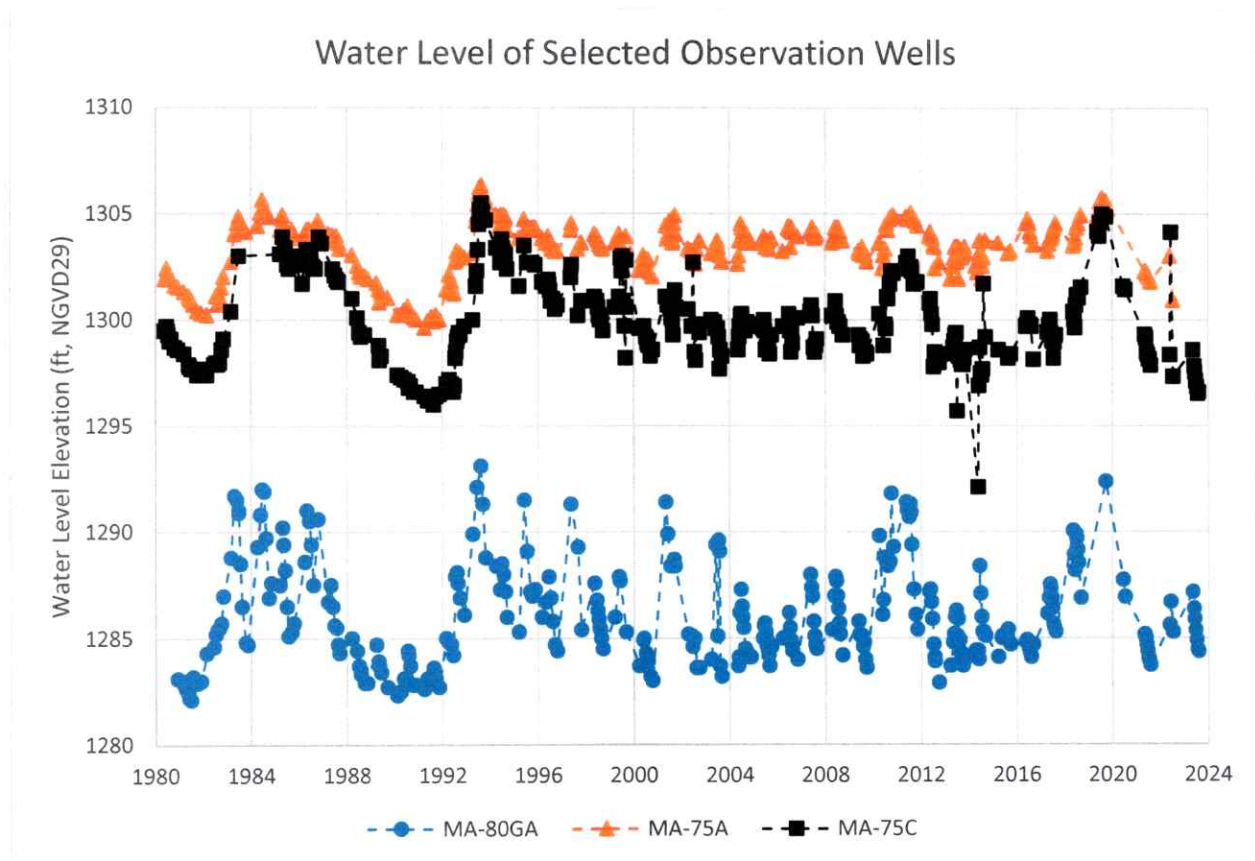


Figure 2. A graph showing the elevation of water levels of observation wells MA-75A, MA-75C, and MA-80GA (Water Rights, 2024b)

Figure 2 shows the observation wells display generally stable water levels which is representative of a majority of other observation wells in the Big Sioux: South aquifer. The wells under influence of heavy and continuous pumping quickly stabilize after the pumping starts. The hydrographs for the Big Sioux: South aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Big Sioux: South aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation wells water level demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Water rights/permits in the general vicinity of the existing well site for this application are shown in Figure 3 and summarized in Table 4 (Water Rights, 2024c). The closest water right/permit (not held by the applicant) to the diversion point is Future Use Permit Nos. 6696-3 & 4002-3

which are held by the City of Brandon. The future use area for Future Use Permit Nos. 6696-3 & 4002-3 are located approximately 0.6 miles south & 0.8 miles southwest of the diversion point for this application (Water Rights, 2024c). The next closest water right/permit (not held by the applicant) to the diversion point is Water Right No. 7181-3 which is held by the City of Brandon. The diversion point for Water Right No. 7181-3 is 1.2 miles northwest of the diversion point of this application (Water Rights, 2024c). There are domestic wells on file with the DNR-Water Rights Program that are completed into the Big Sioux: South aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.1 miles southwest of the diversion point based on the well completion report submitted by the driller (Water Rights, 2024d). The location of the domestic wells is based on the information provided by the well driller on the submitted well completion report. There could potentially be other domestic wells completed into the Big Sioux: South aquifer near the diversion point that are not on file with the DNR-Water Rights Program.

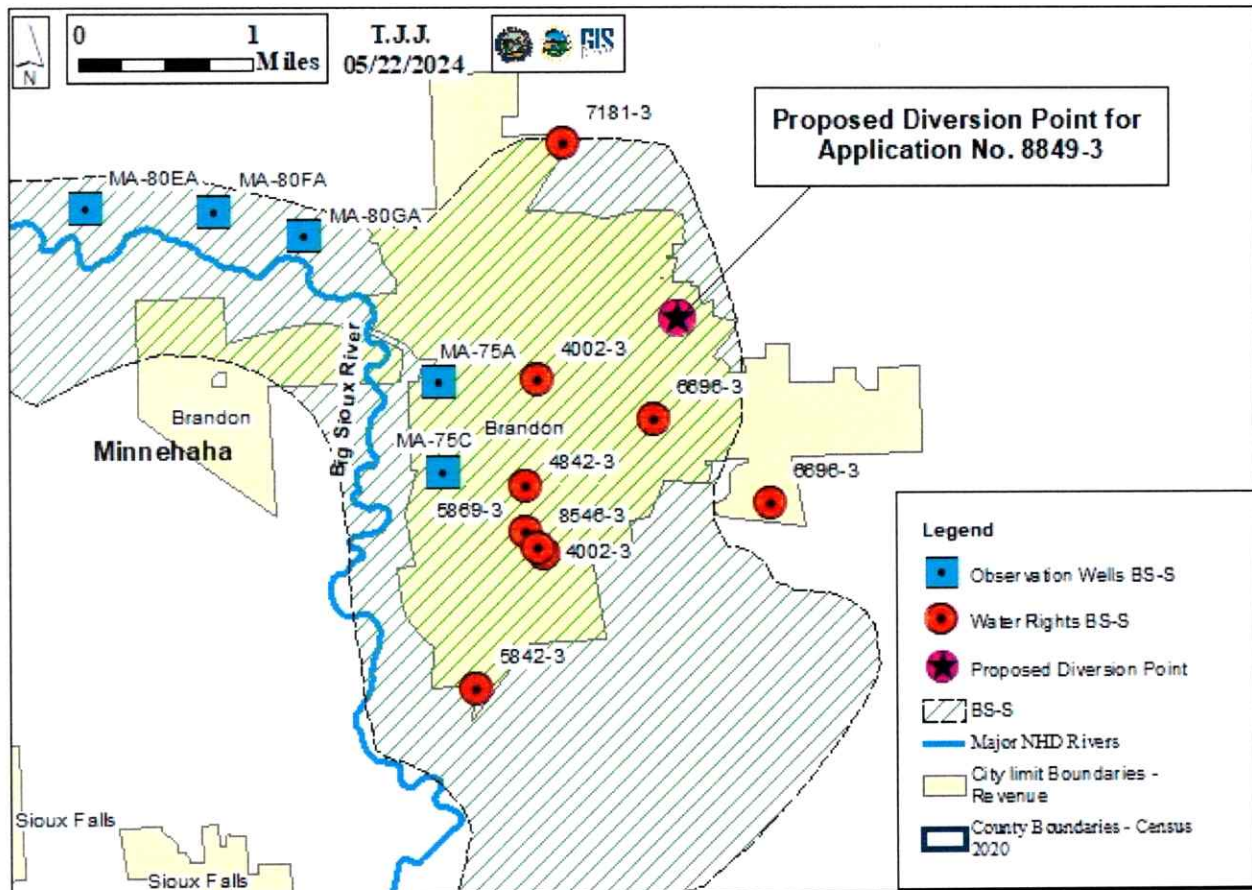


Figure 3. Map of the Big Sioux: South aquifer water rights/permits within 4 miles of the proposed location of diversion point for Water Permit Application No. 8849-3 (Water Rights, 2024b and 2024c).

Table 4. List of water rights/permits within 2 miles of the diversion point shown in Figure 3.

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
4002-3	City of Brandon	09/12/1977	Future Use	Municipal	0	0
4842-3	Brandon Materials CO	11/25/1981	License	Industrial	1.11	0
5842-3	Michael Dale Coughlin	01/12/1995	License	Commercial	0.02	0
5869-3	City of Brandon	09/12/1977	License	Municipal	0.78	0
6696-3	City of Brandon	01/27/2006	Future Use	Municipal	0	0
7181-3	City of Brandon	01/21/2010	License	Municipal	0	0
8546-3	Brandon Valley Baseball Association	08/20/2021	Permit	Irrigation	0.13	7

The Big Sioux: South aquifer is primarily under unconfined conditions. However, the aquifer is under locally confined conditions by an overlying clay layer at the proposed well site for this application. However, there are unconfined conditions in relatively close proximity and the proposed well is likely to primarily act as if completed into an unconfined aquifer due to the very limited artesian head pressure. In a confined aquifer, drawdown from a pumping well can extend some distance from the well. 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.”

In Lincoln, Union, and Minnehaha Counties, the Big Sioux: South aquifer has a range of saturated aquifer thickness of 22 to 28 feet (Lindgren & Niehus, 1994; Niehus, 1997). Nearby well completion reports have a range of saturated thickness low as 5 feet, south of the proposed diversion point, to up to 30 feet north of the proposed diversion point (Water Rights, 2024d.). The test hole for this application shows a saturated thickness of 17 feet at the proposed diversion point (Water Rights, 2024d.). Drawdown is likely to occur in the Big Sioux: South aquifer. However, precise drawdown in the aquifer cannot be known without an aquifer performance test. While the best information available indicates that there is a reasonable probability average annual recharge exceeds average annual withdrawals in the aquifer, conditions can occur where withdrawals in the aquifer exceed recharge for a period of time. Situations may occur where pumping from a thicker part of an unconfined aquifer could cause drawdown impacting adequate wells in a thinner part of the aquifer. Under such conditions an unlawful impairment of senior water rights/permits or adequate domestic wells may occur. Therefore, the applicant should control their withdrawals so that nearby adequate domestic wells and senior water rights/permits are able to access needed water. When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20 (6) and (7)), the lack of well interference complaints for adequate

wells completed into the Big Sioux: South aquifer in Minnehaha County (Water Rights, 2024e), and that the proposed well is likely to behave as if completed into an unconfined aquifer due to limited artesian head pressure, any drawdown created from the diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

SDCL 46-5-6:

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

If approved, Water Permit Application No. 8849-3 would authorize a maximum instantaneous diversion rate of 0.067 cfs from one well for the irrigation of 2.5 acres, or equivalent of 1.88 cfs per 70 acres. Golf courses typically have time restrictions on when they can irrigate and have sandier, fast draining soils. Thus, they need to apply water at a faster rate than the statutory limit. This reasoning has been accepted by the Water Rights Program and the Water Management Board in the past.

CONCLUSIONS:

1. Water Permit Application No. 8849-3 proposes to authorize 0.067 cfs from one well to be completed into the Big Sioux: South aquifer (approximately 42 feet deep) for irrigation of 2.5 acres. The site of interest is located in Minnehaha County on the northeast side of Brandon, SD.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: South aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8849-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.
4. The applicant is requesting a diversion rate greater than statutory limit of 1 cfs per 70 acres to accommodate irrigation of a golf course. Golf courses typically have time restrictions on when they can irrigate and have sandier, fast draining soils. Thus, they need to apply water at a faster rate than the statutory limit. This is reasonable and has been accepted by the Water Management Board and the Water Rights Program in the past.



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

Reviewed by:



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

References

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- Hedges, L.S., Allen, J., Holly, D.E., 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bed rock Topography and Distribution, Task 2: Extent of Aquifers, Task 3 Ground-Water Storage, Task 4: Computerized Data Base. United States Army Corps of Engineers Contract DACW 45-80-C-0185.
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- Water Rights, 2024c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2024d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2024e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

June 5, 2024

Reiter, Jim & ETAL Reiter
c/o James Reiter
617 N Oakridge Road
Brandon SD 57005

Dear Mr. Reiter:

Water Permit Application No. 8849-3 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 Argus Leader printed in Sioux Falls SD (see attachment for phone number). 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. 8849-3 to Appropriate Water

Notice is given that Reiter, Jim & ETAL Reiter, Dan, Steve & Brian, 617 N Oakridge Road, Brandon SD 57005 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux: South Aquifer (approximately 42 feet deep) located in the NE 1/4 NW 1/4 Section 35 for irrigation of 2.5 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 35; all in T102N-R48W. Water will be diverted from the well to a pond in the NE 1/4 NW 1/4 Section 35-T102N-R48W and then be diverted from the pond at a rate up to 0.89 cfs to irrigate 2.5 acres of the golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located in Brandon SD on the northeast side.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8849-3 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 June 24, 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 June 24, 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: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Tuesday, June 4, 2024 4:35 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 10257232 8849-3 James Reiter - Public Notice
Attachments: 10257232.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on June 12. The order cost is \$58.43 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on Monday with any changes.

All orders are subject to a 3.99% service fee. As an incentive for customers, we provide a discount off the order cost equal to the 3.99% service fee if you pay with ACH. Pay by ACH and Save!
Final order cost provided at time of payment and via a receipt.

Your notice is scheduled to run per your request and will publish unless you reply to this email requesting changes or to cancel.

If you would like to utilize our online self-serve ad portal to place your legal notices in the future, please visit your local publication's online classifieds legal section. There, you can conveniently submit and immediately preview your notices anytime, 24/7.

Thank you!

Brittany Grady
Public Notice Representative



Office: 844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, June 4, 2024 8:37 AM
To: SFA-Legals mbx <allegals@gannett.com>
Subject: 10257232 8849-3 James Reiter - Public Notice

Attached is a notice to be published on June 12, 2024.

Jim Reiter, 617 N Oakridge Road, Brandon SD 57005, 605-351-3985, 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.**

Order Confirmation
Not an Invoice

Account Number:	1457893
Customer Name:	Jim Reiter
Customer Address:	Jim Reiter 617 N Oak Ridge RD Brandon SD 57005-1573
Contact Name:	Rachel Rodriguez
Contact Phone:	(605) 773-3212
Contact Email:	rachel.rodriguez@state.sd.us
PO Number:	8849-3

Date:	06/04/2024
Order Number:	10257232
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	167.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
SFA Sioux Falls Argus Leader	1	06/12/2024 - 06/12/2024	Public Notices
SFA argusleader.com	1	06/12/2024 - 06/12/2024	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

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Tax Amount	\$0.00
Service Fee 3.99%	\$2.33
Cash/Check/ACH Discount	-\$2.33
Payment Amount by Cash/Check/ACH	\$58.43
Payment Amount by Credit Card	\$60.76

Order Confirmation Amount
\$58.43

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, June 4, 2024 8:37 AM
To: legals@argusleader.com
Subject: 8849-3 James Reiter - Public Notice
Attachments: 8849-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on June 12, 2024.

Jim Reiter, 617 N Oakridge Road, Brandon SD 57005, 605-351-3985, 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





South Dakota
GANNETT

PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Rachel Rodriguez
Jim Reiter
617 N Oak Ridge RD
Brandon SD 57005-1573

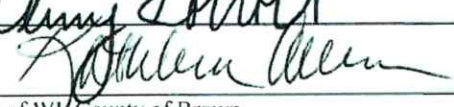
STATE OF WISCONSIN, COUNTY OF BROWN

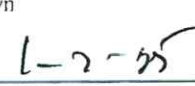
The Argus Leader, a daily newspaper published in the city of Sioux Falls, Minnehaha County, State of South Dakota, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

06/12/2024

and that the fees charged are legal.
Sworn to and subscribed before on 06/12/2024



Legal Clerk


Notary, State of WI County of Brown


My commission expires

Publication Cost:	\$58.43	
Tax Amount:	\$0.00	
Payment Cost:	\$58.43	
Order No:	10257232	# of Copies:
Customer No:	1457893	1
PO #:	8849-3	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KATHLEEN ALLEN
Notary Public
State of Wisconsin

NOTICE OF
APPLICATION NO. 8849-3
to Appropriate Water

Notice is given that Reiter, Jim & ETAL Reiter, Dan, Steve & Brian, 617 N Oakridge Road, Brandon SD 57005 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (cfs) from one well to be completed into the Big Sioux: South Aquifer (approximately 42 feet deep) located in the NE 1/4 NW 1/4 Section 35 for irrigation of 2.5 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4 Section 35; all in T102N-R48W. Water will be diverted from the well to a pond in the NE 1/4 NW 1/4 Section 35-T102N-R48W and then be diverted from the pond at a rate up to 0.89 cfs to irrigate 2.5 acres of the golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located in Brandon SD on the northeast side.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8849-3 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 appli-

cant'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 June 24, 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 June 24, 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 June 12, 2024 at the total approximate cost of \$58.43 and may be viewed free of charge at www.sdpublicnotices.com.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, June 5, 2024 9:17 AM
To: reiter@alliancecom.net
Subject: 8849-3 James Reiter - Public Notice
Attachments: 8849-3 Recom.pdf; 8849-3 Ltr.pdf; 8849-3 PubNotice.pdf; ArgusLeader Invoice.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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUL 25 2024

Reiter, Jim & ETAL Reiter, Dan, Steve and Brian
617 N Oakridge Road
Brandon SD 57005

Dear Sirs:

Enclosed is Water Permit No. 8849-3 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.: 8849-3

Name of Applicant: Reiter, Jim & ETAL Reiter, Dan, Steve & Brian, James Reiter

Date of Posting: 6/10/2024

Date of Removal: 7/25/2024

Ron Duvall, Engineer III

7/25/2024

Date

Subscribed and sworn to before me, a notary public, this 25th day of July, 2024.

Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)



8849-3

State
11-02

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location: NE 1/4 NW 1/4 Sec 35 Twp 102 Rg 48County
minnehahaPlease mark well
location with an "X"

Well completion Date

8-24

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

? ft from None (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
R 21 LB/FT	5 IN	0 FT	42 FT	8 3/4 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
DF	3	lb/sack	0 FT	32 FT
		lb/sack	FT	FT

Describe grouting procedure pumped w/ Houter

SCREEN:

☒ Perforated pipe ☐ ManufacturedDiameter 6" Inches Length 5 FeetMaterial PlasticSlot Size 25 Set From 37 Feet to 42 FeetOther information Gravel PackedWAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How?5 gallons of Chlorine☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner:

Business Name:

Address:

City, State, Zip:

Reiter Enter Prizes617 N Oak Ridge PlBrownson S.D 57025

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top Soil	0	2
Yellow clay	2	15
Gravel	15	22
Pine Sand mix w/clay	22	32
Tan rock	32	37
Black rock	37	42

STATIC WATER LEVEL

13

FEET

If flowing, closed in pressure

PSI

GPM flow

through

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

410F. After 2

Hrs. pumped

25

GPM

F. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

AUG 29 2024

OFFICE OF
WATER

This well was drilled under license #

439

And this report is true and accurate.

Drilling firm:

Dave Putzke well Drilling McPail-IM

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

523 E Capitol Ave.Pierre SD 57501

Please return WHITE COPY to: DENR Water Rights

Dewell, Amanda

From: Kilts, Whitney (DENR)
Sent: Thursday, January 23, 2025 9:34 AM
To: Dewell, Amanda
Cc: Mathiowetz, Adam (DENR)
Subject: likely well for 8849-3
Attachments: DOC012325-01232025071708.pdf; 8849-3.pdf

Amanda,

Adam will have to verify geology before we do anything, but as an fyi to you in case 8849-3 gets inspected for licensing.

Attached appears to likely be the well for 8849-3 which is an irrigation permit for the BS:S. Based on the well log it appears the well was likely completed into the Split Rock Creek aquifer not the BS:S.

Geology on attached WCR matches the test hole pg.7 of permit file. File doc on pg. 9 of permit file indicates target aquifer at the time of permit application was BS:S, the sand and gravel from 15 to 32 ft. But WCR indicates well was completed into the black rock from 37 to 42 ft.

Thanks,



Whitney Kilts
Office of Water-Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov