

WATER PERMIT NO. 8871-3

Name of Applicant: **Gray Goose Irrigation District**

Address: **PO Box 108, Warner** SD 57479 Phone: **605-225-5420**

Amount of Water Claimed: **No Add'l** Total Acres: **124**

Source of Water Supply: **Surface**

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

Type of Waste Disposal System:

Location: **Approx. 7 miles northwest of Pierre SD**

PRIORITY Date Received: **05-07-24**

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

Corrected Application Received: **05-09-24**

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

Remarks: **Adding additional acres, with no additional diversion rate for Water Right 7229-3**

Diversion Point: **See Permit 7229-3**

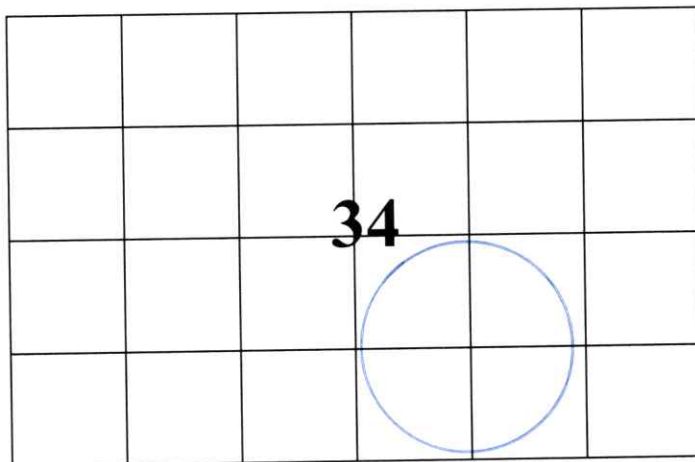
Land to be Irrigated: **SE 1/4 Sec 34-T112N-R79W**

Depth of Well: **N/A**

Well Driller: **N/A**

Remarks:

Type of Map: **aerial**



Reviewed and the Number Assigned on: **05-09-24**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8871-3**

Date of first receipt of application May 7, 2024.

Date of return to applicant for corrections, amendments or changes May 7, 2024.

Date of receipt of corrected application May 16, 2024.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8871-3 to Gray Goose Irrigation District, PO Box 108, Warner SD 57479, 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. 8871-3 authorizes irrigation of an additional 136 acres. Water Right No. 7229-3 authorizes 35.01 cubic feet of water per second (cfs) from an existing Missouri River diversion point located in the NW 1/4 NE 1/4 Section 26-T112N-R80W for irrigation of 2,855 acres located in portions of Sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. This permit authorizes irrigation of an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W from the existing Missouri River diversion point described above, with no increase in diversion rate. This site is located approximately five miles north of Pierre SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 October 31.
3. The date from which applicant may claim right is May 7, 2024.
4. The date of approval of Permit No. 8871-3 is June 10, 2024.
5. One-fifth of the construction is to be completed on or before December 10, 2026.
6. All construction is to be completed on or before June 10, 2029.
7. Water is to be put to beneficial use on or before June 10, 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUN 20 2024
date



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

RECEIVED

MAY 07 2024

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8871-3</u> Hydrologic Unit <u>10130105</u> Basin <u>Missouri</u> Newspaper <u>Pierre Capital Journal</u> <u>Huron Plainsman</u> (office use only)
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Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Gray Goose Irrigation District

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

Mailing Address PO Box 108 Warner SD 57479
(Address) (City) (State) (Zip Code)

Phone 6052255420 Mobile 6052255420 Email jnelson@sbslaw.net

2. Amount of water claimed 0 *CFS or 0 **GPM 0 ***AF Total Acreage 124 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply See Water Right No. 7229-3

4. Location of point of diversion See Water Right No. 7229-3

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

County _____

5. County or counties where water will be used Hughes Co.

6. Annual period during which water is to be used April 1st through October 31st

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
SE 1/4 34-112N-79W, Hughes Co, SD	<u>124 136</u>		

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

This application is to add additional acres without adding additional diversion rate to irrigation authorized by Water Right No. 7229-3

I, Larry Braun Board Member, the applicant, certify under
Name of Person Title (if applicable)

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

2021-08

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

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable)

☐ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)

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

For either existing or proposed wells:

c) Well Depth (required) _____ Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

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

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

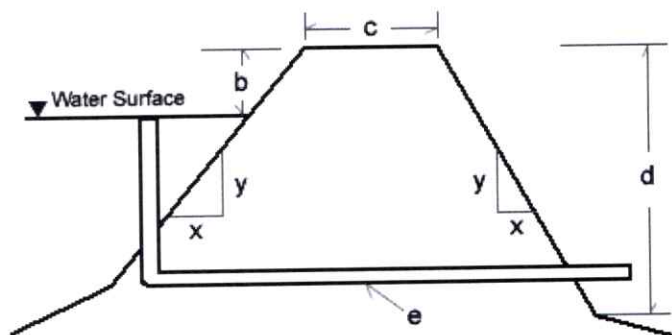
Upstream _____

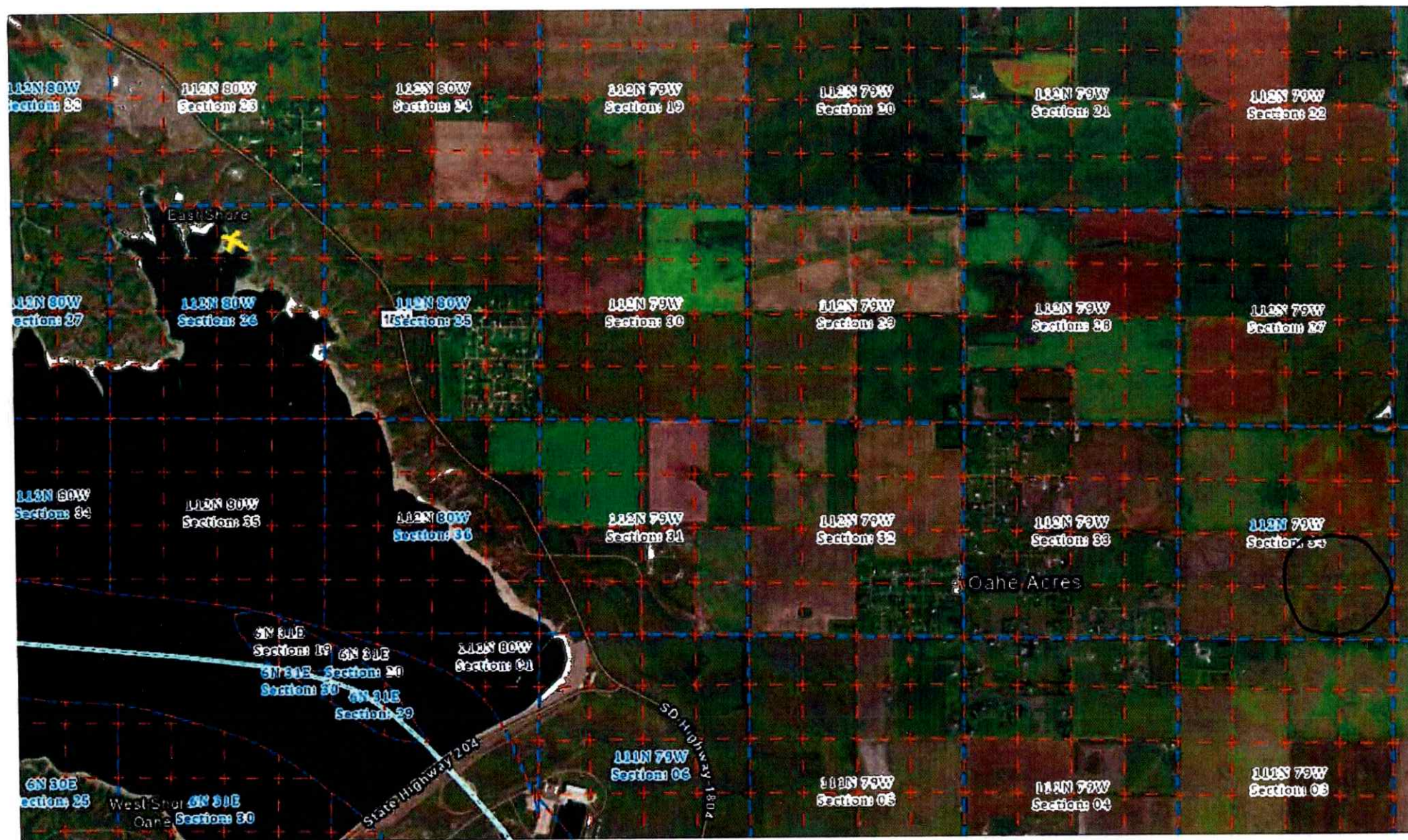
Downstream _____

h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





112N,79W
Section: 21

112N,79W
Section: 22

112N,79W
Section: 23

112N,79W
Section: 28

112N,79W
Section: 27

112N,79W
Section: 26

10130105 Lower Lake Oahe

112N,79W
Section: 33

112N,79W
Section: 34

112N,79W
Section: 35

10140101 Fort Randall Reservoir

111N,79W
Section: 04

111N,79W
Section: 03

111N,79W
Section: 02

IN ROCKWOOD RD

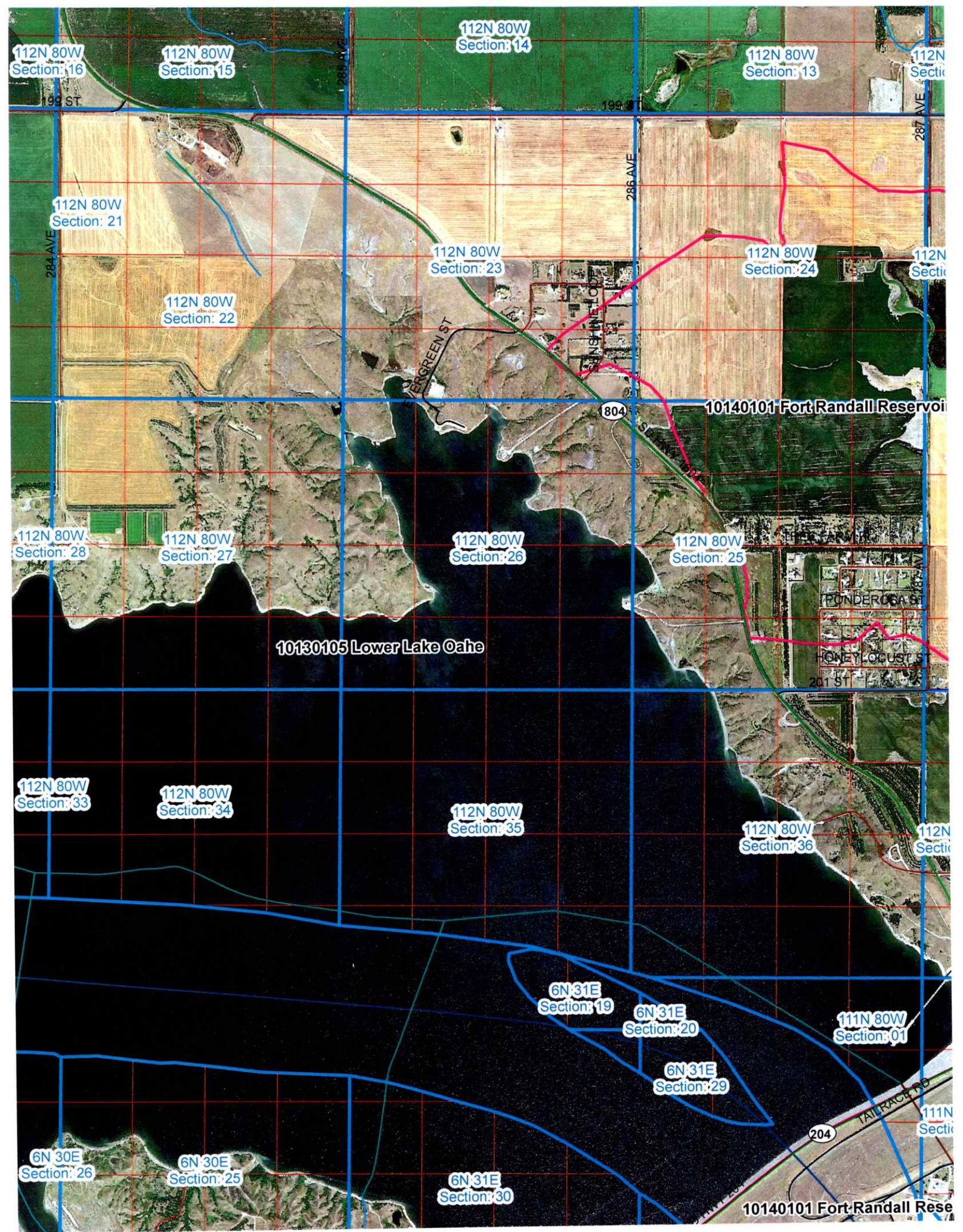
JO ANN RD

STEWART

MACABE RD

202 ST

1 TIME DOWMARK RD



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 9, 2024

RECEIVED OF Siegel, Barnett, & Schutz, LLP for Gray Goose Irrigation District PO Box 108 Warner SD 57469

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

Fee for Application for Permit No. <u>8871-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>850.00</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>8871-3</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>1050.00</u>

By Eric Gronlund
Chief Engineer
EGM



**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. 8871-3, Gray Goose Irrigation District**

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. 8871-3, Gray Goose Irrigation District, PO Box 108, Warner SD 57479.

The Chief Engineer is recommending APPROVAL of Application No. 8871-3 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 qualification:

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 17, 2024

REPORT ON WATER PERMIT APPLICATION NO. 8871-3
Gray Goose Irrigation District
May 16, 2024

Application No 8871-3, proposes to irrigate an additional 136 acres. Water Right No. 7229-3 authorizes 35.01 cubic feet of water per second (cfs) from an existing Missouri River diversion point located in the NW 1/4 NE 1/4 Section 26-T112N-R80W for irrigation of 2,855 acres located in portions of sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. This application proposes to irrigate an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W from the existing Missouri River diversion point described above with no increase in the 35.01 cfs diversion rate authorized by Water Right No. 7229-3. This site is located approximately 5 miles north of the Pierre in Hughes County.

South Dakota Codified Law (SDCL) 46-2A-2 directs the Chief Engineer to make a recommendation to the Water Management Board on a permit application. The Chief Engineer needs to consider four criteria in making a recommendation on whether a permit should be approved, approved with qualifications, denied, or deferred. They are: 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. This report will analyze the available information to make a recommendation to the Chief Engineer on the first two criteria the Chief Engineer needs to consider in making an official recommendation to the Water Management Board.

Review of the Proposed Project

The applicant holds Water Right No. 7229-3 which appropriates 35.01 cfs from the Missouri River for irrigation of 2,855 acres located in portions of sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. The applicant proposes to irrigate an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W with no increase in the diversion rate while utilizing the existing diversion point in the NW 1/4 NE 1/4 Section 26-T112N-R80W. If this application is approved, combined, the two permits will authorize a total of 35.01 cfs for irrigation of 2,991 acres.

Review of the Proposed Water Source

The water source for this future use reservation is from the natural flow of the Missouri River flowing through Lake Oahe in the reach impounded behind Oahe Dam. The US Army Corps of Engineers constructed Oahe Dam impounding Lake Oahe in the 1950s and 1960's as a part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams, Ft. Peck, Garrison, Oahe, Big Bend, Ft. Randall, and Gavins Point, are operated as a system providing storage and water releases for congressionally authorized purposes, including irrigation. Specifically, Oahe Reservoir can impound up to 23.4 million acre-feet of water (MAF) when full (USACE. 2023). Natural flow in an instream reservoir system like the Missouri River mainstem system is the volume of water moving past a point along a river that is not augmented by artificial releases from the storage. When there is an excess of natural flow, the excess can be used to fill empty

storage space in the instream reservoir and typically occurs during spring run-off. The natural flow of the Missouri River is available for appropriation without the need for releases from storage in the reservoirs to augment the natural flow.

The flow hydrograph of the Missouri River in South Dakota has been altered in the past 60 to 80 years due to the presence of the Missouri River mainstem reservoir system, with excess natural flow going into storage and stored water released to supplement flows. The USGS, in a 2001 research study, made an estimation of the Missouri River natural flow of the river at Oahe Dam (Jacobson, 2001). A percentile hydrograph displaying the daily 50, 25 and 10 percentile flows corresponding to drier climatic conditions, can be derived from this study for the Missouri River at Oahe Dam (Figure 1). A percentile is a measure used in statistics to indicate the value below which a given percentage of observations in a group of observations fall, in this case daily flow. The Missouri River natural flow percentile hydrograph shows a double peak for the three percentile levels shown. The first March-April peak corresponds to the snowpack and spring rains runoff from the plains of Montana, Wyoming, North Dakota and South Dakota. The second June peak corresponds to snowmelt runoff from the mountains in Wyoming and Montana and from upstream summer thunderstorms. Considering the 10th percentile hydrograph, corresponding to the daily flow values at or below this level on average one out of ten years, there is ample natural flow available (Jacobson, 2001).

Even at the 10th percentile flow level, this hydrograph demonstrates there is ample natural flow available, if this application is approved for the irrigation season of April through October. Water availability is not a concern when using the natural flows of the Missouri River as a source.

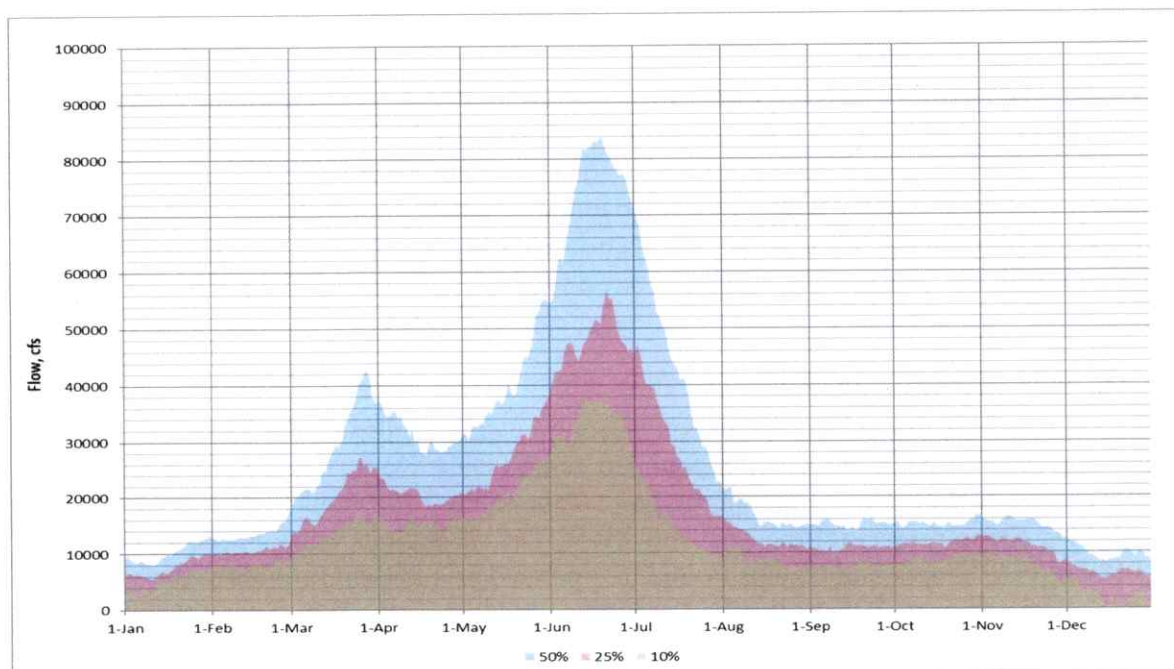


Figure 1. Natural Flow Hydrograph for the Missouri River at Oahe Dam (Jacobson, 2001).

Review of the Proposed Project and Existing Water Rights

There are 251 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1,251.413 cfs. Currently there are 16 future use permits reserving 365,201 acre-feet annually for contemplated future development from the Missouri River. There is one future use permit for approximately 1.1 million acre-feet held by the US Bureau of Reclamation for the suspended Oahe Irrigation Project (Water Rights. 2024). As Figure 1 demonstrates, existing water rights will not be adversely impacted by this project. Water availability is not a concern when using the natural flows of the Missouri River as a source.

Conclusions

1. This application proposes to irrigate an additional 136 acres from the existing Missouri River diversion point authorized by Water Right No. 7229-3 with no increase in the 35.01 cfs diversion rate authorized by No. 7229-3.
2. The water source for this project is from the natural flow of the Missouri River in the Lake Oahe reach.
3. The applicant holds Water Right No. 7229-3 with a diversion rate of 35.01 cfs from the Missouri River for irrigation of 2,855 acres and using a common diversion point.
4. If this application is approved, combined with Water Right No. 7229-3, a total of 35.01 cfs for irrigation of 2,991 acres will be authorized.
5. Water availability is not a concern when using the natural flows of the Missouri River as a source.
6. Since water availability is not an issue, approval of this permit will not adversely affect existing rights appropriating the natural flow of the Missouri River.



Mark D. Rath
Natural Resources Engineer III

References

1. USACE. 2023. Missouri River Mainstem System 2023-2024 Annual Operation Plan, December 2023. US Army Corps of Engineers – Northwest Division Missouri Basin Water Management Division.
2. Water Rights. 2024. Water Right/Permit Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
3. Jacobson. 2001. Visualization of Flow Alternatives, Lower Missouri River U.S. Geological Survey Open-file Report OF02-122. Robert B. Jacobson and Jeanne Heuser, U.S. Geological Survey, Columbia, MO.

JEFFREY T. SVEEN
JOSEPH P. BARNETT
REED RASMUSSEN
JULIE DVORAK♦♦
RODRICK L. TOBIN*
JEREMY D. LUND
JASON A. ERICKSON
HARVEY C. JEWETT, *of Counsel*

♦Also licensed in Minnesota
♦Also licensed in Montana
*Also licensed in North Dakota



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

CAPITOL BUILDING
415 S. MAIN STREET – SUITE 400
P.O. BOX 490
ABERDEEN, SOUTH DAKOTA 57402-0490

May 7, 2024

DANR – Water Rights Program
523 E Capitol Ave
Pierre SD 57501

Re: Gray Goose Irrigation District

Enclosed please find payment in the amount of \$1,050 for the above Application for Irrigation Permit. Call with any questions.

Best regards,

Rodrick L. Tobin
of SIEGEL, BARNETT & SCHUTZ, L.L.P.
rtobin@sbslaw.net

RLT:jn
Enclosure

STAN SIEGEL (1928-1996)
JOSEPH H. BARNETT (1931-1985)
RAYMOND M. SCHUTZ (1929-2012)
TERENCE A. O'KEEFE (1938-1999)

TELEPHONE: (605) 225-5420
FACSIMILE: (605) 226-1911
WEB SITE: www.sbslaw.net

PAID

MAY 09 2024

Ck# 5132

Rec't# _____

RECEIVED

MAY 09 2024

OFFICE OF
WATER

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7229-3**

(1) Gray Goose Irrigation District, PO Box 1002, Pierre SD 57501 made Application No. 7229-3, February 2, 2011 for a water permit to divert 1.67 cubic feet of water per second (cfs) from the Missouri River, Hughes County, South Dakota for irrigation purposes. Permit No. 7229-3, with a priority date of February 2, 2011 was approved March 28, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 28, 2016 and for the application to beneficial use of said water on or before March 28, 2020.

Land authorized under Water Right No. 4116-3, Water Permit Nos. 6997-3 and 7229-3 are irrigated from the same diversion point on the Missouri River. The applicable portions of Water Right No. 4116-3 and Water Permit No. 6997-3 are incorporated into Water License No. 7229-3. The priority dates established under each will be retained.

(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 35.01 cubic feet of water per second for beneficial use. The location of the diversion point is 2,500 feet west and 950 feet south of the NE corner of Section 26, T112N, R80W (NW ¼ NE ¼).

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

Priority date of February 2, 2011 – established under No. 7229-3 (135 acres):

Sec 22, T112N, R79W

NW ¼ NE ¼ 34 ac NE ¼ NE ¼ 33 ac SE ¼ NE ¼ 34 ac SW ¼ NE ¼ 34 ac

Priority date of March 8, 2008 – established under No. 6997-3 (680 acres):

Sec 22, T112N, R79W

NW ¼ NW ¼ 34 ac NE ¼ NW ¼ 34 ac SE ¼ NW ¼ 34 ac SW ¼ NW ¼ 34 ac
NW ¼ SE ¼ 34 ac NE ¼ SE ¼ 34 ac SE ¼ SE ¼ 34 ac SW ¼ SE ¼ 34 ac
NW ¼ SW ¼ 34 ac NE ¼ SW ¼ 34 ac SE ¼ SW ¼ 34 ac SW ¼ SW ¼ 34 ac

Sec 27, T112N, R79W

NW ¼ SW ¼ 34 ac NE ¼ SW ¼ 34 ac SE ¼ SW ¼ 34 ac SW ¼ SW ¼ 34 ac

Sec 28, T112N, R79W

NW ¼ NE ¼ 34 ac NE ¼ NE ¼ 34 ac SE ¼ NE ¼ 34 ac SW ¼ NE ¼ 34 ac

Priority date of November 7, 1963 – established under No. 4116-3 (2,040 acres):

Sec 23, T112N, R79W

NW ¼ NE ¼ 34 ac NE ¼ NE ¼ 34 ac SE ¼ NE ¼ 34 ac SW ¼ NE ¼ 34 ac
NW ¼ SE ¼ 34 ac NE ¼ SE ¼ 34 ac SE ¼ SE ¼ 34 ac SW ¼ SE ¼ 34 ac
NW ¼ SW ¼ 34 ac NE ¼ SW ¼ 34 ac SE ¼ SW ¼ 34 ac SW ¼ SW ¼ 34 ac

Sec 25, T112N, R79W

NW ¼ SE ¼ 34 ac NE ¼ SE ¼ 34 ac SE ¼ SE ¼ 34 ac SW ¼ SE ¼ 34 ac
NW ¼ SW ¼ 34 ac NE ¼ SW ¼ 34 ac SE ¼ SW ¼ 34 ac SW ¼ SW ¼ 34 ac

continued

Priority date of November 7, 1963 – established under No. 4116-3 (continued):

Sec 26, T112N, R79W

NW ¼ NW ¼	34 ac	NE ¼ NW ¼	34 ac	SE ¼ NW ¼	34 ac	SW ¼ NW ¼	34 ac
NW ¼ NE ¼	34 ac	NE ¼ NE ¼	34 ac	SE ¼ NE ¼	34 ac	SW ¼ NE ¼	34 ac
NW ¼ SE ¼	34 ac	NE ¼ SE ¼	34 ac	SE ¼ SE ¼	34 ac	SW ¼ SE ¼	34 ac
NW ¼ SW ¼	34 ac	NE ¼ SW ¼	34 ac	SE ¼ SW ¼	34 ac	SW ¼ SW ¼	34 ac

Sec 27, T112N, R79W

NW ¼ NE ¼	34 ac	NE ¼ NE ¼	34 ac	SE ¼ NE ¼	34 ac	SW ¼ NE ¼	34 ac
NW ¼ SE ¼	34 ac	NE ¼ SE ¼	34 ac	SE ¼ SE ¼	34 ac	SW ¼ SE ¼	34 ac

Sec 34, T112N, R79W

NW ¼ NE ¼	34 ac	NE ¼ NE ¼	34 ac	SE ¼ NE ¼	34 ac	SW ¼ NE ¼	34 ac
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Sec 36, T112N, R79W

NW ¼ NE ¼	34 ac	NE ¼ NE ¼	34 ac	SE ¼ NE ¼	34 ac	SW ¼ NE ¼	34 ac
NW ¼ SE ¼	34 ac	NE ¼ SE ¼	34 ac	SE ¼ SE ¼	34 ac	SW ¼ SE ¼	34 ac
NW ¼ SW ¼	34 ac	NE ¼ SW ¼	34 ac	SE ¼ SW ¼	34 ac	SW ¼ SW ¼	34 ac

Total irrigated - 2,855 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gray Goose Irrigation District, PO Box 1002, Pierre SD 57501 the holder and/or owner of incorporated Water Right No. 7229-3 is issued a license to appropriate water, the right to use 35.01 cubic feet of water per second from the Missouri River with priority dates of November 7, 1963 (25.0 cfs); March 8, 2008 (8.34 cfs) and February 2, 2011 (1.67 cfs) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 7229-3 and subject to the following qualification:

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


 Jeanne Goodman, Chief Engineer
 Water Rights Program
 Department of Environment and Natural Resources

SEP 29 2015
 date



Rath, Mark

From: Jenny Nelson <JNelson@sbslaw.net>
Sent: Thursday, May 16, 2024 9:54 AM
To: Duvall, Ron
Cc: Rodriguez, Rachel; Dewell, Amanda; Rath, Mark; gwrahm@nvc.net; 'lb3@nrctv.com'
Subject: RE: [EXT] Gray Goose Irrigation Application

Ron –

Thank you for reaching out with your concerns. Please amend the acres to 136.

Let me know if you need anything additional.



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

Jenny Nelson
Assistant to Rodrick L. Tobin
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402
☎605.725.5217 📠605.226.1911
jnelson@sbslaw.net

****WIRE FRAUD ALERT**** WIRE FRAUD IS A RISK FOR ANY WIRED FUNDS. TELEPHONIC ACCOUNT AUTHENTICATION CAN PREVENT IT. THEREFORE, OUR FIRM REQUIRES THE WIRING PARTY TO TELEPHONICALLY VERIFY ALL ACCOUNT INFORMATION WITH OUR OFFICE BEFORE WIRING FUNDS TO OUR TRUST ACCOUNT. OUR OFFICE WILL NOT MODIFY PREVIOUSLY SENT WIRING INSTRUCTIONS VIA UNSECURED EMAIL.

****CONFIDENTIALITY NOTICE**** THIS E-MAIL (INCLUDING ATTACHMENTS) IS COVERED BY THE ELECTRONIC COMMUNICATIONS PRIVACY ACT, 18 USC §§ 2510-2521, CONTAINS CONFIDENTIAL INFORMATION, AND IS LEGALLY PRIVILEGED. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY RETENTION, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. PLEASE REPLY TO THE SENDER THAT YOU RECEIVED THE MESSAGE IN ERROR, THEN DELETE IT.

IF THIS E-MAIL CONTAINS ATTACHED FILES AND DOCUMENTS, PLEASE NOTE ANY ALTERATION OR CHANGES MAY RESULT IN CHANGES TO THE LEGAL EFFECT OF THESE DOCUMENTS. SIEGEL, BARNETT & SCHUTZ, L.L.P. HAS NO RESPONSIBILITY FOR ANY ALTERATIONS OR CHANGES MADE BY YOU TO THESE DOCUMENTS.

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Tuesday, May 14, 2024 4:58 PM
To: Jenny Nelson <JNelson@sbslaw.net>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Dewell, Amanda <Amanda.Dewell@state.sd.us>; Rath, Mark <Mark.Rath@state.sd.us>
Subject: Gray Goose Irrigation Application

Larry,

I am looking over the application and noted you are asking to irrigate an additional 124 acres with no increase in the currently authorized pump rate. My question concerns the number of acres you are applying for. If this is going to be a quarter-size pivot that swings a full circle, then to be consistent with your other pivots, it appears the coverage is 136 acres. If you are swinging only a partial circle, then I understand why the acreage is lower. I just want to make sure you don't "under" permit the number of acres to be added.

Please let me know if you want the application revised to 136 acres or leave as is at 124 acres.

Thank you,

Ron Duvall
Dept. of Agriculture & Natural Resources
Office of Water, Water Rights Program
605.773.3352
danr.sd.gov



DANR
SOUTH DAKOTA

Duvall, Ron

From: Duvall, Ron
Sent: Tuesday, May 14, 2024 4:58 PM
To: Larry Braun
Cc: Rodriguez, Rachel; Dewell, Amanda; Rath, Mark
Subject: Gray Goose Irrigation Application

Larry,

I am looking over the application and noted you are asking to irrigate an additional 124 acres with no increase in the currently authorized pump rate. My question concerns the number of acres you are applying for. If this is going to be a quarter-size pivot that swings a full circle, then to be consistent with your other pivots, it appears the coverage is 136 acres. If you are swinging only a partial circle, then I understand why the acreage is lower. I just want to make sure you don't "under" permit the number of acres to be added.

Please let me know if you want the application revised to 136 acres or leave as is at 124 acres.

Thank you,

Ron Duvall
Dept. of Agriculture & Natural Resources
Office of Water, Water Rights Program
605.773.3352
danr.sd.gov



DANR
SOUTH DAKOTA

Rodriguez, Rachel

From: Jenny Nelson <JNelson@sbslaw.net>
Sent: Tuesday, May 7, 2024 3:43 PM
To: Dewell, Amanda; Rath, Mark
Cc: Rodriguez, Rachel
Subject: RE: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Thank you for the breakdown in cost. Where should we mail the check?



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

Jenny Nelson
Assistant to Rodrick L. Tobin
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402
☎605.725.5217 📠605.226.1911
jnelson@sbslaw.net

****WIRE FRAUD ALERT**** WIRE FRAUD IS A RISK FOR ANY WIRED FUNDS. TELEPHONIC ACCOUNT AUTHENTICATION CAN PREVENT IT. THEREFORE, OUR FIRM REQUIRES THE WIRING PARTY TO TELEPHONICALLY VERIFY ALL ACCOUNT INFORMATION WITH OUR OFFICE BEFORE WIRING FUNDS TO OUR TRUST ACCOUNT. OUR OFFICE WILL NOT MODIFY PREVIOUSLY SENT WIRING INSTRUCTIONS VIA UNSECURED EMAIL.

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From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, May 7, 2024 3:25 PM
To: Jenny Nelson <JNelson@sbslaw.net>; Rath, Mark <Mark.Rath@state.sd.us>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: RE: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Correct \$1050.00
\$500 for the first 60 acres
\$250 for the next 60 acres
\$100 for the final 4 acres
\$200 inspection/licensing

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov



From: Jenny Nelson <JNelson@sbslaw.net>

Sent: Tuesday, May 7, 2024 3:23 PM

To: Dewell, Amanda <Amanda.Dewell@state.sd.us>; Rath, Mark <Mark.Rath@state.sd.us>

Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Subject: RE: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

OK. I will mail a check ASAP. Just to confirm, the amount needed is \$1050?

Thank you,



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

Jenny Nelson

Assistant to Rodrick L. Tobin

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Aberdeen, SD 57402

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From: Dewell, Amanda <Amanda.Dewell@state.sd.us>

Sent: Tuesday, May 7, 2024 3:21 PM

To: Jenny Nelson <JNelson@sbslaw.net>; Rath, Mark <Mark.Rath@state.sd.us>

Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Subject: RE: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Jenny, I do believe that there is a 2.5% (maybe higher) processing fee for cc payments.

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352



From: Jenny Nelson <JNelson@sbslaw.net>
Sent: Tuesday, May 7, 2024 3:20 PM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>; Rath, Mark <Mark.Rath@state.sd.us>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: RE: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Thank you all for your help!

Amanda – Please call me at 763.516.1560 and I will pay via CC, unless there is an additional fee for that process. If there is additional fee, I will pay via check.



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

Jenny Nelson
Assistant to Rodrick L. Tobin
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Aberdeen, SD 57402
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From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, May 7, 2024 2:54 PM
To: Jenny Nelson <JNelson@sbslaw.net>; Rath, Mark <Mark.Rath@state.sd.us>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: RE: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Jenny,

I've just received confirmation that the application has been submit. Once payment has been received, Rachel (cc'd) will begin processing. Payment may be submit in the form of a check, payable to "SD Water Rights Program" or by calling our Fiscal Office @ 605.773.5559

The fees for the additional 124 acres equate to \$1,050.00. This includes the \$200 inspection/licensing fee.

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



From: Jenny Nelson <JNelson@sbslaw.net>
Sent: Tuesday, May 7, 2024 2:47 PM
To: Rath, Mark <Mark.Rath@state.sd.us>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Mark –

I have filled out the application required. Please let me know if there is anything additional needed on our end.

Thank you,



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

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Assistant to Rodrick L. Tobin
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From: Rath, Mark <Mark.Rath@state.sd.us>
Sent: Tuesday, May 7, 2024 10:33 AM
To: Jenny Nelson <JNelson@sbslaw.net>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Jenny,

Here is the link to our application forms:

<https://danr.sd.gov/OfficeOfWater/WaterRights/PermitForms/default.aspx>

The form you want to use is: **Application for a Water Right Permit for Irrigation Use**. There are instructions and an explanation of the required filing fee. If you have any questions call 605-773-3352 and ask for Amanda Dewell, who is our water permitting administrator, she'll be able to answer your questions concerning the application and fees.

To keep name on the application consistent with what is on their current water right, the name on the application should be **Gray Goose Irrigation District**. At the bottom in the Give the description of the project section, write: This application is to add additional acres without adding additional diversion rate to irrigation authorized by Water Right No. 7229-3.



Mark D Rath
Department of Agriculture and Natural Resources
Water Rights Program
523 E Capitol Avenue, Pierre, SD 57501
Telephone (605) 773-3352

From: Jenny Nelson <JNelson@sbslaw.net>

Sent: Tuesday, May 7, 2024 9:19 AM

To: Rath, Mark <Mark.Rath@state.sd.us>

Subject: FW: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Mark –

The Gray Goose Irrigation District will NOT need additional water, only add additional real estate to their current permit. Please reply with how to do so.

Thank you,



SIEGEL BARNETT & SCHUTZ LLP
ATTORNEYS AT LAW

Jenny Nelson
Assistant to Rodrick L. Tobin
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402
☎605.725.5217 📠605.226.1911
jnelson@sbslaw.net

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From: Wessels, Ginger M <GWESSELS@usbr.gov>
Sent: Wednesday, January 24, 2024 1:09 PM
To: Jenny Nelson <JNelson@sbslaw.net>
Cc: Bateman, Desiray J <DBateman@usbr.gov>; Dykes, Melissa R <MDykes@usbr.gov>; Lesmeister, Crystal K <clesmeister@usbr.gov>; Bengs, Ronald A <RBengs@usbr.gov>
Subject: FW: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

FYI

From: Rath, Mark <Mark.Rath@state.sd.us>
Sent: Wednesday, January 17, 2024 10:44 AM
To: Wessels, Ginger M <GWESSELS@usbr.gov>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Ginger,

Correct, they would need to apply for a water permit to add additional acres. If they don't intend to upsize their Missouri River diversion rate, the application would need to reflect there wouldn't be request for additional diversion rate from the 35.01 cfs currently authorized under No. 7229-3 unless they plan to upsize their river pump station.



Mark D Rath
Department of Agriculture and Natural Resources
Water Rights Program
523 E Capitol Avenue, Pierre, SD 57501
Telephone (605) 773-3352

From: Wessels, Ginger M <GWESSELS@usbr.gov>
Sent: Wednesday, January 17, 2024 11:01 AM
To: Rath, Mark <Mark.Rath@state.sd.us>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: [EXT] [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Hi Mark – so if they want to include the SE1/4 Sec 34 (which doesn't show on your map) they would need to apply for a SDDANR water permit?

We're trying to schedule a meeting with Gray Goose. Some of the topics we'll discuss:

How many acres? Looks like there are some Class 6 acres (pond) that wouldn't be farmed or what are the plans. Pivot layout from pivot dealer?

Layout showing proposed service line layout to serve pivot. Is this a private farmer pipeline? Was it previously installed?

Have they applied for SDDANR water right through Gray Goose Irrigation District?

We would use this info to prepare a CEC. Looks like that was the process before. They excluded some land in ?1999, then brought it back in by inclusion in 2008 and 2011. They got a SDDANR water permit and then we completed CEC.

Thanks, Ginger

From: Rath, Mark <Mark.Rath@state.sd.us>

Sent: Wednesday, January 17, 2024 9:32 AM

To: Wessels, Ginger M <GWESSELS@usbr.gov>

Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Dewell, Amanda <Amanda.Dewell@state.sd.us>

Subject: [EXTERNAL] RE: Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ginger,

Attached is a copy of the water right and map for what we have currently covered under Gray Goose Irrigation District. I did the inspection on for this water right in 2015.



Mark D Rath
Department of Agriculture and Natural Resources
Water Rights Program
523 E Capitol Avenue, Pierre, SD 57501
Telephone (605) 773-3352

From: Wessels, Ginger M <GWESSELS@usbr.gov>

Sent: Tuesday, January 16, 2024 3:03 PM

To: Rath, Mark <Mark.Rath@state.sd.us>

Subject: [EXT] Gray Goose Irrigation District Inclusion SE1/4 Sec 34-T112N-R79W

Hi Mark – Gray Goose Irrigation District has requested to include the SE1/4 Sec 34-T112N-R79W. Have they contacted you about a water right, or any other items? We've got a call tomorrow morning with our repayment specialists from the Regional office in Billings. Thanks for any info you may know of – Ginger



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

May 20, 2024

Gray Goose Irrigation District
c/o Larry Braun
PO Box 108
Warner SD 57479

Dear Mr. Braun:

Water Permit Application No. 8871-3 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 Capital Journal printed in Pierre SD (Ph # 605 224-7301) and the Plainsman printed in Huron SD (Ph # 605 353-7414). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

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

NOTICE OF APPLICATION NO. 8871-3 to Appropriate Water

Notice is given that Gray Goose Irrigation District, PO Box 108, Warner SD 57479 has filed an application for a water permit to irrigate an additional 136 acres. Water Right No. 7229-3 authorizes 35.01 cubic feet of water per second (cfs) from an existing Missouri River diversion point located in the NW 1/4 NE 1/4 Section 26-T112N-R80W for irrigation of 2,855 acres located in portions of Sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. This application proposes to irrigate an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W from the existing Missouri River diversion point described above with no increase in the 35.01 cfs diversion rate authorized by Water Right No. 7229-3. This site is located approximately five miles north of Pierre SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8871-3 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 10, 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 10, 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 once at the total approximate cost of_

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, May 20, 2024 11:32 AM
To: legals@capjournal.com
Subject: 8871-3 Gray Goose Irrigation District - Public Notice
Attachments: 8871-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 29, 2024.

Gray Goose Irrigation District, PO Box 108, Warner SD 57479, 605-225-5420, jnelson@sbslaw.net has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, May 20, 2024 11:33 AM
To: Ruby Crandall
Subject: 8871-3 Gray Goose Irrigation District - Public Notice
Attachments: 8871-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 29, 2024.

Gray Goose Irrigation District, PO Box 108, Warner SD 57479, 605-225-5420, jnelson@sbslaw.net has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Will Lamb, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Capital Journal, a newspaper printed and published in the City of Pierre, County of Hughes, State of South Dakota; that he/she has full and personal knowledge of the facts herein stated, that said newspaper is legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the legal display advertisement headed 8871-3 Gray Goose Irrigation District a printed copy of which, taken from the paper in which the same was published, and which is here to attached and made a part of this affidavit, was published in said newspaper for 1 successive week(s) to wit:

May. 29, 2024

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomever; that the fees charged for the publication thereof are: 58.22

Will Lamb

(Signed)

VERIFICATION

State of Florida
County of Orange



PAMELA BAEZ
Notary Public - State of Florida

Commission # HH 186700
Expires on October 14, 2025

Subscribed in my presence and sworn to before me on this: 06/05/2024

[Signature]

Notary Public
Notarized remotely online using communication technology via Proof.

PUBLIC NOTICE

NOTICE OF APPLICATION
NO. 8871-3 to Appropriate Water

Notice is given that Gray Goose Irrigation District, PO Box 108, Warner SD 57479 has filed an application for a water permit to irrigate an additional 136 acres. Water Right No. 7229-3 authorizes 35.01 cubic feet of water per second (cfs) from an existing Missouri River diversion point located in the NW 1/4 NE 1/4 Section 26-T112N-R80W for irrigation of 2,855 acres located in portions of Sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. This application proposes to irrigate an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W from the existing Missouri River diversion point described above with no increase in the 35.01 cfs diversion rate authorized by Water Right No. 7229-3. This site is located approximately five miles north of Pierre SD. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8871-3 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 10, 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 10, 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 May 29, 2024 at the total approximate cost of \$58.22 and may be viewed free of charge at www.sdpublicnotices.com

Proof Of Publication

Huron Plainsman
49 3rd Street SE
Huron, SD 57350
605-353-7402
Legal Notice Number: 2605

I, Kim Davis, being duly sworn on oath say that the Plainsman is a daily paper published at Huron, Beadle County South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am a Legal Advertising Coordinator of said newspaper and know that facts herein state. The annexed notice headed: Gray Goose Irrigation District – Notice of Application was published for one day, in said newspaper and not in any supplement of the said newspaper; the publication was on 05/29/2024. That the full amount of the fee charged for the \$46.89 Public Hearings to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.

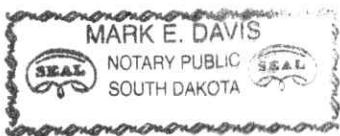


Subscribed and sworn to me before this date 5/29/24.



Notary Public, South Dakota

My Term Expires 12/27/2024



F. P. 05-29-24

**NOTICE OF
APPLICATION
NO. 8871-3 to**

Appropriate Water

Notice is given that Gray Goose Irrigation District, PO Box 108, Warner SD 57479 has filed an application for a water permit to irrigate an additional 136 acres. Water Right No. 7229-3 authorizes 35.01 cubic feet of water per second (cfs) from an existing Missouri River diversion point located in the NW 1/4 NE 1/4 Section 26-T112N-R80W for irrigation of 2,855 acres located in portions of Sections 22, 23, 25 through 28, 34, and 36 all in T112N-R79W. This application proposes to irrigate an additional 136 acres located in the SE 1/4 Section 34-T112N-R79W from the existing Missouri River diversion point described above with no increase in the 35.01 cfs diversion rate authorized by Water Right No. 7229-3. This site is located approximately five miles north of Pierre SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8871-3 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

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.

No. 2605 (adv.) Published one time at the total approximate cost of \$46.89 and may be viewed free of charge at www.sdpublicnotices.com.

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 10, 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 10, 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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, May 20, 2024 11:35 AM
To: JNelson@sbslaw.net
Subject: 8871-3 Gray Goose Irrigation District - Public Notice
Attachments: 8871-3 Rec.pdf; 8871-3 Ltr.pdf; 8871-3 PubNotice.pdf

Good morning,

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

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 20 2024

Gray Goose Irrigation District
c/o Larry Braun
PO Box 108
Warner SD 57479

Dear Mr. Braun:

Enclosed is Water Permit No. 8871-3 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**

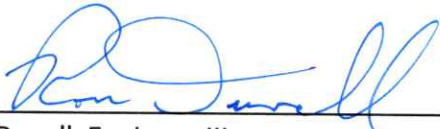
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the 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.: 8871-3

Name of Applicant: Gray Goose Irrigation District, c/o Larry Braun

Date of Posting: 5/28/2024

Date of Removal: 6/20/2024

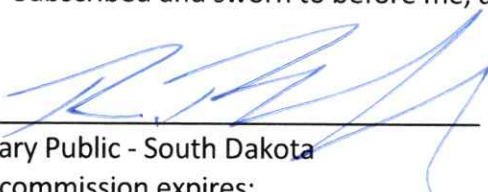


Ron Duvall, Engineer III

6/20/2024

Date

Subscribed and sworn to before me, a notary public, this 20th day of June, 2024.



Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)



8871-3

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

Date 6-25-2024

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

FROM: Gray Goose Irrigation District to Greg Rahm
(name)
40604 161st ST
(address)
Turton SD 57477 605-216-0255
(city, state, zip) (phone)

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

Water Permit No. 8871-3 states that the water use system is to be constructed by
June-10-2029, and water is to be put to beneficial use by June 10-2033.
(date) (date)

The water use system was completed on Nov 10-2023.
(date)

Applying the water to beneficial use was completed on Nov-10-2023.
(date)

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

by Greg Rahm
(signature)

Treasurer - Gray Goose Irrigation
District

7-98



RECEIVED

JUL 01 2024

OFFICE OF
WATER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 2, 2024

8871-3

Grey Goose Irrigation District
c/o Greg Rahm
40604 161st St
Turton SD 57477

Dear Mr. Rahm:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system authorized by Permit No. 8871-3.

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

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

Sincerely,

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



United States Department of the Interior

BUREAU OF RECLAMATION
Rapid City Field Office
515 Ninth Street, Room 101
Rapid City, SD 57701



IN REPLY REFER TO:

DK-4100
2.2.4.22

Mr. Jon Beastrom
Board President
Gray Goose Irrigation District
PO Box 108
Warner, SD 57479
jonbeastrom@msn.com

Subject: Inclusion of Tracts of Lands, Gray Goose Irrigation District Contract No. 0-07-60-W0563, located in the SE1/4, Section 34, Township 112 N, Range 79 W, 5th Meridian, Hughes County, South Dakota

Dear Mr. Beastrom:

Pursuant to South Dakota Codified Law 46A-4-52, the Gray Goose Irrigation District (District) has petitioned that the boundaries of the District be changed to admit said certain lands into the District. I do hereby assent to the changes in the boundaries of the District to include the lands described. A copy of the assent is enclosed for your records.

If you have any questions regarding this matter, please contact Ms. Ginger Wessels, Civil Engineer at (605) 519-5547 or at gwessels@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

JOSEPH HALL

Digitally signed by JOSEPH
HALL
Date: 2024.10.30 15:18:38 -05'00'

Joseph E. Hall
Area Manager, Dakotas Area Office

Enclosure

cc: Mr. Eric Gronlund
Chief Engineer, Water Rights Program
SD Dept. of Ag and Natural Resources
523 E Capitol Ave
Pierre, SD 57501
Eric.gronlund@state.sd.us

Ms. Jenny Nelson
Assistant to Rodrick L. Tobin
Siegel Barnett & Schutz LLP
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402
jnelson@sbslaw.net

INTERIOR REGION 5 • MISSOURI BASIN
INTERIOR REGION 6 • ARKANSAS-RIO GRANDE-TEXAS GULF

COLORADO*, KANSAS, MONTANA*, NEBRASKA, NORTH DAKOTA*, OKLAHOMA, SOUTH DAKOTA*, TEXAS*, WYOMING*

* PARTIAL



IN REPLY REFER TO:

DK-4000
2.2.4.22

United States Department of the Interior

BUREAU OF RECLAMATION
Rapid City Field Office
515 Ninth Street, Room 101
Rapid City, SD 57701



GRAY GOOSE IRRIGATION DISTRICT IN SOUTH DAKOTA

WHEREAS, the Gray Goose Irrigation District (District), organized and existing pursuant to the laws of the State of South Dakota, has advised the Bureau of Reclamation that owners of certain lands have requested, by signed petitions, that the boundaries of the District be changed to admit said certain lands, in total approximately 160 acres, into the District; and

WHEREAS, pursuant to the provisions of its Contract No. 0-07-60-W0563, dated February 21, 1990, with the United States, the District, by action and approval dated June 19, 2023, by the District Board, and pursuant to South Dakota Codified Law 46A-4-52, and by the signed petitions for the change of boundaries dated May 31, June 10, and June 14, 2023, has requested the Secretary of the Interior to assent to the changes in the boundaries of the said District as proposed in the petitions aforementioned.

NOW, THEREFORE, having been fully advised in the premises and pursuant to the authority vested in me by the Secretary of the Interior and the Commissioner of the Bureau of Reclamation, I do hereby assent to the changes in the boundaries of the District to include the lands described in the enclosed petitions. This assent is made with the understanding that such assent is subject to those determinations and limitations set forth in Contract No. 0-07-60-W0563 between the District and United States.

APPROVED: JOSEPH HALL Digitally signed by JOSEPH HALL
Date: 2024.11.01 08:42:41 -05'00' **DATE:** _____
Joseph E. Hall
Area Manager, Dakotas Area Office

INTERIOR REGION 5 • MISSOURI BASIN
INTERIOR REGION 6 • ARKANSAS-RIO GRANDE-TEXAS GULF

COLORADO*, KANSAS, MONTANA*, NEBRASKA, NORTH DAKOTA*, OKLAHOMA, SOUTH DAKOTA*, TEXAS*,
WYOMING*

* PARTIAL

Prepared by:
Rodrick L. Tobin
Siegel, Barnett & Schutz, L.L.P.
PO Box 490
Aberdeen, SD 57402-0490
605-225-5420

**PETITION TO INCLUDE ADDITIONAL LAND
WITHIN THE GRAY GOOSE IRRIGATION DISTRICT BOUNDARIES**

Petitioners Larry Braun and Greg Rahm, Trustee of the Cyd Rahm Family Trust dated June 28, 2022, state they are the owners of:

Southeast Quarter of Section 34, Township 112 North, Range 79 West of the 5th
P.M., Hughes County, South Dakota ("Property").

and request, according to SDCL 46A-4-53, that Gray Goose Irrigation District ("District") change its boundaries to include the Property. Petitioners assent to the District including the Property within its boundaries.

If included in the Gray Goose Irrigation District, Petitioners will pay or obligate the Property to pay the same assessments or charges as all other District lands have originally paid or have been obligated for, including the cost of studies, construction, operation, and maintenance charges and the cost of water deliveries and the Property would have a right to water of the District.

Petitioners have signed this Petition on May 31, 2023.

Signature: Larry Braun
Name: Larry Braun

Cyd Rahm Family Trust

Signature: Greg Rahm
Name: Greg Rahm
Title: Trustee

[illegible]

On May 31, 2023, before me, the undersigned officer, personally appeared Larry Braun, known to me to be or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(Notarial Seal)



to set my hand and official seal.

Mitchell L. Leach

Notary Public, South Dakota

My Commission Expires: 11-30-2027

STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF BROWN)

On May 31st, 2023, before me, the undersigned officer, personally appeared Greg Rahm, Trustee of the Cyd Rahm Family Trust dated June 28, 2022, and that he, as such Trustee, being authorized so to do, executed the foregoing instrument by himself as Trustee.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(Notarial Seal)



Michelle A. Reahr
Notary Public, South Dakota
My Commission Expires: 11-30-2027

Capital Journal

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Hughes

Shauna Cunningham of said county, being, first duly sworn, on oath says: That ~~he~~^{she} is the publisher or an employee of the publisher of the Capital Journal, a daily newspaper published in the City of Pierre in said County of Hughes and State of South Dakota; that ~~he~~^{she} has full and personal knowledge of the facts herein stated, that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within the said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the ~~legal~~^{display} advertisement headed Notice

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 2 successive week(s) to wit:

06/10/2023 06/14/2023

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are: \$19.78

Signed: Shm si

subscribed and sworn to before me this 22nd day of June 2023

Marylin Baker

Notary Public in and for the County of Hughes, South Dakota.
My Commission expires February 19, 2027



CLASSIFIEDS

Help Wanted

ADMINISTRATIVE ASSISTANT

The Stanley County Commission is now accepting applications for the position of Stanley County Director of Equalization Administrative Assistant. Self-motivated and reliable. Requires customer service skills, accuracy, attention to detail, ability to multi-task, problem solve, complete tasks with a deadline, work independently and as a team. Answer telephone, route calls, handle mail-in, filing data entry, make copies, take documents, maintain records, correspondence, bill customers and perform other office duties as needed. Must be able to communicate both oral and in writing. In review, evaluate, analyze data, and prepare reports, work with figures to gather, compare and summarize data from a variety of sources. Skilled in operating office equipment, experience with Microsoft Office: Word, Excel, and Access.

Monday through Friday, 8am to 5pm (CT). Must have a high school diploma or GED certified. Requires a valid driver's license. Starting wage is \$17.50/hour. DOB with health and life insurance and SD retirement.

Please submit an application and resume with references to Stanley County Auditor, PO Box 255, Fort Pierre, SD 57532, or drop off at the Stanley County Courthouse, 08 East 2nd Avenue, Fort Pierre.

Closing June 23, 2023.



COUNTRYSIDE MEMORY CENTER

Unique job opportunity for RN, Counselor or Social Worker with Countryside Memory Center. This position is part of the team that provides memory services for those with Alzheimer's and other types of memory loss. Small comfortable office setting with ample time allowed to work one on one with patients/families. Opportunity to learn new screening and assessment techniques and utilize your professional expertise. Flexible work schedule with either part or full time hours available. Competitive wage, sick and vacation accrual and retirement plan. For more information call 605-845-0827 or stop at Countryside 415 S. Crow for application.

NOW HIRING

Global Harvest Foods
113 South Wymen
Harrold, SD

We are a growing company hiring for Production positions (\$17.50 and Grain Operator, wage DOE).

Come join our team! Bonus available, to be discussed at interview. Insurance (Medical, Dental, Vision) company paid 100% for employee & 75% for spouse (and/or dependents). 401 K matching funds. PTO, Holiday pay.

Ways to apply:
Call Dennis or Julie at 605-875-4250. Stop into the Plant in Harrold to apply. Address is above. Stop in at the Career Center in Pierre to fill out an application.

Stanley County
Clerk of Courts
P.O. Box 758
Fort Pierre, SD 57532

Attorney for Estate
Kimberly A. Mortenson
Mortenson Law Offices
P.O. Box 190
Fort Pierre, SD 57532
605-223-8040

SNAXLP 19872
2dly 6/7, 6/14

Invitation to Bid

Electronic bids will be accepted by the State Engineer on behalf of the South Dakota Bureau of Administration at <https://www.sd.gov/state-engineer/bids> until June 27, 2023 at 2:30 PM CT for the Fleet & Travel, Road Replacement, Capital Complex, Pierre, South Dakota, OSSE# AC22-06XW/MR.

There will be an on-site pre-bid meeting on June 29, 2023 at 1:00 PM CT. All bidders can meet at Fleet & Travel, 104 S. Garfield, Bldg. E Pierre, SD. This pre-bid meeting is optional.

SNAXLP 19872
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SNAXLP 19872
2dly 6/7, 6/14

Invitation to Bid

Help Wanted

PIERRE SHINE JOBS

Medicare beneficiaries by telephone or in person, regarding Medicare, related insurance, and/or SNAP (Senior Medicare Assistance). Provide unbiased information to clients to ensure that they can make timely informed decisions and access resources that meet their needs. Monitors and manages volunteer training and scheduling. Travel may be included. Open Enrollment (October 15 - December 7). Job is enjoyable for the number of hours and scheduling. Travel may be included. Regional Coordinator - Manages the SHINE volunteer program and the counties in the Central Region (Pierre) of the SD SHINE program. Training and program materials are provided by the State SHINE Director with the use of the National SHIP and SMP Reports. Center website, requirements include ongoing technical assistance from State SHINE Director and education and reporting in the SHIP and SMP Reports. Bidder further agrees the Plans and Specifications for this project are doing so for the sole purpose of submitting a bid on the project. Bidder further agrees the Plans and Specifications for this project are doing so for the sole purpose of submitting a bid on the project. Bidder further agrees the Plans and Specifications for this project are doing so for the sole purpose of submitting a bid on the project.

Each bid in excess of \$100,000.00, or upload a copy of their 10% bid bond to their electronic bid issued by a surety authorized to do business in the State of South Dakota and made payable to the Bureau of Administration of the State of South Dakota. The BGA reserves the right to reject any or all bids and to waive any irregularities therein. All active bids can be found here: <https://boa.sd.gov/state-engineer/adv-advertisements.aspx>

Office of the State Engineer

Published June 7 and 14, 2023, at the total approximate cost of \$57,077 and may be viewed free of charge at www.sdpublicnotices.com.

SNAXLP 19877

4dly 6/7, 6/10, 6/14, 6/17

IN CHILDREN'S COURT

Eagle Butte, South Dakota

NOTICE OF HEARING ON PETITION FOR TERMINATION OF PARENTAL RIGHTS

CHEYENNE RIVER SIOUX TRIBAL COURT

CHEYENNE RIVER SIOUX TRIBE

CHEYENNE RIVER INDIAN RESERVATION

IN THE MATTER OF: R.M. d.o.b. 06-12-2017, O.M. d.o.b. 08-08-2018, R.M. d.o.b. 07-21-2022, MINOR CHILDREN, and concerning

LYBECCA MORAN, and JOHN DOE, RESPONDENTS.

PLEASE TAKE NOTICE that a hearing on the Petition for Termination of Parental Rights of the Respondents in the above-captioned matter shall be heard before this Court in the Children's Court Courtroom of the Cheyenne River Sioux Tribe, in the City of Eagle Butte, South Dakota, on the 27th day of June 2023, at the hour of 1:00 p.m. MT or as soon thereafter as counsel may be heard.

DATED This 2nd day of June, 2023.

MAY, ADAM, GERDES, & THOMPSON, LLP

By: /s/ Doug Abraham DOUGLAS A. ABRAHAM

Attorneys for SD Department of Social Services

503 South Platte Street, P.O. Box 160, Pierre, South Dakota

Telephone: (605) 224-8803 Fax: (605) 224-9289

dsa@mayadam.net

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Legal Notices

SNAXLP 19881

2dly 6/14, 6/21

Invitation to Bid

Electronic bids will be accepted by the State Engineer on behalf of the South Dakota Department of Public Safety at <https://www.sd.gov/state-engineer/bids> until June 27, 2023 at 2:30 PM CT for the Rapid City Office, Highway Patrol Garage, Department of Public Safety, Rapid City, South Dakota, OSSE# ASW22-05X.

There will be an on-site pre-bid meeting on June 29, 2023 at 9:00 AM MT. All bidders can meet at the office of the State Engineer, 503 South Platte Street, Pierre, SD 57501-0160.

Each bid in excess of \$100,000.00, or upload a copy of their 10% bid bond to their electronic bid issued by a surety authorized to do business in the State of South Dakota and made payable to the Bureau of Administration of the State of South Dakota. The BGA reserves the right to reject any or all bids and to waive any irregularities therein. All active bids can be found here: <https://boa.sd.gov/state-engineer/adv-advertisements.aspx>

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DATED This 2nd day of June, 2023.

MAY, ADAM, GERDES, & THOMPSON, LLP

By: /s/ Doug Abraham DOUGLAS A. ABRAHAM

Attorneys for SD Department of Social Services

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SPECIAL MEETING MINUTES
GRAY GOOSE IRRIGATION DISTRICT
BOARD OF DIRECTORS

A special meeting of the Gray Goose Irrigation District Board of Directors was held on June 19, 2023, commencing at 10:00 a.m., at 5 W. Main Street, Warner, South Dakota 57479.

Present were Directors: Jon Beastrom, Larry Braun, Sam Braun, and Gregory Rahm, and Attorney Rodrick L. Tobin.

**RESOLUTION, FINDINGS AND DECLARATION
PURSUANT to SDCL 15-18-3.1**

Upon a motion by Jon Beastrom, seconded by Gregory Rahm, pursuant to SDCL 5-18-3.1 the Board of Directors of Gray Goose Irrigation District ("District") determines that an emergency exists involving the welfare of the District, and finds as follows:

1. The District's existing techite pipeline is in danger of failure.
2. The members of the District have to make their planting decisions immediately, and irrigated crops are and will be planted for irrigated crops for 2023 and will need water as soon as possible.
3. The failure of the pipeline to deliver water, and especially at the peak critical need for water for irrigated crops, would be devastating to the economic welfare of all the irrigators in the District, and potentially subject the District to liability for negligent failure to provide water if the District does not take steps to prevent this loss.
4. The magnitude of such loss based upon crops planted and commodity prices would be devastating to the people in the District.
5. Further, awaiting regular advertising for bids would seriously impair public services required to be provided, and rentals are not a possibility. As far as practicable, the Board will secure at least two competitive quotations and retain the same in its files. At the next meeting of the Board, there will be spread upon the minutes a statement of the quotations received, identifying the bidder and the amount of the bid.

The District will immediately contract for the pipe, engineering, insulation, and all other services necessary to avoid the above-described emergency. James Beastrom, Gregory Rahm, and Larry Braun are authorized to act for the District, and, with the assistance of any other director or member of the District they select, are authorized to proceed with the response to this emergency as above-described. The above Resolution passed unanimously.

Discussion was had regarding the costs involved: approximately \$39,400 for repair of pipe including labor and materials. Should order frost free pressure relief valves.

Motion was duly made and seconded to adjourn meeting. Motion carried.

GRAY GOOSE IRRIGATION DISTRICT

A handwritten signature in black ink, reading "Rodrick L. Tobin". The signature is written in a cursive style with a large, stylized 'R' and 'T'.

Rodrick L. Tobin
Attorney for Gray Goose Irrigation District,
Acting for the Board of Directors
Siegel, Barnett & Schutz, LLP
415 S Main Street, Ste. 400
Aberdeen, SD 57401
605-225-5420

WAIVER OF NOTICE
GRAY GOOSE IRRIGATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING

The undersigned, all of the duly authorized directors of the Gray Goose Irrigation District, do hereby waive the requirement of notice of special meeting, which meeting was held on June 19, 2023, at 5 W. Main Street, Warner, South Dakota 57479.

Dated June 19, 2023.

GRAY GOOSE IRRIGATION DISTRICT

A handwritten signature in black ink, reading "Rodrick L. Tobin". The signature is written in a cursive style with a large, stylized 'R' and 'T'.

Rodrick L. Tobin
Attorney for Gray Goose Irrigation District,
Acting for the Board of Directors
Siegel, Barnett & Schutz, LLP
415 S Main Street, Ste. 400
Aberdeen, SD 57401
605-225-5420

NOTICE OF PETITIONS FOR INCLUSION OF TRACTS OF LAND
WITHIN THE BOUNDARIES OF THE GRAY GOOD IRRIGATION DISTRICT

Pursuant to SDCL 46A-4-55, Notice is given, that Petitions have been received and filed with the Gray Goose Irrigation District Board of Directors praying for inclusion of certain tracts of land within the boundaries of the District. If included, such lands would have a right to water and would be a part or parcel of the Gray Goose Irrigation District ("District"). The District has determined that this increase in size is in the best interests of the District. The District will continue to meet all contractual obligations with the Bureau of Reclamation, United States Department of Interior.

The names of the Petitioners (landowners) and the legal description of the lands mention in such Petitions are as follows:

Land owners: Larry Braun, Greg Rahm, Trustee of the Cyd Rahm Family Trust, dated June 28, 2022

Southeast Quarter of Section 34, Township 112 North, Range 79 West of the 5th
P.M., Hughes County, South Dakota.

Notice is further given that all person interested in or that may be affected by such changes of the Gray Good Irrigation District boundaries may appear at the regular meeting of the District's Board of Directors to be held at 5 W. main Street, Warner, South Dakota 57479, at 10:00 a.m. and thereafter as long as may be necessary, and show cause in writing, if any they have, why the change in the boundaries of such District, as proposed in such Petition, should not be made.

GRAY GOOSE IRRIGATION DISTRICT



Rodrick L. Tobin
Attorney for Gray Goose Irrigation District,
Acting for the Board of Directors
Siegel, Barnett & Schutz, LLP
415 S Main Street, Ste. 400
Aberdeen, SD 57401
605-225-5420

**ASSENT OF SECRETARY OF THE INTERIOR
UNITED STATES DEPARTMENT OF THE INTERIOR**

COMES NOW, THE Secretary of Interior, United States Department of the Interior, and, pursuant to SDCL 46A-4-53, assents to change of boundaries in the Gray Goose Irrigation District (“District”) by inclusion within the boundaries of said District of the following described lands:

Southeast Quarter of Section 34, Township 112 North, Range 79 West of the 5th
P.M., Hughes County, South Dakota, (“Property”).

Whereas, the District has agreed that all payment terms and contract terms will continue to be met by the District, now, therefore, it is agreed the above-described lands will be included within the boundaries of the Gray Goose Irrigation District and will be subject to any obligations under the Contract with the Bureau of Reclamation, United States Department of the Interior.

Dated June 19, 2023.

UNITED STATES DEPARTMENT OF INTERIOR
UNITED STATES SECRETARY OF THE INTERIOR

By: _____
Its: _____

**Permit No. 8871-3 and Water Right No. 7229-3
Missouri River - Water District**

Contact Person & Address: **Greg Rahm, Treasurer**

Report Of Examination Of Works

On, **September 26, 2024**, I made a thorough examination of the water use system constructed by **Gray Goose Irrigation District, c/o Greg Rahm, 40604 161st St, Turton, SD 57477** holder of Water Permit No. **8871-2** and License No. **7229-3**, bearing the priority of **November 7, 1963** authorizing the diversion of **25.0** cu. ft. per second, the priority of **March 11, 2008** authorizing the diversion of **8.34** cu. ft. per second, the priority of **February 2, 2011** authorizing the diversion of **1.67** cu. ft. per second, and the priority of **May 7, 2024** authorizing **No Additional** diversion of the waters of **surface water (Missouri River)** for **irrigation** purposes, in **Hughes** County.

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 26 T112N-R80W; 2500 ft west & 950 ft south**; with a latitude of **44.48729** and a longitude of **-100.42013** as determined using **GPS**.

The works are capable of diverting and conveying to the place of use **35.01** 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:

Sec 22 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ NW ¼ - 34 ac	NE ¼ NW ¼ - 34 ac	SE ¼ NW ¼ - 34 ac	SW ¼ NW ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 ac

Sec 23 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 ac

Sec 25 T112N-R79W

NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 ac

Sec 26 T112N-R79W

NW ¼ NW ¼ - 34 ac	NE ¼ NW ¼ - 34 ac	SE ¼ NW ¼ - 34 ac	SW ¼ NW ¼ - 34 ac
NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 ac

Sec 27 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 ac

Sec 28 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
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Sec 34 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac

Sec 36 T112N-R79W

NW ¼ NE ¼ - 34 ac	NE ¼ NE ¼ - 34 ac	SE ¼ NE ¼ - 34 ac	SW ¼ NE ¼ - 34 ac
NW ¼ SE ¼ - 34 ac	NE ¼ SE ¼ - 34 ac	SE ¼ SE ¼ - 34 ac	SW ¼ SE ¼ - 34 ac
NW ¼ SW ¼ - 34 ac	NE ¼ SW ¼ - 34 ac	SE ¼ SW ¼ - 34 ac	SW ¼ SW ¼ - 34 a

comprising a total of 2,991 acres of land and the license should be issued for 35.01 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes.
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Pump:#1

- 1) Make Peabody Floway 2) Model MKM 3) Size 16 4) Capacity 2500-3300 GPM

Motor:#1

- 1) Make US Electrical 2) Model No. DCC-9537-310 3) Horsepower rating 350 hp

Pump:#2

- 1) Make Peabody Floway 2) Model MKM 3) Size 16 4) Capacity 2500-3300 GPM

Motor:#2

- 1) Make US Electrical 2) Model No. DCC-9537-310 3) Horsepower rating 350 hp

Pump:#3

- 1) Make Peabody Floway 2) Model MKM 3) Size 16 4) Capacity 2500-3300 GPM

Motor:#3

- 1) Make US Electrical 2) Model No. DCC-9537-310 3) Horsepower rating 350 hp

Pump:#4

- 1) Make Peabody Floway 2) Model MKM 3) Size 16 4) Capacity 2500-3300 GPM

Motor:#5

- 1) Make US Electrical 2) Model No. DCC-9537-310 3) Horsepower rating 350 hp

Pump:#6

- 1) Make Peabody Floway 2) Model MKM 3) Size 16 4) Capacity 2500-3300 GPM

Motor: #6

- 1) Make US Electrical 2) Model No. DCC-9537-310 3) Horsepower rating 350 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Varies 2) Size 36", 33", 27", 24" 15" & 8" inches 3) Length 83000 feet

SYSTEM TYPE:

Water Right No. 7229-3 from September 2, 2015 inspection;

21 low pressure center pivots each capable of irrigating 136 acres at with a capacity of 750 gallons per minute.

Water Permit No. 8871-3 from September 26, 2024 inspection

Center pivot: SE ¼ Section 34 T112N-R79W

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 2) Overall length <u>1280</u> feet |
| 3) Number of towers <u>7</u> | 4) End gun <u>yes</u> |
| 5) High or low pressure <u>low</u> | 6) Capacity <u>750</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

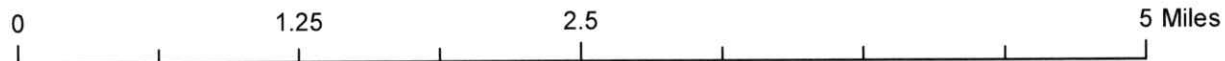
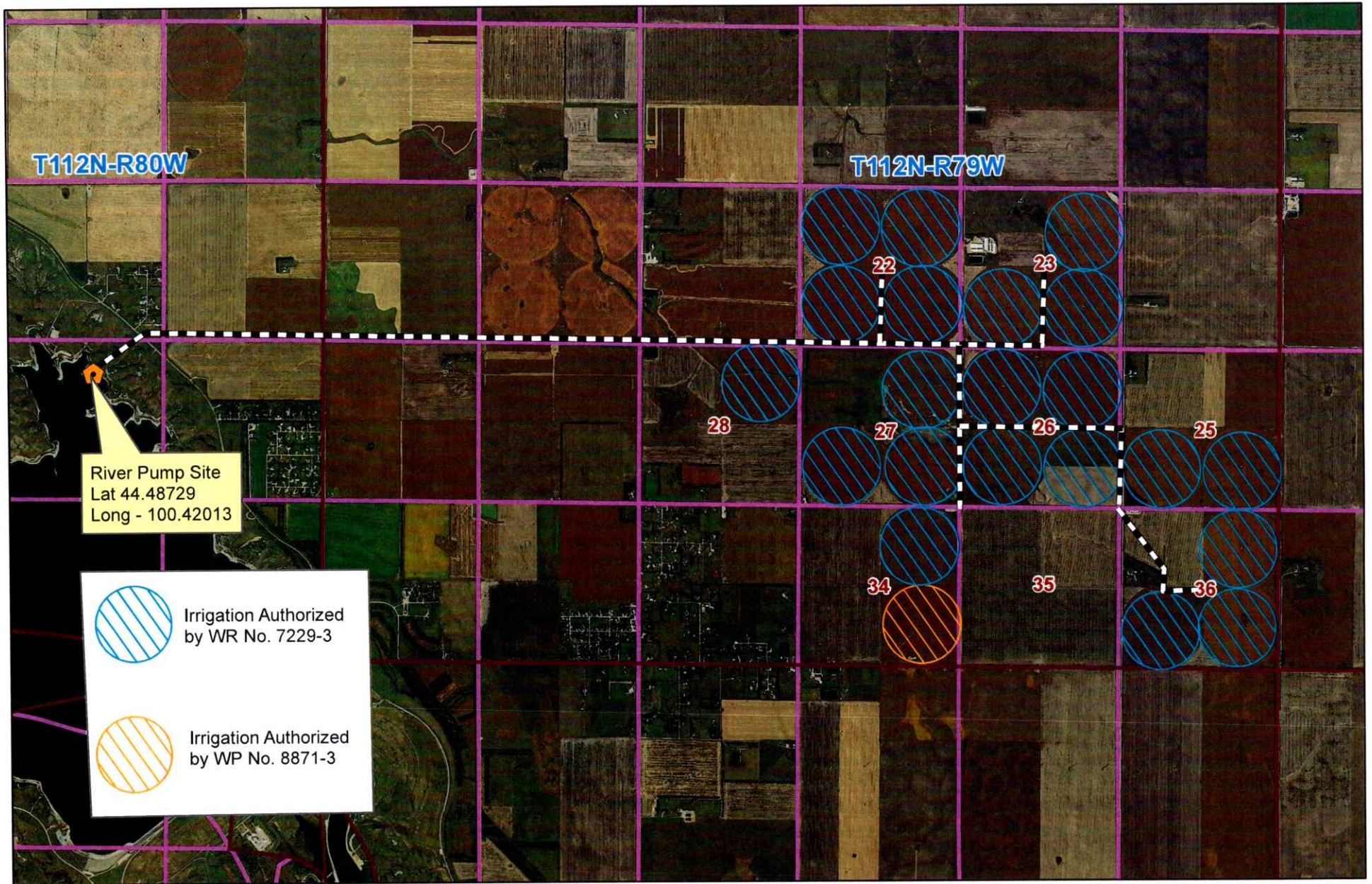
Comments : none



Mark D. Rath
Water Permit Inspector
DANR, Water Rights Program

October 9, 2024

Date



Mark D Rath
Water Permit Inspector
SD DANR - Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAY 02 2025

Gray Goose Irrigation District
c/o Larry Braun
Po Box 108
Warner, SD 57479

No. 8871-3

Dear Mr. Braun:

Enclosed is Water License No. 8871-3. 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,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8871-3

(1) Water Right No. 7229-3, held by Gray Goose Irrigation District, 40604 161st St, Turton, SD 57477, authorizes the diversion of 35.01 cubic feet of water per second from the Missouri River, for irrigation of 2,855 acres. The applicable portions of Water Right No. 7229-3 are incorporated into this license and previously established priority dates will be retained.

On May 7, 2024, Gray Goose Irrigation District made Application No. 8871-3, for a water permit to add an additional 136 acres, to what was already authorized under Water Right No. 7229-3, with no increase to the rate of diversion. Permit No. 8871-3, with a priority date of May 7, 2024, was approved June 10, 2024, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 10, 2029, and for the application to beneficial use of water on or before June 10, 2033.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on July 1, 2024. The Notice stated the diversion system was completed on November 10, 2023 and the water was placed to beneficial use on November 10, 2023.

(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 35.01 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,500 feet W and 950 feet S from the NE corner of Section 26, T112N, R80W (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
(Latitude 44.48729 and Longitude -100.42013)

(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: April 1 – October 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: *all in T112N, R79W*

Section 22

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 acres (3)	NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres (2)	NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (2)	NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (2)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (3)	NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres (2)	NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (2)	NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (2)
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (3)	SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres (2)	SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (2)	SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (2)
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (3)	SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 34 acres (2)	SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (2)	SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (2)

Section 23

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (1)	NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (1)	NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (1)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (1)	NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (1)	NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (1)
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (1)	SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (1)	SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (1)
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acres (1)	SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 34 acres (1)	SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 34 acres (1)

continued

Section 25

NE ¼ SW ¼ - 34 acres (1)	NE ¼ SE ¼ - 34 acres (1)
NW ¼ SW ¼ - 34 acres (1)	NW ¼ SE ¼ - 34 acres (1)
SW ¼ SW ¼ - 34 acres (1)	SW ¼ SE ¼ - 34 acres (1)
SE ¼ SW ¼ - 34 acres (1)	SE ¼ SE ¼ - 34 acres (1)

Section 26

NE ¼ NE ¼ - 34 acres (1)	NE ¼ NW ¼ - 34 acres (1)	NE ¼ SW ¼ - 34 acres (1)	NE ¼ SE ¼ - 34 acres (1)
NW ¼ NE ¼ - 34 acres (1)	NW ¼ NW ¼ - 34 acres (1)	NW ¼ SW ¼ - 34 acres (1)	NW ¼ SE ¼ - 34 acres (1)
SW ¼ NE ¼ - 34 acres (1)	SW ¼ NW ¼ - 34 acres (1)	SW ¼ SW ¼ - 34 acres (1)	SW ¼ SE ¼ - 34 acres (1)
SE ¼ NE ¼ - 34 acres (1)	SE ¼ NW ¼ - 34 acres (1)	SE ¼ SW ¼ - 34 acres (1)	SE ¼ SE ¼ - 34 acres (1)

Section 27

NE ¼ NE ¼ - 34 acres (1)	NE ¼ SW ¼ - 34 acres (2)	NE ¼ SE ¼ - 34 acres (1)
NW ¼ NE ¼ - 34 acres (1)	NW ¼ SW ¼ - 34 acres (2)	NW ¼ SE ¼ - 34 acres (1)
SW ¼ NE ¼ - 34 acres (1)	SW ¼ SW ¼ - 34 acres (2)	SW ¼ SE ¼ - 34 acres (1)
SE ¼ NE ¼ - 34 acres (1)	SE ¼ SW ¼ - 34 acres (2)	SE ¼ SE ¼ - 34 acres (1)

Section 28

NE ¼ NE ¼ - 34 acres (2)
 NW ¼ NE ¼ - 34 acres (2)
 SW ¼ NE ¼ - 34 acres (2)
 SE ¼ NE ¼ - 34 acres (2)

Section 34

NE ¼ NE ¼ - 34 acres (1)	NE ¼ SE ¼ - 34 acres (4)
NW ¼ NE ¼ - 34 acres (1)	NW ¼ SE ¼ - 34 acres (4)
SW ¼ NE ¼ - 34 acres (1)	SW ¼ SE ¼ - 34 acres (4)
SE ¼ NE ¼ - 34 acres (1)	SE ¼ SE ¼ - 34 acres (4)

Section 36

NE ¼ NE ¼ - 34 acres (1)	NE ¼ SW ¼ - 34 acres (1)	NE ¼ SE ¼ - 34 acres (1)
NW ¼ NE ¼ - 34 acres (1)	NW ¼ SW ¼ - 34 acres (1)	NW ¼ SE ¼ - 34 acres (1)
SW ¼ NE ¼ - 34 acres (1)	SW ¼ SW ¼ - 34 acres (1)	SW ¼ SE ¼ - 34 acres (1)
SE ¼ NE ¼ - 34 acres (1)	SE ¼ SW ¼ - 34 acres (1)	SE ¼ SE ¼ - 34 acres (1)

TOTAL – 2,991 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Gray Goose Irrigation District, the holder and/or owner of Water Right No. 8871-3 is issued a license to appropriate water, the right to use 35.01 cubic feet of water per second from the Missouri River, with priority dates of outlined in the chart below, from the location specified in (2) of this license for irrigation purposes.

continued

Established Under	Priority Dates	Irrigated Acres	CFS
No. 4116-3	November 7, 1963	2,040 acres (1)	25.0
No. 6997-3	March 8, 2008	680 acres (2)	8.34
No. 7229-3	February 2, 2011	135 acres (3)	1.67
No. 8871-3	May 7, 2024	136 acres (4)	0

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8871-3 and subject to the following qualifications:

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



Mark Mayer, PE
Director of Office of Water



date

