

WATER PERMIT NO. 8896-3

Name of Applicant: **Jogchum Andringa (Wildrose Dairy)**

Address: **47633 190th Street, Brandt SD 57218** Phone: **605-881-3901**

Amount of Water Claimed: **210.2 AF** Total Acres: **N/A**

Source of Water Supply: **Groundwater**

Water to be used for: **COM/Livestock** County: **Deuel**

Type of Waste Disposal System:

Location: **Approx. 22 miles north of Brookings**

PRIORITY Date Received: **08-22-24**

Application/License Fee: **\$950.00**

Corrected Application Received: **08-22-24**

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NE 1/4 NE 1/4 Sec 2-T113N-R49W**

Land to be Irrigated: **N/A**

Depth of Well: **760**

Well Driller: **Steffl Drilling & Pump**

Remarks:

Type of Map: **aerial**

				x	
		2			

Reviewed and the Number Assigned on: **08-27-24**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 8896-3

Date of first receipt of application August 22, 2024.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8896-3 to Jogchum Andringa, 47633 190th Street, Brandt SD 57218, 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. 8896-3 appropriates up to 210.2 acre-feet of water annually at a maximum pump rate of 0.33 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 745 feet deep) located in the NE 1/4 NE 1/4 Section 2-T113N-R49W. Water will be used for commercial use in an existing dairy cattle operation located in the NE 1/4 Section 2-T113N-R49W. This site is located approximately eight and one half miles south of Clear Lake SD.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8896-3 is November 12, 2024.
5. The date from which applicant may claim right is August 22, 2024.
6. One-fifth of the construction is to be completed on or before May 12, 2027.
7. All construction is to be completed on or before November 12, 2029.
8. Water is to be put to beneficial use on or before November 12, 2033.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Water Permit No. 8896-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The proposed well authorized by Permit No. 8896-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 8896-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-36.2 or 34A-2-112 or 34A-2-124 for concentrated animal feeding operations.

(continued)

4. Water Permit No. 8896-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
- a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions
5. The Permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Altamont Aquifer.
6. Water Permit No. 8896-3 authorizes a total annual diversion of up to 210.2 acre-feet of water from the Altamont Aquifer.

WATER MANAGEMENT BOARD

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

NOV 26 2024
date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8896-3</u> Hydrologic Unit <u>10170202</u> Basin <u>Big Sioux</u> Newspaper <u>Clear Lake Courier</u> <u>Brookings Register</u> (office use only)
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PAID

AUG 23 2024

Ck# 138104

Rec't# _____

Application for Permit to Appropriate Water in South Dakota

Check use(s) of water:

☐
☐
☐

Municipal
Rural Water System
Domestic (over 18 gpm)

☐
☐
☐

Water Distribution System
Commercial
Industrial

☐
☐
☒

Recreational
Fish & Wildlife
Other Livestock

☐
☐

Institutional
Geothermal

Type of Application:
(check one)

☒
☐
☐

New ☐ **Vested Right** (Use predates Mar 2, 1955) ☐ **Future Use Reservation**
Place to Beneficial Use Water Reserved by Future Use Permit No. _____
Amendment/Correction to Permit No. _____

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

1. Name to Appear on Water Permit Jogchum Andringa

Mailing Address 47633 190th St Brandt SD 57218

(Address)

(City)

(State)

(Zip Code)

Phone _____ Mobile 6058813901 Email jm.andringa@gmail.com

2. Amount of water claimed 0.33 *CFS or 150 **GPM and 210.2 ***AF or 68,500 Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply well (NE 1/4 NE 1/4)

4. Location of point of diversion 1 well in NE 1/4 section 2-T113N-R49W County Deuel
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ No

If "Yes," where will water be used? _____
(example - NW 1/4 section 12-T104N-R53W)

5. County or counties where water will be used Deuel

6. Annual period during which water is to be used year round

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Development of new well

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OFFICE OF
WATER

I, Jogchum Andringa, 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.

Supplemental Information

(type or print)

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

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

- a) If new wells, how many 1 Have test holes been drilled? ☒ Yes ☐ No Drilled by Steffl Drilling & Pump
(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) 745 Depth to Top of Water Bearing Material 709 Depth to Water from Surface _____
- d) Distance to nearest domestic well on applicant's property 100 yards 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

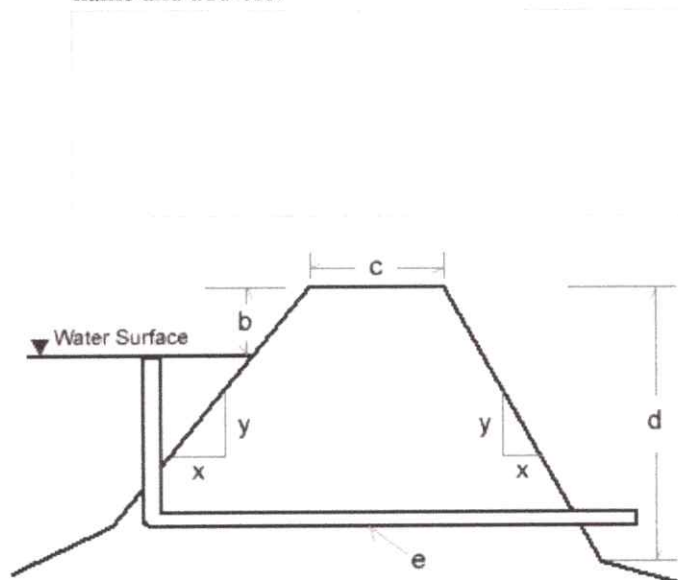
3. Dugout Information

- 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

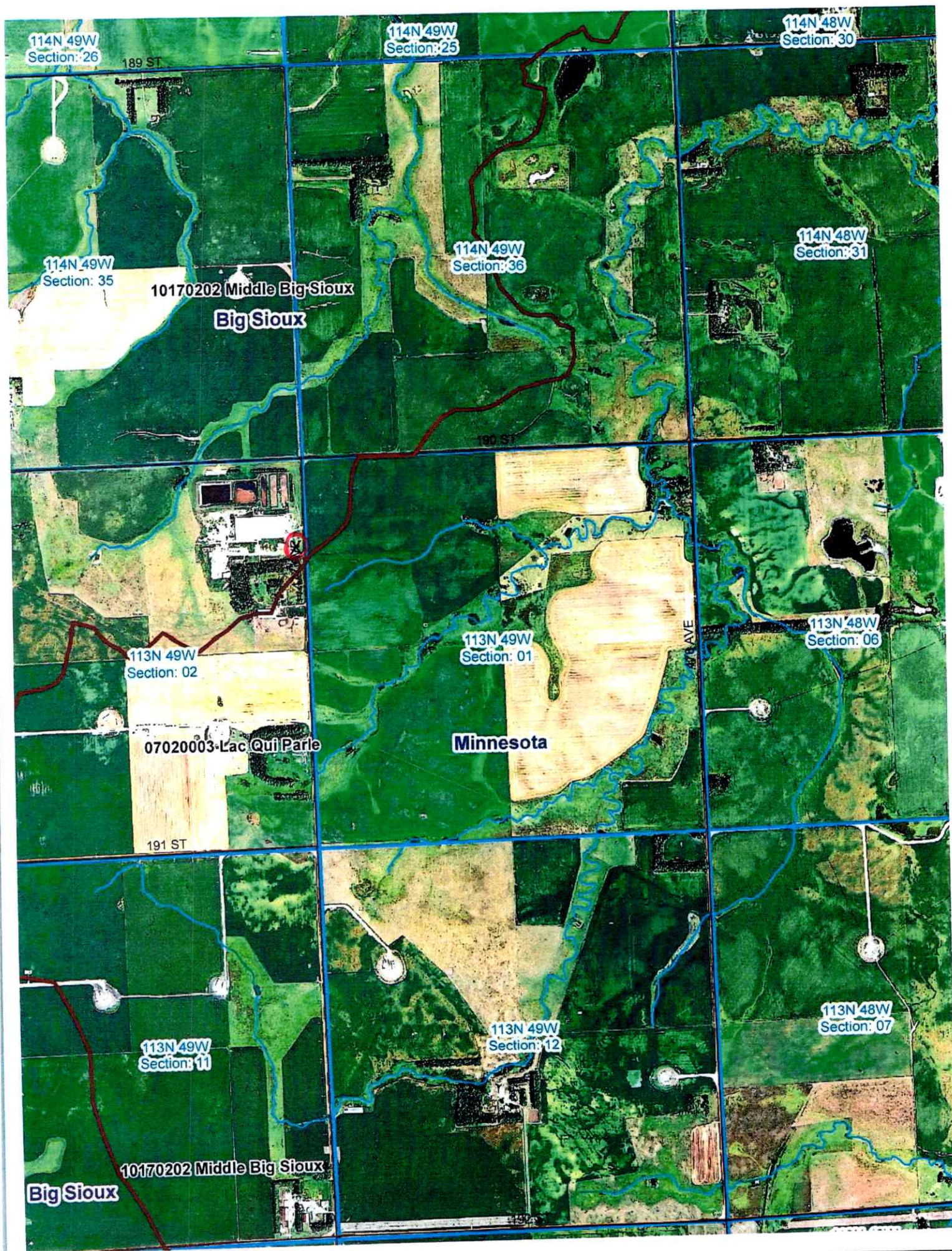
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WATER



114N 49W
Section: 26

114N 49W
Section: 25

114N 48W
Section: 30

114N 49W
Section: 35

10170202 Middle Big Sioux
Big Sioux

114N 49W
Section: 36

114N 48W
Section: 31

113N 49W
Section: 02

07020003-Lac Qui Parle

113N 49W
Section: 01

Minnesota

113N 48W
Section: 06

191 ST

113N 49W
Section: 11

113N 49W
Section: 12

113N 48W
Section: 07

10170202 Middle Big Sioux

Big Sioux

8896-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>NE</u> $\frac{1}{4}$ <u>NE</u> $\frac{1}{4}$ Sec <u>2</u> Twp <u>113</u> Rg <u>49</u> County <u>DEUEL</u> North GPS Coordinates Lat: <u>44 37 38.34 (44.62728)</u> Lon: <u>96 39 47.16 (-96.6631)</u> W <table border="1" style="border-style: dashed; width: 150px; height: 100px; text-align: center; line-height: 40px;"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table> E Please mark well location with an "X" on section grid Well Completion Date <u>8/13/2024</u> 1 Mile Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>120</u> ft. from <u>CATTLE BARN</u> (identify source)										Well Owner: <u>Jogchum Andringa</u> Business Name: <u>Wildrose Dairy</u> Address: <u>19035 477th Ave</u> City, State, Zip: <u>Brandt SD 57218</u> WELL LOG: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">FORMATION</th> <th colspan="2">DEPTH</th> </tr> <tr> <th>FROM</th> <th>TO</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td>***** SEE ATTACHED *****</td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> STATIC WATER LEVEL FEET If flowing: closed in pressure PSI GPM flow through Inch pipe Controlled by ☐ Valve ☐ Reducers ☐ Other GPM Reduced flow rate GPM Can well be completely shut in? GPM	FORMATION	DEPTH		FROM	TO										***** SEE ATTACHED *****																	
FORMATION	DEPTH																																									
	FROM	TO																																								
***** SEE ATTACHED *****																																										
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Monitoring Well ☐ Irrigation ☐ Industrial ☐ Institutional ☒ Test Hole ☐ Dewatering Well ☐ Geothermal ☐ Other _____ METHOD OF DRILLING: ROTARY CASING DATA: ☐ Steel ☐ Plastic ☐ Other If other describe _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>PIPEWEIGHT</th> <th>DIAMETER</th> <th>FROM</th> <th>TO</th> <th>HOLE DIAMETER</th> </tr> <tr> <th>LB/FT</th> <th>IN</th> <th>FT</th> <th>FT</th> <th>IN</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> GROUTING DATA: Grout Type <u>HS BENT</u> No. of Sacks <u>17</u> Grout Weight <u> </u> Lb/gal From <u>0.0</u> Ft To <u>760.0</u> Ft Describe grouting procedure <u>TREMMY</u>	PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER	LB/FT	IN	FT	FT	IN																WELL TEST DATA: ☐ Pumped Describe: ☐ Bailed ☐ Air ☐ Other Pumping Level Below Land Surface _____ Ft. After _____ Hrs. pumped _____ GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM																
PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER																																						
LB/FT	IN	FT	FT	IN																																						
SCREEN: ☐ Perforated pipe ☐ Manufactured Diameter _____ Inches Length _____ Feet Material _____ Slot Size _____ Set From _____ Feet to _____ Feet Other information _____	REMARKS <u>TH #6</u> This well was drilled under license # <u>463</u> And this report is true and accurate. Drilling firm: <u>Steffl Drilling & Pump Inc</u> Signature of License Representative: _____ Signature of Well Owner or Equitable Property Holder: _____ Date: _____																																									
WAS A PACKER OR SEAL USED? ☐ Yes ☐ No If so, what material? _____ Describe packer(s) and location _____ DISINFECTION: Was well disinfected upon completion? ☐ Yes, How? _____ ☒ No, Why Not? <u>TEST HOLE</u> Lab sample sent to for water quality analysis _____	RECEIVED																																									

Please return White Copy to DANR Water Rights 523 E. Capitol Ave., Pierre SD 57501

AUG 23 2024

OFFICE OF
WATER

8/13/2024

Wildrose Dairy

Test Hole #6
 44 37 38.34N
 96 39 47.16W

FORMATION			FROM	TO
TOPSOIL			0	1
CLAY	YELLOW	MEDIUM	1	39
CLAY	BLUE	GUMMY	39	190
SAND	BLUE		190	191
CLAY	BLUE	GUMMY	191	305
CLAY	YELLOW	GUMMY	305	340
CLAY	BLUE	GUMMY	340	385
CLAY	BLUE	STREAKS	385	405
SAND	BLUE	20 SLT	405	415
CLAY	BROWN	GUMMY	415	445
CLAY	GREY	VERY HARD	445	592
SAND	BROWN	10-15SLT /TOOK H	592	596
CLAY	BLUE	VERY HARD	596	709
SAND	TOOK H2O	COARSE	709	745
SHALE			745	760

RECEIVED

AUG 23 2024

 OFFICE OF
 WATER

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6887-3

(1) Wildrose Dairy LLC, 19035 477th Ave, Brandt SD 57218 made Application No. 6887-3, September 5, 2007 for a water permit to divert 0.11 cubic feet of water per second from groundwater (one well), Deuel County, South Dakota for commercial purposes. Permit No. 6887-3, with a priority date of September 5, 2007 was approved November 26, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 26, 2012 and for the application to beneficial use of water on or before November 26, 2016.

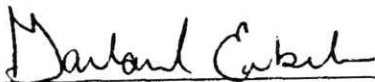
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on February 26, 2008. The *Notice* stated the diversion system was completed September, 2007 and the water placed to beneficial use January, 2008.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6887-3 is issued a license, bearing a priority date of September 5, 2007 to appropriate 0.11 cubic feet of water per second from groundwater (one well) for commercial use in a dairy operation.

The diversion point is located: approximately 995 feet south and 20 feet west of the northeast corner of Section 2-T113N-R49W (NE ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6887-3 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- Permit No. 6887-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
- Permit No. 6887-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
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 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 14 2010

date



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 23rd, 2024

RECEIVED OF Jogchum Andringa Wildrose Dairy 47633 190th Street Brandt SD 57218

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

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

By

Eric Gronlund
Chief Engineer

Gu

Rodriguez, Rachel

From: Jogchum&Maartje Andringa <jm.andringa@gmail.com>
Sent: Thursday, August 22, 2024 3:18 PM
To: Rodriguez, Rachel
Subject: Re: [EXT] Water Permit Application
Attachments: map.pdf; Wildrose Dairy TH #6 Formation.pdf; Wildrose Dairy TH #6 Log.pdf

Good afternoon,

Thank you for your quick reply.

We mailed out the application, map, well drillers report and the fee of \$950 this morning.

You are probably correct that it should be commercial. It is for dairy cattle so the milk gets sold.

I made a mistake when filling in the form, it's actually in section 2. I put an X on the map. It's right in front of our dairy barn.

And I also attached the well drillers log to this email.

Thank you,
Maartje Andringa

On 8/22/2024 1:16:25 PM, Rodriguez, Rachel <rachel.rodriguez@state.sd.us> wrote:

Good afternoon,

I am in receipt of your application for a water permit. There are two items that need attention:

- The application and license fee are dependent on the volume of water you are applying for. On the application, it appears (some of the zeroes got cut off) you are applying for 68,500,000 million gallons which equates to 210.2 acre-feet of water. The application indicates the proposed pump rate is 150 gallons per minute which if pumped 24 hours a day, 365 days a year, equates to about 242 acre-feet of water. To obtain 68,500,000 gallons (210.2 acre-feet) per year with a pump rate of 150 gallons per minute, your pump needs to run 87% of the time. If it is your intent to have the pump be running 87% of the time, please confirm you want to proceed with 68,500,000 gallons. The application and licensing fee for 68,500,000 gallons per year is \$950.00.
- Is the livestock for commercial use? If so, I will mark commercial use on your application.
- Attached is a map of Section 1-T113N-R49W, please make the location of the well with an "X" and return to me.

Once I receive your response, the map and fees, I can begin processing your application.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 22, 2024 1:16 PM
To: jm.andringa@gmail.com
Subject: Water Permit Application
Attachments: map.pdf

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Once I receive your response, the map and fees, I can begin processing your application.

Thank you,

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



Rodriguez, Rachel

From: Drennon, Kim
Sent: Wednesday, August 7, 2024 5:07 PM
To: Rodriguez, Rachel
Cc: Gronlund, Eric; Duvall, Ron
Subject: FW: Altamont Obs well quality

Incoming application from Wildrose Dairy (Jochum Andringa) who currently hold 6887-3 and want 100 more gallons per minute assuming they can find it.

From: Drennon, Kim
Sent: Wednesday, August 7, 2024 5:04 PM
To: jm.andringa@gmail.com
Subject: Altamont Obs well quality

Mr. Andringa,

Here is a link to the water quality data we have on the nearest Altamont Observation well to you. It is approximately 9 miles east of your location and off of the Prairie Coteau. The water quality information is on pages 3 and 4 of the pdf.
https://danr.sd.gov/wrimage/Observation_Wells/DU-73A.pdf

Kim Drennon (she/her)
Natural Resources Engineer
Water Rights Program/Safety of Dams Program
South Dakota Dept. of Agriculture and Natural Resources
(605) 773-3352



**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. 8896-3, Jogchum Andringa**

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. 8896-3, Jogchum Andringa, 47633 190th Street, Brandt SD 57218.

The Chief Engineer is recommending APPROVAL of Application No. 8896-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 8896-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
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 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions
5. The Permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Altamont aquifer.

6. Water Permit No. 8896-3 authorizes a total annual diversion of up to 210.2 acre-feet of water from the Altamont aquifer.

See report on application for additional information.



Eric Gronlund, Chief Engineer

October 17, 2024

Report to the Chief Engineer
Water Permit Application No. 8896-3
Jogchum Andringa
October 4, 2024

Water Permit Application No. 8896-3 proposes to appropriate up to 210.2 acre-feet of water annually at a maximum pump rate of 0.33 cubic feet per second (cfs) from one well (approximately 745 feet deep) to be completed into the Altamont aquifer. The proposed well location is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2-T113N-R49W. The water will be for commercial use in an existing dairy cattle operation located in the NE $\frac{1}{4}$ Section 2-T113N-R49W. This site is located approximately 8.5 miles south of Clear Lake, SD in Deuel County.

Aquifer: Altamont

Hydrogeology and Aquifer Characteristics

The application indicated the target well depth is 745 feet deep. Based on that depth and the submitted test hole report, the target aquifer material for this application is 709 to 745 feet below grade (1,237 to 1,273 ft NAVD88) and was indicated to be sand directly overlaying shale. The elevation of the screened aquifer materials correlates closest to the basal outwash in the area (SDGS, 2024). Basal aquifers are glacial outwash aquifers that are in contact with bedrock or are separated from the bedrock by only a thin layer of till. Hedges et al. (1982) applied the name Altamont aquifer to the previous unnamed basal outwash aquifers of the Prairie Coteau region of South Dakota. Identifying the aquifer for this well as Altamont aquifer is also consistent with the work done on the county scale by Kume (1985).

Hedges et al. (1982) estimated the Altamont aquifers collectively underlie in excess of about 1,672,800 acres of Beadle, Brookings, Brown, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts, and Spink Counties and contains in excess of about 7,197,360 acre-feet of recoverable water. In Deuel County, the Altamont aquifer is estimated to underlie about 305,900 acres with an estimated 1,605,900 acre-feet of water in storage (Hedges et al., 1982). Kume (1985) describes the Altamont aquifer throughout most of its extent in Deuel County as a sheet of basal outwash that appears to be continuous, noting that there could be areas where the outwash is not continuous and might not have a hydrologic connection with the rest of the basal outwash. Kume (1985) also notes there are several areas in Deuel County where the basal outwash was not encountered. Both in general in South Dakota and in Deuel County the Altamont aquifer is almost entirely under confined conditions (Hedges et al., 1982).

The Altamont aquifer has not been subdivided into management units by the Water Rights Program and the Water Management Board. Historically water availability has been reviewed for the entire Altamont aquifer when considering a new application (Water Rights, 2024b). However, more recent reviews have additionally examined water availability in the aquifer on a more localized scale where information is available and hydrogeologic conditions warrant a more localized review (Water Rights, 2024b), for example Hamilton's (1986) Altamont aquifer No. 2 in Clark County. Information is not available to delineate a localized hydrogeologic unit for this

application. For the review of this application, water availability will be examined aquifer wide in South Dakota with a localized perspective on water availability for the portion of the Altamont aquifer in Deuel County.

South Dakota Codified Law (SDCL)

SDCL 46-2A-9

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

Water Availability

Water Permit Application No. 8896-3 proposes to appropriate water from the Altamont aquifer for commercial use. The probability of unappropriated water being available from an aquifer can be evaluated by considering SDCL 46-6-3.1 which requires, “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the Greenhorn Formation and the application is for a water distribution system defined in SDCL 46-1-6 (17), the Board need not consider the recharge/withdrawal issue. The Altamont aquifer is not older or stratigraphically lower than the Greenhorn Formation and this application is not for a water distribution system, as defined in SDCL 46-1-6 (17). Therefore, the withdrawal/recharge issue must be considered.

Hydrologic Budget

Recharge

Recharge to the Altamont aquifer in Deuel County is primarily from lateral groundwater inflow from other counties. A very small amount of recharge may also occur from infiltration of precipitation through the overlaying aquifers and till (Hamilton, 1989). Hedges et al. (1985) estimates average annual recharge to the unconfined portion of the Altamont aquifer at 2.2 inches per year. However, for confined aquifers, Hedges et al. (1985) recommended recharge rates of 0.15 to 0.60 inches per year for use by management and development programs. Since the Altamont aquifer is primarily a confined aquifer the recommended recharge range for confined aquifers will be used to examine the hydrologic budget of the Altamont aquifer. There is no estimate of recharge to the Altamont aquifer specifically for Deuel County. Estimated range of average annual recharge to the Altamont aquifer based on the area of Hedges et al. (1982) and the recommended recharge rate for confined aquifers is 20,910 to 83,640 acre-feet per year for the entire Altamont aquifer and for Deuel County the estimated average annual recharge range is 3,824 to 15,295 acre-feet per year.

Discharge

Discharge from the Altamont aquifer in Deuel is primarily through groundwater outflow to other counties and well withdrawals (Hamilton, 1989; Water Rights, 2024c). Hamilton's (1989) map of the potentiometric contours of the Altamont aquifer in Brookings County indicates lateral groundwater inflow from Deuel County into Brookings County. There are currently 76 water rights/permits appropriating water from the Altamont aquifer in South Dakota and 2 future use permits.

Of the 76 water rights/permits, 48 water rights/permits are authorized to appropriate water from the Altamont aquifer for irrigation. Annual reported irrigation use for the appropriative water permits withdrawing water from this aquifer is summarized in Appendix A Table A1. In 2013, irrigation use of the Altamont aquifer neared its current level of development, so the reported irrigation use from 2013 to 2023 will be used to estimate irrigation use for the budget for this application. Reported average irrigation use from 2013 to 2023 (2,628 acre-feet per year) will be used to estimate current average annual irrigation use from the aquifer. Not captured in this reported use is Water Permit No. 8845-3 issued in early 2024, irrigation use associated with this permit is estimated at 40 acre-feet per year. Therefore, the total estimated average annual irrigation use is 2,668 acre-feet per year.

The two future use permits are held by the Towns of Henry and Wallace. Future Use Permit No. 4052-3 for the Town of Henry reserves 869 acre-feet annually from the Altamont aquifer (Water Rights, 2024). Future Use Permit No. 4054B-3 for the Town of Wallace reserves 12 acre-feet annually from the Altamont aquifer (Water Rights, 2024). Both of these communities are connected to rural water so full development of these permits is unlikely (Drinking Water, 2024; Water Rights, 2024b). However, for estimating water use for future use permits it is assumed that future use permits will be fully developed, therefore estimated water use for these permits is 881 acre-feet per year.

There are 28 non-irrigation water rights/permits appropriating water from the Altamont aquifer in South Dakota. These water rights/permits are summarized in Appendix A Table A2. Eight municipalities with Altamont water rights/permits have connected to rural water and maintain their wells for standby and fire suppression purposes (Drinking Water, 2024; Water Rights, 2024b). Therefore, water use for those municipalities is assumed to be minimal (zero acre-feet per year). Historically, average water use by non-irrigation appropriations limited solely by instantaneous diversion rate have been less than 60% of full time pumping at the maximum permitted diversion rate. For water rights/permits limited to an annual volume, full use of that volume is assumed for estimation of average annual withdrawal.

There are only two water rights/permits authorized to appropriate water from the Altamont aquifer in Deuel County. Those rights/permits are for the City of Brandt and Otter Tail Power Company. The estimate average annual appropriative use associated with these rights/permits is 12.3 acre-feet per year (Table A2).

Balance

Estimated average annual recharge to the Altamont aquifer in South Dakota ranges from 20,910 to 83,640 acre-feet per year and, for just Deuel County, it is 3,824 to 15,295 acre-feet per year. Average annual appropriative withdrawals from the Altamont aquifer in South Dakota are estimated at 6,265.2 acre-feet per year (future use: 881 acre-feet, irrigation: 2,668 acre-feet, non-irrigation: 2,506 acre-feet, and this application, if approved: 210.2 acre-feet) and, for just Deuel County, 222.5 acre-feet per year (future use: 0 acre-feet, irrigation: 0 acre-feet, non-irrigation: 12.3 acre-feet, and this application, if approved: 210.2 acre-feet). Therefore, based on the analysis of the hydrologic budget of the Altamont aquifer in South Dakota, there is a reasonable probability that water is available for the diversion proposed by this application.

Observation Wells

In determining the availability of unappropriated water for a permit application, Administrative Rule 74:02:05:07 requires the Water Management Board to rely on the record of observation well measurements, in addition to other data, to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated annual recharge.

The Water Rights Program currently monitors 30 observation wells completed into the Altamont aquifer (Water Rights, 2024a). Of these, only two observation wells are located in Deuel County with the remainder located in Clark, Spink, and Day Counties. Observation wells in Day, Clark, and Spink Counties primarily show rising to relatively stable water levels when comparing current data to the start of the period of record with fluctuations in response to climatic conditions. Some wells also document seasonal pumping of nearby irrigation wells. Water levels in the observation wells monitoring the aquifer generally increase during wet periods and gradually decrease during dry periods or remain relatively stable. This indicates that natural conditions dominate the aquifer, and recharge to and natural discharge from the aquifer exceeds pumping. Since recharge to and natural discharge from an aquifer can be captured for pumping, there is a reasonable probability that unappropriated water is available from the Altamont aquifer in South Dakota.

The hydrographs for the Deuel County wells are shown in Figure 1. Observation well DU-73A is located approximately 9.2 miles east of the well site for this application and observation well R2-96-02 is located approximately 11.7 miles to the northeast. Observation well DU-73A is screened into gravel and sand from elevation 1,221 to 1,322 ft (NGVD29) (SDGS, 2024). Observation well R2-96-02 is screened into sand from elevation 1,268 to 1,284 ft (NGVD29) (SDGS, 2024). These observation wells are under confined conditions.

Observation Well R2-96-02 is in close proximity to a well field for a rural water system (Burr well field for Lincoln-Pipestone Rural Water) located in Minnesota with several wells that are completed into aquifer materials of a similar elevation to those monitored by observation well R2-96-02 and are identified as Altamont aquifer wells (LPRWS, 2017 and Healy, 2000). R2-96-02 is documenting the localized impacts of pumping by the rural water system rather than the overall condition of the Altamont aquifer in Deuel County. However, in comparing the downward slope between early and later portions of the hydrograph for R2-96-02, it appears that the water level in the observation well is in the process of stabilizing. Additionally, even at its lowest

measured water level observation well R2-96-02 still had approximately 165 feet of artesian head pressure.

The hydrograph for observation well DU-73A is expected to be more representative of conditions at the well site for this application due to its closer location to the well site for this application. DU-73A has about 300 feet of artesian head pressure. Over the period of record for DU-73A the water level has fluctuated over a range of approximately 11 feet. At its lowest water level, DU-73A still had approximately 300 feet of artesian head pressure. Water levels in observation well DU-73A slightly declined during a period of time from 1997 to 2003 but have been relatively stable since 2003. If water levels in an aquifer decline over an extended period of time, it may be suggestive of withdrawal exceeding recharge. However, the water levels of DU-73A stabilized rather than continuing to decrease, and water levels in R2-96-02 appear to be in the process of stabilizing indicating that natural conditions dominate the aquifer in the area. This indicates withdrawals from the aquifer have not exceeded recharge. Since recharge to and groundwater outflow from an aquifer can be captured for well withdrawals, this further supports unappropriated water being available in the aquifer.

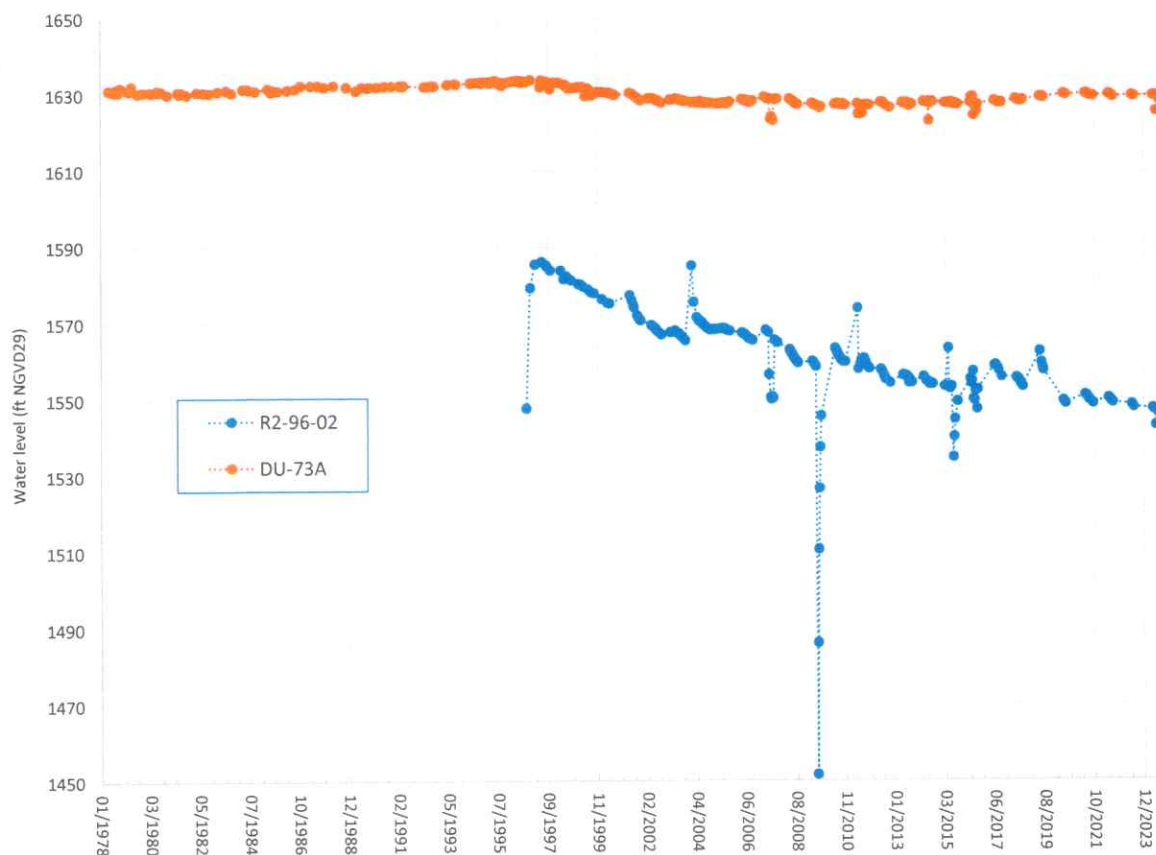


Figure 1: Hydrographs for observations wells in Deuel County (Water Rights, 2024a)

Potential for Unlawful Impairment

Water rights/permits authorized to appropriate water from the Altamont aquifer in the vicinity of the wellsite for this application are shown in Figure 2 and summarized in Table B2. The nearest water right/permit to the wellsite is Water Right No. 451-3 held by the City of Brandt (Water Rights, 2024b). No domestic wells completed in the Altamont aquifer are on file in the Water Rights Well Completion Report Database (Water Rights, 2024c). The domestic wells on file with the Water Rights Program within one mile all appear to be completed into shallower aquifers than the target aquifer for this application (Water Rights, 2024c).

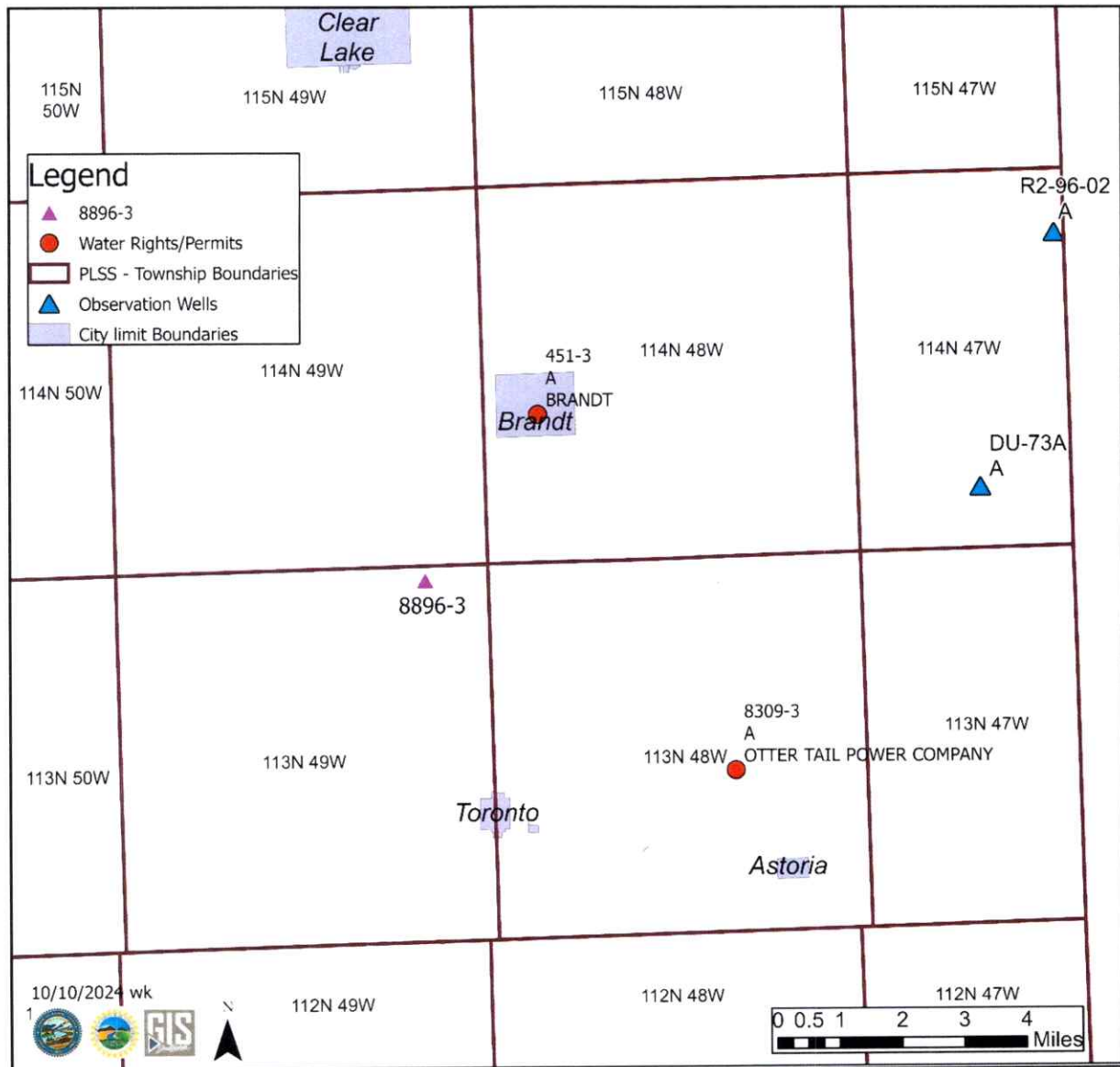


Figure 2: Water rights/permits authorized to appropriate water from the Altamont aquifer in the vicinity of the wellsite for this application (Water Rights, 2024b)

The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed

to maximum beneficial use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“A well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs.”

The aquifer is expected to be under confined conditions at the proposed wellsite for the application. The exact amount of drawdown a pumping well will cause in an aquifer cannot be known without an aquifer performance test. The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use during the issuance of Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Board adopted the Findings of Facts and Conclusions of Law that noted the reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, “general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable...” (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered as an unlawful impairment, it would also conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to install or lower pumps depending on the specific characteristics of the aquifer at their location. A review of the complaints on file with the Water Rights Program indicate that there is not a history of unlawful impairment occurring with wells in the Altamont aquifer wells in Deuel County (Water Rights, 2024d). Under current aquifer conditions, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rule (ARSD 74:02:04:20(7)), the artesian head pressure at the nearest observation well to the well site for this application at its lowest recorded water level, and the lack of recent well interference complaints from the aquifer, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment to existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

Historical Notes

There is also a history of concern involved with the noted Burr wellfield of the Lincoln-Pipestone Rural Water System in Minnesota. The concern centered on the possibility that pumping by the rural water system may impact the water levels of Lake Cochrane. Water level monitoring and management planning over this concern are focused primarily on the shallower Prairie Coteau aquifer in the area (Healy, 2000; LPRWS, 2024). The aquifer that this application is proposing to appropriate water from is the Altamont aquifer.

In Clark County, there have been multiple concerns regarding water rights appropriating water from the Altamont aquifer. These are primarily tied to impacts of a well or wells impacting other wells, surface waters, or springs (Buhler, 2014). None of these resulted in a determination of adverse impact as a result of pumping (Buhler, 2014). Springs with the Altamont aquifer as a water source are typically the result of downward sloping terrain along the edge of the Coteau Des

Prairies incising area aquifers. The well location for this application is directly adjacent to a downward sloping edge of the Coteau Des Prairies, and the static water level for this well is not expected to be above ground surface (Water Rights, 2024b).

Conclusions

1. Water Permit Application No. 8896-3 proposes to appropriate up to 210.2 acre-feet of water annually at a maximum pump rate of 0.33 cfs from one well to be completed into the Altamont aquifer. The proposed well is location in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2-T113N-R49W. The water will be for commercial use in an existing dairy cattle operation located in the NE $\frac{1}{4}$ Section 2-T113N-R49W.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Altamont aquifer in South Dakota to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8896-3 will not unlawfully impair adequate wells for existing water rights/permits or domestic uses.



Whitney Kilts
Natural Resources Engineer III
SDDANR-Water Rights Program

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Appendix A: Appropriative Use Estimation Data

Table A1: Reported Irrigation Use from the Altamont Aquifer in South Dakota (Water Rights, 1980-2024)

Year	Number	Pumpage (acre-feet)
1979	49	3060
1980	50	3712
1981	56	3699
1982	43	2428.17
1983	41	3601.31
1984	45	2301
1985	44	2639
1986	43	1797
1987	41	3892
1988	39	5074.1
1989	39	4751.2
1990	39	2921
1991	39	2130.6
1992	39	1107
1993	40	51.6
1994	39	984.17
1995	39	409.95
1996	39	2004.72
1997	39	644
1998	37	1188.17
1999	38	1332.7
2000	39	2273.94
2001	38	2108.79
2002	38	3570.27
2003	39	2877.53
2004	44	1954.9
2005	44	2365.47
2006	44	3684.08
2007	46	2651.96
2008	48	1945.86
2009	47	842.88
2010	45	1027.13
2011	45	1057.97
2012	47	3157.99
2013	51	2382.68
2014	54	2106.01
2015	52	1754.51
2016	51	3656.68
2017	53	2929.53
2018	53	3648.14
2019	53	127.84
2020	53	2460.49
2021	53	3585.33
2022	55	3052.12
2023	51	3199.28
Min	37	51.6
Max	55	5074.1
Average (1979-2023)	45	2403
Average (2013-2023)	53	2628

Table A2: Summary of the Non-irrigation Water rights/Permits Authorized to Appropriate from the Altamont Aquifer in South Dakota (Drinking Water, 2024; Water Rights, 2024b)								
Permit No	Status	Name	County	Type of use	Priority Date	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet/year)	Estimated Use (acre-feet/year)
451-3	LICENSE	CITY OF BRANDT	DEUEL	MUNICIPAL	04/10/1957	0.13		0*
1490-3	LICENSE	TOWN OF REVILLO	GRANT	MUNICIPAL	01/15/1968	0.41		0*
1651-3	LICENSE	TOWN OF ANDOVER	DAY	MUNICIPAL	01/01/1929	0.11		0*
1718A-3	LICENSE	RAY KASEL LLC	CLARK	INDUSTRIAL	06/29/1987	0.77	81	81
1913-3	LICENSE	CITY OF ARLINGTON	KINGSBURY	MUNICIPAL	01/01/1908	1.13		0*
3101-3	LICENSE	CITY OF WAUBAY	DAY	MUNICIPAL	10/07/1976	0.56		243.3
4049-3	LICENSE	TOWN OF ROSLYN	DAY	MUNICIPAL	01/01/1940	0.26		0*
4054A-3	LICENSE	TOWN OF WALLACE	CODINGTON	MUNICIPAL	10/20/1976	1		0*
4127-3	LICENSE	TOWN OF GARDEN CITY	CLARK	MUNICIPAL	01/01/1939	0.1		43.4
4320-3	LICENSE	CITY OF BRISTOL	DAY	MUNICIPAL	01/01/1936	0.3		0*
4498-3	LICENSE	TOWN OF GARDEN CITY	CLARK	MUNICIPAL	02/15/1980	0.06		26.1
4861-3	LICENSE	CITY OF CLARK	CLARK	MUNICIPAL	01/29/1982	0.6		0*
5461-3	LICENSE	NORTHERN BORDER PIPELINE	CLARK	INDUSTRIAL	06/21/1990	0.056		24.3
5483-3	LICENSE	CARPENTER CAFE	CLARK	COMMERCIAL	12/07/1990	0.01		4.3
5544-3	LICENSE	DUANE I PIETZ	CODINGTON	COMMERCIAL	04/11/1991	0.03		13.0
5626-3	LICENSE	OAK VALLEY FARMS INC	CODINGTON	COMMERCIAL	02/25/1992	1.56		677.7
6062-3	LICENSE	HILLCREST HTTRN BRTH	CLARK	COMMERCIAL, DOMESTIC	03/17/1998	0.133		57.8
6741-3	LICENSE	ALLIANCE FAMILY FARMS LLC	CLARK	COMMERCIAL	06/08/2006	0.178		77.3
6998-3	LICENSE	RIVERVIEW LLP	CLARK	COMMERCIAL	03/06/2008	0.89		386.6
7099-3	PERMIT	DOUG LAMONT FEEDLOT	CLARK	COMMERCIAL	03/03/2009	0.062		26.9
8309-3	PERMIT	OTTER TAIL POWER COMPANY	DEUEL	INDUSTRIAL, COMMERCIAL	09/18/2017	0.22	12.3	12.3
8318-3	LICENSE	FAWN LAMB	CLARK	COMMERCIAL	10/30/2017	0.022		9.6
8376-3	LICENSE	HUSKY FARMS LLC	CLARK	COMMERCIAL	09/17/2018	0.134	76.72	76.72
8414-3	PERMIT	GERONIMO ENERGY	CLARK	COMMERCIAL	11/12/2019	0.011	1	1
8504-3	LICENSE	REDSTONE FARMS RE LLC	CLARK	COMMERCIAL	03/25/2021	0.056	40.5	40.5
8570-3	PERMIT	WINDY RIDGE HTTRN BRTH INC	CLARK	COMMERCIAL	12/14/2021	0.11	55	55
8644-3	LICENSE	RIVERVIEW LLP	HAMLIN	COMMERCIAL	07/18/2022	1.33	519	519
8665-3	PERMIT	TRI R LLC	CLARK	COMMERCIAL	12/16/2022	0.223	130	130
*Connected to a rural water system							Total	2506



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

October 21, 2024

Jogchum Andringa
47633 190th Street
Brandt SD 57218

Dear Mr. Andringa:

Water Permit Application No. 8896-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Clear Lake Courier printed in Clear Lake SD (Ph # 605 874-2499) and the Brookings Register printed in Brookings SD (Ph # 605 692-6271). 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. 8896-3 to Appropriate Water

Notice is given that Jogchum Andringa, 47633 190th Street, Brandt SD 57218, has filed an application for a water permit to appropriate up to 210.2 acre-feet of water annually at a maximum pump rate of 0.33 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 745 feet deep) located in the NE 1/4 NE 1/4 Section 2-T113N-R49W. Water will be used for commercial use in an existing dairy cattle operation located in the NE 1/4 Section 2-T113N-R49W. This site is located approximately eight and one half miles south of Clear Lake SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8896-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 12, 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 November 12, 2024.

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Published once at the total approximate cost of _

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, October 21, 2024 9:39 AM
To: ClearLake
Subject: 8896-3 Jogchum Andringa - Public Notice
Attachments: 8896-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 30, 2024.

Jogchum Andringa, 47633 190th Street, Brandt SD 57218, 605-881-3901, 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, October 21, 2024 9:41 AM
To: registerclassifieds@brookingsregister.com
Subject: 8896-3 Jogchum Andringa - Public Notice
Attachments: 8896-3 public.short_final.docx; FORM8.FRM.doc

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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 SOUTH DAKOTA
COUNTY OF DEUEL

Ken Reiste being first duly sworn, on oath says: That he is publisher of the Clear Lake Courier, a weekly newspaper published in the City of Clear Lake, Deuel County, South Dakota; that he has full and personal knowledge of all 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 Deuel and State of South Dakota, for at least one year next prior to the first publication of the attached public notice

Notice Of Application No.8896-3 to Appropriate Water Jogchum Andringa

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 one successive week(s) to wit:

October 30,2024

That the full amount of the fee charged for publication of the attached public notice insures to the sole benefit of the publisher; 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: **\$44.38**

Ken Reiste

Ken Reiste

Subscribed and sworn to before me

this 30th day of October,
2024

KLM

Notary Public, South Dakota

My commission expires: 09/27/2027

NOTICE OF APPLICATION

NO. 8896-3 to

Appropriate Water

Notice is given that Jogchum Andringa, 47633 190th Street, Brandt SD 57218, has filed an application for a water permit to appropriate up to 210.2 acre-feet of water annually at a maximum pump rate of 0.33 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 745 feet deep) located in the NE 1/4 NE 1/4 Section 2-T113N-R49W. Water will be used for commercial use in an existing dairy cattle operation located in the NE 1/4 Section 2-T113N-R49W. This site is located approximately eight and one half miles south of Clear Lake SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8896-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 12, 2024.

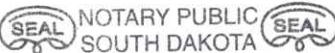
The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

RECEIVED

NOV 04 2024

OFFICE OF
WATER

KELSEY MONNIER



Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 12, 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 approximate cost of \$44.38. (38-1/125)

This notice may be viewed free of charge at sdpublicnotices.com maintained pursuant to § 17-2-1.

Affidavit of Publication

State of South Dakota

Exhibit "A"

ss

County of Brookings

Katherine Foiles of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

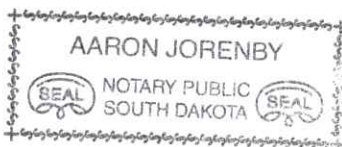
Leg# 40748 Notice of Application 8896-3

same was published, is hereto attached marked Exhibit "A"
said newspaper for _____ 1 times, to-wit:

October 30, 2024

said Exhibit "A" inures to the sole benefit for the publishers 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 whomsoever; that the fees charged for the publication thereof are:

Forty-Four Dollars and Ninety-Seven Cents \$44.97



October

Kmfoiles

31 day of

2024

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2026



RECEIVED

NOV 04 2024

OFFICE OF
WATER

APPROVAL of Application No. 8896-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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Published October 30, 2024 at the total approximate cost of \$44.97 and may be viewed free of charge at www.sdpublicnotices.com.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, October 21, 2024 10:17 AM
To: Jogchum&Maartje Andringa
Subject: 8896-3 Jogchum Andringa - Public Notice
Attachments: 8896-3 Rec.pdf; 8896-3 Ltr.pdf; 8896-3 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

NOV 26 2024

Jogchum Andringa
47633 190th Street
Brandt SD 57218

Dear Mr. Andringa:

Enclosed is Water Permit No. 8896-3 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.: 8896-3

Name of Applicant: Jogchum Andringa

Date of Posting: 10/29/2024

Date of Removal: 11/26/2024

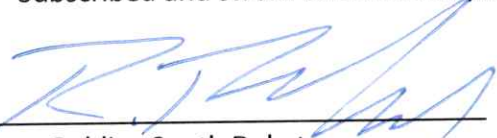


Ron Duvall, Engineer III

11/26/2024

Date

Subscribed and sworn to before me, a notary public, this 26th day of Nov, 2024.



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

(SEAL)

