

WATER PERMIT NO. 8933-3

Name of Applicant: **Nicholas Blake**

Address: **29468 466th Avenue, Centerville SD 57014** Phone: **605-957-5684**

Amount of Water Claimed: **1.78 cfs** Total Acres: **120**

Source of Water Supply: **Groundwater**

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

Type of Waste Disposal System:

Location: **Approx. 4 miles northeast of Centerville**

PRIORITY Date Received: **02-26-25** Application/License Fee: **\$950.00**

Corrected Application Received: **02-28-25** Period of Annual Use: **April 1 – September 30**

Remarks: **Requesting a diversion rate greater than the statutory limit.**

Diversion Point: **Center of the NW 1/4 Sec 6-T96N-R51W**

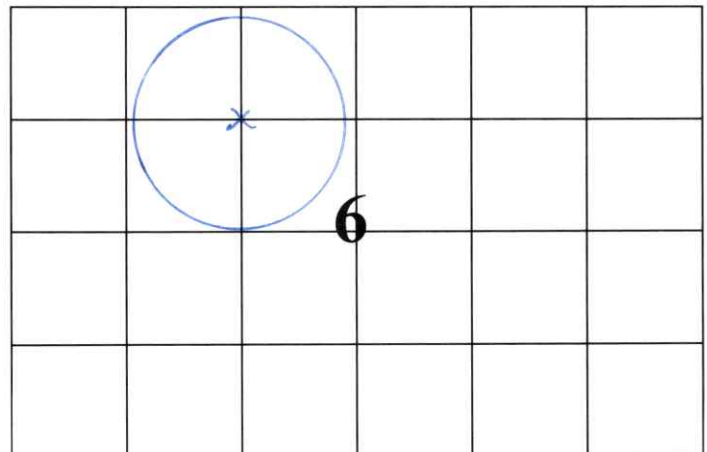
Land to be Irrigated: **NW 1/4 Sec 6-T96N-R51W**

Depth of Well: **80**

Well Driller:

Remarks:

Type of Map: **aerial**



Reviewed and the Number Assigned on: **03-03-25**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8933-3**

Date of first receipt of application February 26, 2025.

Date of return to applicant for corrections, amendments or changes February 26, 2025.

Date of receipt of corrected application February 28, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8933-3 to Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, 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. 8933-3 appropriates 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 200 feet deep) located in the approximate center of the NW 1/4 Section 6 for irrigation of 120 acres located in the NW 1/4 Section 6; all in T96N-R51W. This site is located approximately four miles northeast of Centerville 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 – September 30.
3. The date from which applicant may claim right is February 26, 2025.
4. The date of approval of Permit No. 8933-3 is May 19, 2025.
5. One-fifth of the construction is to be completed on or before November 19, 2027.
6. All construction is to be completed on or before May 19, 2030.
7. Water is to be put to beneficial use on or before May 19, 2034.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Water Permit No. 8933-3 is 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. 8933-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8933-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Mark Mayer, PE
Director of Office of Water
Department of Agriculture and Natural Resources

6/11/25
date



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FEB 27 2025

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

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FEB 26 2025

OFFICE OF
WATER

Mail to: SD DNR, Water Rights 523 E. Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8933-3</u> Hydrologic Unit <u>10170102</u> Basin <u>Vermillion</u> Newspaper <u>Lennox Independent</u> <u>Argus Leader</u> (office use only)
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Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Nicholas Blake

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

Mailing Address 29468 466th Ave Centerville SD 57014
(Address) (City) (State) (Zip Code)

Phone _____ Mobile 6059575684 Email blakefarms41@yahoo.com

2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 120
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use (if applicable)

3. Source of water supply 1 well in aquifer

4. Location of point of diversion 1 well in the center of section NW 1/4 Section 6 T96nR51w
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Lincoln

5. County or counties where water will be used Lincoln

6. Annual period during which water is to be used April 1-Sep 30

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

Land Description	Acres	Land Description	Acres
NW 1/4 of NW 1/4 Section 6 T96nR51w	32	or 120 acres Section 6 T96nR51w	
NE 1/4 of NW 1/4 Section 6 T96nR51w	32		
SE 1/4 of NW 1/4 Section 6 T96nR51w	32		
SW 1/4 of NW 1/4 Section 6 T96nR51w	24		

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

Center Pivot irrigation of the above listed property. Greater than statutory limit requested due to necessity to windshield wipe pivot to creek in wet spring/early summer operations.

Requesting a diversion rate greater than the statutory limit.

I, Nicholas Blake, 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.

2021-108

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)

4 m NE of Centerville

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 _____
(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) 80 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____
- d) Distance to nearest domestic well on applicant's property N/A Property owned by others 1500ft

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

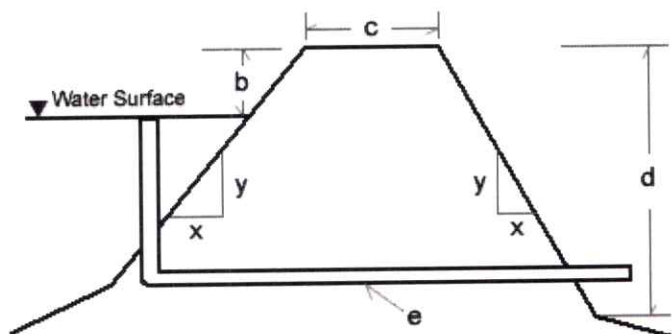
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

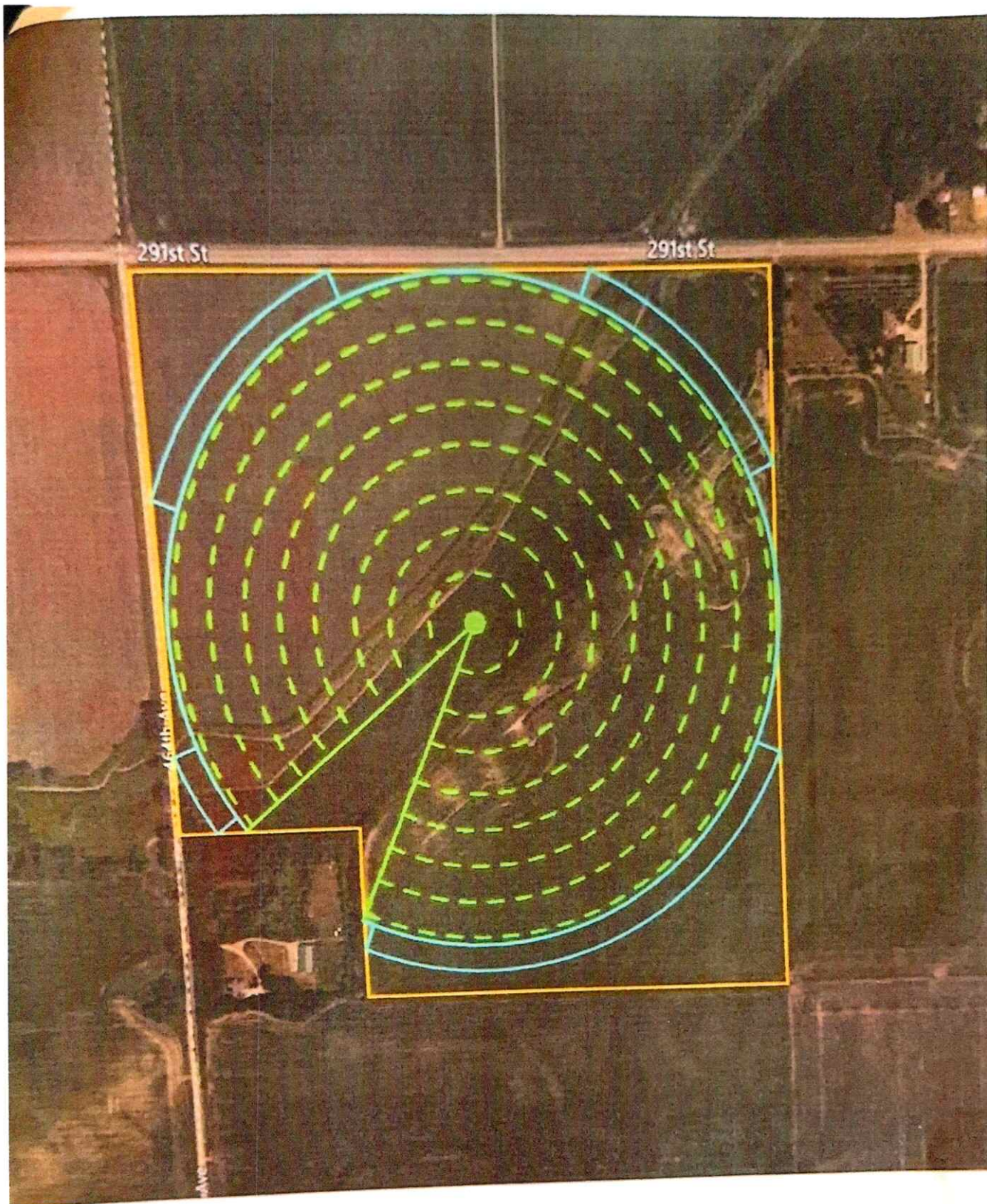
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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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FEB 27 2025

OFFICE OF
WATER

KEISER AG & IRRIGATION, LLC

301 West South Street; Hartington, NE 68739
Office: (402) 254-9557; Mobile: (605) 661-6941
Judd Keiser - juddkeiser@outlook.com

02/20/2025

3 of 3

Lindsay Manufacturing Co.



2707 North 108th Street
Omaha, NE 68164
800 - 829 - 5300 office

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FEB 27 2025

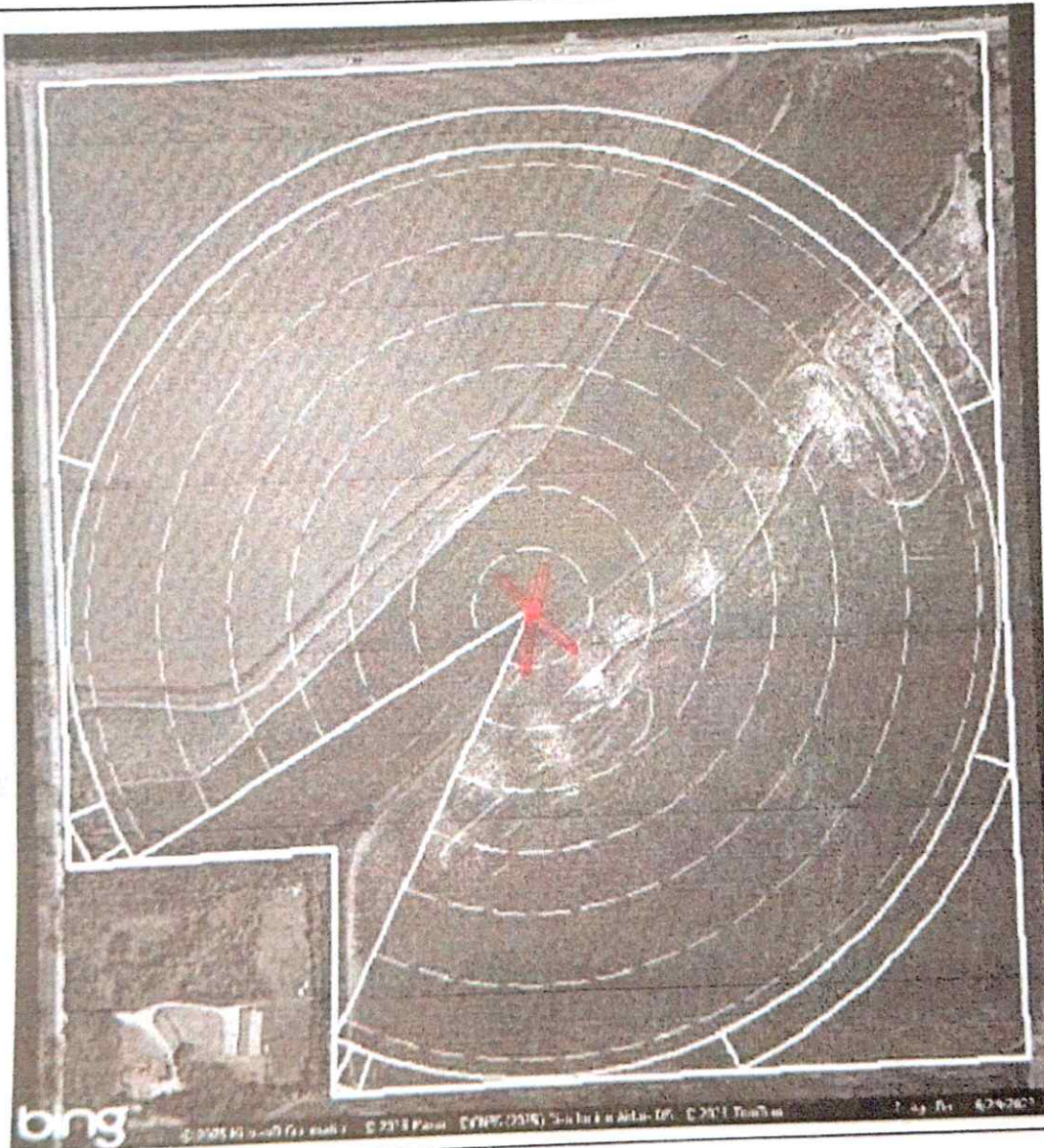
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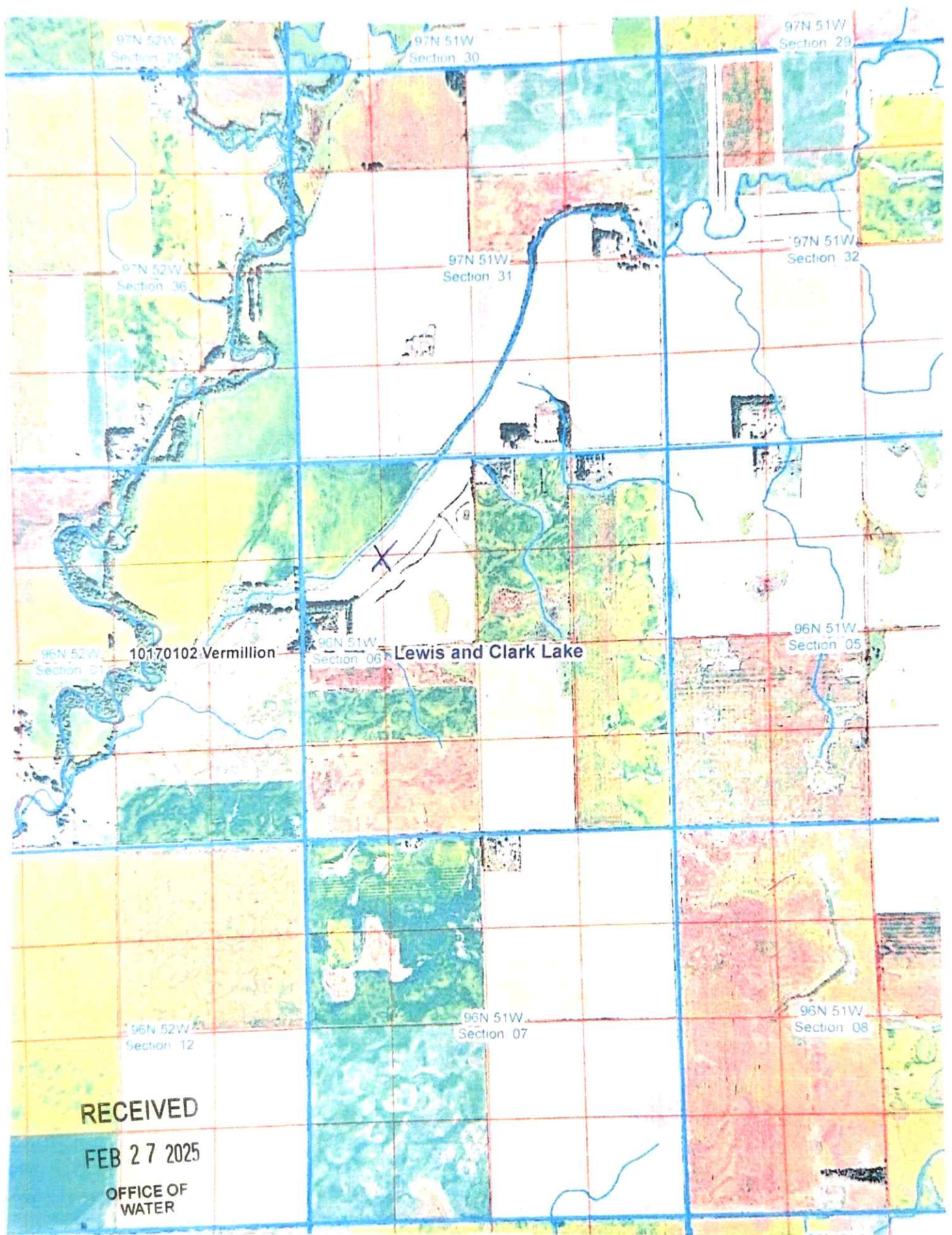
Farm: Field1

2/19/2025

Grower: Nick Blake

Systems:	Length	Spans	Total area including endgun
○ Pivot 4	1194.25 ft	7 spans + 44 ft o.h.	102.87 acres





97N 52W
Section: 25

97N 51W
Section: 30

97N 51W
Section: 29

97N 52W
Section: 36

97N 51W
Section: 31

97N 51W
Section: 32

96N 52W
Section: 01

10170102 Vermillion

96N 51W
Section: 06

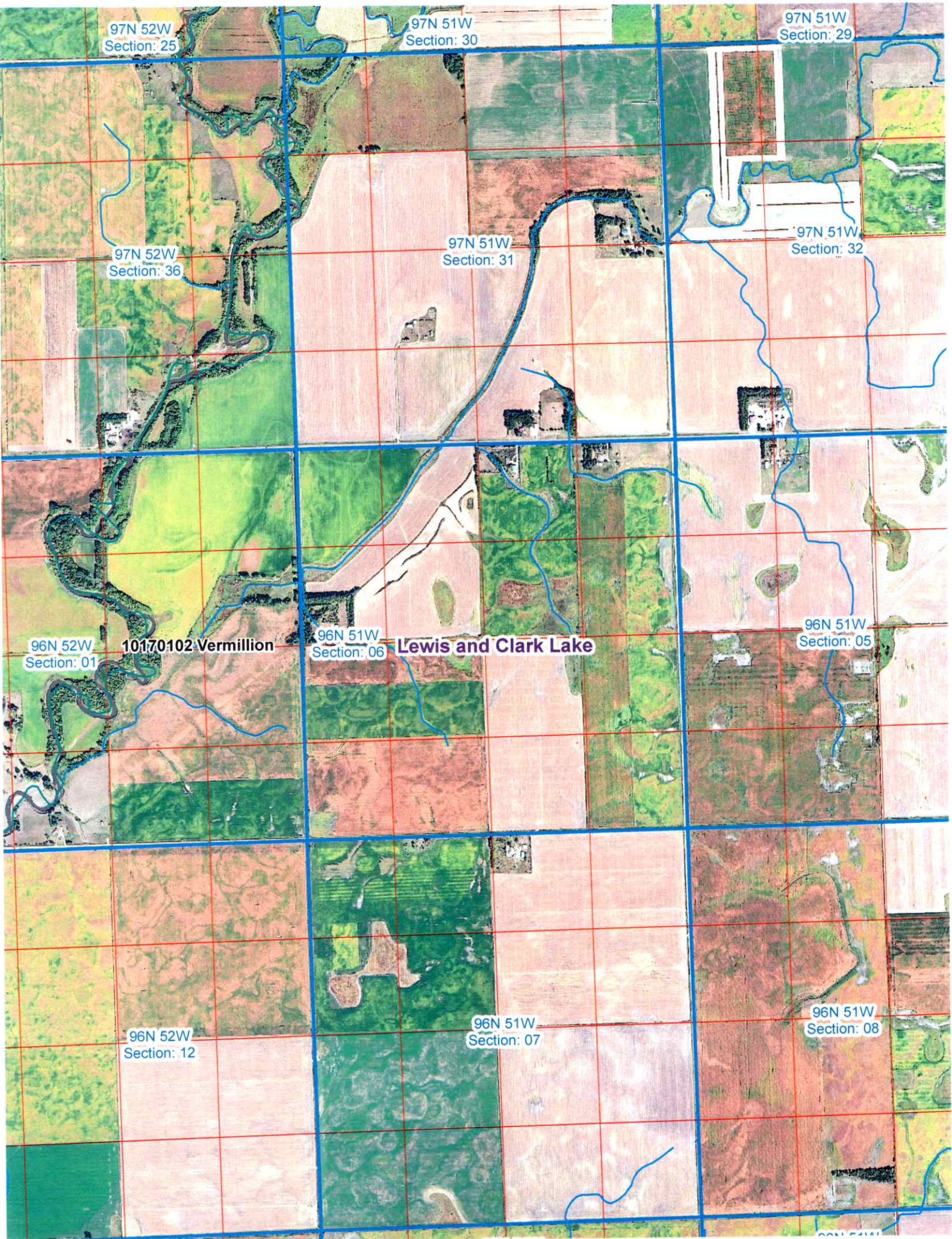
Lewis and Clark Lake

96N 51W
Section: 05

96N 52W
Section: 12

96N 51W
Section: 07

96N 51W
Section: 08



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date February 28th, 2025

RECEIVED OF Nicholas Blake 29468 466th Avenue Centerville SD 57014

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

Fee for Application for Permit No. <u>8933-3</u> 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>8933-3</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>950.00</u>

By

Eric Gronlund

Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8933-3, Nicholas Blake**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 8933-3, Nicholas Blake, 29468 466th Avenue, Centerville SD 57014.

The Acting Chief Engineer is recommending APPROVAL of Application No. 8933-3 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. 8933-3 is 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. 8933-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8933-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 120 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Mark Mayer, PE
Director of Office of Water
April 28, 2025

Report to the Chief Engineer
On Water Permit Application No. 8933-3

Nicholas Blake

April 28th, 2025

Water Permit Application No. 8933-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the South Management unit of the Upper Vermillion Missouri aquifer (approximately 200 feet deep) located in the approximate center of the NW ¼ Section 6 for irrigation of 120 acres located in the NW ¼ Section 6; all in T96N-R51W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This proposed well site is located approximately four miles northeast of Centerville, SD in Lincoln County.

AQUIFER: Upper Vermillion Missouri: South (UVM:S)

HYDROGEOLOGY:

The Southern management unit of the Upper Vermillion Missouri aquifer, referred to as the UVM:S aquifer for the remainder of this report, is a Quaternary aged glacial outwash that is made up of materials ranging in size from a fine sand to a medium-pebble gravel (Lindgren & Hansen, 1990). The UVM:S aquifer is primarily confined but can be found under unconfined conditions in areas where the UVM:S aquifer is hydrologically connected to the Parker-Centerville aquifer (Holmes & Filipovic, 2015). The UVM:S aquifer is overlain by a till layer with a range of thickness up to 160 feet thick (Holmes & Filipovic, 2015). From 2013 to 2014, the SD DENR-Geological Survey completed a study to further understand the geologic and hydrologic conditions of the entire Upper Vermillion Missouri aquifer (Holmes & Filipovic, 2015). From this study and a report written by Water Right staff engineer Buhler (2014), the Water Management Board, in a meeting held on March 6th, 2014, adopted three management units (North, South, and West) that divided the Upper Vermillion Missouri aquifer for the purposes of water management (Water Rights, 2014). The UVM:S aquifer is hydrologically connected to the other management units of the Upper Vermillion Missouri aquifer, the Parker-Centerville aquifer, and the Lower Vermillion Missouri aquifer (Buhler, 2014; Mathiowetz, 2018; Niehus, 1997; Holmes & Filipovic, 2015). Hedges and others (1982) delineated a boundary between the Upper Vermillion Missouri aquifer and Lower Vermillion Missouri aquifer with portions of each boundary being modified by Buhler (2014) and Mathiowetz (2018) in response to additional study of the Upper Vermillion Missouri aquifer, as shown on Figure 1. Figure 1 also shows the estimated areal extent (approximately 78,820 acres) of the UVM:S aquifer (Buhler, 2014).

A well completion report was not submitted with this application, although well driller's notes were provided to Mathiowetz (2025) for a test hole at the applicant's site. The closest well was completed on October 25th, 2010, and is located in the SW ¼ NE ¼ of Section 13-T96N-R52W, which is 2.2 miles southwest of the proposed diversion point (Water Rights, 2025d). The well completion report indicates the well is completed into the UVM:S aquifer with the top of aquifer

bearing material (gravel medium sandy) approximately 101 feet below the ground surface, with a static water level of 52 feet below ground surface, and a saturated aquifer thickness of approximately 94 feet (Water Rights, 2025d). This well completion report indicates the aquifer material is confined by a silty pebbly layer of clay. The well driller's notes for the test hole on the site indicate the UVM:S aquifer was encountered approximately 120 feet below the ground surface and, considering other nearby water levels, the entire contiguous portion of the aquifer (120 to 181 feet deep) should be considered saturated and under confined conditions (Mathiowetz, 2025; Water Rights, 2025b and 2025d). The saturated aquifer thickness would then be approximately 61 feet (Mathiowetz, 2025).

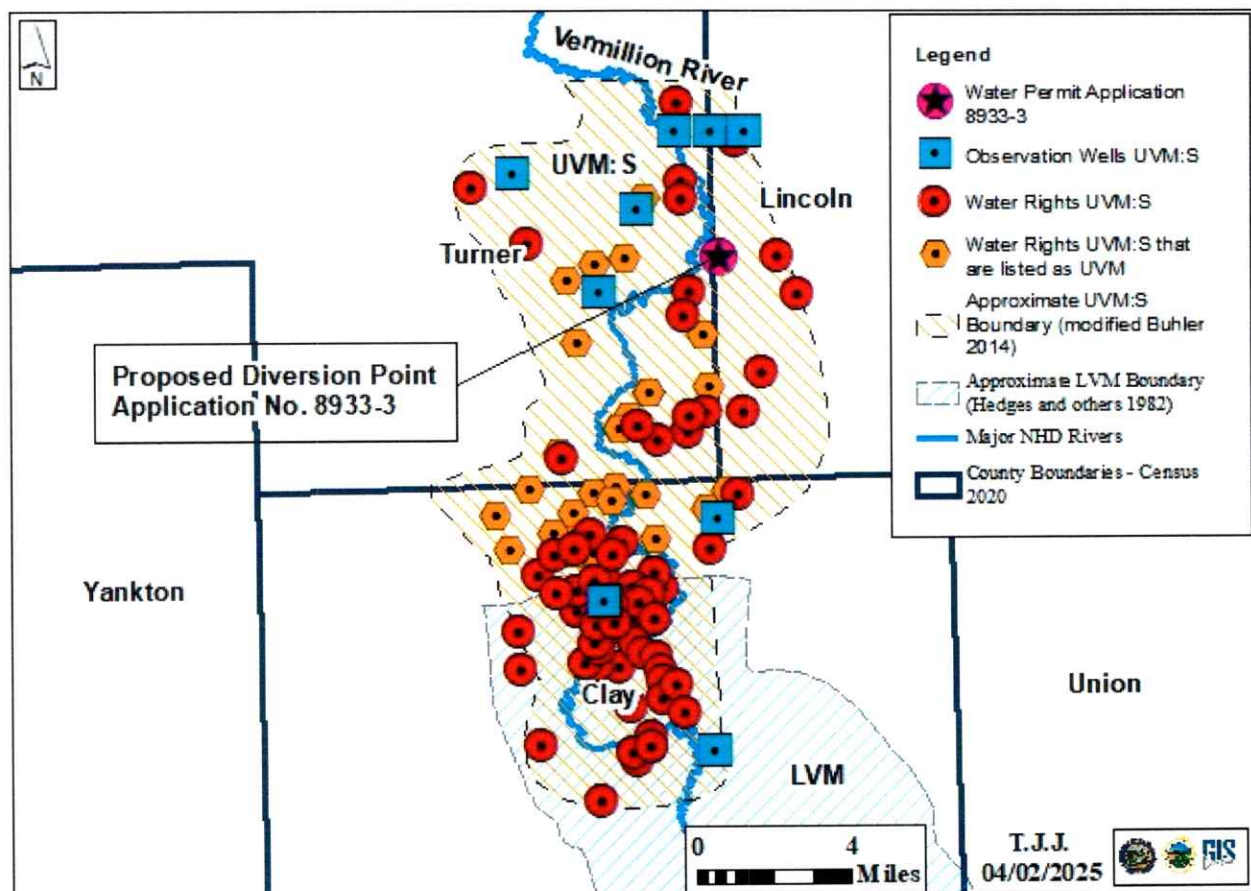


Figure 1. Map of the approximate UVM:S and LVM aquifer boundary delineated by Hedges and others (1982) with a portion of the UVM:S aquifer boundary modified by Buhler (2014), and the location of diversion point for Water Permit Application No. 8933-3, and UVM:S aquifer observation wells and Water Rights (Water Rights, 2025a and 2025b).

Applicable South Dakota Codified Laws (SDCL)

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

availability of unappropriated water and the potential for unlawful impairment of existing domestic uses and water rights within the UVM:S aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8933-3 proposes to appropriate water from the UVM:S aquifer. The probability of unappropriated water being available from the 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. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The UVM:S aquifer is not older than or stratigraphically lower than the Greenhorn Formation, and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the UVM:S aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the UVM:S aquifer is received primarily through infiltration of precipitation where the aquifer is at or near land surface. Additional recharge occurs where there is direct contact between the Upper Vermillion Missouri aquifer and Parker-Centerville aquifer (Lindgren & Hansen, 1990; Niehus, 1997; Holmes & Filipovic, 2015).

Using regional flow net analysis, Hedges and others (1985) estimated a recharge rate of 0.25 inches per year (in/yr) for the UVM aquifer. However, it should be noted that the entire UVM aquifer was analyzed at that time because it was still considered one aquifer. Using the current areal extent from Buhler’s report (2014), and Hedges and others (1985) estimated recharge rate of the UVM aquifer, the estimated recharge rate of the UVM:S aquifer is 1,642 acre-feet per year; keeping in mind that this estimate is likely lower than the actual rate based on Holmes & Filipovic (2015) investigation and Buhler’s (2014) report.

Hedges and others (1985) estimated a recharge rate range of 0.15 to 0.6 in/yr to buried-confined aquifers for use by management and development programs. Using Buhler’s (2014) aquifer area, that is an estimated average annual recharge rate range of approximately 985 to 3,941 ac-ft/yr. Based on the Holmes & Filipovic (2015) investigation and Buhler’s (2014) report, recharge is likely greater than the upper extent of that range. The specific rate for the original aquifer extent and the generalized buried-confined rate agree with each other.

2014 Flow Net Analysis

From Buhler's (2014) analysis of the estimated groundwater outflow, recharge of the UVM:S aquifer exceeds withdrawals by a minimum estimate of 5,637 acre-feet per year. However, this recharge could be higher considering that another larger cross-section of the UVM:S aquifer shows recharge exceeding withdrawals by an estimated 8,223 acre-feet per year (Buhler, 2014). Several permits have been approved by the Water Management Board since Buhler's analysis and will need to be considered in the withdrawals section (Water Rights, 2024b).

Discharge

Discharge from the UVM:S aquifer primarily occurs through well withdrawals, subsurface outflow to other glacial aquifers, and evapotranspiration in areas where the aquifer is at or near land surface (Lindgren & Hansen, 1990; Water Rights, 2025c).

There are 94 water rights/permits authorized to appropriate water from the UVM:S aquifer (Water Rights, 2025b). Of these 94 water rights/permits, 28 are listed under the UVM aquifer even though they are completed into the UVM:S aquifer, the other 66 water rights/permits are properly listed under the UVM:S aquifer. Since Buhler's (2014) flow net analysis will be used as a basis for determining a rough estimate of the aquifer's recharge rate in excess of withdrawals, any water rights/permits that were approved at the time of the analysis will already be accounted for. So, the withdrawal rate of water rights/permits approved after the analysis will contribute to the average annual withdrawal rate of the UVM:S aquifer compared to the estimated average annual outflow from the aquifer.

The estimated average annual withdrawal rate of the UVM:S aquifer water rights/permits approved since the completion of Buhler's analysis is an estimated 2,201 acre-feet/year, as shown on Table 1. Recently, 25 LVM aquifer water rights/permits were redesignated as UVM:S aquifer based on the mapping of Buhler (2014); these water rights/permits have been included in the budget for the UVM:S since Buhler (2014). The 25 redesignated water rights/permits estimated average annual withdrawal rate of 1,856 acre-feet/year, as shown on Table 2. The withdrawal rate was found by summing the acreage of the 41 water rights/permits approved (shown on Table 1) since the completion of Buhler's (2014) report and the 25 recently redesignated water rights/permits (shown on Table 2), then multiplying the total acreage by 0.5 feet/acre which is the annual average application rate per permitted acre in the UVM:S (Buhler, 2014). Applying the same rate to the requested acres included on Water Permit Applications No. 8933-3 provides a total approximate withdrawal rate of 60 acre-feet/year. Other pending water permit applications (Nos. 8935-3, 8936-3, & 8943-3) would on average withdraw 182.5 acre-feet/year (Water Rights, 2025b). If these pending applications are approved, the total estimated average annual withdrawal rate from the UVM:S aquifer is an estimated 4,300 acre-feet/year.

There are domestic wells completed into the UVM:S aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2025c). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the UVM:S aquifer is the uppermost aquifer available; it is likely some

domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the UVM:S aquifer.

Table 1. List of estimated average annual withdrawal rates of water right/permits from the UVM:S aquifer that were approved at or after the March 6th, 2014, Water Management Board meeting, water right/permits with a priority date before the meeting date but not included in Buhler's analysis are also accounted for in this table (Buhler, 2014; Water Rights, 2025b).

Permit No.	Name	Priority Date	Status	Use	Acres	Estimated Use (acre-feet/year)
6811A-3	Jesse & Tanya Vandestroet	04/10/2014	LC	IRR	115	57.5
7383-3	Metabank	07/20/2012	PE	IRR	25	12.5
7384-3	Nicholas & Courtney Blake	07/20/2012	LC	IRR	80	40
7441-3	Jason or Alicia Knutson	09/26/2012	PE	IRR	140	70
7442-3	Leah Johnson	09/26/2012	LC	IRR	40	20
7466-3	Bethel Hagen Trust	10/18/2012	LC	IRR	152	76
7467-3	Cleland Hagen Trust	10/18/2012	PE	IRR	152	76
7600-3	Michael D Stevens	12/28/2012	PE	IRR	180	90
7601-3	Michael D Stevens	12/28/2012	PE	IRR	132	66
7693-3	Metabank	02/06/2013	PE	IRR	27.7	13.85
7900-3	Leon Thompson	09/11/2013	LC	IRR	136	68
7919-3	Larry & Marlene Erickson	10/23/2013	LC	IRR	83.83	41.92
7945-3	Brad R or Linda R Trudeau	01/17/2014	LC	IRR	60	30
7947-3	Leon, Holly, & Jordan Rozeboom	01/23/2014	PE	IRR	133.44	66.72
7948-3	Majestic Farms LLP	01/23/2014	PE	IRR	55.02	27.51
7949-3	Jesse & Tanya Vandestroet	01/23/2014	LC	IRR	100.9	50.45
7964-3	Paul, Mike, & John Shubeck	02/12/2014	PE	IRR	128	64
7976-3	Vasgaard Properties	02/27/2014	LC	IRR	142	71
7993-3	Jesse & Tanya Vandestroet	04/10/2014	LC	IRR	53	26.5
7994-3	Metabank	04/10/2014	PE	IRR	72	36
8070-3	Hansen Irrigated Farms LLC	01/07/2015	PE	IRR	96	48
8071-3	Hansen Irrigated Farms LLC	01/07/2015	PE	IRR	51	25.5
8469-3	Double A Farms LLC	03/15/2021	PE	IRR	114	57
8470-3	Nicholas Blake	03/22/2021	PE	IRR	160	80
8492-3	Tim or Kari Ostrem	02/19/2021	LC	IRR	180	90
8542-3	Tyler Anderson	08/09/2021	PE	IRR	103	51.5
8588-3	T & D Farms	02/03/2022	PE	IRR	160	80
8598-3	Tim Wellenstein	02/24/2022	PE	IRR	126	63
8599-3	Farron Pratt & Michelle Pratt	02/24/2022	PE	IRR	17.5	8.75
8619-3	Tim or Kari Ostrem	03/09/2022	PE	IRR	300	150
8685-3	Joe Schumacher	11/28/2022	PE	IRR	160	80
8686-3	Smit Family Trust	12/20/2022	PE	IRR	120	60
8689-3	Richard P Hybertson	03/06/2023	PE	IRR	97	48.5
8690-3	Richard P Hybertson	03/06/2023	PE	IRR	72	36
8695-3	William H Hansen	12/28/2022	PE	IRR	72.03	36.02
8790-3	William D/Judy Knutson	08/16/2023	PE	IRR	86	43
8832 -3	Jesse & Tanya Vandestroet	02/07/2024	LC	IRR	123	61.5
8833-3	Jesse & Tanya Vandestroet	02/07/2024	LC	IRR	53	26.5
8834-3	Smith Family Trust	02/05/2024	PE	IRR	18	9
8843-3	Mikota Holding LLC	03/01/2024	PE	IRR	160	80
8851-3	Jacob and Tyler Andersen	04/02/2024	PE	IRR	125.58	62.79
PE: Water Permit, LC: Water Right License, IRR: Irrigation				TOTAL:	4,402	2,201

Table 2. List of previous LVM water right/permits that have been recently redesignated as UVM:S water right/permits (Water Rights, 2025b).

Permit No.	Name	Priority Date	Status	Use	Acres	Estimated Use (acre-feet/year)
973-3	Nicholas & Courtney Blake	07/02/1956	LC	IRR	131	65.5
974-3	Hansen Ventures LLC	07/02/1956	LC	IRR	140	70
1813-3	Hansen Ventures LLC	03/22/1971	LC	IRR	144	72
1916-3	Troy & Sheila Gust	10/21/1971	LC	IRR	169	84.5
4731-3	Richard/Gayle Johnson	03/23/1981	LC	IRR	140	70
5979-3	Clay Rural Water System Inc	01/31/1997	LC	RWS	0	307
6563-3	Rus Farms Real Estate LLC	04/22/1968	LC	IRR	242.5	121.25
6565-3	Rus Farms Real Estate LLC	01/04/2005	LC	IRR	130	65
6566-3	Hansen Ventures LLC	01/04/2005	LC	IRR	68	34
6569-3	Smit Family Trust	01/04/2005	PE	IRR	42	21
6571-3	Rus Farms Real Estate LLC	01/04/2005	LC	IRR	229.5	114.75
6572-3	Brad & Linda Trudeau Living Trust	01/04/2005	LC	IRR	78	39
6808-3	Lovejoy Family Trust	02/22/2007	LC	IRR	135	67.5
6813-3	Rus Farms Real Estate LLC	01/05/2005	LC	IRR	187	93.5
6815A-3	Rus Farms Real Estate LLC	01/04/2005	LC	IRR	264.5	132.25
6817-3	Hansen Ventures LLC	01/05/2005	PE	IRR	130	65
6818-3	Hansen Ventures LLC	02/20/2007	PE	IRR	117	58.5
6819-3	Hansen Ventures LLC	02/20/2007	LC	IRR	102	51
6821-3	Tim Gregoire	02/20/2007	LC	IRR	83	41.5
6822-3	Hansen Properties	02/20/2007	PE	IRR	36	18
7001-3	Rus Farms Real Estate LLC	03/14/2008	LC	IRR	170	85
7003-3	Hansen Ventures LLC	01/04/2005	LC	IRR	31	15.5
7150-3	Tim Ostrem	06/25/2009	LC	IRR	275	137.5
7383-3	Hansen Ventures LLC	07/20/2012	PE	IRR	25	12.5
7693-3	Hansen Ventures LLC	02/06/2013	PE	IRR	27.7	13.85
PE: Water Permit, LC: Water Right License, IRR: Irrigation, RWS: Rural Water System				TOTAL:	3,097	1,856

Hydrologic Budget Summary

The recharge rate of the UVM:S aquifer, based on Buhler's (2014) analysis, is estimated to exceed withdrawals from the UVM:S aquifer by an estimated 5,637 to 8,223 acre-feet per year at the time of Buhler's (2014) analysis. Any water rights/permits listed as withdrawals from the Upper Vermillion Missouri aquifer or Lower Vermillion Missouri aquifer, which are within the extent of the UVM:S aquifer, were included in Buhler's (2014) analysis.

Since many previous water rights/permits are already accounted for in Buhler's (2014) recharge rate in excess of withdrawals analysis, the water rights/permits approved at or after the March 6th, 2014, Water Management Board meeting, and the recently redesignated water rights/permits need to be considered (Table 1 & 2). The estimated average annual withdrawal rate for those water rights/permits from the UVM:S aquifer is approximately 4,057 acre-feet per year. If this application (No. 8933-3) and pending Water Permit Application Nos. 8935-3, 8936-3, & 8943-3 are approved, the estimated proposed withdrawal is 243 acre-feet per year. Therefore, there is a

reasonable probability that unappropriated water is available to supply the proposed appropriation.

OBSERVATION WELL DATA:

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

The DANR-Water Rights Program monitors nine observation wells completed into the UVM:S aquifer. The observation wells completed into the aquifer are shown on Figure 1 (Water Rights, 2025b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The three closest observation wells to the proposed diversion point are TU-80I (approximately 2.5 miles northwest), TU-77M (approximately 3.2 miles west), and LN-78B (approximately 3.3 miles north) (Water Rights, 2025b). The water level elevations for these observation wells are displayed in Figure 2 (Water Rights, 2025b). The majority of observation wells in the UVM:S aquifer have a stable water level. The data shown in Figure 2 shares a similar trend with most of the observation wells in the UVM:S aquifer.

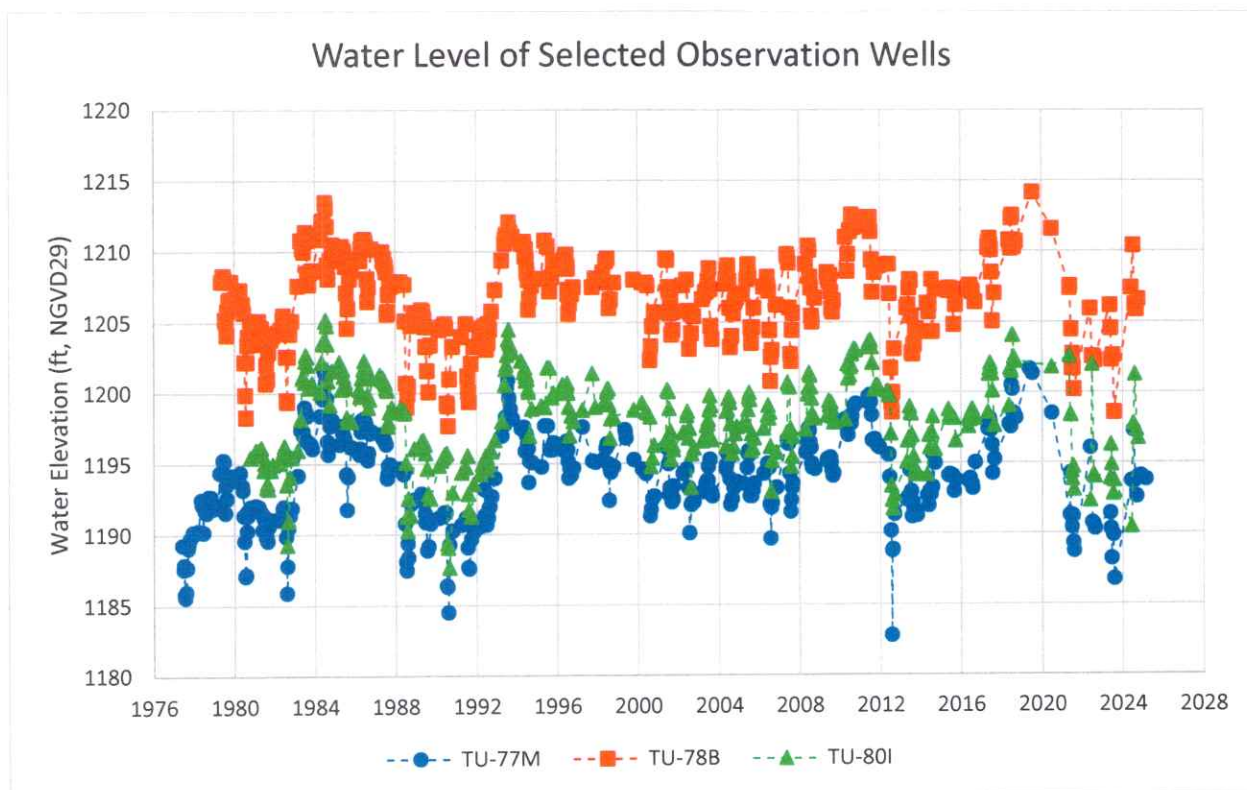


Figure 2. A graph showing the elevation of water levels in observation wells TU-80I, TU-77M, and LN-78B (Water Rights, 2025b)

Figure 2 shows the observation wells display generally stable water levels which is representative of a majority of other observation wells in the UVM:S aquifer. The hydrographs for the UVM:S aquifer indicate that the aquifer responds well to climatic conditions because

water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the UVM:S aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation. The observation well data is in agreement with the 2014 flow net analysis of recharge to the aquifer from Buhler (2014).

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Water rights/permits considered to be completed into the UVM:S aquifer in the general vicinity of the proposed well sites for this application are shown in Figure 3 and summarized in Table 3 (Water Rights, 2025c). It should be noted that Application No. 8932-3 is less than a mile away from this application. However, Application No. 8932-3 is shallower (50 ft), completed into the Parker Centerville aquifer, and for the same applicant (Nicholas Blake). The closest water rights/permits (not held by the applicant) to the proposed diversion point are Water Permit No. 7600-3, which are held by Michael D. Stevens. The diversion points for Water Permit No. 7600-3 are located approximately 1.2 miles southwest of the proposed diversion point for this application (Water Rights, 2025c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the UVM:S aquifer. A recently received registration for a domestic well located 0.27 miles southwest of the proposed diversion point shows a top of aquifer of 142 ft deep and a static water level above 120 ft deep based on the listed pump depth setting. Based on this information, this domestic well is likely to be completed into the UVM: S aquifer. The closest domestic well on file (with a regular well completion report) is located approximately 1.6 miles southwest of the proposed diversion point (Water Rights, 2025d). The location of domestic wells is based on the information provided by the well driller on the submitted well completion report. There could potentially be other domestic wells completed into the UVM:S aquifer near the proposed well site that are not on file with the DANR-Water Rights Program.

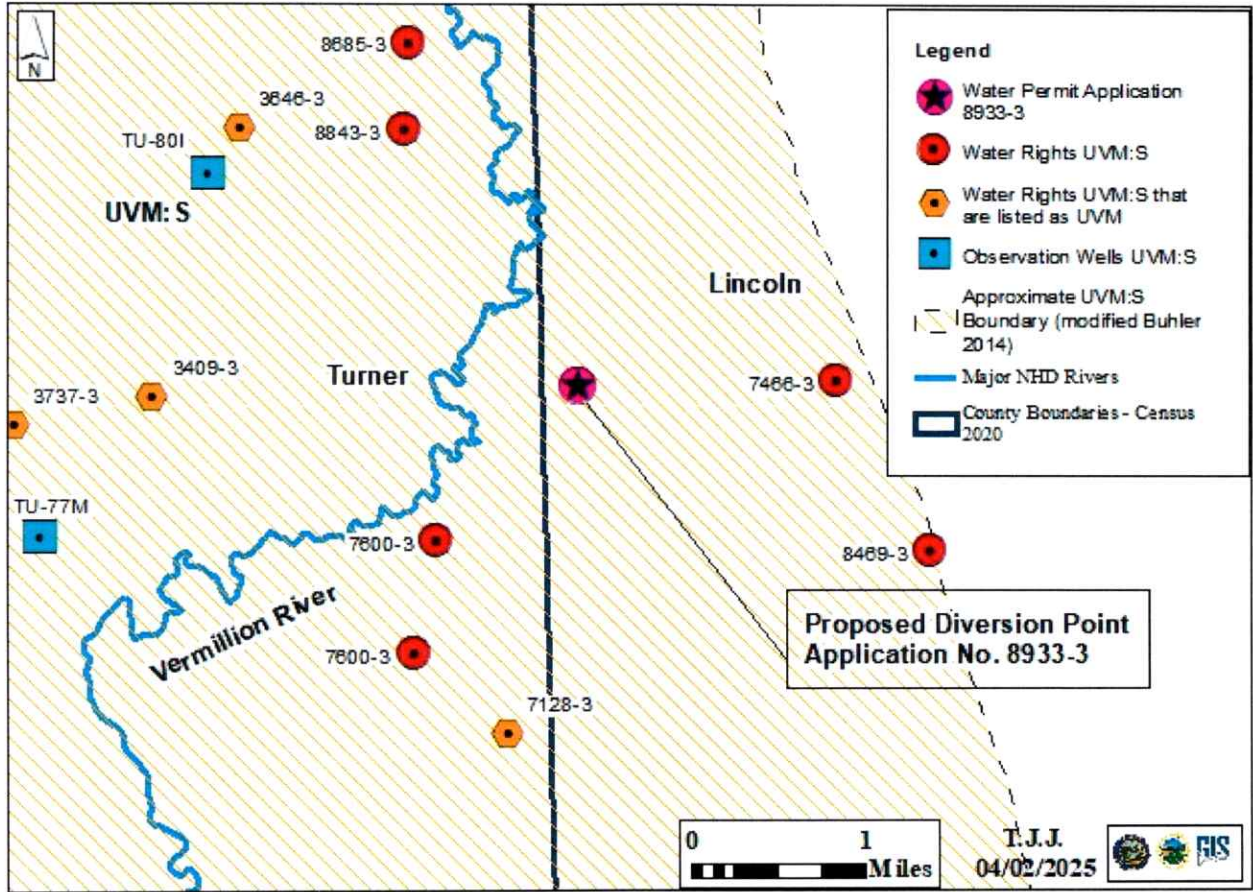


Figure 3. Map of the approximate areal extent of the UVM:S aquifer, UVM:S aquifer water rights/permits within approximately three miles of the location of the proposed well site for Water Permit Application No. 8933-3 (Water Rights, 2025b and 2025c).

Table 3. List of water rights/permits within three miles of Water Permit Application No. 8933-3 shown in Figure 3.

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
3409-3	Steven R Null	12/07/1976	License	Irrigation	1.88	136
3646-3	Steven R Null	02/04/1977	License	Irrigation	2.00	144
3737-3	William M Jenter	09/16/1976	License	Irrigation	4.57	320
7128-3	John Shubeck	04/13/2009	Permit	Irrigation	1.78	207
7466-3	Bethel Hagen Trust	10/18/2012	License	Irrigation	1.78	128.7
7600-3	Michael D Stevens	12/28/2012	Permit	Irrigation	3.56	180
8469-3	Double A Farms LLC	01/04/2021	Permit	Irrigation	2.22	114
8685-3	Joe Schumacher	11/28/2022	Permit	Irrigation	1.56	120
8843-3	Mikota Holding LLC.	03/01/2024	Permit	Irrigation	1.78	160

Based on the well completion reports and observation wells near the proposed diversion point for this application, the UVM:S aquifer is expected to be under confined conditions near the well site. In a confined aquifer, drawdown from a pumping well can extend some distance from the well. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for

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

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

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 UVM:S aquifer at their location. However, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), the history of irrigation in the area without any complaints of well interference (Water Rights, 2025e), and the saturated aquifer thickness near the diversion point, any drawdown created from the diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

SDCL 46-5-6:

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

If approved, Water Permit Application No. 8933-3 would authorize a maximum instantaneous diversion rate of 1.78 cfs from one well for the irrigation of 120 acres, or equivalent to 1.04 cfs per 70 acres. The map and application submitted by the applicant indicates the center pivot is doing a partial rotation. A center pivot typically requires a certain diversion rate to operate properly regardless of swinging a partial or full circle, so the statutory rate limit might be exceeded when a pivot is not completing a full circle. This reasoning has been accepted by the Water Rights Program and the Water Management Board in the past.

CONCLUSIONS:

1. Water Permit Application No. 8933-3 proposes to appropriate 1.78 cfs from one well to be completed into the South Management unit of the Upper Vermillion Missouri aquifer (approximately 200 feet deep) located in the approximate center of the NW ¼ Section 6 for irrigation of 120 acres located in the NW ¼ Section 6; all in T113N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The proposed well site is located approximately four miles northeast of Centerville, SD in Lincoln County.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Upper Vermillion Missouri: South aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8933-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.
4. The applicant is requesting a diversion rate greater than statutory limit of 1 cfs per 70 acres to accommodate a center pivot doing a partial rotation. This is reasonable and has been accepted by the Water Management Board and the Water Rights Program in the past.



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

Reviewed by:



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

References

- Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. Report in the file for Water Permit No. 7715-3. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.
- Hedges, L.S., Allen, J., Holly, D.E., 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bed rock Topography and Distribution, Task 2: Extent of Aquifers, Task 3 Ground-Water Storage, Task 4: Computerized Data Base. United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Holmes, S.L., Filipovic, D. 2015. Hydrogeologic Investigation of the Upper-Vermillion-Missouri Aquifer. Open-File Report 93-UR. SD DENR-Geological Survey. Vermillion, SD.
- Lindgren, R.J., and Hansen, D.S., 1990. Water Resources of Hutchinson and Turner Counties, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 90-4093, 100p.
- Mathiowetz, A. 2018. Report to the Chief Engineer on Water Permit Application 8335-3. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.
- Mathiowetz, A. 2025. Well Drillers Notes. Natural Resource Engineer IV, SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.
- Niehus, C.A., 1997. Water Resources of Lincoln and Union Counties, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 93-4195. U.S. Geological Survey. Vermillion, SD.
- Water Rights, 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DANR-Water Rights Program file for Water Right No. 2313-2. Pierre, SD.
- Water Rights, 2014. Final Order. DENR-Water Rights Program File for Water Right No. 7466-3, Pages 152 to 156. SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights, 2025a. "1979-2023 Irrigation Summaries by Aquifer", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights, 2025b. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2025c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Nicholas Blake

DATE: March 21, 2025 TELEPHONE:

RE: Proposed well depth for 8933-3

COMMENTS:

Called Mr. Blake to discuss his listed proposed well depth, 80 ft, for his irrigation permit application located in Lincoln County. Mr. Blake stated he needed to update that depth to approximately 200 ft based on the test hole drilled by Putzke Drilling.

At this location, there is a chance the Parker-Centerville (PAC) aquifer and Upper Vermillion Missouri: South (UVM:S) aquifer are vertically contiguous. A change of proposed depth from 80 ft, the approximate transition zone between the aquifers, to approximately 200 ft would mean the well should be completed into the UVM:S aquifer. Since that change in depth would also constitute a change in aquifer, I requested Mr. Blake to submit the test hole log or have Putzke Drilling submit the test hole log to me as soon as possible.



Adam Mathiowetz
Natural Resources Engineer
DANR-Water Rights Program

Rodriguez, Rachel

From: Nicholas Blake <blakefarms41@yahoo.com>
Sent: Thursday, February 27, 2025 10:21 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] Water Permit Application for Irrigation
Attachments: attachment 1.pdf; attachment 2.pdf

Sent from my iPhone

On Feb 26, 2025, at 2:25 PM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Hello Nicholas,

Per our conversation, attached is the 1st page for your signature, as well as the map. The fee would be the same for this application \$950. If you choose to pay by credit card, please call our fiscal office at 605-773-5559.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us
<image001.png>

From: Nicholas Blake <blakefarms41@yahoo.com>
Sent: Wednesday, February 26, 2025 12:55 PM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] Water Permit Application for Irrigation

I will be sending maps and payment in the mail. I left a voicemail for Amanda I believe. I have 2 wells I'm applying for in adjoining sections. Do I need to pay the same for both 120 acres or pay for the 240 acres. I think it's a difference of \$250.

Sent from my iPhone

On Feb 26, 2025, at 12:15 PM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Good afternoon,

I received your water permit application for irrigation. The only issues I see are as follows:

1. The application needs to be signed, you may sign the attached first page and return to me.

2. The location point of diversion needs a complete description (i.e. center of Sec6-T97N-R51W), it just reads “center of section”.
3. A map needs to accompany the application. Based on the land to be irrigated, I have attached a map of Sec 6-T96N-R51W. Please mark the proposed diversion point with an “X” and outline the area to be irrigated.
4. The fees for this application are application \$750.00 + inspection fee \$200.00 = \$950.00

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us
<image001.png>

<App 1st page.pdf>
<map.pdf>

<Turner 1st Page.pdf>
<Map.pdf>



**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.**

April 30, 2025

Nicholas Blake
29468 466th Avenue
Centerville SD 57014

Dear Mr. Blake:

Water Permit Application No. 8933-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Lennox Independent printed at Lennox SD (Ph # 605 647-2284) and the Argus Leader printed at Sioux Falls SD (see attachment for contact number). 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 Acting 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 Acting 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. 8933-3 to Appropriate Water

Notice is given that Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 200 feet deep) located in the approximate center of the NW 1/4 Section 6 for irrigation of 120 acres located in the NW 1/4 Section 6; all in T96N-R51W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately four miles northeast of Centerville SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8933-3 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. The Acting 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 May 19, 2025.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 May 19, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled, and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Tuesday, April 29, 2025 4:48 PM
To: Rodriguez, Rachel
Cc: blakefarms41@yahoo.com
Subject: RE: [EXT] 11272501 8933-3 Nicholas Blake - Public Notice
Attachments: 11272501.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on May 8. The order cost is \$58.72 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing.

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

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

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

Thank you!

Brittany Grady
Public Notice Representative



Office: 844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, April 29, 2025 11:37 AM
To: SFA-Legals mbx <allegals@gannett.com>
Subject: 11272501 8933-3 Nicholas Blake - Public Notice

Attached is a notice to be published on May 8, 2025.

Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, 605-957-5684, blakefarms41@yahoo.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Order Confirmation
Not an Invoice

Account Number:	1529398
Customer Name:	Nicholas Blake
Customer Address:	Nicholas Blake 29468 466Th AVE Centerville SD 57014-6308
Contact Name:	Nicholas Blake
Contact Phone:	+44 2084720121
Contact Email:	blakefarms41@yahoo.com
PO Number:	

Date:	04/29/2025
Order Number:	11272501
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	168.0000
Height in Inches:	18.4100

Print

Product	#Insertions	Start - End	Category
SFA SiouxFalls Argus Leader	1	05/08/2025 - 05/08/2025	Public Notices
SFA argusleader.com	1	05/08/2025 - 05/08/2025	Public Notices

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

Total Cash Order Confirmation Amount Due	\$58.72
Tax Amount	\$0.00
Service Fee 3.99%	\$2.34
Cash/Check/ACH Discount	-\$2.34
Payment Amount by Cash/Check/ACH	\$58.72
Payment Amount by Credit Card	\$61.06

Order Confirmation Amount	\$58.72
----------------------------------	----------------

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, April 29, 2025 11:36 AM
To: Newspaper Notices
Subject: 8933-3 Nicholas Blake - Public Notice
Attachments: 8933-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 8, 2025.

Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, 605-957-5684, 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: Tuesday, April 29, 2025 11:37 AM
To: legals@argusleader.com
Subject: 8933-3 Nicholas Blake - Public Notice
Attachments: 8933-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 8, 2025.

Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, 605-957-5684, blakefarms41@yahoo.com 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

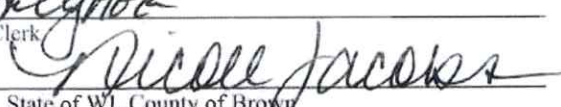
Nicholas Blake
Nicholas Blake
29468 466Th AVE
Centerville SD 57014-6308

STATE OF WISCONSIN, COUNTY OF BROWN

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

05/08/2025

and that the fees charged are legal.
Sworn to and subscribed before on 05/08/2025


Legal Clerk

Notary, State of WI, County of Brown
8-21-216

My commission expires

Publication Cost:	\$58.72	
Tax Amount:	\$0.00	
Payment Cost:	\$58.72	
Order No:	11272501	# of Copies:
Customer No:	1529398	1
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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

**NOTICE OF
APPLICATION NO. 8933-3
to Appropriate Water**

Notice is given that Nicholas Blake, 29468 466th Avenue, Centerville SD 57014, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Upper Vermillion Missouri: South Aquifer (approximately 200 feet deep) located in the approximate center of the NW 1/4 Section 6 for irrigation of 120 acres located in the NW 1/4 Section 6; all in T96N-R51W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately four miles northeast of Centerville SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8933-3 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. The Acting 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 May 19, 2025.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 May 19, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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 8, 2025 at the total approximate cost of \$58.72 and may be viewed free of charge at www.sdpublicnotices.com.

RECEIVED

MAY 16 2025

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

:SS

OFFICE OF
WATER

COUNTY OF LINCOLN

Julia Eng

being first duly sworn, disposes and says: That (he/she) is a resident of the County of Lincoln and State of South Dakota; that THE LENNOX INDEPENDENT is a weekly legal newspaper of general circulation, printed and published in Lennox, in said County and State, and is now, and has been such newspaper continuously, during all the times hereinafter mentioned; that the affiant is affiliated with said newspaper as employer or employee and has personal knowledge of all the facts stated in this affidavit, and the notice and advertisement headed

Notice of Application No.
8933 to Appropriate Water

a printed copy of which is hereonto attached and made a part hereof, was printed and published in the said newspaper 1 successive issues. That the first publication of said notice in said newspaper aforesaid was on Thursday the 8 day of May A.D., 20 25 and that the succeeding publication was severally

on Thursday the _____ day of _____ A.D., 20 _____
on Thursday the _____ day of _____ A.D., 20 _____
on Thursday the _____ day of _____ A.D., 20 _____
on Thursday the _____ day of _____ A.D., 20 _____
on Thursday the _____ day of _____ A.D., 20 _____
on Thursday the _____ day of _____ A.D., 20 _____

that the fees charged for the printing and publication of said notice and advertisement in said newspaper as aforesaid were 42 Dollars and 60 Cents, and that said fees for the printing and publishing of said notice and advertisement, and for the affidavit as aforesaid, have been fully paid; that the full amount of the fee charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publishers of the said Lennox Independent, 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.

Julia Eng

Subscribed and sworn to before me this 13 day of May, 20 25.

Anne Hornan

Notary Public
Lincoln County, South Dakota

My Commission expires Oct 26, 20 30.

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Published once at the total approximate cost of \$42.60 and can be viewed free of charge at www.sdpublicnotices.com. (5-8)

STATE OF SOUTH DAKOTA
County of Lincoln

IN THE CIRCUIT COURT
JUDICIAL CIRCUIT

vs.

Affidavit of Publication

The within Affidavit of Publication of

was filed in my office this _____

day of _____, 20_____.

Clerk of Circuit Court of the _____
Judicial Circuit of the State of South
Dakota within and for Lincoln County.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, April 30, 2025 8:11 AM
To: Nicholas Blake
Subject: 8933-3 Nicholas Blake - Public Notice
Attachments: 8933-3 Rec.pdf; 8933-3 Ltr.pdf; 8933-3 PubNotice.pdf; ArgusLeader Info.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 11 2025

Nicholas Blake
29468 466th Avenue
Centerville SD 57014

Dear Mr. Blake:

Enclosed are Water Permit Nos. 8932-3 and 8933-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, Notice of Completion of Works and Application of Water to Beneficial Use, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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,

Mark Mayer, PE
Director of Office of Water

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**

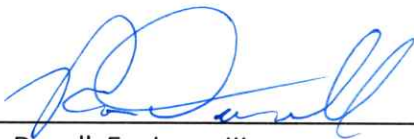
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the 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.: 8933-3

Name of Applicant: Nicholas Blake

Date of Posting: 5/5/2025

Date of Removal: 6/11/2025

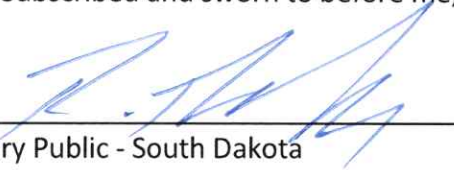


Ron Duvall, Engineer III

6/11/2025

Date

Subscribed and sworn to before me, a notary public, this 11th day of June, 2025.



Notary Public - South Dakota
My commission expires:

(SEAL)

Rachel Rodriguez
My Commission Expires
May 16, 2029

