

WATER PERMIT NO. 8961-3

Name of Applicant: **Full Circle Dairy LLC.**

Address: **45190 282nd Street, Hurley SD 57036** Phone: **219-863-4883**

Amount of Water Claimed: **0.68 cfs** Total Acres: **N/A**

Source of Water Supply: **Groundwater**

Water to be used for: **Commercial** County: **Turner**

Type of Waste Disposal System:

Location: **Approx. 3 miles west of Hurley**

PRIORITY Date Received: **06-02-25**

Application/License Fee: **\$500.00**

Corrected Application Received: **06-13-25**

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

Remarks: **Inspection by De Boer found one smaller well, capable of 200 gpm and one larger well capable of 405 gpm. WP No. 8395-3 is authorized for 300 gpm.**

Diversion Point: **NW 1/4 SW 1/4 Sec 19-T98N-R53W**

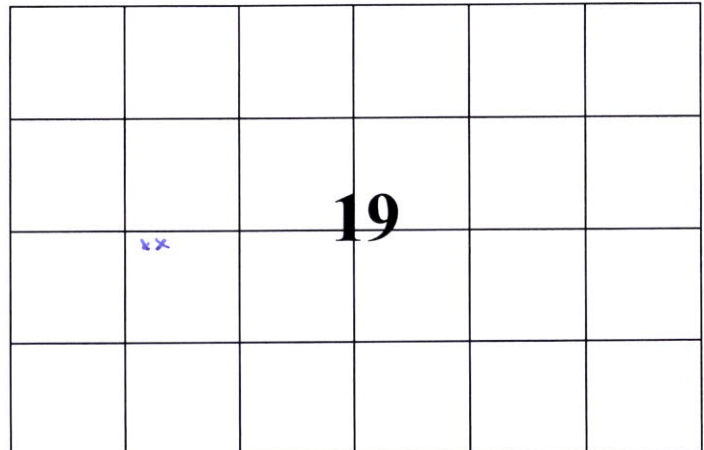
Land to be Irrigated: **N/A**

Depth of Well: **250/255**

Well Driller: **Thein Well Co**

Remarks:

Type of Map: **aerial**



Reviewed and the Number Assigned on: **06-13-25**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 8961-3

Date of first receipt of application June 2, 2025.

Date of receipt of corrected application June 13, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8961-3 to Full Circle Dairy LLC, 45190 282nd Street, Hurley SD 57036, 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. 8961-3 authorizes an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually at a maximum pump rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri: West Aquifer (255 and 260 feet deep) located in the NW 1/4 SW 1/4 Section 19-T98N-R53W for commercial use in a dairy confinement operation located in the E 1/2 NE 1/4 Section 13-T98N-R54W. An investigation of the permit found the two wells capable of producing 1.35 cfs. This Permit, and Water Permit No. 8395-3 will authorize a combined total of 460 acre-feet of water annually at a maximum pump rate of 1.35 cfs for commercial use in the dairy confinement operation. This site is located approximately three miles west of Hurley 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. 8961-3 is February 9, 2026.
5. The date from which applicant may claim right is June 2, 2025.
6. 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 wells approved under this Permit and Water Permit No. 8395-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner 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. Water Permit No. 8961-3 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 including approval of plans and specifications for any modification made to the permitted manure management system.

3. Water Permit No. 8961-3 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
4. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Upper Vermillion Missouri: West Aquifer.
5. This Permit and Water Permit No. 8395-3 authorize a combined, total annual diversion of up to 460.0 acre-feet of water.

WATER MANAGEMENT BOARD

By: Adam Mathiowetz
Adam Mathiowetz, PE
Acting Chief Engineer
Water Right Program
Department of Agriculture and Natural Resources

MAR 11 2026

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>8961-3</u> Hydrologic Unit <u>10170102</u> Basin <u>Vermillion</u> Newspaper <u>Turner Co. New Era</u> <u>Sioux Falls Argus Leader</u> (office use only)
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RECEIVED

JUN 02 2025

OFFICE OF
WATER

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

☐
☐

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 Full Circle Dairy LLC

Mailing Address 45190 282nd St Hurley SD 57036
(Address) (City) (State) (Zip Code)

Phone 219-863-4883 Mobile 219-863-4883 Email gregvanravenswaay@gmail.com

2. Amount of water claimed .68 *CFS or 305 **GPM and N/A ***AF or N/A 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 two wells (UVM:W) auth. by 8395-3

4. Location of point of diversion NW 1/4 SW 1/4 Sec 19-T98N-R53W County Turner
(example - 3 wells in SW1/4 NE1/4 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? dairy located in NW 1/4 Sec 13-T98N-R54W
(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Turner

6. Annual period during which water is to be used Jan 1 - Dec 31

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)

Inspection of water use system auth by WP No. 8395-3 found one smaller diameter well capable of 200 gpm & one larger diameter well capable of 405 gpm. WP No. 8395-3 only auth 300 gpm. Application requests to increase rate of diversion to bring system into compliance. No increase to annual volume needed due to dairy operating off cistern.

I, Greg Van Ravenswaay Owner, the applicant, certify under
Name of Person Title (if applicable)

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

2021-08

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

NOTE TO STAFF: inspection report/map on file - ready to license pending approval

Supplemental Information
(type or print)

RECEIVED

JUN 02 2025

OFFICE OF
WATER

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

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

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

b) If existing wells, how many 2 Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells: (see 8395-3)

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

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

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

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

4. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

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

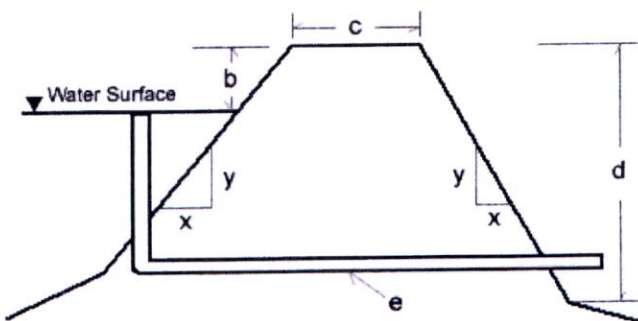
Upstream _____

Downstream _____

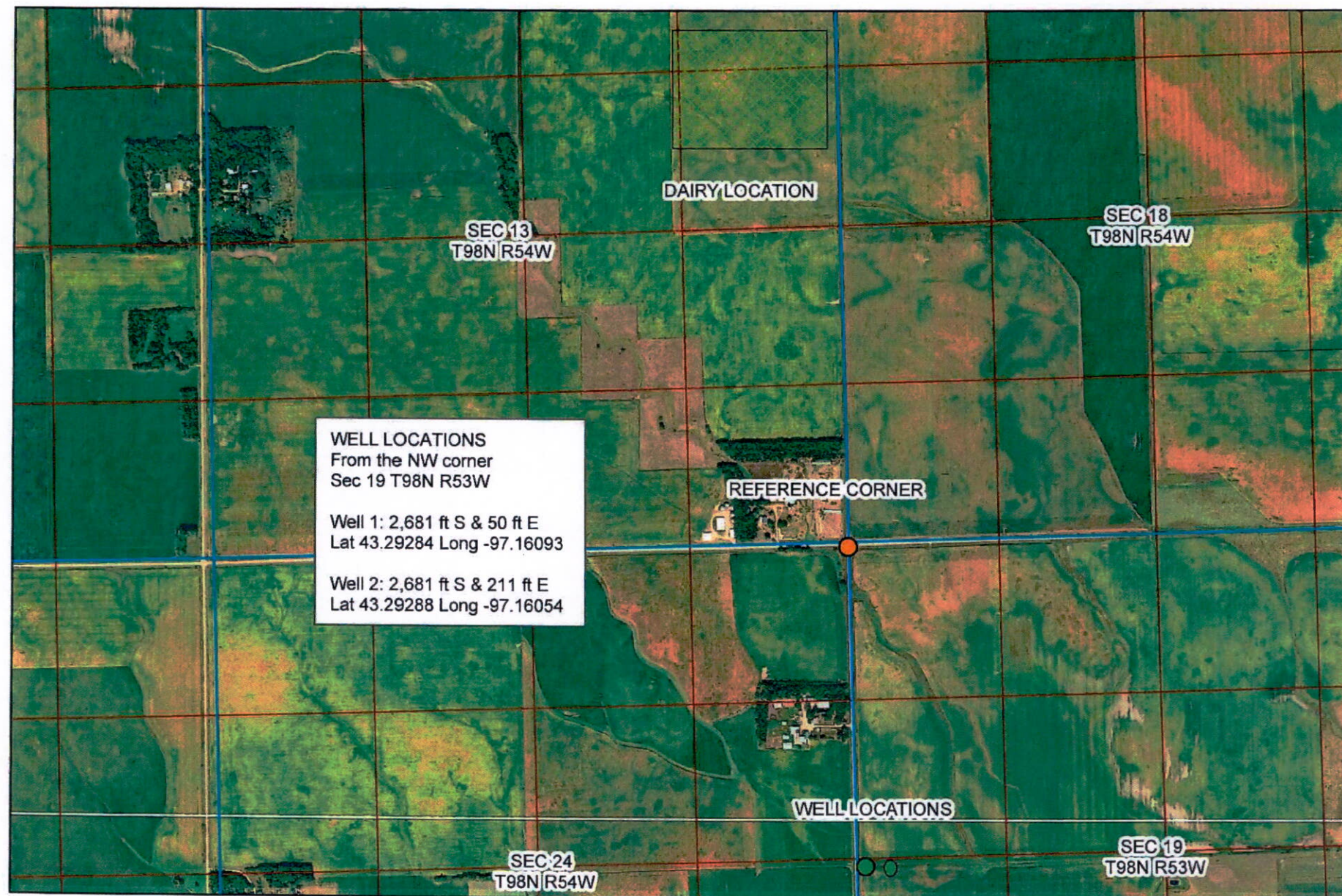
h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



No. 8395-3



0 900 1,800 3,600 5,400 7,200 Feet

Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

98N 54W
Section: 12

98N 53W
Section: 07

98N 53W
Section: 08

98N 54W
Section: 13

98N 53W
Section: 18

98N 53W
Section: 17

98N 54W
Section: 24

10170102 Vermillion

98N 53W
Section: 19

Lewis and Clark Lake

98N 53W
Section: 20

98N 54W
Section: 25

98N 53W
Section: 30

98N 53W
Section: 29

SOUTH DAKOTA WATER WELL COMPLETION REPORT

SD EForm - 1621LD V1

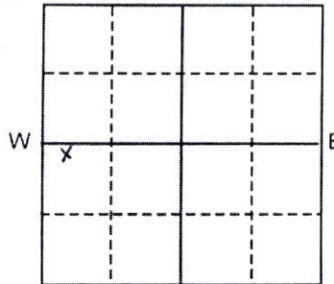
11-02

Location NW ¼ SW ¼ Sec 19 Twp 98 Rg 53

County Turner

North

Please mark well location with an "X"



Well Completion Date

April 30, 2021

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,100.0 ft. from Septic (identify source)

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	0.0 FT	195.0 FT	17.50 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	55	Lb/gal	0.0 Ft	187.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie piped

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 60.0 Feet

Material Stainless steel

Slot Size 35 Set From 195.0 Feet to 255.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorinated

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

Well Owner: Greg VanRavenswaay

Business Name: Full Circle Dairy

Address: 588 3 Mile Road NW, Suite 203

City, State, Zip: Grand Rapids MI 49544

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	3
Clay - brown	3	34
Sandy clay - blue	34	38
Clay - gray	38	74
Sand & gravel	74	86
Clay - gray	86	134
Sand	134	240
Gravel & sand	240	256
Shale - hard - gray	256	265

STATIC WATER LEVEL 35.5 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

44.1 Ft. After 1.2 Hrs. pumped 670.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

GPS N43 17' 34.39" W97 09' 37.84"

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: THEIN WELL COMPANY, INC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder

RECEIVED

JUN 25 2021

Date:

WATER RIGHTS PROGRAM

8395-3

SD EForm - 1621LD V1

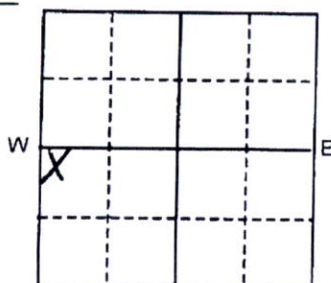
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SW ¼ Sec 19 Twp 98 Rg 53

County Turner

North

Please mark well
location with an "X"

Well Completion Date

January 9, 2019

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 ft. from SEPTIC (Identify source)

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

MUD ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other
 If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
SOR 21 LB/FT	6.00 IN	0.0 FT	200.0 FT	9.50 IN
SOR 17 LB/FT	6.00 IN	200.0 FT	240.0 FT	9.50 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
BENTONITE	24	Lb/gal	0.0 Ft	195.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

TREMIE PIPED

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 6.00 Inches Length 50.0 Feet

Material PVC

Slot Size .025 Set From 200.0 Feet to 250.0 Feet

 Other information 6" 5' PVC .020 250-255
 6" 5' PVC .025 255-260
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? CHLORINATED
☐ No, Why Not?
 Lab to which water
 quality sample sent for analysis

Well Owner: Joel Van Ravenswaay

Business Name: Van Ravenswaay Dairy

Address: 5602 FOUNTAIN VIEW DRIVE

City, State, Zip: WHEATFIELD IN 46392

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	3
CLAY BROWN	3	33
SANDY WHITE CLAY- AND BLUE	33	36
CLAY GRAY	36	51
CLAY BLUE	51	55
CLAY BLUE- GRAVELY	55	74
GRAVEL/CLAY LAYERS / COAL	74	87
CLAY GRAY / SANDY	87	131

CONTINUED....

STATIC WATER LEVEL 24.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped 200.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

6" TEST WELL

GPS N 43 17.5720 W 97 9.6550

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: THEIN WELL COMPANY, INC.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

Date: FEB 11 2019

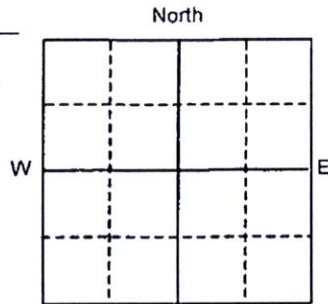
WATER RIGHTS
PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SW ¼ Sec 19 Twp 98 Rg 53

County Turner

Please mark well
location with an "X"

Well Completion Date

January 9, 2019

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
3,000.0 ft. from SEPTIC (Identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING:
MUD ROTARYCASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	Ft	Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
TREMIE PIPEDSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

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

Well Owner: Joel Van Ravenswaay

Business Name: Van Ravenswaay Dairy

Address: 5602 FOUNTAIN VIEW DRIVE

City, State, Zip: WHEATFIELD IN 46392

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
SAND AND FINE GRAVEL	131	175
SAND/SOME THIN CLAY LAYERS	175	192
GRAVEL- MED/ LOTS OF COAL	192	240
GRAVEL- COARSE	240	260
SHALE- GRAY	260	280

STATIC WATER LEVEL _____ FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: _____☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

6" TEST WELL

GPS N 43 17.5720 W 97 9.6550

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: THEIN WELL COMPANY, INC.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date June 13th, 2025

RECEIVED OF Full Circle Dairy LLC 45190 282nd Street Hurley SD 57036

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

Fee for Application for Permit No. <u>8961-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
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>500.00</u>

By Mark Meyer
Chief Engineer



532936644

ANNUAL REPORT

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

Domestic Limited Liability Company
SDCL 47-34A-211; 59-11-24, 24.1

2025
FILING YEAR

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Filing Fee: \$50

Total Fee: \$50

1. Business ID and Name:

DL151644
BUSINESS ID

Full Circle Dairy, LLC
BUSINESS NAME

2. The jurisdiction under whose law it is formed South Dakota

3. The address of the principal executive office (business address):

Actual Street Address

45190 282ND. ST
HURLEY, SD 57036

Mailing Address

588 3 MILE RD., NW
SUITE 101
GRAND RAPIDS, MI 49544

4. The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent, or (b) a commercial registered agent.

(a) The South Dakota Noncommercial Registered Agent's name

Name **Gregory VanRavenswaay**

Actual Street Address in this State

45190 282ND ST
HURLEY, SD 57036

Mailing Address in this State

45190 282ND ST
HURLEY, SD 57036

5. If the LLC is manager-managed, list the names and addresses of its Managers. SDCL 59-11-24. If the LLC is member-managed, this section may be left blank.

6. 43-2A-1. "Agricultural land" defined.

For purposes of this chapter, the term "agricultural land" means land capable of use in the production of agricultural crops, timber, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit or other horticultural products but does not include any royalty interest, any oil, gas, or other mineral interest, or any lease, right-of-way, option, or easement relating thereto, or any land zoned by a local governmental unit for a use other than and nonconforming with agricultural use

Does the entity own any Agricultural land? (Required)

Yes

If the answer is yes, please answer below

"Foreign Beneficial Owner" "Foreign entity" is registered outside of the United States or its territories or has more than ten percent ownership by a foreign government, foreign person, or any combination thereof. "Foreign Government" A Government or state- controlled enterprise of a government, other than the United States, its states, its territories, or its federally recognized Indian Tribes. "Foreign Person" A natural Person who is not a United States Citizen or a resident.

Does the entity have any foreign beneficial owners/interests?



No

If the answer is yes to the questions above, please provide the information below

Provide a legal description of the agricultural land or a description of the land's common location in the space provided below.

N/A

The total acreage of agricultural land held by the entity.

N/A

The Current use of the agricultural land. As defined in SDCL 43-2A-1.

Check all that apply:

N/A

7. Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

05/19/2025

Dated

Email (Optional)

Greg Van Ravenswaay

Signature of an Authorized Person

Greg Van Ravenswaay

Printed Name

B0363-7234 05/19/2025 2:52PM Rec'd by SD SOS



**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. 8961-3, Full Circle Dairy LLC.**

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. 8961-3, Full Circle Dairy LLC., 45190 282nd Street, Hurley SD 57036.

The Acting Chief Engineer is recommending APPROVAL of Application No. 8961-3 because 1) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 2) the proposed use is a beneficial use and 3) 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 wells approved under this Permit and Water Permit No. 8395-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner 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. Water Permit No. 8961-3 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 including approval of plans and specifications for any modification made to the permitted manure management system.
3. Water Permit No. 8961-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
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 - b) Chapter 74:54:02 Ground Water Discharge Permit,
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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
4. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Upper Vermillion Missouri: West Aquifer.
5. This Permit and Water Permit No. 8395-3 authorize a combined, total annual diversion of up to 460.0 acre-feet of water.

See report on application for additional information.

Mark Mayer, PE, Acting Chief Engineer
January 22, 2026

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8961-3
FOR
FULL CIRCLE DAIRY LLC
JANUARY 20, 2026

Water Permit Application No. 8961-3 proposes to appropriate an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually (ac-ft/yr) at a maximum instantaneous diversion rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri: West aquifer (255 and 260 feet deep) located in the NW ¼ SW ¼ Sec. 19-T98N-R53W for commercial use in a dairy confinement operation located in the E ½ NE ¼ Sec. 13-T98N-R54W. A licensing investigation of Water Permit No. 8395-3 found the two wells were capable of producing a combined 1.35 cfs. This application, if approved, and Water Permit No. 8395-3 will authorize a combined total of 460 ac-ft/yr at a maximum instantaneous diversion rate of 1.35 cfs for commercial use in a dairy confinement operation. This site is located approximately three miles west of Hurley, SD.

AQUIFER: Upper Vermillion Missouri: West (UVM:W)

Aquifer Characteristics:

The Upper Vermillion Missouri aquifer is a Quaternary aged buried glacial outwash aquifer composed of fine to coarse sand and gravel with intermixed layers of clay (Holmes and Filipovic, 2015; Water Rights, 2026e). The Upper Vermillion Missouri aquifer has been divided into three management units: North, South, and West (Buhler, 2014). The diversion points for Water Permit No. 8395-3 which this application proposes to use are in the West management unit of the Upper Vermillion Missouri aquifer (UVM:W). Buhler (2014), with data from the SD DANR-Geological Survey, partially re-delineated the southern portion of the extent of the UVM:W aquifer from previous work done by Buhler (2012) (see Figure 1). Buhler's 2012 mapping of the Upper Vermillion Missouri aquifer did not include management units. Thus, the southern boundary of the UVM:W aquifer from Buhler's 2012 mapping as shown in Figure 1 will be based on the Buhler 2014 mapping.

Buhler has made two separate mappings of the Upper Vermillion Missouri: West aquifer (Buhler, 2012 and 2014). The newer mapping (Buhler, 2014) was based primarily on a SD DANR-Geological Survey study (Holmes and Filipovic, 2015) of the entire Upper Vermillion Missouri aquifer that was in progress when Buhler completed his 2014 report. Based on the remapping by Buhler in 2014, the 2015 Holmes and Filipovic aquifer study report, well completion reports (Water Rights, 2026d), and lithologic logs on file with the SD Geological Survey (SDGS, 2026), it was determined the most northwestern observation wells (Water Rights, 2026b), water rights/permits and future use permits (Water Rights, 2026c) as well as the western half of the 2012 Buhler mapped extent of the Upper Vermillion Missouri: West aquifer are separate from the Buhler 2014 mapping of the aquifer. This is further supported by an ongoing study by the DANR-Geological Survey Program (Vinke, 2025). Thus, only the water rights/permits and the observations wells within the 2014 Buhler mapped extent of the Upper Vermillion Missouri: West

aquifer will be considered in this report. A more in-depth discussion regarding delineations of the Upper Vermillion Missouri: West aquifer is available in the report for Water Permit Application No. 8797-3 (Mathiowetz, 2023). The approximate areal extent of the Buhler 2014 Upper Vermillion Missouri: West aquifer is approximately 50,280 acres.

The two well completion reports on file for Water Permit No. 8395-3 indicate the aquifer was encountered at 134 feet and 131 feet below grade with total saturated aquifer thicknesses of 122 feet and 129 feet, respectively. The upper portion of the aquifer was primarily sand with some intermixed gravel which coarsened to gravel near the bottom. The static water levels were 35.5 feet below grade in April 2021, and 24 feet below top of grade in January 2019 at the time of the respective well completions.

APPLICABLE SOUTH DAKOTA CODIFIED LAW (SDCL):

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 Upper Vermillion Missouri: West aquifer.

This application proposes to appropriate water from the Upper Vermillion Missouri: West aquifer. The probability of unappropriated water 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 Greenhorn Formation is a Cretaceous aged Formation. The Upper Vermillion Missouri: West is a quaternary aged formation and thus, younger and stratigraphically above the Greenhorn Formation (Fahrenbach et al, 2010). Furthermore, the applicant is not a water distribution system as defined in SDCL 46-1-6(17). Therefore, if the volume of water was being increased by this application, the balance between recharge to and withdrawals from the Upper Vermillion Missouri: West aquifer would need to be considered.

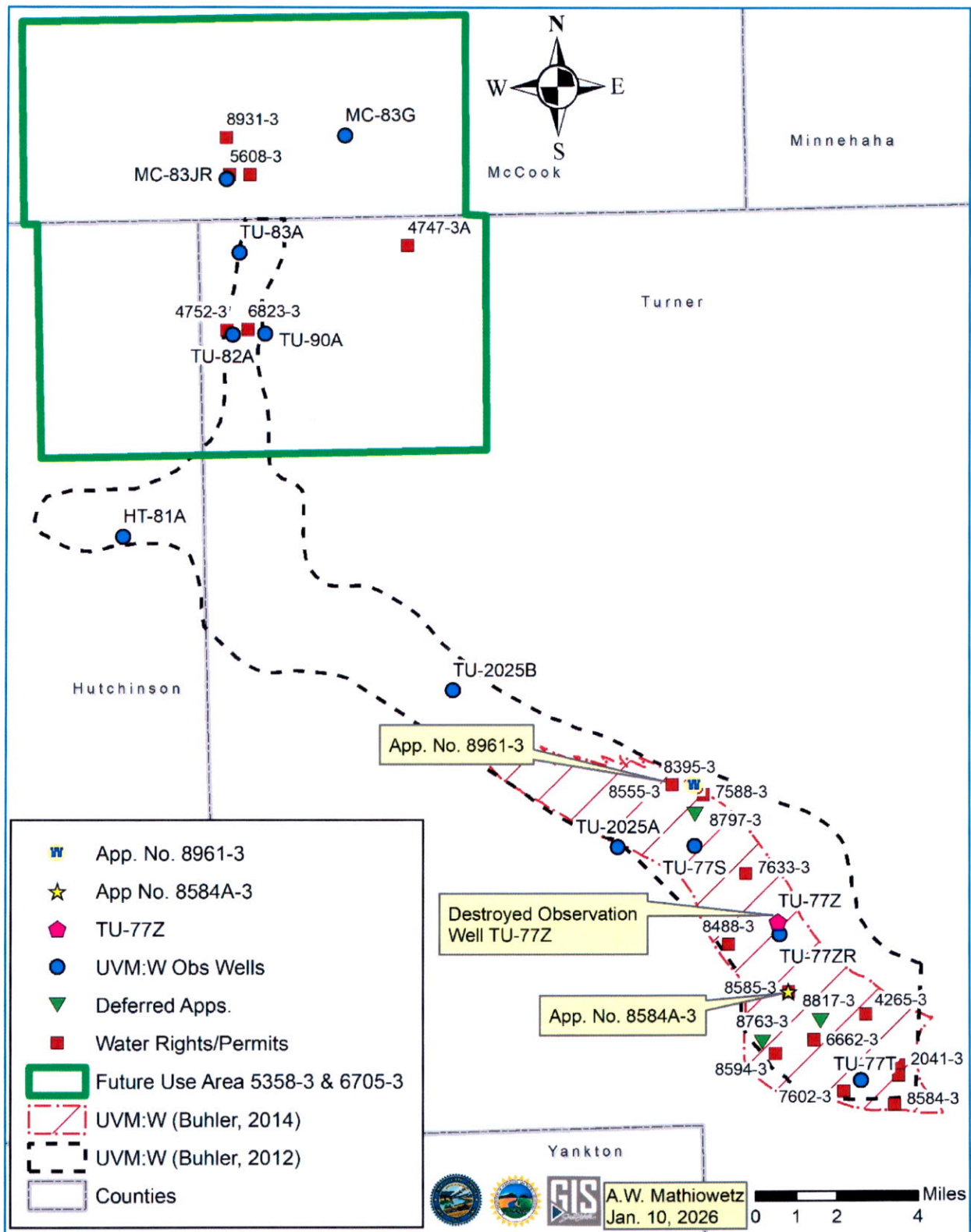


Figure 1- Approximate areal extent of UVM:W aquifer from Buhler's 2012 and 2014 mappings with observation wells, water rights/permits, future use permits, deferred applications, and pending applications (Water Rights, 2026c and 2026d) currently labeled as completed into the UVM:W aquifer

Water Availability:

Water Permit Application No. 8961-3 proposes to increase the diversion rate currently authorized by Water Permit No. 8395-3 with no increase the authorized annual maximum volume that can be pumped. Therefore, there would be no change to the hydrologic budget or water availability from the Upper Vermillion Missouri: West aquifer. However, for the information of the Chief Engineer and the Water Management Board a review of recharge, withdrawals, and observation well data will be conducted for this report.

There are three deferred permit applications, see Table 1. Each of the deferred applications were deferred because they proposed to increase appropriation and thus average annual withdrawals. At the time of the deferral for each application, the observation well data showed there was not a reasonable probability unappropriated water was available. Each application was deferred for a period of two years. This application does not propose to increase the annual permitted volume and thus is not being recommended for deferral for the same reasons as the three applications in Table 1. Note, the priority date of this application, if approved, would be June 2, 2025.

Table 1- Upper Vermillion Missouri: West aquifer deferred application permits (Water Rights, 2026d)

Permit No.	Name	Status	Deferral Date	Priority Date, if Approved	Use	CFS	Acres	Vol. (ac-ft/yr)
8763-3	B & K Dairy Farms LLC	DF	March 6, 2024	May 15, 2023	COM	1.11	n/a	480
8797-3	Donald Benson	DF	March 6, 2024	September 11, 2023	IRR	1.78	65	n/a
8817-3	Merlin Vannorsdel	DF	May 8, 2024	January 11, 2024	IRR	n/a	91	n/a

DF= Deferred; COM= Commercial; IRR= Irrigation; n/a= not applicable

Hydrologic Budget

Recharge

The Upper Vermillion Missouri: West (UVM:W) aquifer is recharged through leakage from fractures in the Sioux Quartzite, outflow from the adjacent portions of the Niobrara aquifer, and direct infiltration of precipitation where the aquifer may be near land surface (Holmes and Filipovic, 2015; Kilts, 2023; Lindgren and Hansen, 1990). A specific recharge rate to the UVM:W aquifer has not been calculated. Furthermore, there is not an up-to-date full delineation of the aquifer available due to limited lithologic and water level data in some areas. Hedges and others (1985) indicated a range of 0.15 to 0.6 inches per year to be a reasonable recharge rate to buried confined aquifers such as the UVM:W aquifer. Using the 2014 mapped area from Buhler, that would be a range of 245 to 980 acre-feet per year (ac-ft/yr).

Table 2 shows the Buhler 2014, and calculations for groundwater outflow that were updated in 2023 as part of the report for Deferred Application No. 8797-3. At the time of the outflow calculations, Mathiowetz (2023) noted:

“The average groundwater outflow, when not subtracting the down gradient pumpage, using the gradients between TU-77Z and TU-77T is approximately 3,179 ac-ft/yr. Using the gradients between TU-77S and TU-77T, the average

groundwater outflow is 2,438 ac-ft/yr across their respective periods of record. When subtracting the yearly down gradient pumpage previously mentioned, those averages become 3,062 ac-ft/yr and 2,329 ac-ft/yr, respectively. It is likely the actual outflow from the aquifer is somewhere in the range of the latter groundwater outflow values and could be higher or lower.”

Table 2- Groundwater outflow calculations at the southeastern portion of the UVM:W aquifer (Mathiowetz, 2023)

Gradient Data Source	A, Area (ft ²)	I, Hydraulic Gradient (ft/ft)	k, Hydraulic Conductivity (ft/day)	Q, Flow (ac-ft/yr)
Buhler, 2014	2,173,880	0.00053	277	2,681
TU-77Z to TU-77T (1978-2018)	2,173,880	0.000628	277	3,179
TU-77S to TU-77T (1978-2023)	2,173,880	0.000482	277	2,438

Mathiowetz (2023) also stated new pumping near TU-77S which reduced the artesian head pressure in the well recently at the time of the report created potentially suspect readings in the observation well water level. Those measurements have since been confirmed as reasonable. Mathiowetz (2023) went on to state the estimated recharge rate range from Hedges and others (1985) discussed earlier are likely on the low side of the recharge rate to the UVM:W aquifer.

A direct comparison of groundwater outflow to withdrawals from an aquifer must be taken in the context of year-to-year changes in weather, total withdrawals, and location of withdrawals, because those factors can affect water levels in the observation wells, especially confined aquifer observation wells such as TU-77S and TU-77T, which in turn can have significant effects on the calculations for groundwater outflow.

Discharge

Discharge from the UVM:W aquifer is primarily through well withdrawals and natural discharge into the Upper Vermillion Missouri: South aquifer, but there may also be evapotranspiration in areas where the aquifer may be at or near land surface along Turkey Ridge Creek (Buhler, 2014; Lindgren and Hansen, 1990; SDGS, 2026; Water Rights, 2026e). Currently, there are 12 water rights/permits authorized to withdraw water from the UVM:W aquifer, again only considering the Buhler 2014 mapped area (see Table 2). There are three deferred applications, see Table 1, and another pending application, Application No. 8584A-3, to transfer the location of the acres irrigated under Water Permit No. 8584-3 to a new location without increasing the number of permitted acres to be irrigated or increase the permitted diversion rate. Therefore, the estimated average annual withdrawal to would occur under Application No. 8584A-3 is already accounted for under Water Permit No. 8584-3 and is not expected to change. Water Right No. 6662-3 does not report annual withdrawal to the Water Rights Program, but Water Permit No. 8395-3 does. Water Permit No. 8395-3 generally reports withdrawal near their permitted volume. Water Right No. 6662-3 should be amended to include a qualification to report annual withdrawals to the Chief Engineer.

Table 3- Water Rights/Permits from the UVM:W aquifer (Water Rights, 2026d)

PERMIT NO.	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES	NON-IRR PERMITTED/ ESTIMATED VOL.
								(AC-FT/YR)
2041-3	CITY OF VIBORG	TU	12/13/1960	LC	MUN	0.96		0*
4265-3	JAMES D BONDESEN	TU	03/27/1978	LC	IRR	0.73	51	
6662-3	VANNORSDEL'S DAIRY	TU	09/16/2008	LC	COM/DOM /LCO	0.134		97.1**
7588-3	MIKOTA HOLDINGS	TU	12/26/2012	PE	IRR	1.77	124	
7602-3	MICHAEL D STEVENS	TU	12/28/2012	PE	IRR	1.89	132	
7633-3	SMIT FAMILY FARMS LLC	TU	01/14/2013	PE	IRR	1.78	136	
8395-3	FULL CIRCLE DAIRY LLC	TU	03/11/2019	PE	COM/DOM /LCO	0.67		460
8488-3	BRETT PETERSEN	TU	02/08/2021	PE	IRR	1.78	80	
8555-3	JON MILLER	TU	10/25/2021	PE	IRR	2.22	320	
8584-3	SHAWN VANNORSDEL	TU	01/21/2022	PE	IRR	2.22	156	
8585-3	ALLEN VANNORSDEL	TU	01/21/2022	PE	IRR	2.22	156	
8594A-3	MERLIN VANNORSDEL	TU	02/11/2022	PE	IRR	2.22	156	
TU= Turner, LC= Water Right, PE= Water Permit, MUN= Municipal, IRR= Irrigation, COM= Commercial, DOM= Domestic, LCO= Livestock Confinement Operation, *= Connected to rural water system, **= 100% full time pumping							TOTAL	557.1

Currently, there are nine water rights/permits authorizing the irrigation of 1,311 acres (Water Rights, 2026d). Note, not all of the 2025 irrigation questionnaires have been filed at this time. Thus, the reported irrigation data goes through 2024. At the time of submittal of the 2024 irrigation questionnaires, Water Right No. 2506-3 and Water Permit No. 8584-3 reported no use due to non-construction. Water Right No. 2506-3 was subsequently cancelled in 2025 for abandonment and non-construction. Water Permit No. 8485-3 authorizes the irrigation of 156 acres. Using the average irrigation application rate of developed reporting systems from 2013 to 2024 (4.9 in/ac), which reflects current conditions better than the entire historical averages that include non-developed systems, Water Permit No. 8584-3 would be expected to pump on average 63.7 ac-ft/yr. The average reported irrigation from 2013 to 2024 is 255.3 ac-ft/yr which calculates to an average application rate per permitted acre over that period of record, this includes the acres permitted but not yet developed, of 2.7 in/ac. Table 5 shows the estimated average annual irrigation withdrawals for all currently permitted acres at the average application rate of all permitted acres from 2013-2024 (2.7 in/ac) and a reported average application rate (4.9 in/ac) on developed irrigation systems from 2013-2024 (4.9 in/ac).

Table 4- Reported irrigation pumpage from the UVM:W aquifer with permitted acres and application rate (inches) per permitted acre (Water Rights, 2026b and 2026d)

Year	Reported Pumpage (ac-ft/yr)	Permits Reporting	Permitted Acres	App. Rate per Permitted Acre	Year	Reported Pumpage (ac-ft/yr)	Permits Reporting	Permitted Acres	App. Rate per Permitted Acre (in/ac)
1979	39.8	4	943	0.5	2004	66.3	2	194	4.1
1980	99.4	4	943	1.3	2005	1.7	2	194	0.1
1981	18.6	3	943	0.2	2006	66.3	2	194	4.1
1982	53.0	3	943	0.7	2007	116.7	2	194	7.2
1983	185.6	3	943	2.4	2008	0.0	2	194	0.0
1984	40.0	4	943	0.5	2009	0.0	2	194	0.0
1985	3.0	3	943	0.0	2010	0.0	2	194	0.0
1986	0.0	4	943	0.0	2011	0.0	2	194	0.0
1987	110.0	3	943	1.4	2012	49.7	2	194	3.1
1988	1.4	4	943	0.0	2013	24.3	2	194	1.5
1989	39.0	4	794	0.6	2014	146.0	7	859	2.0
1990	0.0	4	794	0.0	2015	118.5	7	859	1.7
1991	0.0	4	794	0.0	2016	179.0	7	859	2.5
1992	0.0	4	794	0.0	2017	199.9	7	859	2.8
1993	0.0	2	194	0.0	2018	42.7	7	859	0.6
1994	0.0	2	194	0.0	2019	0.0	7	859	0.0
1995	0.0	2	194	0.0	2020	294.7	7	859	4.1
1996	88.4	2	194	5.5	2021	255.3	8	939	3.3
1997	0.0	2	194	0.0	2022	701.5	11	1571	5.4
1998	0.0	3	294	0.0	2023	626.3	11	1571	4.8
1999	0.0	3	294	0.0	2024	475.8	10	1506	3.8
2000	13.9	3	294	0.6	Avg.	90.3	4.1	627.8	1.4
2001	19.9	3	294	0.8	Avg. 2013-2024	255.3	7.6	982.8	2.7
2002	39.8	3	294	1.6	Avg. 1979-2012	32.0	2.9	502.5	1.1
2003	35.9	3	294	1.5	Avg. 2013-2024 excluding non-constructed systems			583.7	4.9

Table 5- Estimated average annual irrigation withdrawals based on average application rates (Water Rights, 2026b and 2026d)

Category	Permitted Acres	App. Rate (in/ac)	Est. Avg. Withdrawal (ac-ft/yr)
Avg. 2013-2024	1311	2.7	295.0
Avg. 2013-2024 excluding non-constructed systems	1311	4.9	535.3

Hydrologic Budget

Table 6 shows current estimates for average annual withdrawal and then estimated withdrawal if the three currently deferred applications were to be approved. These withdrawal estimates are comparable although slightly less than the 2023 estimates from Mathiowetz (2023). However, as previously stated, this application does not propose to increase their permitted volume, just the diversion rate. Based on Hedges and others (1985), the estimated average annual recharge rate

ranges from 245 to 980 ac-ft/yr. However, current information suggests that value is low. Groundwater outflow calculations shown in Table 2 range from 2,438 to 3,179 ac-ft/yr. The groundwater outflow is not a recharge rate to the aquifer but provides a sense of the upper scale of potential recharge to the aquifer. However, that number fluctuates year to year. Furthermore, the influence of localized drawdown on observation well measurements can significantly change the calculation. This effect is most dramatically seen in confined aquifers and in the data for TU-77S.

Table 6- Estimated average annual withdrawals

Use Type	Volume (ac-ft/yr)
Irrigation, 4.9 in/yr on 1,311 permitted acres	535.3
Non-Irrigation	557.1
Subtotal	1092.4
Deferred Irrigation Apps.	63.7
Deferred Non-irrigation App.	480
Grand Total	1636.1

Observation Well Data:

Administrative Rule of South Dakota Section 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 Water Rights Program currently monitors four observation wells (TU-77S, TU-77T, TU-77ZR, and TU-2025A) and monitored one well (TU-77Z) until it was plugged for road construction in 2018. Figure 2 shows the hydrographs for the manual and continuous data logger measurements across the entire period of record and Figure 3 just shows 2020 to present measurements (Water Rights, 2026c). Declining water levels that started in late 2020 seems to have stabilized in 2023 and have continued to remain relatively stable. Continued monitoring is warranted to ensure the current level of development to ensure the stabilization is consistent and allow for a longer period of record for TU-2025A to be developed. This application proposes no additional permitted volume of water. The observation wells, particularly TU-77S, which is approximately 1.5 miles south of this application, may show larger seasonal downward spikes due to the increased pump rate proposed by this application.

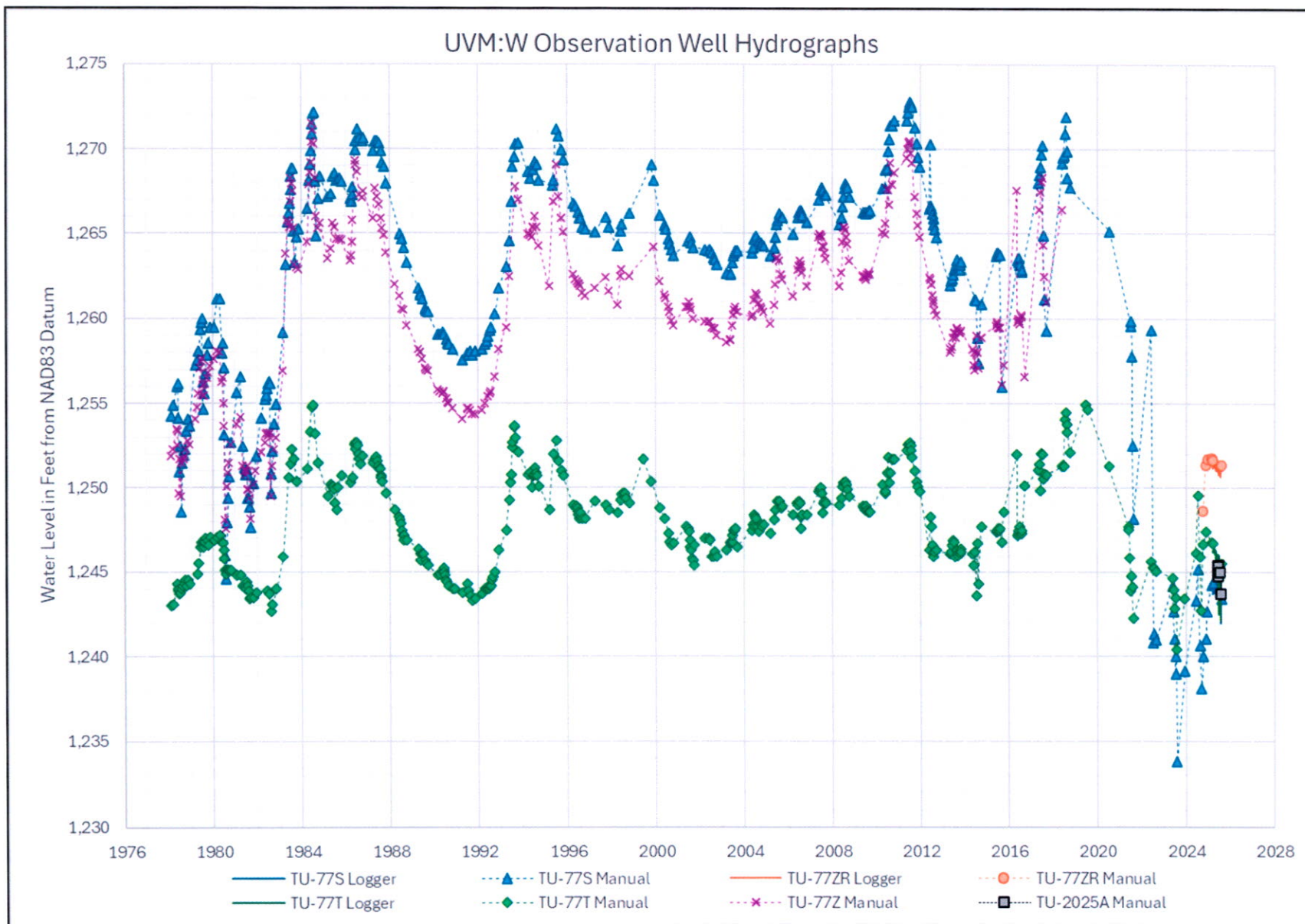


Figure 2- Hydrograph of all UVM:W observation well data (Water Rights, 2026c)

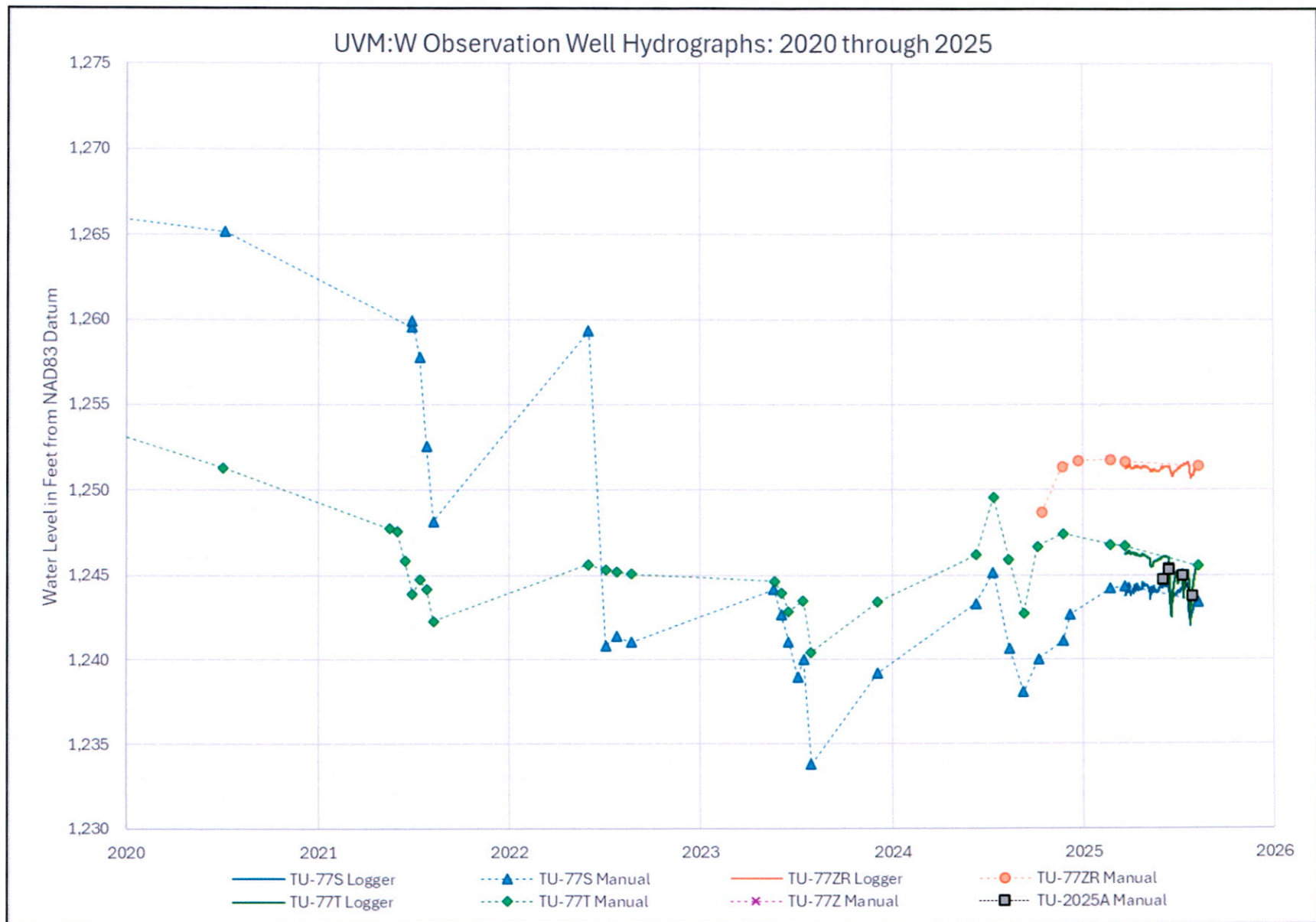


Figure 3- Hydrograph of UVM:W observation well data 2020 through 2025 (Water Rights, 2026c)

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

The nearest well authorized by a water right/permit, excluding Permit No. 8395-3, to the wells this application proposes to use are shown in Figure 4, with Water Right No. 7588-3 being located approximately 0.3 miles southeast of the wells this application proposes to use (Water Rights, 2026d). The nearest domestic well on file with the Water Rights Program to the wells this application proposes to use is located approximately 0.35 miles northwest of the well sites (Water Rights, 2026e). The locations of domestic wells are based on the location provided by the well driller on the water well completion report. The locations as filed with the Water Rights Program are not exact locations. It is possible there are other domestic use UVM:W aquifer wells in the area of the applicant's proposed well site that are not on file with the Water Rights Program.

The UVM:W aquifer is under confined conditions at the applicant's well sites (Water Rights, 2026e). Since the aquifer is confined, drawdown can extend some distance from a well. However, the exact drawdown behavior cannot be determined without an aquifer performance test. This application is the result of a licensing inspection determined the applicant was pumping at a higher diversion rate than originally authorized by Water Permit No. 8395-3. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has promulgated 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."

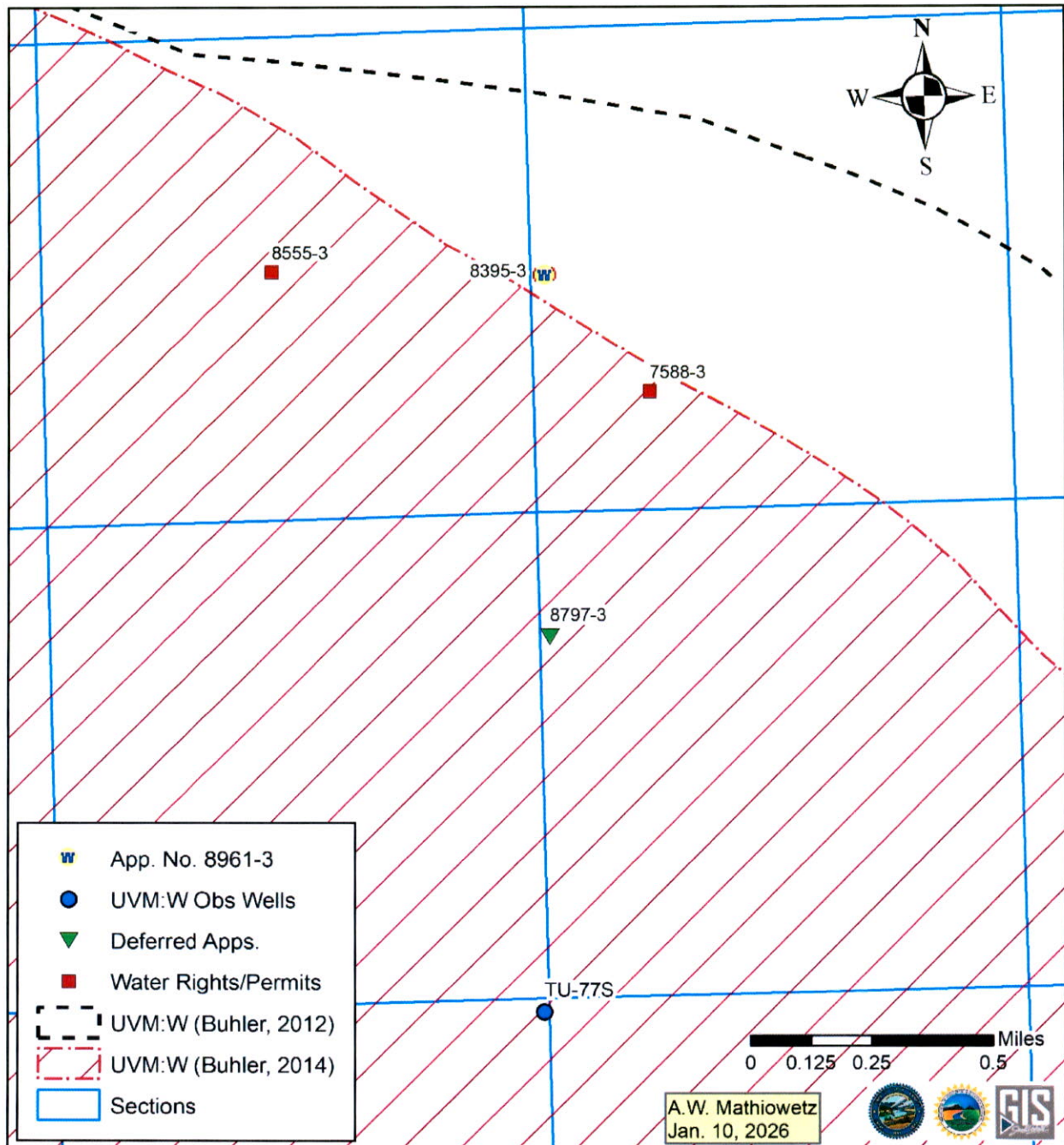


Figure 4- UVM:W aquifer water rights/permits, deferred application, and observation well within approximately one mile of the well sites for Application No. 8961-3 (Water Rights, 2026c and 2026d)

The UVM:W aquifer is under confined conditions at the applicant's well sites (Water Rights, 2026e). Since the aquifer is confined, drawdown can extend some distance from a well. However, the exact drawdown behavior cannot be determined without an aquifer performance test. Furthermore, the proximity of this application to the likely boundary of the aquifer may contribute to additional drawdown. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has promulgated 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 (Water Rights, 1995). The Board adopted the Findings of Fact 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). Observation well TU-77S is located within approximately 1.5 miles of four water rights/permits with high capacity, greater than 0.2 cfs, wells. Observation well TU-77S, hydrograph shown in Figures 2 and 3, is 146 feet deep with a depth to top of aquifer of 112 feet but a smaller gravel section from 56 to 61 feet below grade (SDGS, 2026; Water Rights, 2026c). The static water level measured in the well ranges from 7 to 47 feet below ground surface. That means at the lowest recorded water level, there was still approximately 65 feet of artesian head pressure above the top of the aquifer.

A review of the Turner County complaint file showed one complaint filed regarding potential well interference from wells completed into the UVM:W aquifer (Water Rights, 2026a). In July 2022, a well owner with a well located in Sec. 6-T97N-R53W, approximately three miles south of the well sites for this application and 1.4 miles south of observation well TU-77S, stated the well was not pumping water for his cattle. No well completion report was found for the well; however, it was reported as 7 to 15 years old so a well completion report should have been filed. The well owner believed the well to be 160 feet deep with a pump setting of 60 feet. The well owner stated the well had pumped all winter and spring but had ceased pumping in the past 2-3 weeks. Review of the hydrograph for TU-77S showed the static water level at that time was approximately 40 feet below grade and had a similar surface elevation as the non-pumping well. The nearest appropriative pumping was under Water Permit No. 7633-3 approximately 1.3 miles northeast of the non-pumping well. The non-pumping well is located near the mapped edge of the aquifer and possibly has greater than expected drawdown when pumping. Based on the available information, it was determined the non-pumping well was not unlawfully impaired by appropriative pumping in the area.

There was a notable decline of artesian head pressure in both TU-77S and TU-77T, the water levels have stabilized since 2023 without dewatering of the actual aquifer material at those locations. However, some existing well owners may need to lower pumps depending on the specific characteristics of the UVM:W aquifer at their location to ensure their pump is at least 20 feet below

the top of the saturated aquifer. When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rule (ARSD 74:02:04:20(7)), the amount of artesian head pressure at the proposed well site for this application (65 to 100 feet based on TU-77S and the applicant's well completion reports), and the lack of substantiated well interference complaints in the area of this application from the UVM:W aquifer, there is a reasonable probability that any drawdown created by using this proposed diversion will not cause an unlawful impairment on existing water rights/permits with adequate wells or adequate domestic wells. Furthermore, this application is the result of a licensing inspection that determined the wells were in use beyond the original permitting. That means the proposed diversion rate increase for this application has been in use for some time without a complaint filed with the Water Rights Program. (Water Rights, 2026a).

CONCLUSIONS:

1. Water Permit Application No. 8961-3 proposes to appropriate an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually (ac-ft/yr) at a maximum instantaneous diversion rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri: West aquifer (255 and 260 feet deep) located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19-T98N-R53W for commercial use in a dairy confinement operation located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 13-T98N-R54W. A licensing investigation of Water Permit No. 8395-3 found the two wells were capable of producing a combined 1.35 cfs. This application, if approved, and Water Permit No. 8395-3 will authorize a combined total of 460 ac-ft/yr at a maximum instantaneous diversion rate of 1.35 cfs for commercial use in a dairy confinement operation.
2. Application No. 8961-3 proposes to increase maximum diversion rate without increasing the permitted annual volume authorized by Water Permit No. 8395-3. Therefore, the proposed use under this application is already accounted for under Water Permit No. 8395-3 and need not be considered.
3. There is a reasonable probability that the proposed increase of diversion rate for this application will not unlawfully impair existing water rights/permits with adequate wells or adequate domestic wells.
4. To ensure the most accurate hydrologic budget, Water Right No. 6662-3 should be amended to include a requirement to report annual withdrawals to the Chief Engineer.



Adam Mathiowetz, PE

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 file for Water Permit No. 7715-3. SD DANR-Water Rights Program. Pierre, SD.

- Buhler, K.A. 2012. Report to the Chief Engineer on Water Permit Application No. 7441-3 & 7442-3, Gary or Julie Peterson; Water Permit Application No. 7452-3, Jerome Hult; Water Permit Application No. 7466-3, Bethel Hagen Trust; Water Permit Application No. 7467-3 & 7468-3, Cleland Hagen Trust; and Water Permit Application No. 7535-3 Donald D Benson, December 11, 2012: SD DANR- Water Rights Program. Pierre, SD.
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- Kilts, W. 2023. Report to the Chief Engineer Water Permit Application 8684-3 Matthew Wirth May 9, 2023. SD DANR-Water Rights Program permit files. Pierre, SD.
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- Mathiowetz, A.W. 2023. Report to the Chief Engineer on Water Permit Application No. 8797-3 December 01, 2023. SD DANR-Water Rights Program. Pierre, SD.
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- Water Rights. 2026b. Irrigation Questionnaires. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2026c. Observation Well Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2026d. Water Right/Permit Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights. 2026e. Well Completion Reports. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights. 1995. Water Rights File No. 2313-2 Coca-Cola Bottling Company of the Black Hills. SD DANR-Water Rights Program. Pierre, SD.

**Water Rights Program
File Documentation**

NAME: Full Circle Dairy

DATE: March 10, 2026

RE: Extended Review Time for Application

COMMENTS:

The review of Application No. 8961-3 was extended significantly beyond the 60-day requirement due to waiting for additional information from the DANR-Geological Survey Program which is studying the Upper Vermillion Missouri: West aquifer. This additional information was necessary to verify the aquifer of the additional well and the original well authorized by Water Permit No. 8395-3. Furthermore, the application was submitted based on an inspection that determined an additional well and diversion rate were constructed above their original permit, Water Right No. 8395-3. The additional well and diversion rate were already in use, and this application was submitted to bring the applicant into compliance with SD Water Law.



Adam Mathiowetz

DANR-Water Rights Program

Rodriguez, Rachel

From: Dewell, Amanda
Sent: Monday, June 2, 2025 10:44 AM
To: Rodriguez, Rachel
Subject: FW: [EXT] Full Circle Dairy WP No. 8395-3
Attachments: Nonirrigaiton Application_Full Circle Dairy.pdf

Rachel,

Please find attached an application submitted by Mr. VanRavenswaay for Full Circle Dairy. Darrell recently conducted an inspection of their Permit No. 8395-3 and found that the wells, when run simultaneously, produce 605 gpm, compared to the 300 gpm they are authorized for. Since the dairy operates on a cistern system, they do not need to increase their annual volume, only the peak pump rate. Lic/Insp fee waived & they'll be calling Fiscal to submit payment.

Let me know if you have any questions.

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



From: Greg Van Ravenswaay <gregvanravenswaay@gmail.com>
Sent: Monday, June 2, 2025 10:08 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Cc: Rachel Lenger <rlenger@agbus.com>
Subject: Re: [EXT] Full Circle Dairy WP No. 8395-3

Rachel you can make a note if you call the fiscal office that it has been submitted

On Mon, Jun 2, 2025 at 9:30 AM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

Greg,

After our conversation on Friday, I contacted Thein Well Drilling to confirm the capacity rating of the pumps placed in the two dairy wells. They were able to confirm that the larger well produces very near your approximation, pumping at 405 gpm.

Full Circle Dairy's permit [8395-3](#) authorizes the appropriation of 460 acre-feet of water at a maximum pump rate of 0.67 cfs (300 gpm). If the wells are operated on a rotation, the permit would need to be increase by an additional 0.23 cfs (105 gpm) to cover pumping of the larger well. If the wells are operated simultaneously the rate

would need to be increased by 0.68 cfs (305 gpm). Since you pump to a cistern and divert as needed, it is likely you will not need to increase your annual volume, just the maximum flow rate.

The fees due for the application to increase by either 105 gpm or 305 gpm would be the same, \$500.00. The licensing and inspection fee is waived since the inspection has already been completed and this increase in diversion rate is meant to bring the system into compliance prior to licensing.

For your convenience I have attached a partially completed application with the highlighted portions requiring your attention. The \$500 fee can be made by calling our Fiscal Office and submitting payment over the phone (605-773-5559) or by mailing a check (payable to SD Water Rights) to:

DANR – Water Rights Program

523 E Capitol Ave

Pierre SD 57501

Please let me know if you have any questions or concerns. Thank you,

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov





**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.**

January 23, 2026

Full Circle Dairy LLC.
c/o Greg Van Ravenswaay
45190 282nd Street
Hurley SD 57036

Dear Mr. Van Ravenswaay:

Water Permit Application No. 8961-3 for commercial use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the New Era printed at Parker SD (Ph # 605 297-4419) 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. 8961-3 to Appropriate Water

Notice is given that Full Circle Dairy LLC., 45190 282nd Street, Hurley SD 57036, has filed an application for a water permit to appropriate an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually at a maximum pump rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri: West Aquifer (255 and 260 feet deep) located in the NW 1/4 SW 1/4 Section 19-T98N-R53W for commercial use in a dairy confinement operation located in the E 1/2 NE 1/4 Section 13-T98N-R54W. An investigation of the permit found the two wells capable of producing 1.35 cfs. This application, if approved, and Water Permit No. 8395-3 will authorize a combined total of 460 acre-feet of water annually at a maximum pump rate of 1.35 cfs for commercial use in the dairy confinement operation. This site is located approximately three miles west of Hurley SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8961-3 because 1) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 2) the proposed use is a beneficial use and 3) 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 February 9, 2026.

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 February 9, 2026.

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: Friday, January 23, 2026 9:36 AM
To: Rodriguez, Rachel
Cc: gregvanravenswaay@gmail.com
Subject: RE: [EXT] 12026921 8961-3 Full Circle Dairy - Public Notice
Attachments: 12026921.pdf

Good Morning,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on January 29. The order cost is \$66.10 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on Tuesday with any changes.

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

Our invoicing is done on a monthly basis.

You will receive an invoice for this ad after the close of the month.

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.

Thank you!

Brittany Grady
Public Notice Representative

USA TODAY CO.



844-254-5287

National voice. Local strength. Subscribe TODAY.

#TeamUSATODAY

Tell my boss I rock [HERE!](#)

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Thursday, January 22, 2026 11:51 AM
To: SFA-Legals mbx <allegals@appleton.gannett.com>
Subject: 12026921 8961-3 Full Circle Dairy - Public Notice

Attached is a notice to be published on January 29, 2026.

Full Circle Dairy LLC., c/o Greg Van Ravenswaay, 45190 282nd Street, Hurley SD 57036, 219-863-4883, gregvanravenswaay@gmail.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, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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



Order Confirmation
Not an Invoice

Account Number:	1580757
Customer Name:	Full Circle Dairy Llc
Customer Address:	Full Circle Dairy Llc 45190 282Nd ST Hurley SD 57036-5900
Contact Name:	Greg Van Ravenswaay
Contact Phone:	
Contact Email:	gregvanravenswaay@gmail.com
PO Number:	

Date:	01/23/2026
Order Number:	12026921
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	187.0000
Height in Inches:	20.6000

Print

Product	#Insertions	Start - End	Category
SFA Sioux Falls Argus Leader	1	01/29/2026 - 01/29/2026	Public Notices
SFA argusleader.com	1	01/29/2026 - 01/29/2026	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	\$66.10
Tax Amount	\$0.00
Service Fee 3.99%	\$2.64
Cash/Check/ACH Discount	-\$2.64
Payment Amount by Cash/Check/ACH	\$66.10
Payment Amount by Credit Card	\$68.74

Order Confirmation Amount
\$66.10

Rodriguez, Rachel

From: New Century Press <newera@ncppub.com>
Sent: Thursday, January 22, 2026 11:59 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] 8961-3 Full Circle Dairy - Public Notice

Hi, received and got it set to run 01.29 in the New Era. We will send affidavit and invoice promptly after publication. Thank you.

Amber Miller, Office Assistant
newera@ncppub.com

On Jan 22, 2026, at 11:50 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Attached is a notice to be published on January 29, 2026.

Full Circle Dairy LLC., c/o Greg Van Ravenswaay, 45190 282nd Street, Hurley SD 57036, 219-863-4883 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, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

<8961-3 public.short_final.docx><FORM8.FRM.doc>

USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Greg Van Ravenswaay
Full Circle Dairy Llc
45190 282Nd ST
Hurley SD 57036-5900

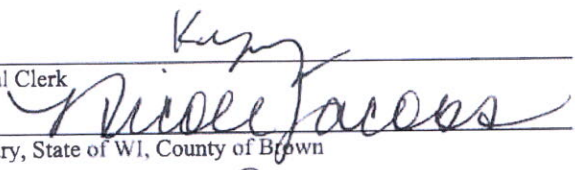
STATE OF WISCONSIN, COUNTY OF BROWN

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:

01/29/2026

and that the fees charged are legal.
Sworn to and subscribed before on 01/29/2026

Legal Clerk


Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$66.10

Tax Amount: \$0.00

Payment Cost: \$66.10

Order No: 12026921

Customer No: 1580757

PO #:

of Copies:

1

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. 8961-3 to
Appropriate Water**

Notice is given that Full Circle Dairy LLC., 45190 282nd Street, Hurley SD 57036, has filed an application for a water permit to appropriate an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually at a maximum pump rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri West Aquifer (255 and 260 feet deep) located in the NW 1/4 SW 1/4 Section 19-T98N-R53W for commercial use in a dairy confinement operation located in the E 1/2 NE 1/4 Section 13-T98N-R54W. An investigation of the permit found the two wells capable of producing 1.35 cfs. This application, if approved, and Water Permit No. 8395-3 will authorize a combined total of 460 acre-feet of water annually at a maximum pump rate of 1.35 cfs for commercial use in the dairy confinement operation. This site is located approximately three miles west of Hurley SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8961-3 because 1) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 2) the proposed use is a beneficial use and 3) 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 February 9, 2026.

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 February 9, 2026.

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 once at the total approximate cost of \$66.10 and may be viewed free of charge at www.sdpublicnotices.com.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS

I, Amber D. Miller

certify that the attached printed Notice was taken
from the New Era

printed and published in Parker

County of Turner and

state of South Dakota. The notice was published

in the newspaper on the following date:

January 29, 2026

Cost of Printing 45.60

Amber D. Miller
(Signature)

office assistant
(Title)

01.30.26
(Date Signed)

NOTICE OF APPLICATION NO.

8961-3 to Appropriate Water

Notice is given that Full Circle Dairy LLC., 45190 282nd Street, Hurley SD 57036, has filed an application for a water permit to appropriate an additional 0.68 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 8395-3, with no increase to the authorized annual volume. Water Permit No. 8395-3 appropriates up to 460 acre-feet of water annually at a maximum pump rate of 0.67 cfs from two wells completed into the Upper Vermillion Missouri West Aquifer (255 and 260 feet deep) located in the NW 1/4 SW 1/4 Section 19-T98N-R53W for commercial use in a dairy confinement operation located in the E 1/2 NE 1/4 Section 13-T98N-R54W. An investigation of the permit found the two wells capable of producing 1.35 cfs. This application, if approved, and Water Permit No. 8395-3 will authorize a combined total of 460 acre-feet of water annually at a maximum pump rate of 1.35 cfs for commercial use in the dairy confinement operation. This site is located approximately three miles west of Hurley, SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8961-3 because 1) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 2) the proposed use is a beneficial use and 3) 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 February 9, 2026.

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 February 9, 2026.

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 once at the total approximate cost of \$45.60 and may be viewed free of charge at www.sdpublicnotices.com.

(NO129-B)

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, January 23, 2026 11:13 AM
To: Greg Van Ravenswaay
Subject: 8961-3 Full Circle Dairy - Public Notice
Attachments: 8961-3 Rec.pdf; 8961-3 Ltr.pdf; 8961-3 PubNotice.pdf; Argus Leader Info.pdf

Good morning,

Attached is a copy of the report, acting 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 confirm 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

MAR 11 2026

Full Circle Dairy LLC
c/o Greg Van Ravenswaay
45190 282nd Street
Hurley SD 57036

Dear Mr. Van Ravenswaay:

Enclosed is Water Permit No. 8961-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8961-3**

(1) Full Circle Dairy LLC, 45190 282nd St, Hurley SD 57036, made Application No. 8395-3, March 11, 2019, for a water permit to appropriate up to 460 acre-feet of water annually, at a maximum diversion rate of 0.67 cubic feet of water per second (cfs) from groundwater, two wells (Upper Vermillion Missouri: West Aquifer) for commercial use in a dairy confinement operation. Permit No. 8395-3, bearing a priority date of March 11, 2019, was approved May 28, 2019, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 28, 2024, and for the application to beneficial use of water on or before May 28, 2028.

The applicable portions of Water Permit No. 8395-3 have been incorporated into this license.

Full Circle Dairy LLC made Application No. 8961-3, June 2, 2025, for a water permit to appropriate an additional 0.68 cubic feet of water per second (cfs) to what was already authorized by Permit No. 8395-3, with no increase to the annual appropriative volume. Permit No. 8961-3, bearing a priority date of June 2, 2025, was approved February 9, 2026, and issued to the applicant for diversion of water and for the application to beneficial use.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.35 cubic feet of water per second for beneficial use. The locations of the diversion points are:

- Well 1: 2,681 ft S & 50 ft E of the NW corner Section 19-T98N-R53W (NW ¼ SW ¼)
(Latitude 43.29284 & Longitude -97.16093)
- Well 2: 2,681 ft S & 211 ft E of the NW corner Section 19-T98N-R53W (NW ¼ SW ¼)
(Latitude 43.29288 & Longitude -97.16054)

(3) The amount of appropriation may not exceed 460 acre-feet annually for commercial purposes in a dairy cattle confinement operation. The water is to be used during the following described annual period: January 1 – December 31.

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

(5) Pursuant to South Dakota Water Law 46-5-30.1 Full Circle Dairy LLC, the holder and/or owner of Water Right No. 8961-3 is issued a license to appropriate up to 460 acre-feet of water annually, with a maximum diversion rate of 1.35 cfs from groundwater, two wells (Upper Vermillion Missouri: West Aquifer), with priority dates of March 11, 2019 (460 ac-ft & 0.67 cfs) and June 2, 2025 (0.68 cfs), from the locations specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8961-3 and subject to the following qualifications:

1. The wells approved under this Permit and Water Permit No. 8395-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner 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.

continued

2. The wells authorized by Permit No. 8395-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall 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. *(The wells were drilled in 2019 by Thein Well Company, Inc. Copies of the Water Well Completion Reports are on file with the Water Rights Program.)*
3. Water Permit No. 8961-3 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 including approval of plans and specifications for any modification made to the permitted manure management system.
4. Water Permit No. 8961-3 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
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions
5. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Upper Vermillion Missouri: West Aquifer.
6. This Permit and Water Permit No. 8395-3 authorize a combined, total annual diversion of up to 460 acre-feet of water. *(The applicable portions of Water Permit No. 8395-3 have been incorporated into Water Right No. 8961-3.)*



Adam Mathiowetz, PE
Acting Chief Engineer
Department of Agriculture and Natural Resources

MAR 11 2026

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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PIERRE SD 57501-3182
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STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
Posting on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 8961-3

Name of Applicant: Full Circle Dairy LLC., Greg Van Ravenswaay

Date of Posting: 1/26/2026

Date of Removal: 3/11/2026

Amanda Dewell, Permitting Administrator

3/11/2026

Date

Subscribed and sworn to before me, a notary public, this 11th day of Mar, 2026.

Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 18, 2029

(SEAL)

