

WATER PERMIT NO. 8978-3

Name of Applicant: Collins Colony

Address: 19606 Collins Avenue, Iroquois SD 57353 Phone: 605-881-5374

Amount of Water Claimed: 0.18 cfs Total Acres: N/A

Source of Water Supply: Groundwater

Water to be used for: Commerical County: Clark

Type of Waste Disposal System:

Location: Approx. 14 miles northwest of De Smet

PRIORITY Date Received: 08-21-25

Application/License Fee: \$500.00

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: An inspection of a nearby permit found 2 wells providing water to a commercial swine facility.

Diversion Point: NW 1/4 SW 1/4 Sec 31-T113N-R57W

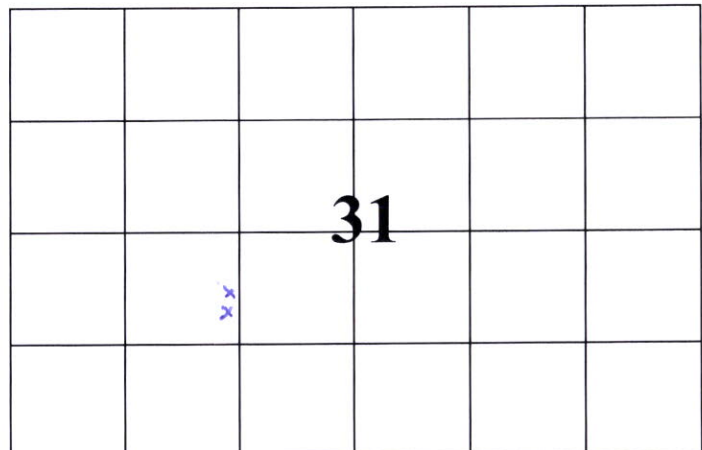
Land to be Irrigated: N/A

Depth of Well: 1180

Well Driller: Stretch's

Remarks:

Type of Map: aerial



Reviewed and the Number Assigned on: 08-22-25

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8978-3**

Date of first receipt of application August 21, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8978-3 to Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, 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. 8978-3 appropriates up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cubic feet of water per second from two wells completed into the Dakota Aquifer (1,180 feet deep) located in the NE 1/4 SW 1/4 Section 31, for commercial use in a swine facility located in the E 1/2 SW 1/4 Section 31; all in T113N-R57W. This site is located approximately fourteen miles northwest of De Smet 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. 8978-3 is November 17, 2025.
5. The date from which applicant may claim right is August 21, 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 Water Permit No. 8978-3 are 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. Any future replacement wells must meet the adequate well construction standard as defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20 and may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.
3. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Dakota Aquifer.
4. Water Permit No. 8978-3 authorizes a total annual diversion of up to 30.7 acre-feet of water.

WATER MANAGEMENT BOARD

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

12/4/2025
date



RECEIVED

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

AUG 21 2025

PAID

AUG 21 2025

Ck# 27677

Rec't#

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>89 78-3</u> Hydrologic Unit <u>1016 0006</u>	OFFICE OF WATER
	Basin <u>James</u>	
	Newspaper <u>Clark County Courier</u>	
	<u>Watertown Public Opinion</u> (office use only)	

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 Collins ColonyMailing Address 19606 Collins Ave

(Address)

Iroquois

(City)

SD

(State)

57353

(Zip Code)

Phone 605-881-5374Mobile 605-881-5374Email electricshop@collinshb.com

2. Amount of water claimed 0.18 *CFS or 80 **GPM and 30.6 ***AF or 10,000,000 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 groundwater, two wells (DKOT)4. Location of point of diversion NW SW Sec31-T113N-R57W

(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

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

If "Yes," where will water be used? _____

(example - NW 1/4 section 12-T104N-R53W)

5. County or counties where water will be used Clark6. 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 nearby permit found two wells providing water to a commercial swine facility located in the W 1/2 SW 1/4 Sec 31-T113N-R57W.

I, Daniel Wipf Water System Operator, the applicant, certify under
Name of Person Title (if applicable)

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

2021-08

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

Supplemental Information

(type or print)

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

☐ Drilling new well(s) ☒ Using existing well(s)a) If new wells, how many _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)b) If existing wells, how many 2 Provide copy of log(s), if available. Drilled by Stretch

For either existing or proposed wells: see WCR database 00078307 & 00078818

c) Well Depth (required) 1180 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)

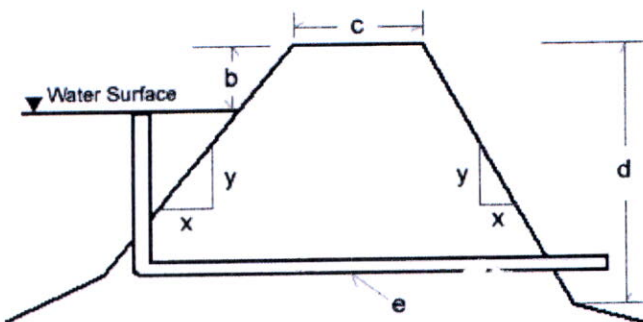
Upstream _____

Downstream _____

h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



No. 6747-3 & ****-3



0 625 1,250 2,500 3,750 5,000 Feet

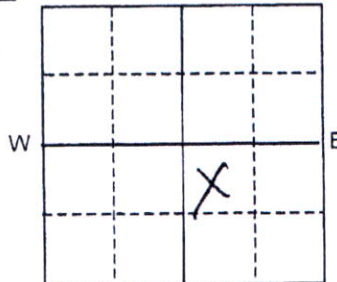
Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 Twp 113 Rg 57County Spink

North

Please mark well location with an "X"



Well Completion Date

4-8-2024

1 Mile

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

None

ft. from

(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
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>1100</u> FT	<u>7 7/8</u> IN
<u>55</u> LB/FT	<u>2</u> IN	<u>1100</u> FT	<u>1180</u> FT	<u>4 3/4</u> IN

GROUTING DATA:

Grout Type

No. of Sacks

Grout Weight

From

To

Cement17016

Lb/gal

0

Ft

1100

Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe☒ Manufactured

Diameter

2

Inches

Length

80

Feet

Material

SS. Sch 40.25

Slot Size

.25

Set From

1100

Feet to

1180

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

Chlorine

Well Owner:

Collins Colony

Business Name:

Address:

19606 Collins Ave

City, State, Zip:

Iroquois SD 57353

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Top Soil & F.I.I</u>	<u>0</u>	<u>15</u>
<u>Yellow Clay</u>	<u>15</u>	<u>25</u>
<u>Blue Clay</u>	<u>25</u>	<u>40</u>
<u>Blue Clay w Sand Streaks</u>	<u>40</u>	<u>120</u>
<u>Shale</u>	<u>120</u>	<u>1100</u>
<u>Good Sand</u>	<u>1100</u>	<u>1180</u>

STATIC WATER LEVEL

255

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:

Air☐ Bailed☐ Other

Pumping Level Below Land Surface

420

Ft. After

10

Hrs. pumped

10

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

MAY 17 2024

OFFICE OF
WATERThis well was drilled under license # 722 and this report is true and accurate.

Drilling firm

Stretch's Well Service Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

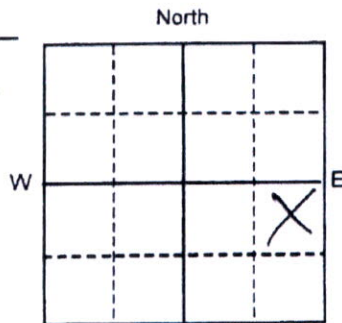
5-17-2024

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SE 1/4 Sec 31 Twp 113 Rg 57County CLARK

Please mark well location with an "X"



Well Completion Date

5-2-24

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
NONE ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☐ Steel ☒ Plastic ☒ OtherIf other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>1100</u> FT	<u>7 7/8</u> IN
<u>5440</u> LB/FT	<u>2</u> IN	<u>1100</u> FT	<u>1180</u> FT	<u>4 1/2</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>180</u>	<u>15</u> Lb/gal	<u>0</u> Ft	<u>1100</u> Ft

Describe grouting procedure

Pumped Through PipeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 2 Inches Length 80 FeetMaterial Stainless SteelSlot Size 0.25 Set From 1100 Feet to 1180 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? CementDescribe packer(s) and location 1100'

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Collins Colony

Business Name:

Address: 19606 Collins AveCity, State, Zip: Ironwood SD 57353

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Yellow Clay</u>	<u>5</u>	<u>20</u>
<u>Blue Clay</u>	<u>20</u>	<u>100</u>
<u>Sand</u>	<u>100</u>	<u>120</u>
<u>Shale</u>	<u>120</u>	<u>1020</u>
<u>Dakota</u>	<u>1020</u>	<u>1180</u>

STATIC WATER LEVEL 250 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: 4.1'☐ Bailed☐ Other

Pumping Level Below Land Surface

250 Ft. After 12 Hrs. pumped 10 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JUL 15 2024

OFFICE OF
WATERThis well was drilled under license # 722 and this report is true and accurate.Drilling firm: Stretch's Well Service Inc.

Signature of License Representative:

Tom Stretch

Signature of Well Owner or Equitable Property Holder:

Joey WapDate: 6-25-2024

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 21st, 2025

RECEIVED OF Collins Colony 19606 Collins Avenue Iroquois SD 57353

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

Fee for Application for Permit No. <u>8978-3</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 Mayke
Chief Engineer



**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. 8978-3, Collins Colony**

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. 8978-3, Collins Colony, 19606 Collins Avenue, Iroquois SD 57353.

The Acting Chief Engineer is recommending APPROVAL of Application No. 8978-3 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 wells approved under Water Permit No. 8978-3 are 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. Any future replacement wells must meet the adequate well construction standard as defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20 and may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.
3. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Dakota Aquifer.
4. Water Permit No. 8978-3 authorizes a total annual diversion of up to 30.7 acre-feet of water.

See report on application for additional information.

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

Report to the Chief Engineer

On Water Permit Application Nos. 8977-3 & 8978-3

Collins Colony

10/21/2025

Water Permit Application No. 8977-3 proposes to appropriate an additional 0.045 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6747-3 and amend Permit No. 6747-3 to add commercial use. Water Permit No. 6747-3 appropriates 0.11 cfs from one well completed into the Dakota aquifer (1,200 feet deep) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32-T113N-R57W for domestic use. An investigation of the permit found the system capable of diverting an additional 0.045 cfs from the well authorized by Permit No. 6747-3 and an additional well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, with water also being diverted to a commercial swine production facility located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32; all in T113N-R57W. This application, if approved, and Water Permit No. 6747-3 will authorize a combined total of 0.156 cfs (70 gpm) and an annual volume of up to 61.4 acre-feet for commercial and domestic purposes from the two wells completed into the Dakota aquifer. This site is located in Clark County approximately thirteen miles northwest of De Smet SD.

Water Permit Application No. 8978-3 proposes to appropriate up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cfs from two wells completed into the Dakota aquifer (1,180 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, for commercial use in a swine facility located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 31; all in T113N-R57W. This site is located in Clark County approximately fourteen miles northwest of De Smet SD.

AQUIFER: Dakota (DKOT)

HYDROGEOLOGY:

The Dakota Formation is defined as the first relatively continuous sandstone below the Greenhorn Limestone, extending downward to the top of the Skull Creek Shale in western and central South Dakota (Schoon, 1971). In eastern South Dakota, the Skull Creek Shale is not continuous and when absent, the Dakota Formation directly overlies Precambrian bedrock or the Inyan Kara Group (Schoon, 1971). In western South Dakota, a stratigraphically equivalent formation to the Dakota Formation is the Newcastle Formation, which outcrops in the Black Hills (Bredehoeft and others, 1983). In eastern South Dakota, the Dakota Formation can be separated into three layers: 1) upper layer of fine to medium grained, light to reddish brown, quartz sandstone interbedded with minor gray to dark grey shale layers; 2) a middle layer of silty gray clay interbedded with minor sandstone layers; and 3) a lower layer of medium to coarse grained quartz sandstone (Schoon, 1971).

The Dakota aquifer is comprised of the saturated and permeable portions of the Dakota Formation and is primarily a confined bedrock aquifer throughout most of South Dakota (Schoon, 1971; Water Rights 2025b and 2025d). The Dakota Formation underlies approximately 66,500 square miles of South Dakota and has an average thickness of 150 feet (Schoon, 1971).

Using Schoon's (1971) estimates of average thickness (150 feet) and areal extent (66,500 square miles or 42.5 million acres) of the Dakota aquifer, and assuming 15% porosity for the Dakota Formation, approximately 960 million acre-feet of water is stored within the Dakota aquifer in South Dakota.

Well completion reports were submitted with Water Permit No. 6747-3 and Water Permit Application No. 8978-3. The lithologic information on well completion reports for wells associated with Water Right No. 6747-3 and Water Permit Application No. 8978-3 is listed on Table 1. The water well completion reports show the top of aquifer material ranging from 1,020 feet to 1,225 feet below ground surface with a static water level ranging from 250 feet to 300 ft below ground surface. The aquifer is confined at this location. The saturated aquifer thickness listed on the well completion reports ranges from 75 to 160 feet (Water Rights, 2025b). The well completion reports indicate the aquifer material is confined by a layer of shale and is similar to other nearby test hole reports and well completion reports (Water Rights, 2025d).

Table 1. Water well completion reports originally submitted with Water Right No. 6747-3 & water well completion reports submitted with Water Permit App. Nos. 8977-3 & 8978-3

Well 1 (Water Permit No. 6747-3)			North Well (Water Permit App. No. 8978-3)		
<i>Formation</i>	<i>From (ft)</i>	<i>To (ft)</i>	<i>Formation</i>	<i>From (ft)</i>	<i>To (ft)</i>
<i>Top Soil</i>	0	5	<i>Top Soil + Fill</i>	0	15
<i>Yellow Clay</i>	5	20	<i>Yellow Clay</i>	15	25
<i>Blue Clay</i>	20	80	<i>Blue Clay</i>	25	40
<i>Sand</i>	80	100	<i>Blue Clay with Sand Streaks</i>	40	120
<i>Clay</i>	100	160	<i>Shale</i>	120	1,100
<i>Shale</i>	160	680	<i>Good Sand</i>	1,100	1,180
<i>Chalk</i>	680	700	<i>Static Water Level: 255 feet</i>		
<i>Shale</i>	700	1,225			
<i>Dakota</i>	1,225	1,300			
<i>Static Water Level: 300 feet</i>					
Well 2 (Water Permit App. No. 8977-3)			South Well (Water Permit App. No. 8978-3)		
<i>Formation</i>	<i>From (ft)</i>	<i>To (ft)</i>	<i>Formation</i>	<i>From (ft)</i>	<i>To (ft)</i>
<i>Top Soil</i>	0	5	<i>Top Soil</i>	0	5
<i>Yellow Clay</i>	5	22	<i>Yellow Clay</i>	5	20
<i>Blue Clay</i>	22	180	<i>Blue Clay</i>	20	100
<i>Sand</i>	180	200	<i>Sand</i>	100	120
<i>Shale</i>	200	615	<i>Shale</i>	120	1,020
<i>Codell</i>	615	730	<i>Dakota</i>	1,020	1,180
<i>Shale</i>	730	1,205	<i>Static Water Level: 250 feet</i>		
<i>Dakota</i>	1,205	1,300			
<i>Static Water Level: 300 feet</i>					

South Dakota Codified Law (SDCL)

Water Permit Application Nos. 8977-3 & 8978-3 propose to appropriate water from the Dakota aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1 and SDCL 46-2A-9.

Pursuant to SDCL 46-6-3.1,

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

The Dakota aquifer is older than and stratigraphically lower than the Greenhorn Formation. However, since the applicant's proposed use is not entirely for a water distribution system as defined by SDCL 46-1-6(17), the average annual recharge and average annual withdrawal rates to and from the Dakota aquifer must be considered.

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 Dakota aquifer.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Dakota aquifer in South Dakota occurs through upward leakage from underlying aquifers with a higher potentiometric surface than the Dakota aquifer, downward seepage through overlying confining layers, and through the infiltration of precipitation on the Newcastle Formation that outcrops in the Black Hills (Bredehoeft and others, 1983; Water Rights, 2025b). Using computer modeling, Bredehoeft and others (1983) attempted to match Darton's (1909) potentiometric surface map of the Dakota aquifer and developed a recharge estimate of approximately 79.4 cfs (57,500 acre-feet/year) prior to well development. However, assumptions used in Bredehoeft and other's (1983) recharge estimate are now outdated. For example, the recharge estimates used for the Madison and Inyan Kara aquifers in Bredehoeft and other's (1983) analysis are much lower than estimates calculated by the more recent research of Carter and others (2002). While outdated, the Bredehoeft and other's (1983) estimate is the best information available to give a sense of scale of the recharge to the Dakota aquifer in South Dakota, it is unknown whether the true recharge rate of the Dakota aquifer is higher or lower than Bredehoeft and others' (1983) estimates.

Discharge

Discharge from the Dakota aquifer in South Dakota occurs through well withdrawals, uncontrolled flowing wells, outflow through corroded well casings, and outflow to overlying or adjacent aquifers due to higher potentiometric surface in the Dakota aquifer (Bredehoeft and others, 1983; Water Rights, 2025d). Currently, there are 258 water rights/permits and one other pending application appropriating water from the Dakota aquifer. Water Permit Application No. 8963-3 for Evergreen Hutterian Brethren Inc. proposes to appropriate up to 30.7 ac-ft of water annually for industrial use in a precast concrete production facility. Additionally, there are seven future use permits reserving 4,287 acre-feet/year of water from the Dakota aquifer, shown on Table 2 (Water Rights, 2025c).

Table 2. Future use permits reserving water from the Dakota aquifer (Water Rights, 2025c)

Permit No.	Name	County	Use	Priority Date	Amount Reserved (ac-ft/yr)
1262C-3	City of Canton	LN	MUN	03/16/1966	674
5219-3		LN	MUN	12/05/1988	1,175
8400-3	City of Harrisburg	LN	MUN	05/15/2019	550
5101-3	City of Lennox	LN	MUN	08/27/1986	*0
5101A-3		LN	MUN	08/27/2007	*0
5155-3	Lincoln County RWS	LN	RWS	10/21/1987	440
4817-3	South Lincoln RWS	LN	RWS	08/17/1981	1,448
LN: Lincoln; MUN: Municipal; RWS: Rural Water System; *City of Lennox has allocated all the water they had reserved				TOTAL:	4,287

Of the 258 active water rights/permits, 97 are primarily for water distribution systems (rural water system, municipal, suburban housing development, etc.), 21 for irrigation, 112 for commercial use, 6 for industrial use, 11 for domestic use, 4 for fish and wildlife propagation, 2 for geothermal use, 2 for institutional use, and 3 for recreation (Water Rights, 2025c).

The use type determined for each water right/permit was based on the primary use categorized for each water right/permit as some permits have multiple uses (Water Rights, 2025c). Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer and is likely an overestimation of average annual withdrawals (Water Rights, 2025c). Additionally, some water rights/permits withdraw from multiple aquifers. As such, only water from the Dakota aquifer for Water Right No. 8199-3 & Water Permits Nos. 2804-2, 8464-3, 8670-3 & 8697-3 will be considered in total estimates for Table 3. Some of the water rights/permits authorized to appropriate water from the Dakota aquifer are identified as being connected to a rural water system (RWS) rather than their permitted wells. Therefore, the annual water use for these water rights/permits has been estimated to be zero acre-feet per year. The City of Canton only purchases 49% of their water from South Lincoln Water System (Friedeman

and Settje, 2025). Overall, the estimated average annual withdrawal rate from the Dakota aquifer by the non-irrigation water rights/permits is approximately 24,998 acre-feet per year (Table 3) (Water Rights, 2025c).

Table 3. Estimated annual use for non-irrigation water rights/permits authorized to divert water from the Dakota aquifer (Water Rights, 2025c)

Use Type	Count	Diversion Rate (cfs)	Estimated Diversion Rate Total (ac-ft/yr)	Limited by Volume (ac-ft/yr)	Total Estimated Use (ac-ft/yr)
Commercial	112	11.48	4,985	2,354	7,339
Domestic	11	1.58	688	72	760
Fish and Wildlife Propagation	4	2.73	1,187	0	1,187
Geothermal	2	2.33	1,012	0	1,012
Industrial	6	0.84	367	7	374
Institutional	2	1.34	582	0	582
Municipal	84	5.19	2,253	6,402	8,655
Recreational	3	0.45	195	3.1	199
Rural Water System	6	3.31	1,438	2,005	3,443
Suburban Housing Development	7	3.33	1,447	0	1,447
Total:	237	32.58	14,154	10,843	24,998
COM: Commercial, DOM: Domestic, FWP: Fish & Wildlife Propagation, GEO: Geothermal, IND: Industrial, INS: Institutional, MUN: Municipal, REC: Recreation, RWS: Rural Water System, SHD: Suburban Housing Development					

Currently, there are 21 irrigation water rights/permits authorized to appropriate water from the Dakota aquifer (Water Rights, 2025c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The estimated average annual withdrawal rate for the Dakota aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2023) is approximately 168 acre-feet per year (Table 4) (Water Rights, 2025a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2015 to 2024 is approximately 262 acre-feet per year (Table 4) (Water Rights, 2025a).

Water Permit No. 2890-2 was approved in 2025 and has not reported an annual usage yet and will need to be accounted for. Generally, crop irrigators in eastern South Dakota apply less than one foot of water per acre per year. Due the Water Permit No. 2890-2 being located in western South Dakota, one foot of water per acre per year application rate will be used to estimate the annual withdrawal rate. Water Permit No. 2890-2 (assuming an application rate of one foot of water per authorized acre) has an estimated annual withdrawal rate of approximately 95 acre-feet per year. Water Permit No. 2890-2, combined with the reported annual average (2015 to 2024), results in an estimated annual irrigation withdrawal rate of 357 acre-feet per year.

Table 4. Reported historic irrigation use from the Dakota aquifer (Water Rights, 2025a)

Year	No. of Permits	Reported (acre-feet)
1979	2	38
1980	2	110
1981	4	45
1982	5	33
1983	5	64
1984	4	0
1985	5	8
1986	5	239
1987	5	1
1988	4	453
1989	4	265
1990	4	234
1991	5	165
1992	5	40
1993	7	112
1994	7	52
1995	8	31
1996	8	34
1997	9	48
1998	9	176
1999	10	102
2000	10	173
2001	11	161
2002	10	179
2003	10	205
2004	10	154
2005	12	147
2006	13	232
2007	14	200
2008	14	196
2009	15	131
2010	17	172
2011	18	175
2012	18	298
2013	18	257
2014	17	163
2015	17	236
2016	16	196
2017	16	229
2018	16	157
2019	15	108
2020	16	246
2021	16	256
2022	17	483
2023	19	376
2024	18	331
Min	2	0
Max	19	483
Avg (1979-2024)	11	168
Avg (2015-2024)	17	262

There are domestic wells completed into the Dakota aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2025d). Due to their relatively low diversion rates, withdrawals from domestic wells are generally not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Dakota aquifer is present; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is assumed to be negligible to the hydrologic budget for the Dakota aquifer.

Hydrologic Budget Summary

The average annual recharge rate to the Dakota aquifer has not been accurately quantified. Bredehoeft and others (1983) estimated the recharge rate to be approximately 57,500 acre-feet/year. However, the Bredehoeft and others (1983) recharge estimate relies on outdated assumptions, and the actual recharge rate of the Dakota aquifer could be higher or lower than previously estimated. The estimated average annual withdrawal rate from the Dakota aquifer is approximately 29,765 acre-feet per year (Future Use Reservations: 4,287 acre-feet/year; non-irrigation: 24,998 acre-feet/year; irrigation (avg 2014 to 2023) including 2024 & 2025 permits: 357 acre-feet/year; Pending Water Permit Application No. 8963-3: 30.7 acre-feet/year (if approved, assuming full volume) Water Permit Application Nos. 8977-3 & 8978-3 (if approved, assuming full volume): 92.1 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Dakota aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

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

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DNR-Water Rights Program monitors 46 observation wells completed into the Dakota aquifer (Water Rights, 2025b). The four nearest observation wells to the diversion points for these applications are HD-87A (approximately 55 miles west), AU-89A (approximately 76 miles southwest), ED-85A (approximately 79 miles northwest), and LN-80D (approximately 90 miles southeast) (Water Rights, 2025b). DNR Water Rights has not measured HD-87A since October of 2019 due to significant access issues and LN-80D since August of 2022 due to the presence of iron bacteria, preventing measurement of the wells. The hydrographs for these observation wells are displayed in Figure 1 (Water Rights, 2025b). The majority of observation wells in the Dakota aquifer have a declining water level, with several observation wells that are under the influence of heavy pumping showing a history of slightly declining water levels that eventually stabilize. There are a couple of observation wells that have stable water levels over their period of record. The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing which were then converted to elevation in feet above the NGVD29 datum.

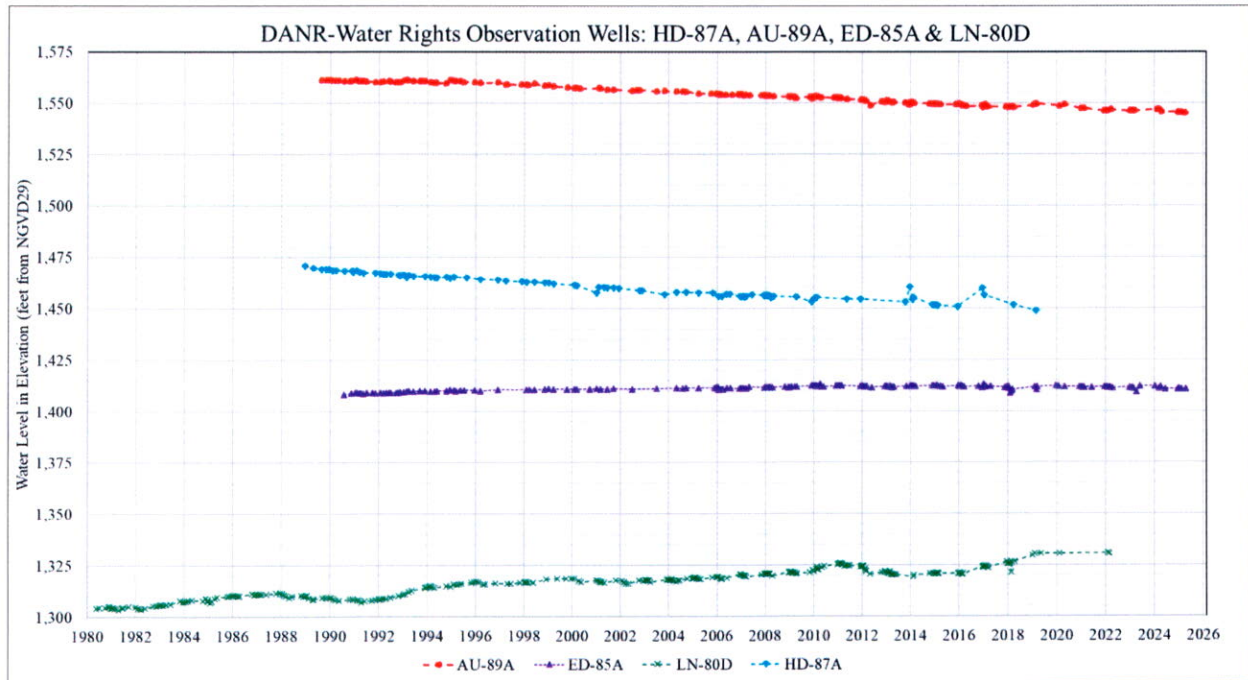


Figure 1. A graph showing the elevation of water levels for observation wells: HD-87A, AU-89A, ED-85A, and LN-80D (Water Rights, 2025b)

The hydrographs in Figure 1 display both declining and stable water levels in the Dakota aquifer in central and north-central South Dakota. Several other observation wells in the southeast and south-central South Dakota were shown to have water levels that stabilize over time or have recently began stabilizing. The observation wells under the influence of heavy and continuous pumping quickly stabilized after the pumping starts. In confined aquifers, a decline in measured observation well water levels does not necessarily indicate a significant decrease in water stored in the confined aquifer, since measured water levels are reflecting artesian head pressure. Additionally, there are many uncontrolled, flowing wells discharging water from the Dakota aquifer at ground surface, and it is expected water from the aquifer is also being discharged to other aquifers if wells completed into the Dakota aquifer have experienced casing failure particularly due to age. There has been a long history, back to the late 1800's of well development into the Dakota aquifer. Concerns have developed over time about the decline in artesian head pressure of the Dakota aquifer. The Water Management Board has concluded and reaffirmed that withdrawals exceeding the average annual recharge cannot be determined solely upon a decline in head pressure, and in theory the Dakota aquifer head is stabilizing relative to withdrawals and discharges (Water Rights, 1987 and 2010). Since discharge from uncontrolled flowing wells is likely to continue until water levels in the aquifer decline to being at or below the ground surface, continuing to allow beneficial pumping to occur reduces the amount of water being discharged to waste. The Water Management Board's decision to optimize development of the Dakota aquifer is favorable to issuance of permits. Therefore, there is a reasonable probability unappropriated water is available for the proposed appropriations.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

The closest water right/permit (not held by the applicant) to the diversion points is Water Right No. 8562-3, which is held by Riverview LLP. The diversion point for Water Right No. 8562-3 is located approximately 7.3 miles northwest of the existing wells for these applications (Figure 2) (Table 5) (Water Rights, 2025c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Dakota aquifer, with the closest domestic well on file (not held by the applicant) located approximately 2.1 miles south of the proposed diversion points (Water Rights, 2025d). There could potentially be other domestic wells completed into the Dakota aquifer near the wells the applicant proposes to use that are not on file with the DANR-Water Rights Program. The locations of the domestic wells in the well completion report database maintained by the Water Rights Program are based on the locations listed by the driller on the well completion reports.

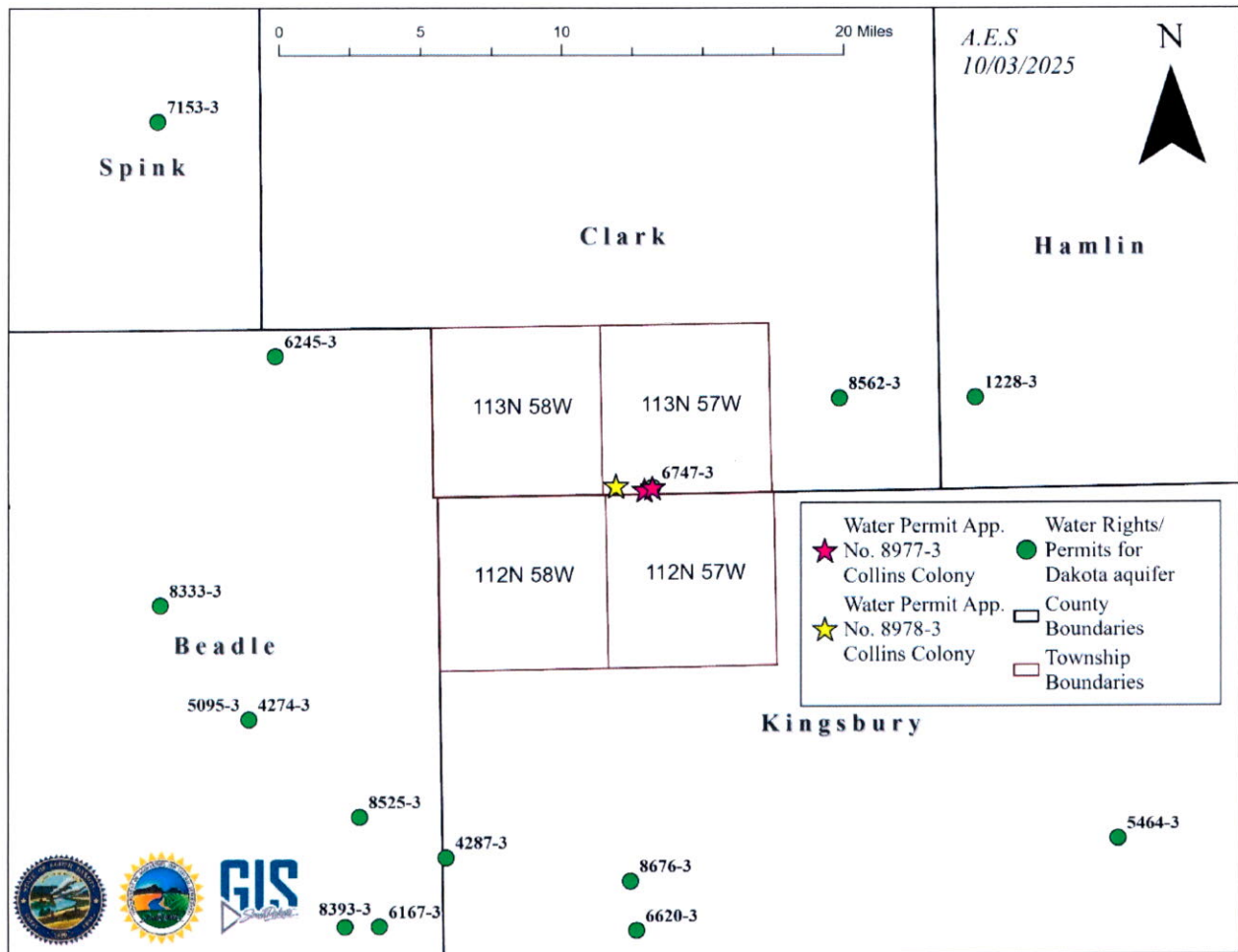


Figure 2. Water rights/permits authorized to withdraw from the Dakota aquifer within approximately twenty miles of the existing wells for Water Permit No. 6747-3 & Water Permit App. No. 8978-3 (Water Rights, 2025b and 2025c)

Table 5. Water rights/permits authorized to withdraw water from the Dakota aquifer within approximately twenty miles of the the existing wells for Water Permit No. 6747-3, Water Permit App. No. 8977-3, and No. 8978-3 as shown in Figure 2 (Water Rights, 2025c)

Permit No.	Name	Status	Use Type	Authorized Diversion Rate (cfs)	Licensed/Permitted Volume (ac-ft/yr)
1228-3*	City Of Bryant	LC	MUN	0.22	
4274-3*	Town Of Yale	LC	MUN	0.05	
4287-3*	City Of Iroquois	LC	MUN	2.5	
5464-3*	City Of Lake Preston	LC	MUN	0.33	
6167-3	Pearl Creek Httrn Brth	LC	COM	0.145	
6245-3	Shamrock Colony	LC	COM	0.07	
6620-3	Riverview LLP	LC	COM	0.13	
6747-3	Collins Colony	PE	DOM	0.11	
7153-3	Hillside Colony	PE	COM	0.22	
8333-3	Liberty Farms LLC	LC	COM	0.05	35.5
8393-3	Pearl Creek Httrn Brth	PE	COM	0.13	7.7
8525-3	Banner Farms Re LLC	LC	COM	0.2	130
8562-3	Riverview LLP	PE	COM	1.45	491
8676-3	Kingston LLC	PE	COM	0.29	155
LC: License; PE: Permit; COM: Commercial; DOM: Domestic; MUN: Municipality; *Identified as being connected to a rural water system and currently do not use their well except for emergency purposes					

The Dakota aquifer is under confined conditions at the well sites. In a confined aquifer, drawdown from a pumping well can extend some distance from the well. Based off of the well completion reports submitted with Water Permit No. 6747-3 and Water Permit Application No. 8978-3, the saturated aquifer thickness ranges approximately from 75 feet to 160 feet and the artesian head pressure ranges approximately from 770 feet to 925 feet above the top of the aquifer at the time of drilling. Any drawdown as a result of the diversion for this application is not expected to unlawfully impair nearby adequate wells. In Clark County and the surrounding Beadle, Hamlin, and Kingsbury Counties, there are no substantiated complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Dakota aquifer (Water Rights, 2025e).

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 Dakota 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 saturated thickness of the Dakota aquifer in Clark County, the lack of substantiated well interference complaints for adequate wells completed into the Dakota aquifer in Clark County or the surrounding counties (Water Rights, 2025e), and that several of these wells have been in place and in use for a number of years without complaint, any drawdown created from these proposed diversions is not expected to cause an unlawful impairment to existing water right/permit holders with adequate wells or adequate domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments to existing users with adequate wells.

Special Consideration: Well Construction

The existing wells for these applications meet the adequate well definition in the well construction standards, ARSD 74:02:04:20(6):

“A well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet.”

Any future replacement or additional wells shall meet the adequate well construction standard as defined in ARSD 74:02:04:20(6). Replacement or additional wells may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.

CONCLUSIONS:

1. Water Permit Application No. 8977-3 proposes to appropriate an additional 0.045 cubic feet of water per second (cfs) to what is currently authorized by Water Permit No. 6747-3 and amend Permit No. 6747-3 to add commercial use. Water Permit No. 6747-3 appropriates 0.11 cfs from one well completed into the Dakota aquifer (1,200 feet deep) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32-T113N-R57W for domestic use. An investigation of the permit found the system capable of diverting an additional 0.045 cfs from the well authorized by Permit No. 6747-3 and an additional well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, with water also being diverted to a commercial swine production facility located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32; all in T113N-R57W. This application, if approved, and Water Permit No. 6747-3 will authorize a combined total of 0.156 cfs (70 gpm) and an annual volume of up to 61.4 acre-feet for commercial and domestic purposes from two wells completed into the Dakota aquifer. This site is located in Clark County approximately thirteen miles northwest of De Smet SD.
2. Water Permit Application No. 8978-3 proposes to appropriate up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cfs from two wells completed into the Dakota aquifer (1,180 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, for commercial use in a swine facility located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 31; all in T113N-R57W. This site is located in Clark County approximately fourteen miles northwest of De Smet, SD.
3. The Water Management Board's position has been to optimize development of water for beneficial use from the Dakota aquifer.
4. Based on the hydrologic budget and observation well data across the entire aquifer, there is a reasonable probability that unappropriated water is available from the Dakota aquifer to supply the proposed appropriations for Water Permit Application Nos. 8977-3 and 8978-3.
5. There is reasonable probability that the diversions proposed by Water Permit Application Nos. 8977-3 & 8978-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic users.
6. Any future replacement or additional wells shall meet the adequate well construction standard as defined in ARSD 74:02:04:20(6). Replacement or additional wells may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.



Austin Settle
Natural Resources Engineer I
SD DANR - Water Rights Program

Reviewed by:



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

References

- Bredehoeft, J.D., Neuzil, C.E., and Milly, P.C., 1983. Regional Flow in the Dakota Aquifer: A Study of the Role of Confining Layers. Alexandria, Virginia: U.S. Geological Survey, 1983. Water- Supply Paper 2237.
- Carter, J.M., Driscoll, D.G., Williamson, J.E., and Lindquist, V.A., 2002. Atlas of Water Resources in the Black Hills area, South Dakota. Rapid City South Dakota: U.S. Geological Survey, 2002. Hydrologic Investigations Atlas HA-747.
- Darton, H.H., 1909. Geology and Underground Waters of South Dakota. Water Supply Paper 227. Y.S. Geological Survey, Washington D.C.
- Drinking Water, 2025. Drinking Water Reports, SD DANR-Drinking Water Program, Joe Foss Bldg, Pierre, SD
- Fahrenbach, M.D., Steece, F.V., Sawyer, J.F., McCormick, K.A., McGillivray, G.L., Schulz, L.D., and Redden, J.A. 2010. South Dakota Stratigraphic Correlation Chart. Oil and Gas Investigations 3. SD DANR-Geological Survey, Vermillion, SD.
- Friedeman, B. and Settle, A.E. 2025. Personal communication on status of public water systems August 6, 2025.
- Schoon, R.A., 1971. Geology and Hydrogeology of the Dakota Formation in South Dakota. South Dakota Geological Survey Report of Investigations No. 104. Vermillion, SD.
- Water Rights, 1987. Finding of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 5136-3, Farmland Industries Inc of Huron, SD DANR-Water Rights Program file for Water Right No. 2313-2. Pierre, 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, 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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

October 29, 2025

Collins Colony
c/o Daniel Wipf
19606 Collins Avenue
Iroquois SD 57353

Dear Mr. Wipf:

Water Permit Application No. 8978-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Clark County Courier printed at Clark SD (Ph # 605 532-3654) and the Public Opinion printed at Watertown 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. 8978-3 to Appropriate Water

Notice is given that Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, has filed an application for a water permit to appropriate up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cubic feet of water per second from two wells completed into the Dakota Aquifer (1,180 feet deep) located in the NE 1/4 SW 1/4 Section 31, for commercial use in a swine facility located in the E 1/2 SW 1/4 Section 31; all in T113N-R57W. This site is located approximately fourteen miles northwest of De Smet SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8978-3 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 November 17, 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 November 17, 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 once at the total approximate cost of_

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Wednesday, October 29, 2025 10:16 AM
To: Rodriguez, Rachel
Subject: RE: [EXT] 11793961 8978-3 Collins Colony - Public Notice
Attachments: 11793961.pdf

Good Morning,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Public Opinion on November 5. The order cost is \$56.30 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on Monday with any changes.

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



Office: 844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, October 29, 2025 8:26 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 11793961 8978-3 Collins Colony - Public Notice

Attached is a notice to be published on November 5, 2025.

Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, 605-881-5374, electricshop@collinshb.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 DANR, 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



Order Confirmation

Not an Invoice

Account Number:	1567176
Customer Name:	Collins Colony
Customer Address:	Collins Colony 19606 Collins AVE Iroquois SD 57353-5110
Contact Name:	Rachel Rodriguez
Contact Phone:	
Contact Email:	electricshop@collinshb.com
PO Number:	

Date:	10/29/2025
Order Number:	11793961
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	171.0000
Height in Inches:	18.8500

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	11/05/2025 - 11/05/2025	Public Notices
WAT thepublicopinion.com	1	11/05/2025 - 11/05/2025	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	\$56.30
Tax Amount	\$0.00
Service Fee 3.99%	\$2.25
Cash/Check/ACH Discount	-\$2.25
Payment Amount by Cash/Check/ACH	\$56.30
Payment Amount by Credit Card	\$58.55

Order Confirmation Amount	\$56.30
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Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, October 29, 2025 8:26 AM
To: legals@thepublicopinion.com
Subject: 8978-3 Collins Colony - Public Notice
Attachments: 8978-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 5, 2025.

Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, 605-881-5374, electricshop@collinshb.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 DANR, 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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, October 29, 2025 8:24 AM
To: Clark Courier
Subject: 8978-3 Collins Colony - Public Notice
Attachments: 8978-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 5, 2025.

Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, 605-881-5374 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 DANR, 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





Affidavit of Publication

State of South Dakota

§

County of Clark

Karli J. Paulson of said county, being first duly sworn, on oath says that she is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Water Rights Program

a printed copy of which taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

One

successive week(s), on the day of each week on which said newspaper was regularly published, to wit:

November 5, 2025

that the full amount of the fees for the publication of the annexed notice is

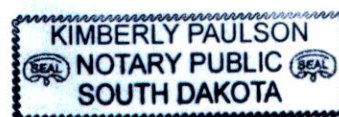
\$45.76

Karli Paulson

Subscribed and sworn to before me this

13th day of November, 2025

Kimberly Paulson



Notary Public

Clark County, South Dakota

My Commission expires: **04/27/2029**

Affidavit of Publication

NOTICE OF APPLICATION NO. 8978-3 to App South Dakota

Notice is given that Collins Colony, 19606 Collins Avenue, Iroquois, S.D. 57353, has filed an application for a water permit to appropriate up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cubic feet of water per second from two wells completed into the Dakota Aquifer (1,180 feet deep) located in the NE 1/4 SW 1/4 Section 31, for commercial use in a swine facility located in the E 1/2 SW 1/4 Section 31; all in T113N-R57W. This site is located approximately 14 miles northwest of De Smet, S.D.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8978-3 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, S.D. 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 November 17, 2025.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons

County of Clark

Paulson of said county, being first duly sworn, says that she is the publisher of the **Clark Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a personal knowledge of all the facts therein that said newspaper is a legal newspaper with a bona-fide circulation of at least two hundredies weekly, and has been published within the county for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and is printed wholly or in part in an office located at said place of publication; that the

Water Rights Program

A copy of which taken from the paper in which the notice was published, is attached to this sheet, and a part of this Affidavit, was published in the newspaper at least once in each week for

One

week(s), on the day of each week on which said newspaper was regularly published, to

November 5, 2025

Total amount of the fees for the publication of the notice is

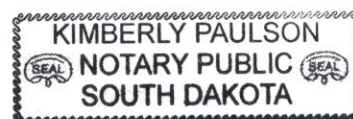
\$45.76

Karli Paulson

Subscribed and sworn to before me this

13th day of November, 2025

Kimberly Paulson



Notary Public
Clark County, South Dakota

My Commission expires: 04/27/2029

RECEIVED

NOV 17 2025

OFFICE OF
WATER

appropriate Water

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 November 17, 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 once at the
approximate cost of \$45.76
and can be viewed free of charge
at www.sdpublicnotices.com

11-5-25

KIMBERLY TAYLOR
NOTARY PUBLIC
SOUTH DAKOTA

LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Rachel Rodriguez
Collins Colony
19606 Collins AVE
Iroquois SD 57353-5110

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

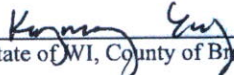
The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper in the issue dated:

11/05/2025

and that the fees charged are legal.
Sworn to and subscribed before on 11/05/2025



Legal Clerk



Notary, State of WI, County of Brown

9-3-21

My commission expires

Publication Cost:	\$56.30	
Tax Amount:	\$0.00	
Payment Cost:	\$56.30	
Order No:	11793961	# of Copies:
Customer No:	1567176	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KONGMENG YANG
Notary Public
State of Wisconsin

**NOTICE OF APPLICATION
NO. 8978-3 to
Appropriate Water**

Notice is given that Collins Colony, 19606 Collins Avenue, Iroquois SD 57353, has filed an application for a water permit to appropriate up to 30.7 acre-feet of water annually at a maximum, combined pump rate of 0.18 cubic feet of water per second from two wells completed into the Dakota Aquifer (1,180 feet deep) located in the NE 1/4 SW 1/4 Section 31, for commercial use in a swine facility located in the E 1/2 SW 1/4 Section 31; all in T113N-R57W. This site is located approximately fourteen miles northwest of De Smet SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8978-3 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 November 17, 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 November 17, 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 once at the total approximate cost of \$56.30 and may be viewed free of charge at www.sdpublicnotices.com.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, October 29, 2025 10:57 AM
To: electricshop@collinshb.com
Subject: 8978-3 Collins Colony - Public Notice
Attachments: 8978-3 Rec.pdf; 8978-3 Ltr.pdf; 8978-3 PubNotice.pdf; WatertownInfo.pdf

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

December 4, 2025

Collins Colony
c/o Daniel Wipf
19606 Collins Avenue
Iroquois SD 57353

Dear Mr. Wipf:

Enclosed are Water Permit Nos. 8977-3 and 8978-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8978-3

(1) Collins Colony, 19606 Collins Ave, Iroquois SD 57353, made Application No. 8978-3, August 21, 2025, for a water permit to appropriate up to 30.7 acre-feet of water annually, with a maximum diversion rate of 0.18 cubic feet of water per second (cfs) from groundwater, two wells (Dakota Aquifer), Clark County, South Dakota for commercial purposes. Permit No. 8978-3, with a priority date of August 21, 2025, was approved November 17, 2025, and issued to the applicant for diversion of water and for the application of water to beneficial use.

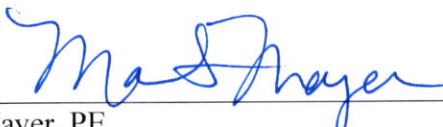
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to appropriate up to 30.7 acre-feet of water annually, with a maximum diversion rate of 0.18 cubic feet of water per second for beneficial use. The locations of the diversion points are:

- North Well: 1,670 ft N & 2,725 ft W of the SW corner Section 32, T113N, R57W (NE ¼ SW ¼) (Latitude 44.54890 & Longitude -97.72498)
- South Well: 1,545 ft N & 2,725 ft W of the SW corner Section 32, T113N, R57W (NE ¼ SW ¼) (Latitude 44.54845 & Longitude -97.72498)

(3) Pursuant to South Dakota Water Law 46-5-30.1 Collins Colony, the holder and/or owner of Water Right No. 8978-3 is issued a license to appropriate water, the right to appropriate up to 30.7 acre-feet of water annually, with a maximum diversion rate of 0.18 cubic feet of water per second with a priority date of August 21, 2025, from groundwater, two wells (Dakota Aquifer), 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. 8978-3 and subject to the following qualifications:

1. The wells approved under Water Permit No. 8978-3 are 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 is adequate domestic wells or in adequate wells having prior water rights.
2. Any future replacement wells must meet the adequate well construction standard as defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20 and may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.
3. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Dakota Aquifer.
4. Water Permit No. 8978-3 authorizes a total annual diversion of up to 30.7 acre-feet of water.


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

12/4/2025
date





**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**

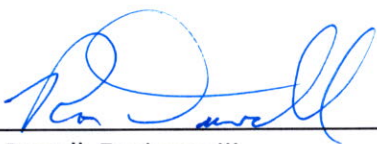
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the 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.: 8978-3

Name of Applicant: Collins Colony, Daniel Wipf

Date of Posting: 11/4/2025

Date of Removal: 12/4/2025



Ron Duvall, Engineer III

12/4/2025

Date

Subscribed and sworn to before me, a notary public, this 4th day of Dec, 2025.



Notary Public - South Dakota
My commission expires:

(SEAL) Rachel Rodriguez
My Commission Expires
May 16, 2029

