

WATER PERMIT NO. 8992-3

Name of Applicant: **Derrick Skogsberg**

Address: **8248 Drop Tine Drive, Benbrook TX 76126**

Phone: **214-797-2246**

Amount of Water Claimed: **1.89 cfs**

Total Acres: **105**

Source of Water Supply: **Groundwater**

Water to be used for: **Irrigation**

County: **Union**

Type of Waste Disposal System:

Location: **Approx. 9 miles east of Vermillion**

PRIORITY Date Received: **11-04-25**

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

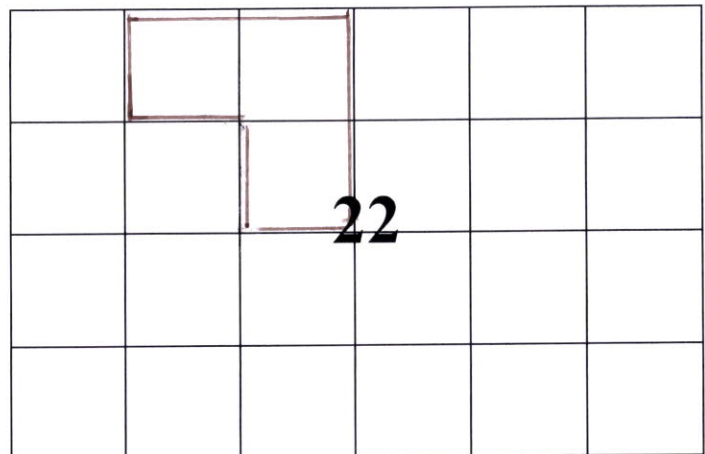
Corrected Application Received: **11-14-25**

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

Remarks: **Using the existing well authorized by Permit 8775-3.**

Diversion Point: **W 1/2 NE 1/4 Sec 22-T92N-R50W**

Land to be Irrigated: **NW 1/4 NW 1/4, E 1/2 NW 1/4 Sec 22-T92N-R50W**



Depth of Well: **224**

Well Driller: **Thein Well**

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **11-17-25**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8992-3**

Date of first receipt of application November 4, 2025.

Date of return to applicant for corrections, amendments or changes November 5, 2025.

Date of receipt of corrected application November 18, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8992-3 to Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, 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. 8992-3 appropriates 1.89 cubic feet of water per second (cfs) from one well (authorized under Water Permit No. 8775-3) completed into the Lower Vermillion Missouri Aquifer (223 feet deep) located in the approximate center of the NE 1/4 Section 22 for irrigation of 120 acres located in the NW 1/4 NW 1/4, E 1/2 NW 1/4 Section 22; all in T92N-R50W. This site is located approximately nine miles east of Vermillion SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.
3. The date from which applicant may claim right is November 4, 2025.
4. The date of approval of Permit No. 8992-3 is February 17, 2026.
5. One-fifth of the construction is to be completed on or before August 17, 2028.
6. All construction is to be completed on or before February 17, 2031.
7. Water is to be put to beneficial use on or before February 17, 2035.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under Water Permit No. 8992-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8992-3 authorizes a maximum diversion rate of 1.89 cfs to irrigate 120 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Adam Mathiowetz

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

MAR 11 2026

date



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

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8992-3</u>	Hydrologic Unit <u>10170203</u>
	Basin <u>Big Sioux - Lower</u>	
	Newspaper <u>Elk Point / So. Union Co. Leader-Courier</u>	
	<u>Daily Press & Dakotan</u> (office use only)	

RECEIVED

NOV 04 2025

**Water Rights
Program**

Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Derrick Skogsberg

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

Mailing Address 8248 Drop Tine Drive Benbrook TX 76126
(Address) (City) (State) (Zip Code)

Phone _____ Mobile 214-797-2246 Email derrickskogsberg@gmail.com

2. Amount of water claimed 1.89 *CFS or 850 **GPM _____ ***AF Total Acreage 105 120
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Irrigation Well

4. Location of point of diversion W 1/2 NE 1/4 Section 22 - 92N-R50W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
County Union

5. County or counties where water will be used Union

6. Annual period during which water is to be used May 1 - October 31

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

Land Description	Acres	Land Description	Acres
NW1/4 NW1/4 Section 22 - 92N-R50W	25	NE 1/4 NW1/4 Section 22 - 92N-R50W	40
SE1/4 NW1/4 Section 22 - 92N-R50W	40		

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

Center pivot irrigation system for remainder of home half section around house.

Using well authorized by No. 8775-3

I, Derrick Skogsberg, _____, 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)

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NOV 04 2025

Water Rights
Program

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 1 Provide copy of log(s), if available. Drilled by Thein Well Co.

For either existing or proposed wells:

- c) Well Depth (required) 224 Depth to Top of Water Bearing Material 100' Depth to Water from Surface 100'
- d) Distance to nearest domestic well on applicant's property N/A Property owned by others N/A

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

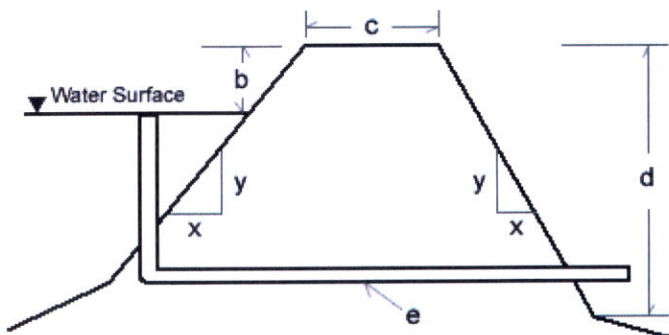
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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

Derik Skogsberg 12" Irr well Sec 22

Legend

50

50

318th St

50

474th Ave

474th Ave

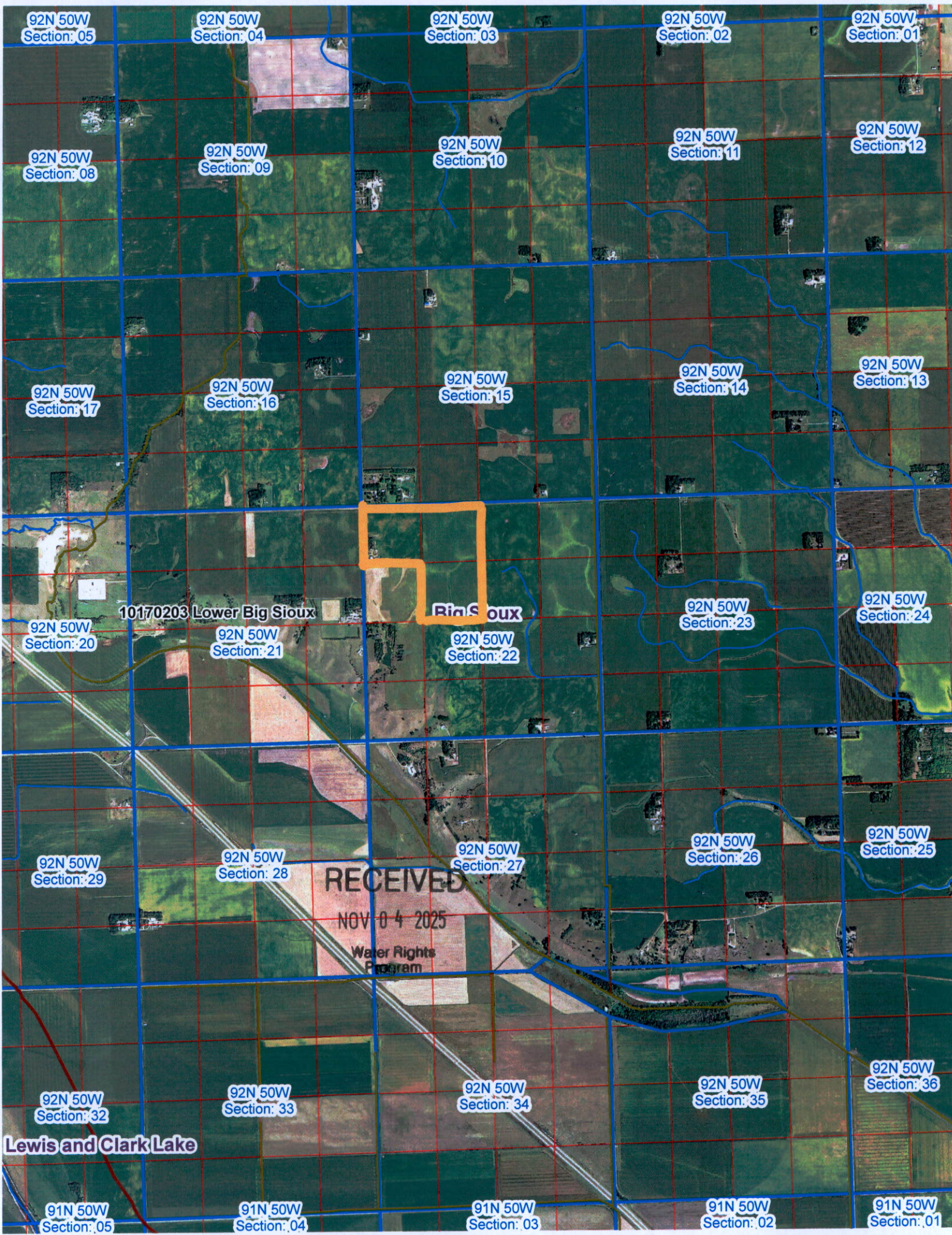
474th Ave

Derik Skogsberg 223' 12" Irrigation well May 2025 n 42 46.5250 w 96 43.9220

Google Earth

Image © 2025 Airbus





92N 50W
Section: 05

92N 50W
Section: 04

92N 50W
Section: 03

92N 50W
Section: 02

92N 50W
Section: 01

92N 50W
Section: 08

92N 50W
Section: 09

92N 50W
Section: 10

92N 50W
Section: 11

92N 50W
Section: 12

92N 50W
Section: 17

92N 50W
Section: 16

92N 50W
Section: 15

92N 50W
Section: 14

92N 50W
Section: 13

92N 50W
Section: 20

10170203 Lower Big Sioux

92N 50W
Section: 21

Big Sioux

92N 50W
Section: 22

92N 50W
Section: 23

92N 50W
Section: 24

92N 50W
Section: 29

92N 50W
Section: 28

92N 50W
Section: 27

92N 50W
Section: 26

92N 50W
Section: 25

92N 50W
Section: 32

92N 50W
Section: 33

92N 50W
Section: 34

92N 50W
Section: 35

92N 50W
Section: 36

Lewis and Clark Lake

91N 50W
Section: 05

91N 50W
Section: 04

91N 50W
Section: 03

91N 50W
Section: 02

91N 50W
Section: 01



92N 50W
Section: 05

92N 50W
Section: 04

92N 50W
Section: 03

92N 50W
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92N 50W
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92N 50W
Section: 20

10170203 Lower Big Sioux

92N 50W
Section: 21

Big Sioux

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Section: 22

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92N 50W
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92N 50W
Section: 27

92N 50W
Section: 26

92N 50W
Section: 25

92N 50W
Section: 32

Lewis and Clark Lake

92N 50W
Section: 33

92N 50W
Section: 34

92N 50W
Section: 35

92N 50W
Section: 36

91N 50W
Section: 05

91N 50W
Section: 04

91N 50W
Section: 03

91N 50W
Section: 02

91N 50W
Section: 01

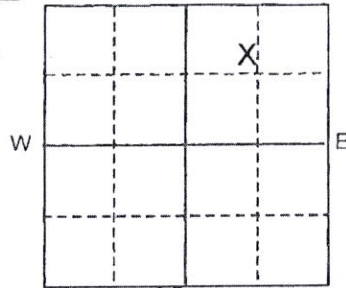
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ NE ¼ Sec 22 Twp 92 Rg 50

County UNION

North

Please mark well
location with an "X"Well Completion Date
5/1/2025

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1000+ ft. from SOUTH OF 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 IN	0 FT	163 FT	18.75 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 39		Lb/gal 0	Ft	158 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

TREMMIE PIPED

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 12 Inches Length 40 Feet

Material PVC SLOTTED

Slot Size .050 Set From 163 Feet to 203 Feet

Other information 12" STAINLESS STEEL 20' .080SLOT
SET FROM 203' TO 223'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

IRRIGATION WELL

Well Owner: DERICK SKOGSBERG

Business Name: DNJ VENTURES LLC

Address: 308570 463RD AVE

City, State, Zip: VERMILLION SD 57069

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	3
BROWN/TAN/GRAY CLAY	3	73
GRAVELLY GRAY CLAY	73	107
COARSE GRAVEL/ CLAY LAYERS	107	141
COARSE SAND	141	162
GRAVEL MED	162	171
GRAVEL MED/ COARSE LAYERS	171	195
GRAVEL COARSE	195	224

STATIC WATER LEVEL 100' 6" FEET

If flowing: closed in pressure

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

132 Ft. After 6 Hrs. pumped 800 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

12" WELL GPS N 42 46.5250 W 96 43.9220

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

Drilling firm: Thein Well Co., 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 November 18th, 2025

RECEIVED OF Derrick Skogsberg 8248 Drop Tine Drive Benbrook TX 76126

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

Fee for Application for Permit No. <u>8992-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>750.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>8992-3</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>950.00</u>

By Mark Mayer
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. 8992-3, Derrick Skogsberg**

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. 8992-3, Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126.

The Acting Chief Engineer is recommending APPROVAL of Application No. 8992-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 8992-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8992-3 authorizes a maximum diversion rate of 1.89 cfs to irrigate 120 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Mark Mayer, PE
Director of Office of Water
January 13, 2026

Report to the Chief Engineer
On Water Permit Application No. 8992-3

Derrick Skogsberg

January 13th, 2026

Water Permit Application No. 8992-3 proposes to appropriate 1.89 cubic feet of water per second (cfs) from one well completed into the Lower Vermillion Missouri aquifer (223 feet deep) (authorized under Water Permit No. 8775-3) located in the approximate center of the NE $\frac{1}{4}$ Section 22 for the irrigation of 120 acres located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 22; all in T92N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The site of interest is located approximately 9 miles east of Vermillion, SD in Union County.

AQUIFER: Lower Vermillion Missouri (LVM)

HYDROGEOLOGY:

The Lower Vermillion Missouri aquifer, referred to as the LVM aquifer for the remainder of this report, is a buried glacial outwash that was deposited by meltwater streams beyond the margin of active glacial ice (Stephens, 1967). The LVM aquifer materials range in size from a coarse sand to a coarse gravel (Niehus, 1994). The LVM aquifer is primarily confined but can be locally found under unconfined conditions such as in the flood plain of the Vermillion River (Niehus, 1994; Stephens, 1967). The LVM aquifer has an average thickness of approximately 99 feet in Union County (Niehus, 1994). Table 1 shows historic information related to the areal extent of the LVM aquifer, the area utilized for this report is approximately 106,119 acres (Mathiowetz, 2018).

The LVM aquifer is hydrologically connected to the Upper Vermillion Missouri: South (UVM:S) aquifer to the north, the Missouri: Elk Point aquifer to the south, the underlying Dakota aquifer, and the Vermillion River (Buhler, 2014; Mathiowetz, 2018; Niehus, 1994; Stephens, 1967). Hedges and others (1982) delineated a boundary between the Upper Vermillion Missouri aquifer and LVM aquifer with portions of each boundary being modified by Buhler (2014) and Mathiowetz (2018) in response to additional study of the Upper Vermillion Missouri aquifer, as shown on Figure 1. For this report the areal extent of the current LVM aquifer and unconfined portion of the LVM aquifer (not enclosed in the UVM:S aquifer) will be used for determining the recharge for the LVM aquifer (Table 1).

Table 1. Estimated areal extent for the historic LVM aquifer boundary (Hedges and others, 1982), the portion of the UVM:S aquifer that overlies the historic LVM aquifer boundary (Buhler, 2014). The current LVM aquifer boundary (Mathiowetz, 2018), and the unconfined portion of the LVM aquifer along the Vermillion River (modified from Jensen, 2000; modified from Stonesifer, 2013).

Delineation	Estimated Areal Extent (acres)
Historic Lower Vermillion Missouri Aquifer (modified from Hedges and others, 1982)	124,000
Upper Vermillion Missouri: South Aquifer (UVM:S) (modified from Buhler, 2014) - Portion that overlies LVM aquifer boundary estimated by Hedges and others, 1982.	18,000
Current Lower Vermillion Missouri Aquifer* (Mathiowetz, 2018)	106,119
Unconfined Portion of Lower Vermillion Missouri Aquifer - enclosed in UVM:S (Buhler, 2014) (modified from Jensen, 2000; modified from Stonesifer, 2013)	11,000
Unconfined Portion of Lower Vermillion Missouri Aquifer - not enclosed in UVM:S (Buhler, 2014) (modified from Jensen, 2000; modified from Stonesifer, 2013)	12,000
*Estimated by subtracting UVM:S aquifer boundary (Buhler, 2014) from historic boundary (Hedges and others, 1982)	

A water well completion report was submitted with the application. The well was completed into the LVM aquifer on May 1st, 2025 (Water Rights, 2026b). The reported depth to the top of aquifer material is 107 feet below the ground surface, with intermixed clay layers until 141 feet where it becomes entirely aquifer material the static water level is approximately 100.5 feet below the ground surface, and saturated aquifer thickness of approximately 117 feet (SDGS, 2026; Water Rights, 2026b). Based on this and other nearby water well completion reports, the LVM aquifer is confined at the diversion point (SDGS, 2026; Water Rights, 2026b and 2026d).

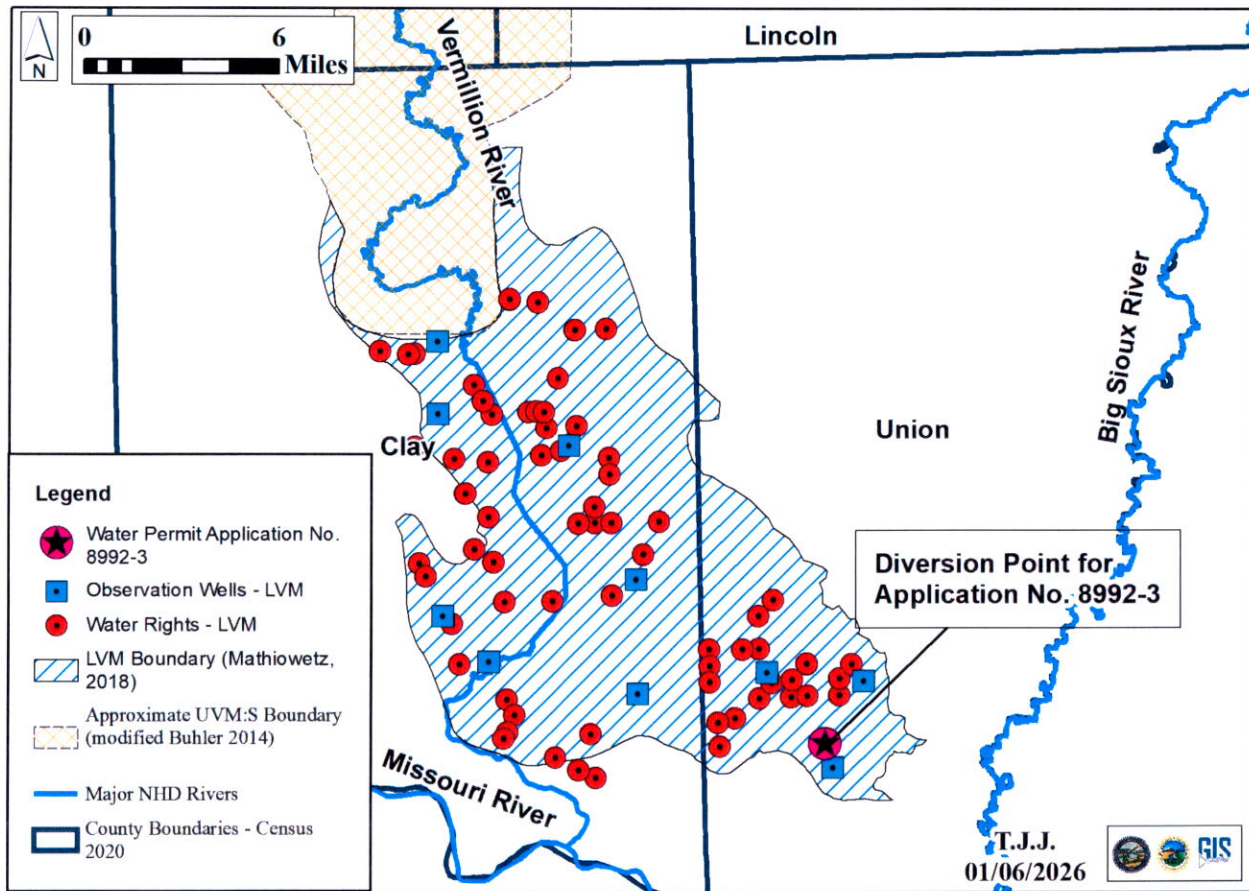


Figure 1. Map of the approximate LVM aquifer boundary delineated by Mathiowetz (2018), approximate UVM:S aquifer boundary estimated by Buhler (2014), the location of existing diversion point for Water Permit Application No. 8992-3, LVM aquifer observation wells, and LVM aquifer water rights (Water Rights, 2026b and 2026c).

South Dakota Codified Law (SDCL) 46-2A-9

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

WATER AVAILABILITY:

Water Permit Application No. 8992-3 proposes to appropriate water from the LVM aquifer for irrigation use. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate

groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The LVM aquifer is not older than or stratigraphically lower than the Greenhorn Formation, and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the LVM aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the LVM aquifer is received primarily through infiltration of precipitation where the aquifer is at or near land surface, groundwater inflow from the Upper Vermillion Missouri: South aquifer, seepage from Vermillion River, and leakage from the underlying Dakota aquifer (Niehus, 1994; Stephens, 1967). Using observation well analysis, Hedges and others (1985) estimated a recharge rate of 3.8 inches per year for the unconfined portion of the LVM aquifer. Stonesifer (2013) recalculated the recharge rate to be an estimated 4.58 inches per year using the same method but with additional observation well data. The unconfined area within the Mathiowetz (2018) delineation for this primarily confined aquifer is approximately 12,000 acres (Table 1; modified from Jensen, 2000; modified from Stonesifer, 2013). Therefore, the estimated average annual recharge rate for the unconfined portion not enclosed in the UVM:S of the LVM aquifer is approximately 4,580 acre-feet/year (based on Stonesifer, 2013 and modified from Jensen, 2000).

It is assumed that the confined portion of the LVM aquifer is hydrologically similar to the confined portion of the Upper Vermillion Missouri aquifer and recharges at a similar rate. Using regional flow-net analysis, Hedges and others (1985) estimated the recharge rate of the primarily confined Upper Vermillion Missouri aquifer to be approximately 0.25 inches per year. However, further study conducted on the Upper Vermillion Missouri aquifer concluded the Hedges and others (1985) recharge rate estimate to the confined portion of the Upper Vermillion Missouri aquifer is likely underestimated (Holmes & Filipovic, 2015; Buhler, 2014)). The confined portion of the LVM aquifer (Mathiowetz, 2018; Holmes and Filipovic, 2015; Buhler, 2014) is approximately 94,000 acres (Table 1). Using the Hedges and others (1985) confined recharge rate multiplied by the confined portion areal extent, the average annual recharge rate for the confined portion of the LVM aquifer is approximately 1,960 acre-feet per year; keeping in mind that this estimate is likely lower than the actual rate based on Holmes & Filipovic (2015) investigation and Buhler’s (2014) report. Combining the average annual recharge rate for both the confined and unconfined portions of the LVM aquifer, the average annual recharge rate is approximately 6,540 acre-feet per year.

Discharge

Discharge from the LVM aquifer primarily occurs through well withdrawals, seepage to surface water features, and evapotranspiration in areas where the aquifer is at or near land surface (Niehus, 1994; Water Rights, 2026d). There are 71 water rights/permits authorized to appropriate water from the LVM aquifer within the boundary delineated by Hedges and others (1982) (Water Rights, 2026c). It should be noted, in 2024, that several Lower and Upper Vermillion Missouri water rights were updated to show the proper aquifer designation. There are no future use permits reserving water from the LVM aquifer (Water Rights, 2026c).

Table 2 summarizes the five non-irrigation water rights/permits authorized to appropriate water from the LVM aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. The amount of water withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw their entire appropriated volume every year. It is estimated that the non-irrigation water rights/permits limited only by a diversion rate will pump at their maximum permitted diversion rate for 60 percent of the time. This is a standard method developed by the DANR-Water Rights Program for estimating average annual withdrawals by non-irrigation appropriations limited solely by diversion rate. It is likely an overestimate of water withdrawn by water rights/permits only limited by diversion rate. Water Permit No. 8745-3 is requesting 564 acre-feet of water to be appropriated for a one-time use with the following years of water use being non-consumptive by re-injecting the pumped water back into the aquifer (Water Rights, 2026c). Therefore, the average annual use for Water Permit No. 8745-3 that will be accounted for in the hydrologic budget will be 0 ac-ft/yr. Overall, the estimated average annual withdrawal rate for the LVM aquifer non-irrigation water rights/permits is approximately 49 acre-feet/year (Table 2) (Water Rights, 2026c).

Table 2. Estimated average annual use for non-irrigation water rights/permits authorized to appropriate water from the LVM aquifer (Water Rights, 2026c).

Permit No.	Name	Uses	Status	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
1870-3	UNIVERSITY OF SOUTH DAKOTA	INS	LC	0.030	NA	13.00
6397-3	SD DEPT OF TRANSPORTATION	INS	LC	0.033	NA	14.30
8257-3	THEIN WELL CO INC	COM	PE	0.089	1.00	1.00
8479-3	KNIFE RIVER	IND	PE	0.133	1.84	1.84
8745-3*	UNIVERSITY OF SOUTH DAKOTA	GEO	PE	0.780	NA	0.00
					Total:	48.6
*Water Permit No. 8745-3 is non-consumptive by reinjecting the same amount of water back into the aquifer.						
LC Licensed Water Right, PE Water Permit, INS Institutional, COM Commercial, RWS Rural Water System						

Currently, there are 66 irrigation water rights/permits appropriating water from the LVM aquifer (Water Rights, 2026c). However, due to changes in farming practices and an increase in the number of permits from 27 in 2006 to 45 in 2013, the average over the entire period of record may not be an accurate reflection of actual average annual withdrawal at the present time. The average annual withdrawal rate for the LVM aquifer irrigation water rights/permits that have reported over the past ten years of record (2015 to 2024) is approximately 1,987 acre-feet per year (Table 3) and is more reflective of expected average annual irrigation withdrawals going forward (Water Rights, 2026a).

There were ten recently approved irrigation water permits that have not yet reported in the 2023 and 2024 irrigation questionnaire (IQ) and need to be accounted for. Water Permit Nos: 8680-3, 8692-3, 8711-3, 8726-3, 8731-3, 8746-3, 8747-3, 8775-3, 8910-3, and 8947-3 are collectively authorized to irrigate 757 acres. Over the entire period of record, crop irrigators in the Tulare: East James aquifer of South Dakota applied, on average, 7.58 inches of water per acre per year (Drennon, 2025). However, the Tulare: East James aquifer is more than 100-mile northwest of the LVM aquifer. To account for the fluctuation in wet and dry cycles from year to year and differences in percolation of local soils, an estimate of 10 inches (0.83 feet) of water per acre per year will be used to somewhat overestimate the annual withdrawal rate for these irrigation water permits. Assuming 0.83 feet of water per acre per year, the withdrawal rate for these water permits/applications is approximately 628 acre-feet per year. This pending application proposes to irrigate approximately 120 acres. Assuming 0.83 feet of water per acre per year, the withdrawal rate for this application is approximately 100 acre-feet per year. The average annual withdrawal rate for irrigation appropriations from 2015 to 2024 (Table 3) combined with new permits that did not report pumping on the 2023 or 2024 IQs and this application, is approximately 2,715 acre-feet per year (Water Rights, 2026a).

There are domestic wells completed into the LVM aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2026d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the LVM aquifer is the uppermost aquifer available, it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the LVM aquifer.

Table 3. Reported irrigation use from the LVM aquifer from 1979 to 2024 (Water Rights, 2026a)

Year	Number of Permit/License	Annual Pumpage (ac-ft/yr)		Year	Number of Permit/License	Annual Pumpage (ac-ft/yr)
1979	40	811		2002	29	1,123
1980	38	1,995		2003	29	1,471
1981	39	1,205		2004	28	1,168
1982	27	758		2005	28	1,071
1983	28	645		2006	27	1,734
1984	37	549		2007	26	1,327
1985	36	927		2008	28	912
1986	35	808		2009	30	461
1987	27	794		2010	30	134
1988	28	1,442		2011	33	1,219
1989	28	1,522		2012	33	3,355
1990	28	1,288		2013	45	2,857
1991	29	1,044		2014	48	1,006
1992	29	1,17		2015	50	1,474
1993	29	0		2016	51	1,779
1994	29	309		2017	52	2,439
1995	28	368		2018	52	419
1996	27	573		2019	52	333
1997	27	645		2020	51	1,973
1998	26	737		2021	54	3,027
1999	27	699		2022	56	3,839
2000	27	1,575		2023	68	2,996
2001	27	1,782		2024	67	2,569
				Average (1979-2024)	36	1,289
				Average (2015-2024)	55	1,987

Hydrologic Budget Summary

The average annual recharge rate for the unconfined portion of the LVM aquifer not enclosed in the UVM:S aquifer (Buhler, 2014) is approximately 4,580 acre-feet/year. The average annual recharge rate for the current confined portion LVM aquifer (Mathiowetz, 2018; Hedges and others, 1985) is approximately 1,960 acre-feet/year. Combining average annual recharge rate for both the current confined and unconfined portions of the LVM aquifer not enclosed in the UVM:S aquifer, is approximately 6,540 acre-feet per year.

The average annual withdrawal rate from the LVM aquifer (Mathiowetz, 2018) [the non-irrigation appropriations (49 acre-feet/year); the average annual withdrawal rate for irrigation appropriations from 2015 to 2024, recently approved water permits, and this application (2,715 acre-feet/year)] is approximately 2,764 acre-feet per year, also shown on Table 4 (Water Rights, 2026a).

Table 4 shows average annual recharge to the aquifer exceeds the average annual withdrawals. Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the LVM aquifer for the proposed appropriation.

Table 4. List of water rights/permits withdrawals, estimated use of recently approved permits, this applications (if approved), and unconfined/confined recharge of the LVM aquifer (Water Rights, 2026a)

	Pumpage for the LVM Aquifer (ac-ft/yr)
Non-Irrigation Appropriation	49
Irrigation Appropriation (2015-2024)	1,987
Recently Approved Permits (2023-2025)	628
This Application	100
Total Withdrawal	2,764
Unconfined Recharge	4,580
Confined Recharge	1,960
Total Recharge	6,540

OBSERVATION WELL DATA:

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

The DANR-Water Rights Program monitors ten observation wells completed into the LVM aquifer with observation wells in the area of this application shown on Figure 3 (Water Rights, 2026b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The three closest observation wells to the diversion point are UN-77K (approximately 0.8 miles south), UN-77H (approximately 2.3 miles northeast), and UN-77I (approximately 2.9 miles northwest) (Water Rights, 2026b). The water level elevations for these observation wells are displayed in Figure 2 (Water Rights, 2026b). 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 converted to feet from the NGVD29 datum.

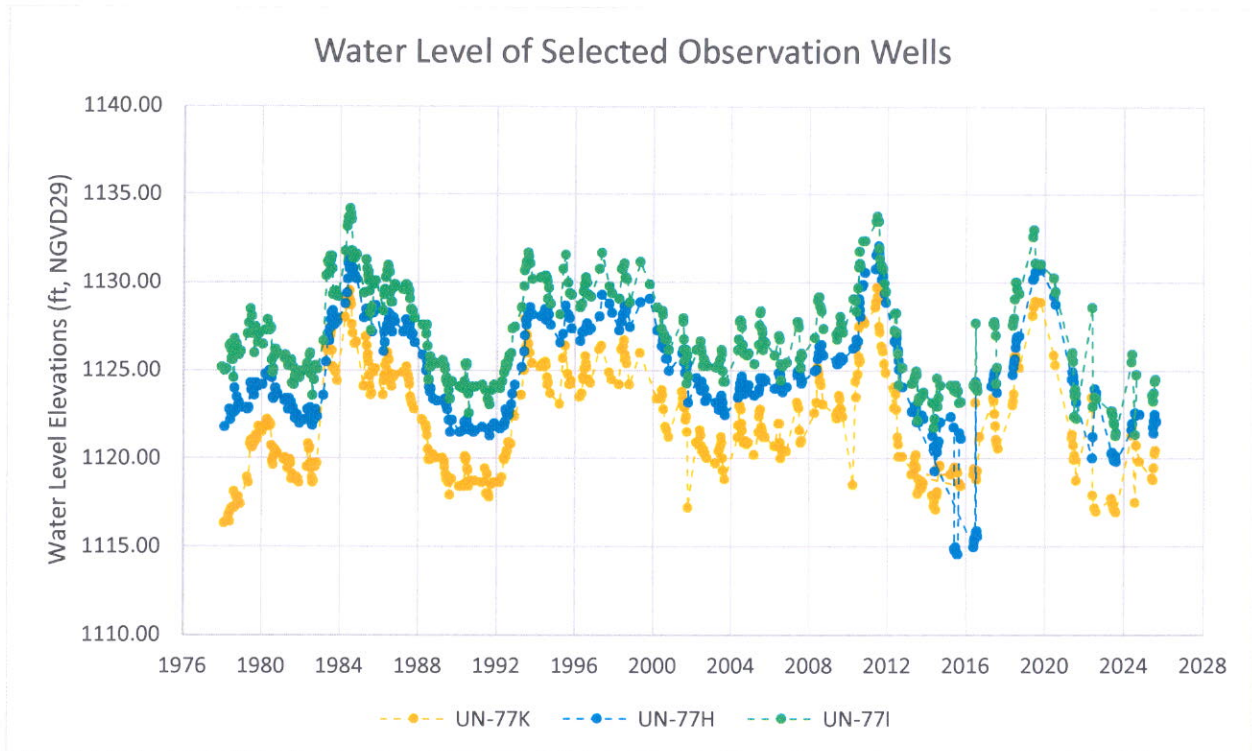


Figure 2. A hydrograph showing the elevation of water levels of observation wells UN-77K, UN-77H, and UN-77I (Water Rights, 2026b)

A majority of the observation wells in the LVM aquifer have a relatively stable trend in the water level, as seen in Figure 2. The hydrographs for the LVM aquifer observation wells indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer with water levels returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the LVM aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Water rights/permits in the general vicinity of the existing well site for this application are shown in Figure 3 and summarized in Table 5. The closest water right/permit to the existing diversion point for this application, not held by the applicant, is Water Right No. 2242-3 which is held by Gerald Hanson. The diversion point for Water Right No. 2242-3 is located approximately 1.6 miles northeast of the existing diversion point for this application (Water Rights, 2026c). There are domestic wells on file with the DANR-Water Rights Program that are completed into the

LVM aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.8 miles southwest of the diversion point based on the legal description provided by the well driller on the well completion report (Water Rights, 2026d). There could potentially be other domestic wells completed into the LVM aquifer near the diversion point that are not on file with the DANR-Water Rights Program.

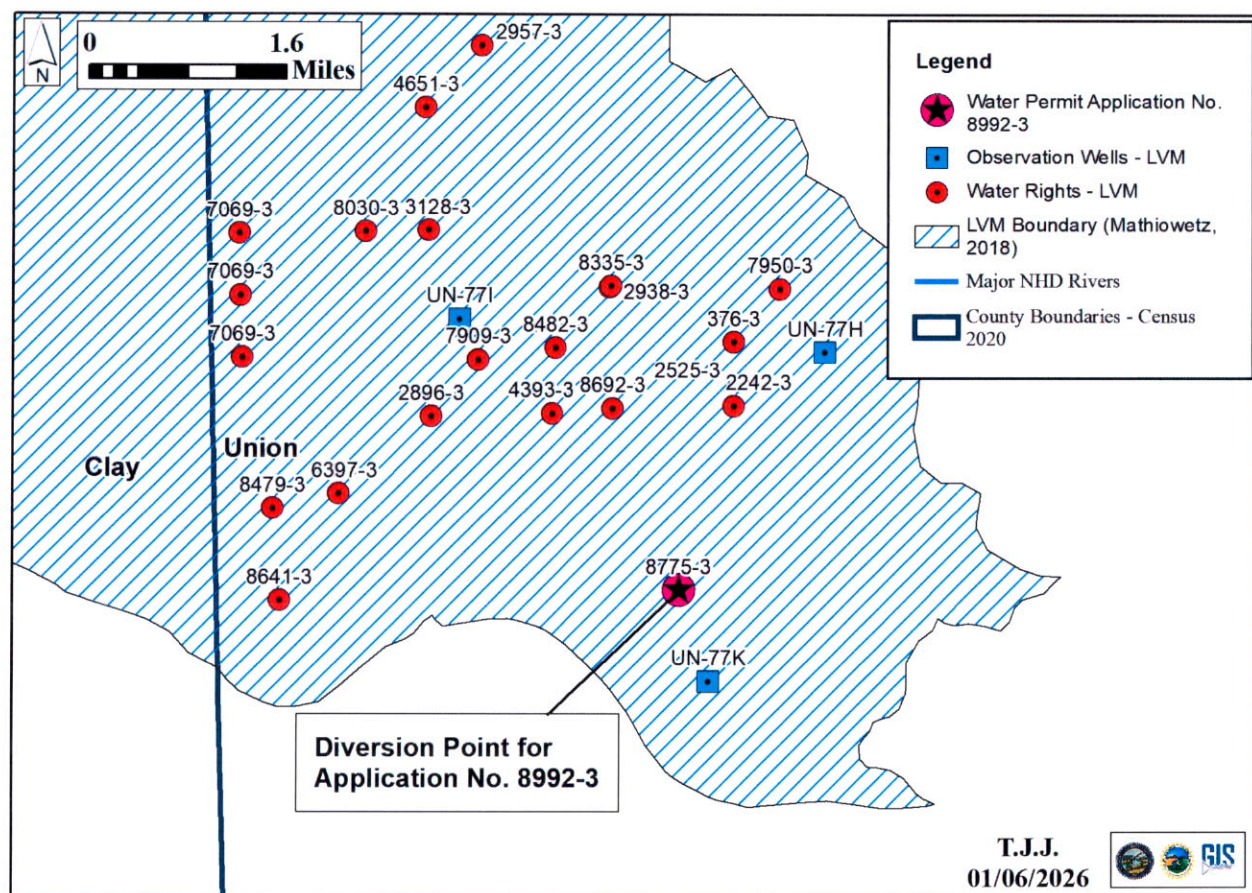


Figure 3. Map of the existing diversion point for Water Permit Application No. 8992-3, nearby LVM aquifer water rights/permits, and observation wells (Water Rights, 2026b and 2026c).

Table 5. List of water rights/permits shown in Figure 3 (Water Rights, 2026c).

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
376-3	Benny Quam	12/26/1956	License	Irrigation	2.28	160
2242-3	Gerald B. Hanson	04/03/1975	License	Irrigation	1.95	136
2525-3	Barbara Selby	02/04/1976	License	Irrigation	1.94	136
2896-3	Lyle Wagner	02/09/1976	License	Irrigation	2.23	265
2938-3	Maxine Bird	09/07/1976	License	Irrigation	1.94	136
2957-3	Norman & Ione Ronell	09/09/1976	License	Irrigation	1.94	136
3128-3	Eric R. Abraham	10/14/1976	License	Irrigation	1.85	130
4393-3	Lyle A. Wagner	03/01/1979	License	Irrigation	1.71	120
4651-3	Donald R. Abraham	02/20/1981	License	Irrigation	1.72	121
6397-3	SD Dept. of Transportation	02/18/2003	License	Institutional	0.033	0
7069-3	Kelly O'Connor	09/15/2008	License	Irrigation	5.33	405
7909-3	Scott Wagner	09/16/2013	License	Irrigation	1.89	157
7950-3	Allen Pace	01/24/2014	License	Irrigation	1.60	112
8030-3	Reid Bird	06/16/2014	License	Irrigation	1.76	123
8335-3	Gayle Slattery & Dakota Eastern Inc.	03/01/2018	License	Irrigation	1.78	125
8479-3	Knife River	01/15/2021	Permit	Industrial	0.133	0
8482-3	Reid Bird	01/29/2021	Permit	Irrigation	1.56	116
8641-3	Derrick Skogsberg	06/24/2022	Permit	Irrigation	1.76	160
8692-3	Reid Bird	12/27/2022	Permit	Irrigation	1.78	120
8775-3	Derrick Skogsberg	06/20/2023	Permit	Irrigation	1.78	160

The LVM aquifer is under confined conditions at the existing well site (Water Rights, 2026d). In a confined aquifer, drawdown from a pumping well can extend some distance from the well. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur (Water Rights, 1995). 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 LVM aquifer at their location. The South Dakota Department of Agriculture & Natural Resources complaints database has no complaints about the LVM aquifer in Union County (Water Rights, 2026e). When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), history of irrigation in the area without any complaints of well interference (Water Rights, 2026e), and the saturated aquifer thickness near the diversion point, any drawdown created from the diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments on existing users with adequate wells.

SDCL 46-5-6:

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

If approved, Water Permit Application No. 8992-3 would authorize a maximum instantaneous diversion rate of 1.78 cfs from one well for the irrigation of 120 acres, or equivalent to 1.04 cfs per 70 acres. The map and application submitted by the applicant indicate the center pivot is doing a partial rotation. A center pivot typically requires a certain diversion rate to operate properly regardless of swinging a partial or full circle, so the statutory rate limit might be exceeded when a pivot is not completing a full circle. This reasoning has been accepted by the Water Rights Program and the Water Management Board in the past.

CONCLUSIONS:

1. Water Permit Application No. 8992-3 proposes to appropriate 1.89 cfs from one well completed into the Lower Vermillion Missouri aquifer (223 feet deep) located in the approximate center of the NE ¼ Section 22 for the irrigation of 120 acres located in the NW ¼ NW ¼, E ½ NW ¼ Section 22; all in T92N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. The site of interest is located approximately 9 miles east of Vermillion, SD in Union County.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the LVM aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 8992-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.

4. The applicant is requesting a diversion rate greater than statutory limit of 1 cfs per 70 acres to accommodate a center pivot doing a partial rotation. This is reasonable and has been accepted by the Water Management Board and the Water Rights Program in the past.



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

Reviewed by:



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

References

- Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.
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- Water Rights, 2026c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Rodriguez, Rachel

From: Derrick Skogsberg <derrickskogsberg@gmail.com>
Sent: Monday, November 17, 2025 9:27 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] Water Permit
Attachments: Well Completion Report.pdf

You bet. Here you go....

Derrick Skogsberg
(214) 797-2246

On Mon, Nov 17, 2025 at 8:27 AM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Do you happen to have a copy of the well completion report? It would be greatly appreciated, as I know the engineers will request it.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: Derrick Skogsberg <derrickskogsberg@gmail.com>
Sent: Monday, November 17, 2025 8:24 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] Water Permit

Good Morning Rachel -

The diversion point is the well we drilled last year on this property. We're merely connecting that well to the 120 acres around the house (west of the well 1/2 mile).

So, the diversion point won't be on this map. It's on the 160 acres east of this map where we drilled the well.

Does that make sense?

Thanks again,

Derrick Skogsberg

(214) 797-2246

On Mon, Nov 17, 2025 at 8:20 AM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Good Morning Derrick,

Please mark an "X" of the proposed diversion point on the map. My apologies, I thought I mentioned that when I asked you to outline the acres.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: Derrick Skogsberg <derrickskogsberg@gmail.com>
Sent: Wednesday, November 5, 2025 2:03 PM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] Water Permit

Thanks Rachel. I appreciate your help. Do you know what the fees total? And can I pay with a card or do I just send a check?

Thanks again,

Derrick Skogsberg

(214) 797-2246

On Wed, Nov 5, 2025 at 1:40 PM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Hello Derrick,

I am in receipt of the water permit application and map. Once I receive the fees, I will begin processing your application.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: Derrick Skogsberg <derrickskogsberg@gmail.com>
Sent: Wednesday, November 5, 2025 11:54 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] Water Permit

Hi Rachel,

Here's the map of the roughly 90 acres by my house that will be irrigated in 2026. The pivot can't make a complete circle and stops on the north side of the grove by the house. That's why I'm thinking it's only going to water about 90 acres.

Derrick Skogsberg

(214) 797-2246

On Wed, Nov 5, 2025 at 10:17 AM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Hello Derrick,

You will need to submit a new application for 90 acres. I've attached the application for you. Alternatively, you may submit the application online, see link below. However, we currently do not have a way to submit the map online.

https://sdeforms.na2.adobesign.com/public/esignWidget?wid=CBFCIBAA3AAABLbLqZhBLtvDdWE9RveBiAAwtlE4vnTviwsJTMz79WkhxzqRIGIkHKSvwCrgd1ifTEkDTnLc*

I've also attached a map for your convenience. Please outline the area of the proposed 90 acres. The fee for this application is \$750.00 + inspection fee \$200.00 = \$950.00. If you think you will need additional water to irrigate the 90 acres, please also indicate that on the application. Let me know if you have any questions.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: Derrick Skogsberg <derrickskogsberg@gmail.com>

Sent: Wednesday, November 5, 2025 9:51 AM

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

Subject: Re: [EXT] Water Permit

Hi Rachel,

At some point this winter, I need to add about 90 acres to this permit. I don't remember exactly how you said we needed to do that, but since we didn't irrigate anything this year....well, I forgot. So, I thought I'd just reach out to you and do whatever the process is to get it fixed this winter sometime. If you recall, we applied for 160 acres because that's the quarter section we intended on irrigating when the new well was drilled. Subsequently, we then added another center pivot to the remainder of the ground so we could irrigate about another 90 acres. We actually never started any pivots this

year, so as it turns out, we should've just waited to do it. But, that's how my luck goes in farming it seems. Nonetheless, we're ready for 2026 if we have to fire up center pivots then I guess.

Anyway, can you let me know what I need to do next?

Thank you,

Derrick Skogsberg

(214) 797-2246

On Tue, Sep 19, 2023 at 1:35 PM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Good afternoon Derrick,

Attached is a copy of your water permit. The originals are in the mail and went out today.

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

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

January 26, 2026

Derrick Skogsberg
8248 Drop Tine Drive
Benbrook TX 76126

Dear Mr. Skogsberg:

Water Permit Application No. 8992-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Southern Union County Leader-Courier printed at Elk Point SD (Ph # 605 356-2632) and the Daily Press & Dakotan printed at Yankton SD (Ph # 605 665-7811). 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.

Instruction to Newspaper - Publish the Notice on February 5 or 6, 2026. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8992-3 to Appropriate Water

Notice is given that Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, has filed an application for a water permit to appropriate 1.89 cubic feet of water per second (cfs) from one well (authorized under Water Permit No. 8775-3) completed into the Lower Vermillion Missouri Aquifer (223 feet deep) located in the approximate center of the NE 1/4 Section 22 for irrigation of 120 acres located in the NW 1/4 NW 1/4, E 1/2 NW 1/4 Section 22; all in T92N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately nine miles east of Vermillion SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8992-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The 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 17, 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 17, 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_

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, January 26, 2026 11:55 AM
To: Shannon Jost
Subject: 8992-3 Derrick Skogsberg - Public Notice
Attachments: 8992-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on February 5, 2026, in the Southern Union County Leader-Courier.

Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, 214-797-2246 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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, January 26, 2026 11:56 AM
To: Kelly Kronaizl
Subject: 8992-3 Derrick Skogsberg - Public Notice
Attachments: 8992-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on February 6, 2026, in the Daily Press & Dakotan.

Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, 214-797-2246 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



AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

DANR
523 E CAPITOL AVE
PIERRE SD 57501-3182

RECEIVED

FEB 17 2026

Water Rights
Program

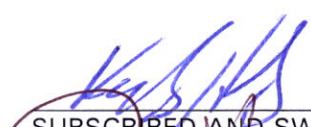
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

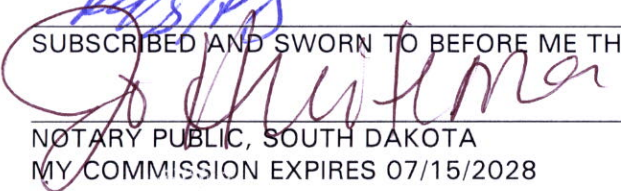
KELLY HERTZ, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE MANAGING EDITOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
NOTICE OF APPLICATION NO.

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 6th DAY OF February, 2026
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$47.48 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 02/06/2026

FILED ON: 02/06/26


SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF February, 2026


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 07/15/2028

NOTICE OF APPLICATION NO. 8992-3 to Appropriate Water

RECEIVED

FEB 17 2026

Water Rights
Program

Notice is given that Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, has filed an application for a water permit to appropriate 1.89 cubic feet of water per second (cfs) from one well (authorized under Water Permit No. 8775-3) completed into the Lower Vermillion Missouri Aquifer (223 feet deep) located in the approximate center of the NE 1/4 Section 22 for irrigation of 120 acres located in the NW 1/4 NW 1/4, E 1/2 NW 1/4 Section 22; all in T92N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately nine miles east of Vermillion SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8992-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Acting Chief Engineers 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 17, 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 17, 2026.

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Published once at the total approximate cost of \$47.48 and can be viewed free of charge at www.sdpublicnotices.com

Published February 6, 2026.

AFFIDAVIT OF PUBLICATION

State of South Dakota)
:ss
County of Union)

Shannon L. Jost,

the publisher of the Leader-Courier, deposes and says that

The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and has been such legal newspaper during the time hereinafter mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Water Application

Derrick Skogsberg

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in

each week for 1 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper was

on Thursday, the 6 day of February, 2026

and that the succeeding publications were

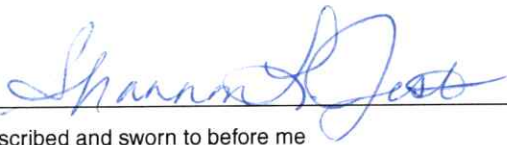
on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

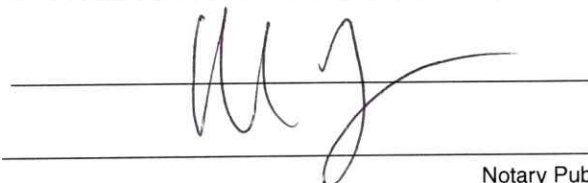
that the fees for the printing and publishing of said notice and advertisement in said newspaper as aforesaid were

\$ 49.59, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me

this 6 day of February, 2026



Notary Public

RECEIVED

MAR 30 2026

OFFICE OF
WATER

NOTICE OF APPLICATION NO. 8992-3 TO APPROPRIATE WATER

Notice is given that Derrick Skogsberg, 8248 Drop Tine Drive, Benbrook TX 76126, has filed an application for a water permit to appropriate 1.89 cubic feet of water per second (cfs) from one well (authorized under Water Permit No. 8775-3) completed into the Lower Vermillion Missouri Aquifer (223 feet deep) located in the approximate center of the NE 1/4 Section 22 for irrigation of 120 acres located in the NW 1/4 NW 1/4, E 1/2 NW 1/4 Section 22; all in T92N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately nine miles east of Vermillion SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8992-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and

4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The 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 17, 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.

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Publish February 6, 2026

Published once at the total approximate cost of \$49.59 and may be viewed free of charge at www.sdpublicnotices.com

6-1-137

AFFIDAVIT OF PUBLICATION

State of South Dakota)

:ss

County of Union)

Shannon L. Jost,

the publisher of the Leader-Courier, deposes and says that

The Leader-Courier

is a legal weekly newspaper of a general circulation, printed and published in Elk Point, County of Union, State of South Dakota, and has been such legal newspaper during the time hereinafter mentioned, and that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

Notice of Water Application

Derrick Skogsberg

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in

each week for 1 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two hundred paid copies weekly, and had been published in the said County of Union for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Elk Point, the said place of publication; that the first publication of said notice in said newspaper was

on Thursday, the 6 day of February, 2026

and that the succeeding publications were

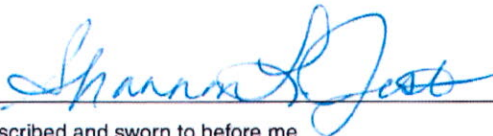
on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

on Thursday, the _____ day of _____, _____

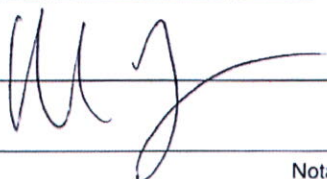
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\$ 49.59, that the full amount of the fee charged insures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me

this 6 day of February, 2026



Notary Public

NOTICE OF APPLICATION NO. 8992-3 TO APPROPRIATE WATER

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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 17, 2026.

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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

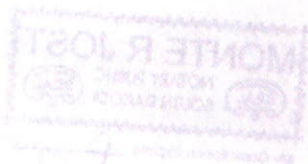
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Publish February 6, 2026

Published once at the total approximate cost of \$49.59 and may be viewed free of charge at www.sdpublicnotices.com

6-1-137



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, January 26, 2026 12:02 PM
To: derrickskogsberg@gmail.com
Subject: 8992-3 Derrick Skogsberg - Public Notice
Attachments: 8992-3 Rec.pdf; 8992-3 Ltr.pdf; 8992-3 PubNotice.pdf

Good afternoon

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

Derrick Skogsberg
8248 Drop Tine Drive
Benbrook TX 76126

Dear Mr. Skogsberg:

Enclosed is Water Permit No. 8992-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

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

Application No.: 8992-3

Name of Applicant: Derrick Skogsberg

Date of Posting: 2/2/2026

Date of Removal: 3/11/2026

Amanda Dewell, Permitting Administrator

3/11/2026

Date

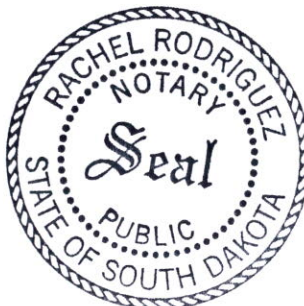
Subscribed and sworn to before me, a notary public, this 11th day of Mar, 2026.

Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 14, 2026

8992-3

Derrick Skogsberg
8248 Drop Tine Drive
Benbrook, TX 76126

Dear Mr. Skogsberg:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system.

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

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

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
(605) 773-3352
email: Shannon.konst@state.sd.us

RECEIVED

APR 14 2026

OFFICE OF
WATERNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 4-9-26TO: Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Derrick Skogsberg
(name)8248 Drop Tire Drive
(address)Benbrook, TX 76126
(city, state, zip)214-797-2246
(phone)

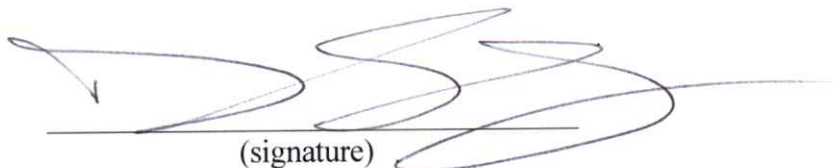
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 8492-3 states that the water use system is to be constructed by8-17-28
(date)

, and water is to be put to beneficial use by

2-17-35
(date)The water use system was completed on 5-1-2025
(date)Applying the water to beneficial use was completed on 3-1-2026
(date)

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


(signature)