

WATER PERMIT NO. 9012-3

Name of Applicant: **Roger Sieck**

Address: **728 Appaloosa Lane, Spearfish SD 57783**

Phone: **402-670-1781**

Amount of Water Claimed: **1.78 cfs**

Total Acres: **160**

Source of Water Supply: **Groundwater**

Water to be used for: **Irrigation**

County: **Turner**

Type of Waste Disposal System:

Location: **Approx. 5 miles southwest of Lennox**

PRIORITY Date Received: **01-09-26**

Application/License Fee: **\$1,050.00**

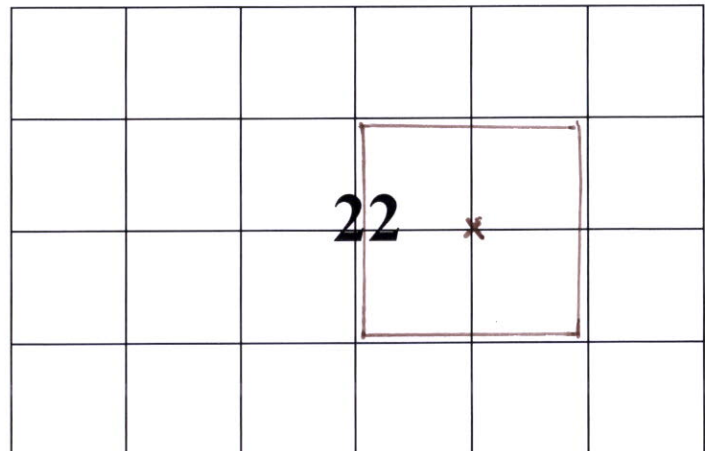
Corrected Application Received: **01-09-26**

Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **Approx. center of the E 1/2 Sec**
22-T98N-R52W

Land to be Irrigated: **S 1/2 NE 1/4, N 1/2 SE 1/4**
Sec 22-T98N-R52W



Depth of Well: **210**

Well Driller: **Thein Well**

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **01-09-26**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 9012-3

Date of first receipt of application January 9, 2026.

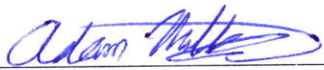
The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 9012-3 to Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 9012-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: North Aquifer (approximately 210 feet deep) located in the approximate center of the E 1/2 Section 22 for irrigation of 160 acres located in the S 1/2 NE 1/4, N 1/2 SE 1/4 Section 22; all in T98N-R52W. This site is located approximately six miles east northeast of Hurley 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 – September 30.
3. The date from which applicant may claim right is January 9, 2026.
4. The date of approval of Permit No. 9012-3 is March 30, 2026.
5. One-fifth of the construction is to be completed on or before September 30, 2028.
6. All construction is to be completed on or before March 30, 2031.
7. Water is to be put to beneficial use on or before March 30, 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. 9012-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The proposed well authorized by Permit No. 9012-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

May 15, 2026
date



JAN 09 2026

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>9012-3</u> (office use only) Hydrologic Unit <u>10170102</u>	OFFICE OF WATER
	Basin <u>Missouri R</u>	
	Newspaper <u>Turner Co. New Era</u>	
	<u>Argus Leader</u>	

PAID

JAN 09 2026

Ck# 4527

Rec't# _____

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 Roger Sieck

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

Mailing Address 728 Appaloosa Lane Spearfish SD 57783
(Address) (City) (State) (Zip Code)

Phone _____ Mobile (402) 670-1781 Email ROGERSIECK025@GMAIL.COM

2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply 1 Ground Water Well

4. Location of point of diversion CENTER OF East 1/2 - S22 T98N R52W

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Turner

5. County or counties where water will be used Turner

6. Annual period during which water is to be used May 1 - September 30

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

Land Description	Acres	Land Description	Acres
SW NE S22 T98N R52W	40		
SE NE S22 T98N R52W	40		
NW SE S22 T98N R52W	40		
NE SE S22 T98N R52W	40		

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

1 Well in center of East 1/2 S22 T98N R52W to supply water to 1 center pivot. The pivot will irrigate 160 acres N1/2 NE and S1/2 SE S22 T98N R52W, Turner County.

I, Roger Sieck Owner, the applicant, certify under
Name of Person Title (if applicable)

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

Supplemental Information

(type or print)

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1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many 1 Have test holes been drilled ☒ Yes ☐ No Drilled by Thein Well Company
(if yes, please provide copies of logs)

b) If existing wells, how many N/A provide copy of log(s), if available. Drilled by _____

For either Existing or Proposed Wells:

c) Well Depth (required) 210 Depth to Top of Water Bearing Material 95 Depth to Water from Surface 103

d) Distance to nearest domestic well on applicant's property N/A Property owned by others 2500'

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)

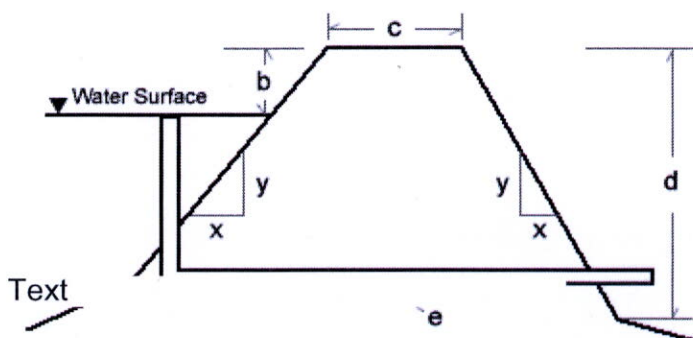
Upstream _____

Downstream _____

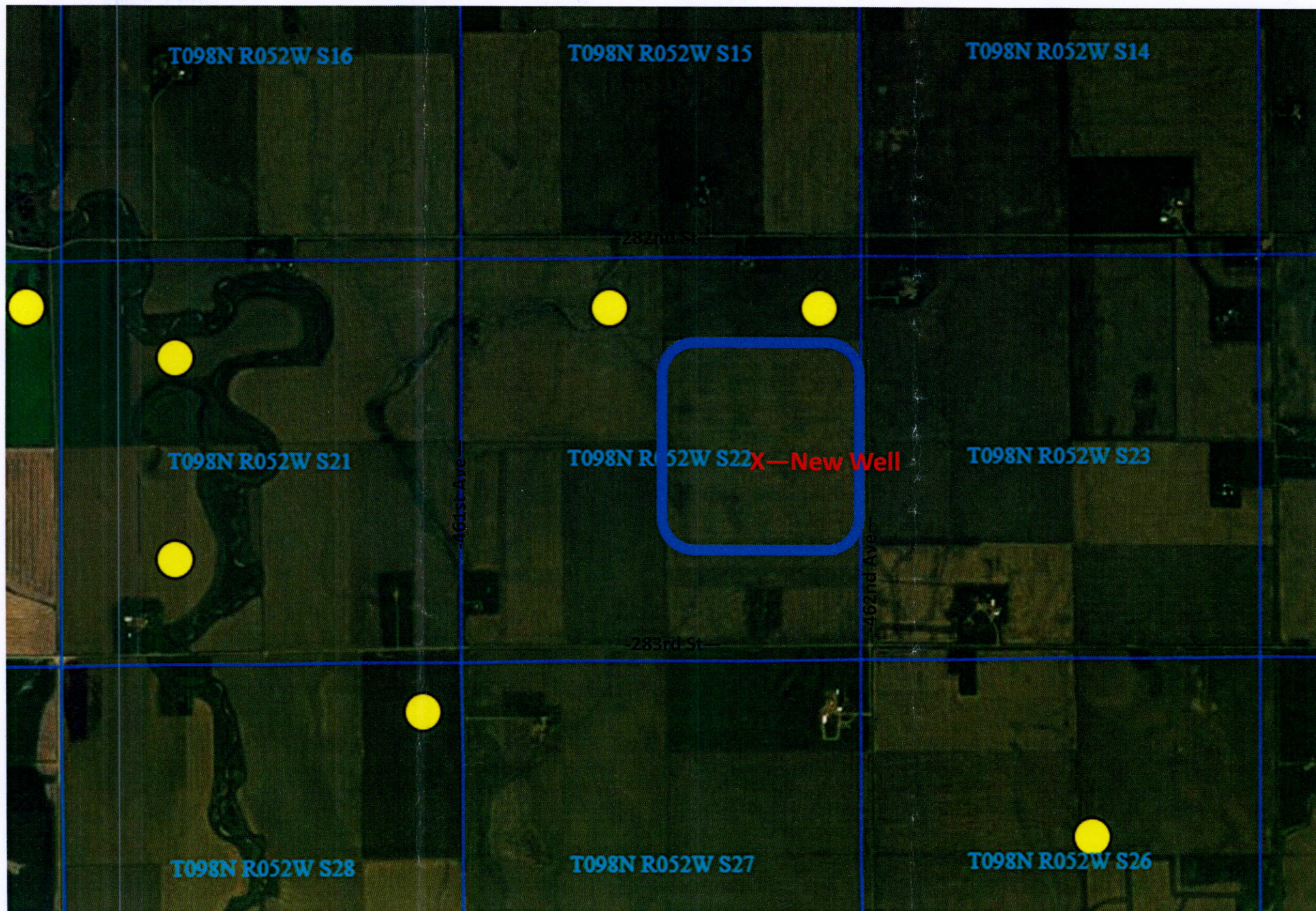
h) Surface Area of Impoundment _____

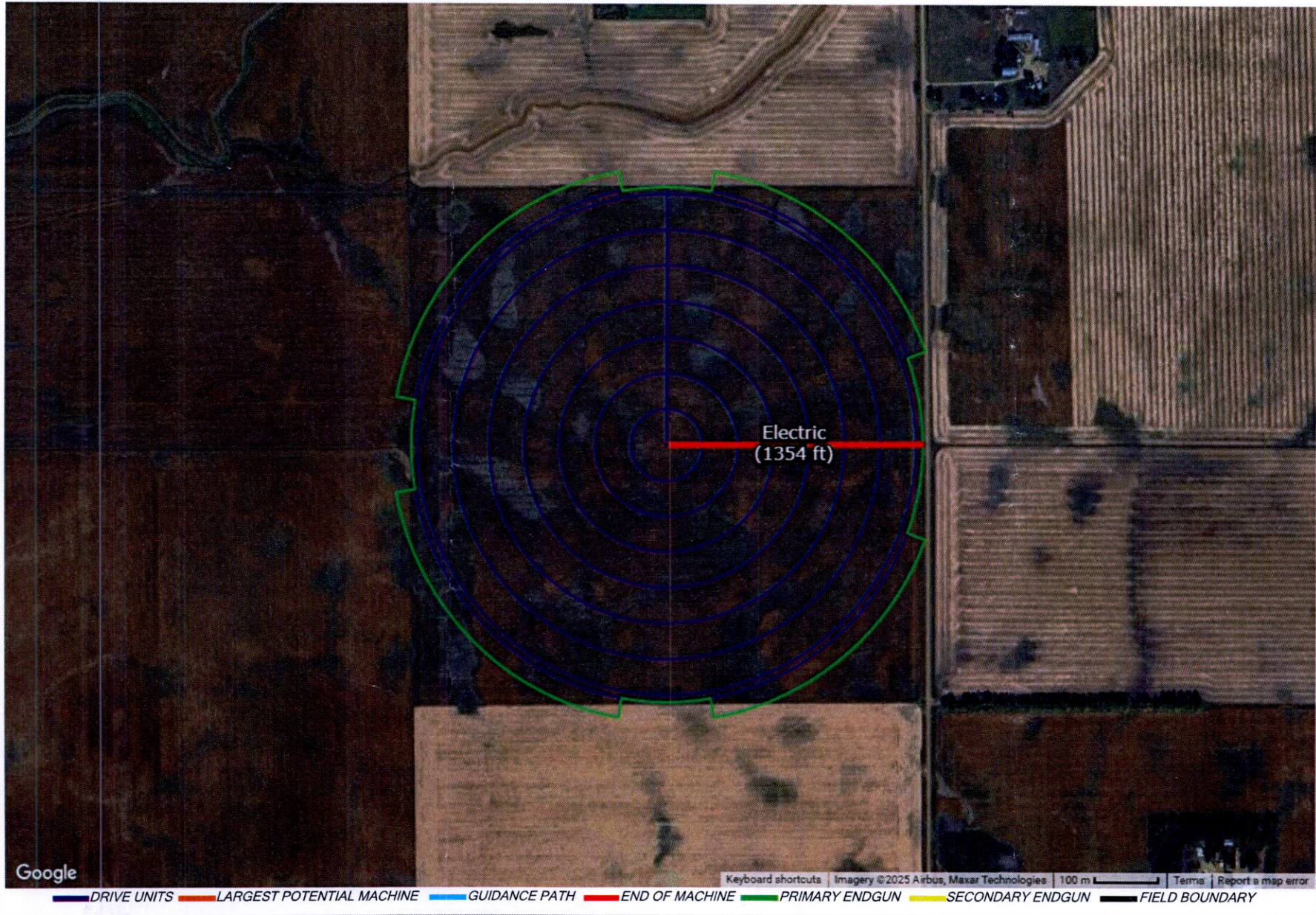
i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



Roger Sieck—Water Permit Map—Turne County—E1/2 Section 22-T98N-R52W







Project Name - Roger Sieck - Kuper Farm

Version Name - Roger Sieck - Kuper Farm...

Map Summary Report - Kuper Farm

Field Name	Design Name	Machine Category	Machine Area (ac)	No. of Towers	Total Machine Length (ft)	Total Irrigated Area (ac)
Pivot_1_1232025982260	Kuper Farm	Large Field Electrical Pivot 8000	127.54	7	1331.72	148.43

Total Project Irrigated Area (ac): 148.43

(Kuper Farm)	Spans and Overhang	Comer	Endgun*	Bender / DropSpan	Polygon
Irrigated Area using (ac)	128.42	0	20.01	0	0.00

* Estimated

Total Span Length (ft) 1293.60

Overhang Length (ft) 36.00

Flex/Transition/Other Lengths (ft) 2.12

S.No	Diameter	Length (ft)	Cable Size	Motor Options	Tire Size	Bender / DropSpan	Profile	Wheel Track (ft)
1	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	185.03
2	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	369.83
3	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	554.63
4	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	739.43
5	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	924.23
6	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	1109.03
7	6 5/8	184.80	12 ga cable / 11 cond shielded	34 RPM Baldor Helical	14.9 x 24 Non-Directional Tubeless	None	Standard	1293.57

Primary Endgun

Endgun Angles (Kuper Farm)	Endgun 1	Endgun 2	Endgun 3	Endgun 4
Start Angle	10.00 deg	110.00 deg	190.00 deg	280.00 deg
End Angle	70.00 deg	170.00 deg	260.00 deg	350.00 deg

Field Name	Latitude	Longitude	Pivot Road Angle	Pivot Road Offset	Start Angle	End Angle
Pivot_1_1232025982260	43.29464707528901	-96.96878671646414	-	-	0 deg	360 deg

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98N 52W
Section: 05

98N 52W
Section: 04

98N 52W
Section: 03

98N 52W
Section: 02

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Section: 08

98N 52W
Section: 09

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Section: 14

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Section: 13

98N 52W
Section: 20

10170102 Vermillion

98N 52W
Section: 21

98N 52W
Section: 22

Lewis and Clark Lake

98N 52W
Section: 23

98N 52W
Section: 24

98N 52W
Section: 29

98N 52W
Section: 28

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Formation	From	To
Top Soil	0	3
Brown Clay	3	5
Tan Clay	5	8
Tan Clay w/Chalk Layers	8	9
Tan Clay	9	16
Grey Clay	16	40
Yellow Chalk	40	42
Grey Clay	42	68
Sand & Coal	68	69
Grey Clay	69	73
Sand to Gravel	73	75
Grey Clay	75	82
Grey Clay w/Sand	82	86
Grey Clay	86	95
Gravel w/Clay Layers	95	114
Grey Clay	114	144
Sand w/Clay Layers	144	151
Sand	151	168
Grey Clay	168	169
Sand	169	199
Grey Clay	199	208

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 09, 2026

RECEIVED OF Roger Sieck 728 Appaloosa Lane Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	<u>\$850.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	<u>\$200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$1050.00</u>

By  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. 9012-3, Roger Sieck**

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. 9012-3, Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783.

The Acting Chief Engineer is recommending APPROVAL of Application No. 9012-3 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. 9012-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The proposed well authorized by Permit No. 9012-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
March 10, 2026

Report to the Chief Engineer

On Water Permit Application No. 9012-3

Roger Sieck

March 9th, 2026

Water Permit Application No. 9012-3 proposes to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the North Management unit of the Upper Vermillion Missouri aquifer (approximately 210 feet deep) located in the approximate center of the E ½ Section 22 for the irrigation of 160 acres located in the S ½ NE ¼, N ½ SE ¼ Section 22; all in T98N-R52W. This site is located approximately six miles east northeast of Hurley, SD in Turner County.

AQUIFER: Upper Vermillion Missouri: North (UVM:N)

HYDROGEOLOGY:

The Upper Vermillion Missouri aquifer is a glacial outwash that is composed of fine sand to medium-pebble gravel (Lindgren and Hansen, 1990). The aquifer generally lays in a bedrock valley that trends north to south and underlies portions of Clay, Lincoln, and Turner Counties (Holmes and Filipovic, 2015). From 2013 to 2014, the SD DANR-Geological Survey completed a study to further understand the geologic and hydrologic conditions of the Upper Vermillion Missouri aquifer (Holmes and Filipovic, 2015). As a result, the aquifer is now considered as three management units (i.e., North, South, and West) that were adopted by the Water Management Board meeting on March 6, 2014 (Buhler, 2015; Holmes and Filipovic, 2015). The proposed diversion point for this application is located in the North management unit of the Upper Vermillion Missouri aquifer.

Most of the Upper Vermillion Missouri aquifer is overlain by till that can be up to 160 feet thick, (Holmes and Filipovic, 2015). The direction of groundwater movement in the Upper Vermillion Missouri aquifer is generally to the south/southeast (Lindgren and Hansen, 1990; Holmes and Filipovic, 2015). The areal extent of the Upper Vermillion Missouri: North aquifer is approximately 38,100 acres (Figure 1) (Buhler, 2014). The Upper Vermillion Missouri: North aquifer is generally buried and confined but can be locally unconfined in locations where the Parker-Centerville aquifer directly overlies it and is in hydraulic connection with it (Holmes and Filipovic, 2015; Kilts, 2023). The Upper Vermillion Missouri: North and Parker-Centerville aquifers are in direct hydraulic contact over approximately 2,930 acres (Figure 1) (Buhler, 2015). It should be noted that several Upper Vermillion Missouri aquifer Water Rights (listed as UMV-unnamed on Figure 1) were identified as part of the North Management unit most of which are to be redesignated to Upper Vermillion Missouri: North aquifer to reflect the most current understanding of the hydrology and naming convention. Additionally, there is one Water Right (No. 3832-3) which has two wells one each completed into the Parker Centerville aquifer and the Upper Vermillion Missouri: North aquifer.

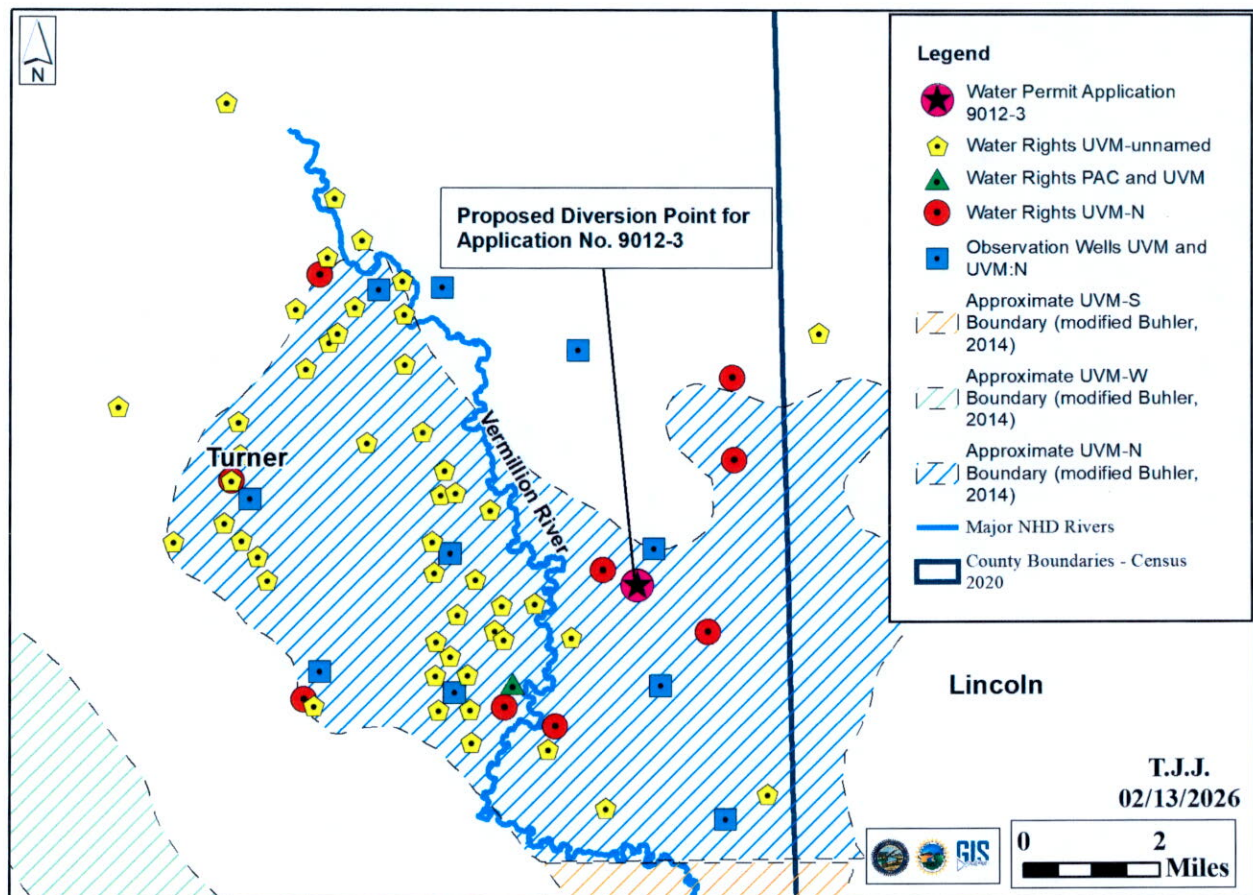


Figure 1. Map of the approximate Upper Vermillion Missouri: North aquifer boundary estimated by Buhler (2014), the location of proposed diversion point for Water Permit Application No. 9012-3, Upper Vermillion Missouri: North aquifer observation wells, and Upper Vermillion Missouri: North aquifer water rights (Water Rights, 2026b and 2026c).

The test hole, submitted with this application, was completed into the Upper Vermillion Missouri: North aquifer on November 25th, 2025 (Water Rights, 2026b). The test hole geology suggests that aquifer material is heavily intermixed with clay layers near the proposed diversion point. Well completion reports near this application's proposed diversion point will also be used to determine the hydrogeology of the Upper Vermillion Missouri: North aquifer in this area. Nearby reports show an approximate depth to the top of aquifer material of 151 feet below the ground surface and a saturated aquifer thickness of approximately 48 feet (SDGS, 2026; Water Rights, 2026b). Based on the submitted test hole and other nearby water well completion reports, the Upper Vermillion Missouri: North aquifer is expected to be confined at the diversion point (SDGS, 2026; Water Rights, 2026b and 2026d).

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 Upper Vermillion Missouri: North aquifer.

WATER AVAILABILITY:

Water Permit Application No. 9012-3 proposes to appropriate water from the Upper Vermillion Missouri: North 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 Upper Vermillion Missouri: North 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 Upper Vermillion Missouri: North aquifer must be considered.

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 Upper Vermillion Missouri: North aquifer with observation wells in the area of this application shown on Figure 1 (Water Rights, 2026b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. These observation wells, and distance to the diversion point are TU-2016A (approximately 4.4 miles southwest), TU-771 (approximately 2.8 miles southwest), TU-77H (approximately 2.8 miles southwest), TU-77G (approximately 2.3 miles west), TU-77F (approximately 2.3 miles west), TU-77D (approximately 5.3 miles northwest), TU-77Y (approximately 1.9 miles southeast), TU-77W (approximately 0.8 miles northeast), TU-77B (approximately 5.3 miles northwest), TU-77L (approximately 4.1 miles southeast), TU-77V (approximately 3.6 miles northwest), and TU-77U (approximately 5.3 miles northwest) (Water Rights, 2026b). The water level elevations for these observation wells are displayed in Figures 2 to 6 (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.

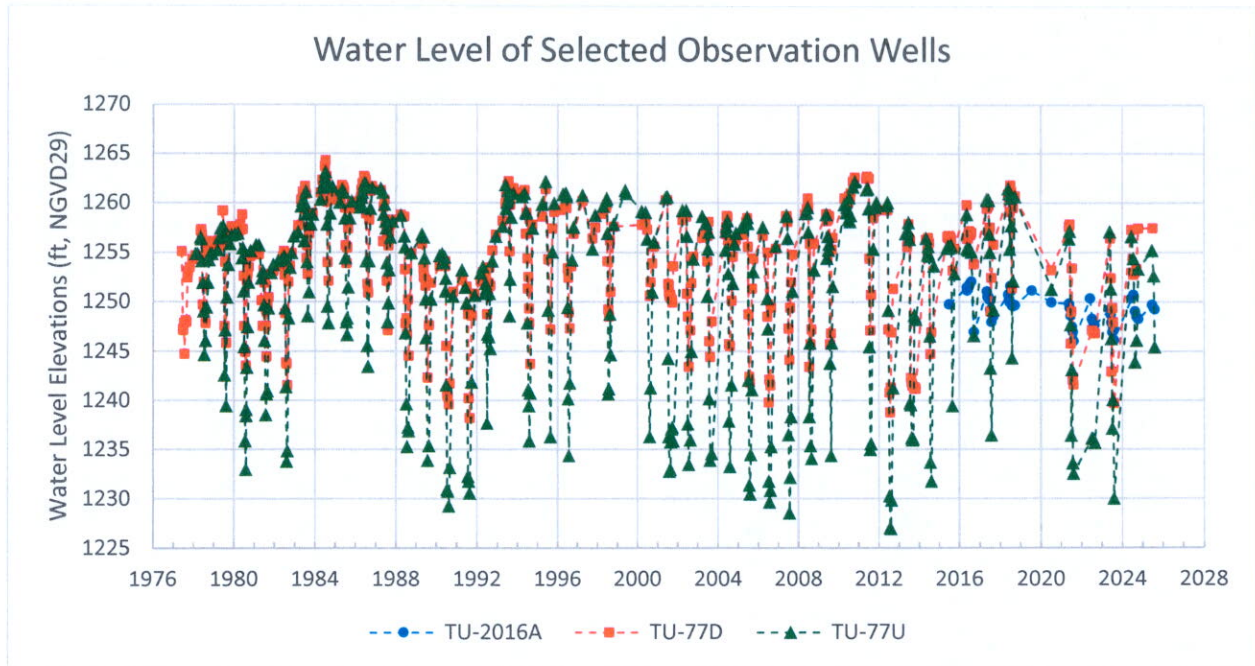


Figure 2. A hydrograph showing the elevation of water levels of observation wells TU-2016A, TU-77D, and TU-77U (Water Rights, 2026b)

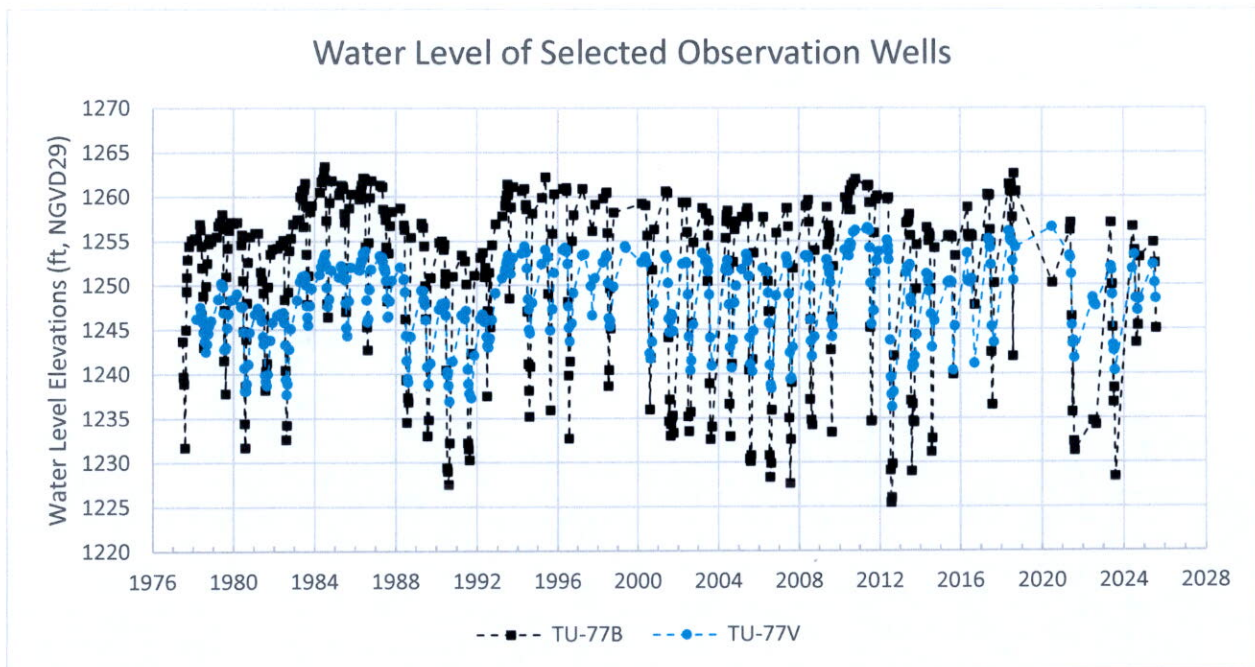


Figure 3. A hydrograph showing the elevation of water levels of observation wells TU-77B and TU-77V (Water Rights, 2026b)

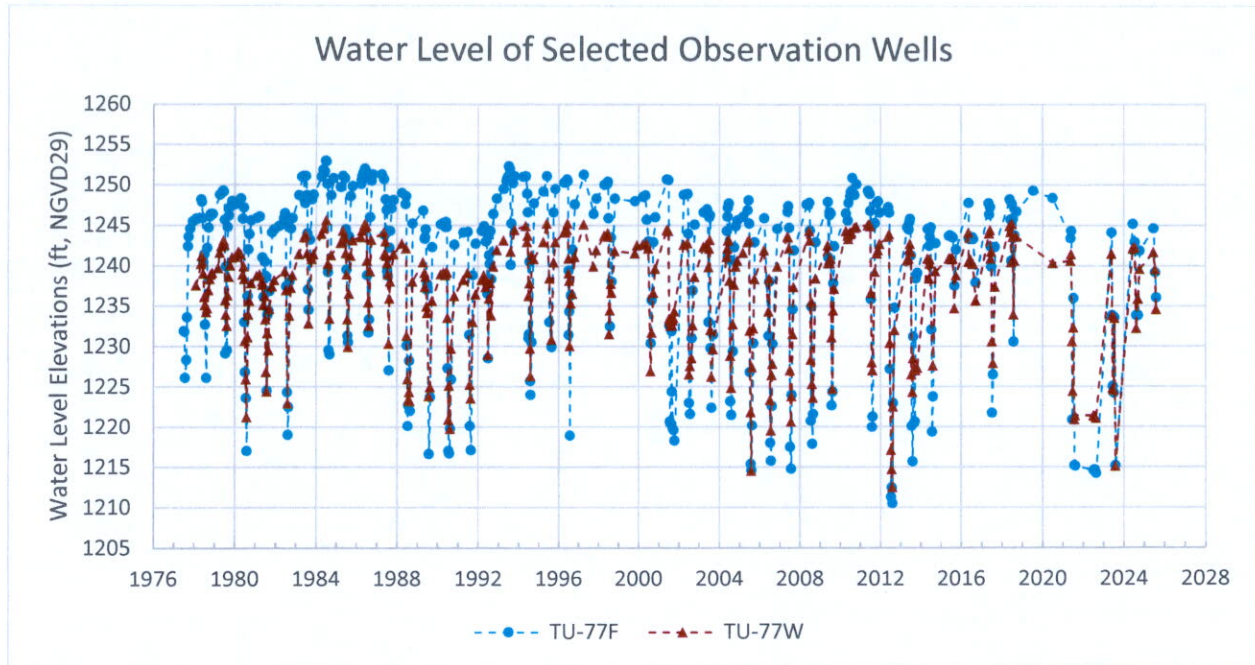


Figure 4. A hydrograph showing the elevation of water levels of observation wells TU-77F and TU-77W (Water Rights, 2026b)

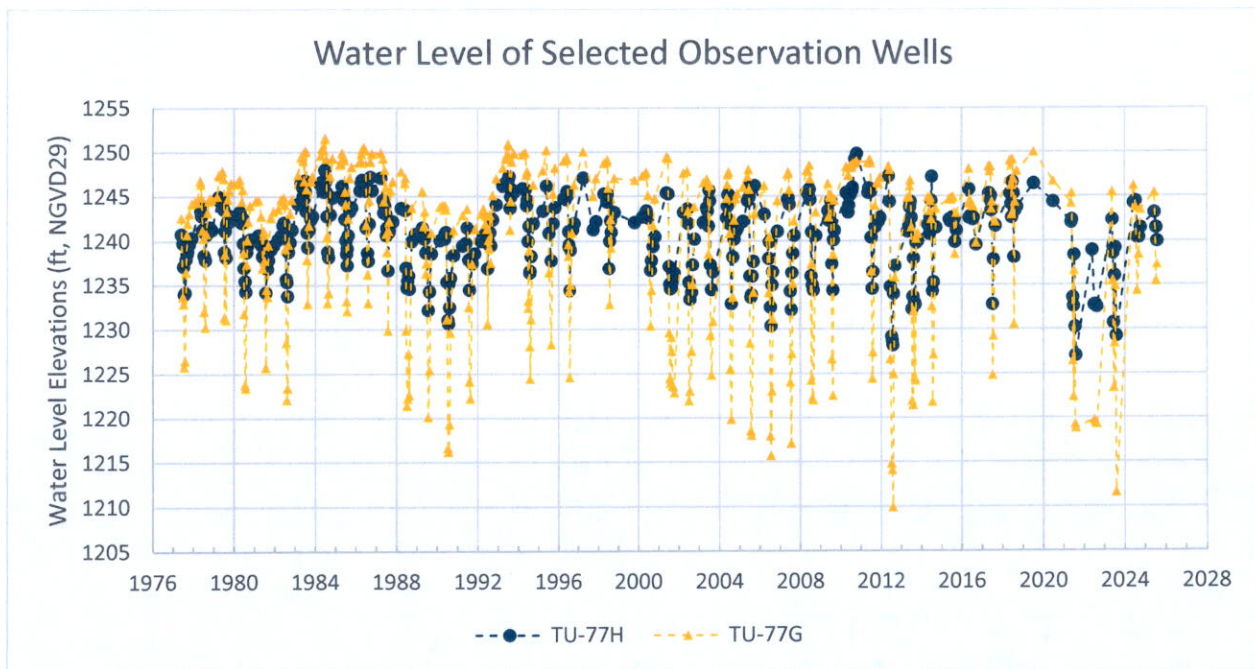


Figure 5. A hydrograph showing the elevation of water levels of observation wells TU-77H and TU-77G (Water Rights, 2026b)

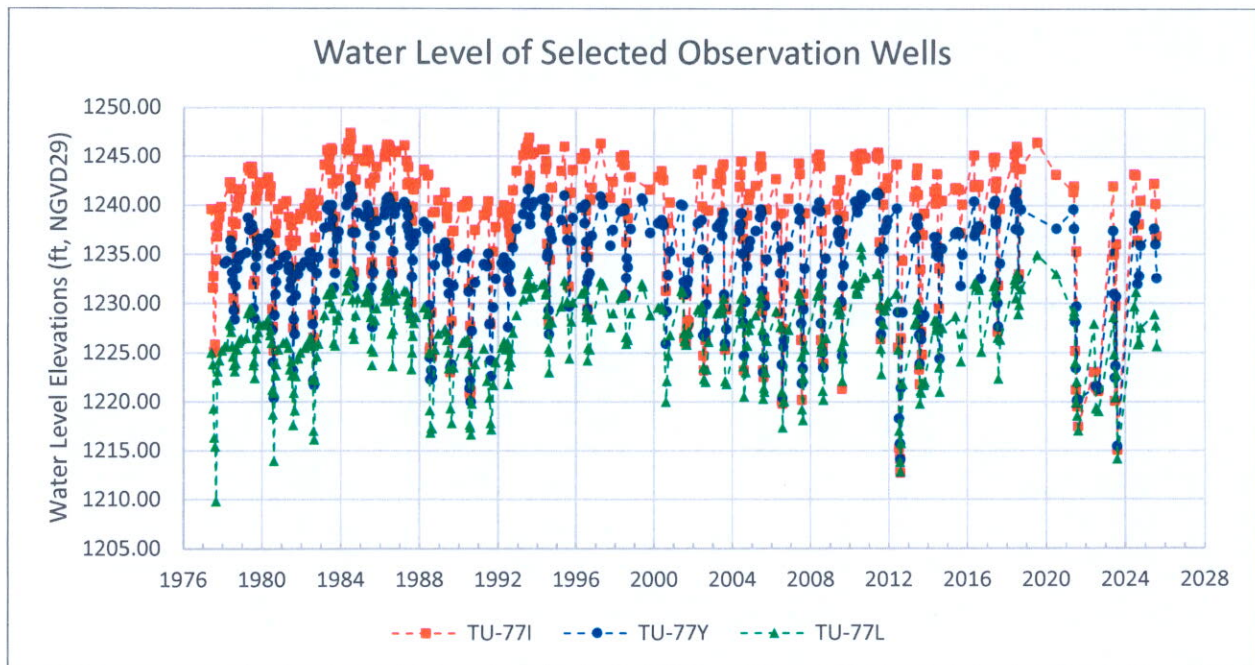


Figure 6. A hydrograph showing the elevation of water levels of observation wells TU-77I, TU-77Y, and TU-77L (Water Rights, 2026b)

The observation wells in the Upper Vermillion Missouri: North aquifer have a relatively stable trend in the water level over their respective period of record, as seen in Figure 2. The first water level readings of each year are representative of the static conditions of the aquifer and are the best indicator of a decline or rise in water availability. The hydrographs for the Upper Vermillion Missouri: North 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. The Upper Vermillion Missouri: North aquifer is generally under confined conditions, and the potentiometric surface in a confined aquifer is very responsive to pumping as a small change of water stored in the aquifer results in a fairly large change in the artesian head pressure in a well (Buhler, 2015; Holmes and Filipovic, 2015). 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 Upper Vermillion Missouri: North 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.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Upper Vermillion Missouri aquifer occurs primarily through the infiltration of precipitation. Additional recharge occurs through leakage from the overlying Parker-Centerville aquifer where the two aquifers are in direct contact (Figure 1) (Holmes and Filipovic, 2015). Buhler (2014) indicated there is not a reliable average annual recharge estimate for the North management unit of the Upper Vermillion Missouri aquifer. Therefore, comparison of the average annual recharge to the average annual withdrawal through a hydrologic budget specific to the North management unit of the Upper Vermillion Missouri aquifer is not feasible. However, for confined aquifers, Hedges and others (1985) recommended a recharge rate range of 0.15 to 0.60 inches per year for use by management and development programs. The areal extent of the Upper Vermillion Missouri: North aquifer is approximately 38,100 acres (Buhler, 2014); therefore, using the range from Hedges and others (1985) results in an average annual recharge rate to the Upper Vermillion Missouri: North aquifer of approximately 476 to 1,905 acre-feet per year. There is likely additional recharge (such as, where the aquifer is unconfined) that occurs to the aquifer that would not be accounted for by Hedges and others (1985) confined aquifer range. Observation well data show that the generalized recharge rate range estimated Hedges and others (1985) is likely much lower than the actual average annual recharge rate to the Upper Vermillion Missouri: North aquifer (Water Rights, 2026b).

Discharge

Discharge from the Upper Vermillion Missouri: North aquifer primarily occurs through well withdrawals and natural discharge to the Upper Vermillion Missouri: South aquifer (Water Rights, 2026d). There are 53 water rights/permits authorized to appropriate water from the Upper Vermillion Missouri: North aquifer, 48 of which are currently identified as Upper Vermillion Missouri aquifer and are located near or within the northern management unit aquifer boundary (Water Rights, 2026c). There are no future use permits reserving water from the Upper Vermillion Missouri: North aquifer (Water Rights, 2026c).

Table 1 summarizes the four non-irrigation water rights/permits authorized to appropriate water from the Upper Vermillion Missouri: North aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual reported use. 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. The Town of Davis was identified as being connected to TM Rural Water District and likely maintains the well for standby purposes (Drinking Water Program, 2026); as such, the average annual water use for this water right has been estimated to be zero acre-feet per year on Table 1. Overall, the estimated average annual

withdrawal rate for the Upper Vermillion Missouri: North aquifer non-irrigation water rights/permits is approximately 48 acre-feet/year (Table 1) (Water Rights, 2026c).

Table 1. Estimated average annual use for non-irrigation water rights/permits authorized to appropriate water from the Upper Vermillion Missouri: North aquifer (Water Rights, 2026c).

Permit No.	Name	Uses	Status	Authorized Diversion Rate (cfs)	Annual Authorized Volume (acre-feet)	Estimated Use (acre-feet/year)
525-3*	Town of Davis	MUN	LC	0.45	NA	0
5833-3	Advanced Prescription	COM	LC	0.11	NA	48
6435-3**	South Lincoln RWS	RWS	LC	2.45	1,800	731
6727-3**	South Lincoln RWS	RWS	LC	1.95		
					Total:	779
LC Licensed Water Right, MUN Municipal, COM Commercial, RWS Rural Water System						
*Connected to another rural water system. **Reports annual use to the chief engineer.						

Table 2 summarizes average annual water use of non-irrigation water right from the Upper Vermillion Missouri: North aquifer (Water Rights, 2026f). Currently, non-irrigation water rights held by South Lincoln Rural Water System are the only water rights reporting their annual non-irrigation water use. Table 2 shows that the annual reported use is much less than the annual authorized volume and the annual reports have been relatively similar over the past ten years (Table 1 & 2) (Water Rights, 2026c & 2026f). To reflect more recent conditions, the reported average of the past ten years will be used for determining the reported non-irrigation withdrawal rate for the Upper Vermillion Missouri: North aquifer.

Table 2. Reported average annual use for non-irrigation water rights/permits authorized to appropriate water from the Upper Vermillion Missouri: North aquifer (Water Rights, 2026c).

Year	Reported Annual Use (acre-feet)	Year	Reported Annual Use (acre-feet)
2003	354	2014	763
2004	583	2015	810
2005	611	2016	776
2006	599	2017	849
2007	607	2018	808
2008	779	2019	664
2009	987	2020	326
2010	1095	2021	810
2011	1108	2022	825
2012	673	2023	671
2013	702	2024	771
Average (2003-2024)		735	
Average (2015-2024)		731	

Currently, there are 53 irrigation water rights/permits appropriating water from the Upper Vermillion Missouri: North aquifer (Water Rights, 2026c). 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 Upper Vermillion Missouri: North aquifer

irrigation water rights/permits that have reported over the period of record (1979 to 2024) is approximately 4,542 acre-feet per year (Table 3) (Water Rights, 2026a). 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 5,172 acre-feet per year (Table 3) (Water Rights, 2026a).

Two irrigation water permits were approved in 2023 that do not have a significant history reported in the irrigation questionnaire (IQ) and need to be accounted for. Water Permit Nos. 8807- 3 and 8809-3 are collectively authorized to irrigate 336 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-miles northwest of the Upper Vermillion Missouri: North 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 279 acre-feet per year. This pending application proposes to irrigate approximately 160 acres. Assuming 0.83 feet of water per acre per year, the withdrawal rate for this application is approximately 133 acre-feet per year. The average annual withdrawal rate for irrigation appropriations from 2015 to 2024 (Table 3) combined with recently approved 2023 permits and this application, is approximately 5,584 acre-feet per year (Water Rights, 2026a).

There are domestic wells completed into the Upper Vermillion Missouri: North 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 Upper Vermillion Missouri: North 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 Upper Vermillion Missouri: North aquifer.

Table 3. Reported irrigation use from the Upper Vermillion Missouri: North 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	24	2,509	2002	37	5,933
1980	24	3,652	2003	37	5,132
1981	26	3,349	2004	37	6,116
1982	26	2,516	2005	38	5,823
1983	27	2,479	2006	38	6,599
1984	27	2,320	2007	39	5,343
1985	26	1,982	2008	42	6,335
1986	28	3,066	2009	42	3,691
1987	28	3,027	2010	43	150
1988	28	4,956	2011	43	4,286
1989	30	4,421	2012	44	9,685
1990	35	5,269	2013	45	7,287
1991	35	5,048	2014	45	4,976
1992	37	4,475	2015	45	6,290
1993	36	459	2016	47	5,885
1994	34	4,014	2017	50	6,049
1995	34	4,068	2018	50	2,363
1996	35	4,093	2019	50	506
1997	34	4,619	2020	50	5,428
1998	36	4,877	2021	50	5,877
1999	35	4,336	2022	51	8,401
2000	35	5,235	2023	53	8,577
2001	35	5,100	2024	53	2,346
			Average (1979-2024)	38	4,542
			Average (2015-2024)	50	5,172

Hydrologic Budget Summary

Using the range for confined aquifers for use by management and development programs from Hedges and others (1985) results in an average annual recharge rate to the Upper Vermillion Missouri: North aquifer ranging from 476 to 1,905 acre-feet per year. There is likely additional recharge (such as from the overlying Parker Centerville aquifer) that occurs to the aquifer that would not be accounted for by Hedges and others (1985) confined aquifer range. Observation well data shows that the generalized recharge rate range estimated Hedges and others (1985) is likely much lower than the actual average annual recharge rate to the Upper Vermillion Missouri: North aquifer (Water Rights, 2026b).

The average annual estimated withdrawal rate from the Upper Vermillion Missouri: North aquifer [the non-irrigation appropriations (779 acre-feet/year); the average annual withdrawal rate for irrigation appropriations from 2015 to 2024 (5,172 acre-feet/year); recently approved permits (279 acre-feet/year); this application, if approved (133 acre-feet/year)] is approximately 6,363 acre-feet per year, also shown on Table 4 (Water Rights, 2026a). Table 4 suggests estimated annual withdrawals from the aquifer exceed the average annual recharge. However, while the hydrologic budget suggests there is not a reasonable probability unappropriated water

is available, physical measurements of water levels in observation wells show discharge does not exceed recharge. Consequently, there is a reasonable probability that unappropriated water is available.

Table 4. List of water rights/permits estimated withdrawals, recently approved permits, this application (if approved), and confined recharge of the Upper Vermillion Missouri: North aquifer (Water Rights, 2026a)

	Estimated Withdrawal from the Upper Vermillion Missouri: North Aquifer (ac-ft/yr)
Non-Irrigation Withdrawals	779
Irrigation Withdrawals (2015-2024)	5,172
Recent Permits (2023)	279
This Application	133
Total Withdrawal	6,363
Confined Recharge (Hedges and others;1985)	'476'-'1905'
Estimated Recharge	'476'-'1905'

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 7 and summarized in Table 5. The closest water right/permit to the proposed diversion point for this application, not held by the applicant, is Water Permit No. 8809-3 which is held by Darbi D. Bossman Limited Partnership. The diversion point for Water Permit No. 8809-3 is located approximately 0.6 miles northwest of the proposed 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 Upper Vermillion Missouri: North aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.4 miles northeast 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 Upper Vermillion Missouri: North aquifer near the diversion point that are not on file with the DANR-Water Rights Program.

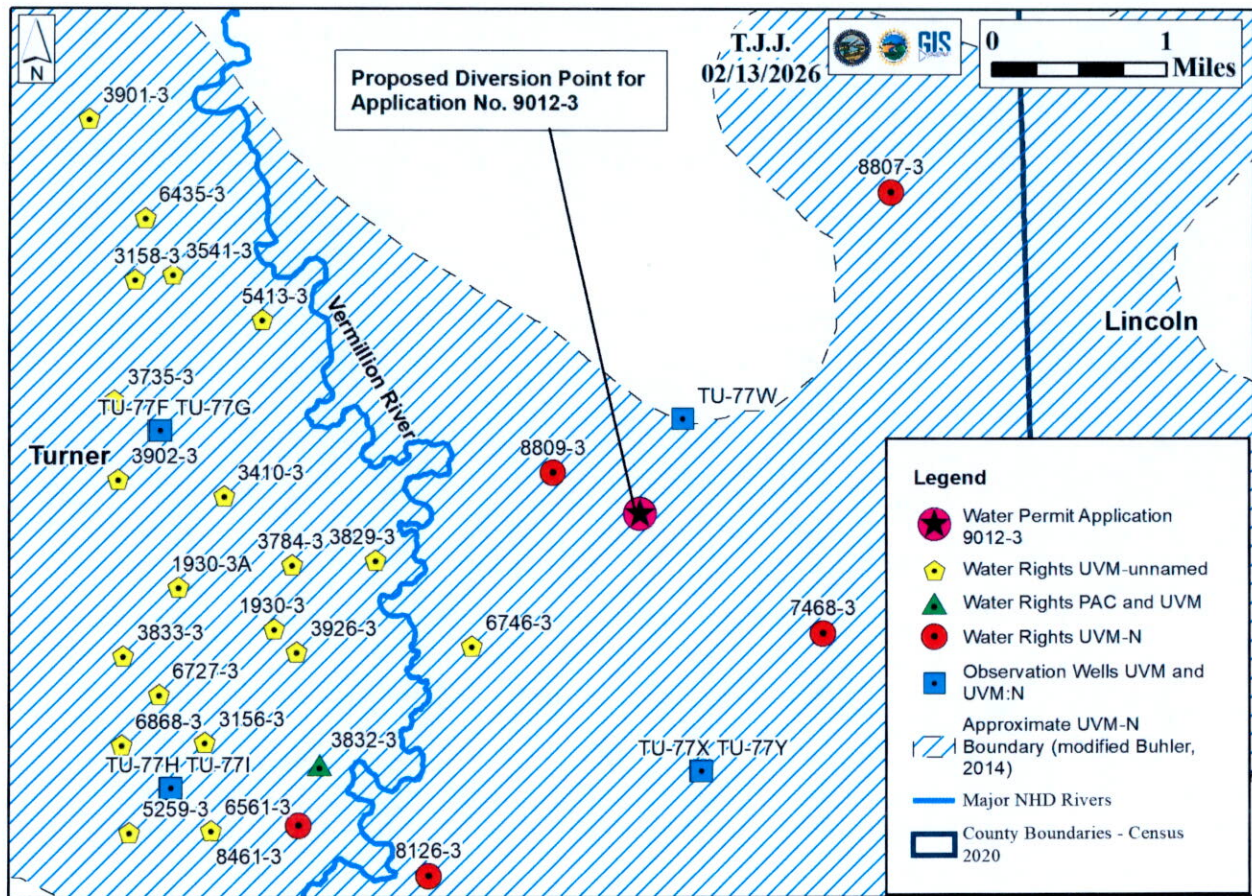


Figure 7. Map of the proposed diversion point for Water Permit Application No. 9012-3, nearby Upper Vermillion Missouri: North aquifer water rights/permits, and observation wells (Water Rights, 2026b and 2026c).

Table 5. List of water rights/permits shown in Figure 7 (Water Rights, 2026c).

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
1930-3	Mary G. Madsen	03/23/1972	License	Irrigation	2.00	132
1930A-3	Larohn Hagen	03/23/1972	License	Irrigation	1.56	132
3156-3	Glennis M. Tellinghuisen	09/03/1976	License	Irrigation	1.88	132
3158-3	Sheryl Fast	10/08/1976	License	Irrigation	0.50	35
3410-3	Horner Family LTD Partnership	12/09/1976	License	Irrigation	1.60	112
3541-3	Pine Knoll Mobile Home Park	02/01/1977	License	Irrigation	3.00	228
3735-3	Happy Acres LLC	02/11/1977	License	Irrigation	1.88	132
3784-3	Larohn Hagen	03/09/1977	License	Irrigation	1.88	132
3829-3	Gary R. Knock	03/10/1977	License	Irrigation	1.29	90
3832-3	Smit Family Farm	03/10/1977	License	Irrigation	2.78	191
3833-3	Larohn & Dianne Hagen	03/10/1977	License	Irrigation	1.83	128
3901-3	Roger R. Ihnen	11/29/1977	License	Irrigation	4.23	311
3902-3	Roger R. Ihnen	11/07/1977	License	Irrigation	2.00	156
3926-3	Smit Family Farm	04/12/1977	License	Irrigation	1.88	132
5259-3	Gary R. Knock	12/16/1988	License	Irrigation	1.88	132
5413-3	Darlene Schriever	01/12/1990	License	Irrigation	1.40	134
6435-3	South Lincoln RWS	03/14/2002	License	Rural Water System	2.45	0
6561-3	Smit Family Farm	01/07/2005	Permit	Irrigation	1.89	136
6727-3	South Lincoln RWS	05/25/2006	License	Rural Water System	1.95	0
6746-3	Jarrod Hagen	08/03/2006	License	Irrigation	2.23	158
6868-3	Joe Hummel	07/02/2007	License	Irrigation	3.56	204
7468-3	Cleland Hagen Trust	10/18/2012	License	Irrigation	1.78	132
8126-3	Smit Family Farm	02/11/2015	License	Irrigation	3.78	198
8461-3	Jerome Hult	12/02/2020	License	Irrigation	1.78	136
8807-3	Daric D. Bossman Limited Partnership	10/26/2023	Permit	Irrigation	1.78	176
8809-3	Darbi D. Bossman Limited Partnership	10/30/2023	Permit	Irrigation	1.78	160

The Upper Vermillion Missouri: North aquifer is under confined conditions at the 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 Upper Vermillion Missouri: North aquifer at their location. The SD DANR complaints database has no complaints on file about the Upper Vermillion Missouri: North aquifer in Turner 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.

CONCLUSIONS:

1. Water Permit Application No. 9012-3 proposes to appropriate 1.78 cfs from one well to be completed into the Upper Vermillion Missouri: North aquifer (210 feet deep) located in the approximate center of the E $\frac{1}{2}$ Section 22 for the irrigation of 160 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; all in T98N-R52W. The site of interest is located approximately six miles east-northeast of Hurley, SD in Turner County.
2. Based on observation well data, there is a reasonable probability that unappropriated water is available from the Upper Vermillion Missouri: North aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the diversion by Water Permit Application No. 9012-3 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.



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

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**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.**

March 11, 2026

Roger Sieck
728 Appaloosa Lane
Spearfish SD 57783

Dear Mr. Sieck:

Water Permit Application No. 9012-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the New Era printed at Parker (Ph # 605 297-4419) and the Argus Leader printed at Sioux Falls (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. 9012-3 to Appropriate Water

Notice is given that Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: North Aquifer (approximately 210 feet deep) located in the approximate center of the E 1/2 Section 22 for irrigation of 160 acres located in the S 1/2 NE 1/4, N 1/2 SE 1/4 Section 22; all in T98N-R52W. This site is located approximately six miles east northeast of Hurley SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9012-3 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 Amanda Dewell 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 March 30, 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 March 30, 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: New Century Press <newera@ncppub.com>
Sent: Wednesday, March 11, 2026 10:46 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] 9012-3 Roger Sieck - Public Notice

Hi, received and set to run 03.19 in the New Era. I will send affidavit and invoice promptly after publication.

Amber Miller, Office Assistant
newera@ncppub.com

On Mar 10, 2026, at 11:46 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Attached is a notice to be published on March 19, 2026.

Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, 402-670-1781 has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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

<9012-3 public.short_final.docx><FORM8.FRM.doc>

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Wednesday, March 11, 2026 1:33 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 12164069 9012-3 Roger Sieck - Public Notice
Attachments: 12164069.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on March 19. The order cost is \$61.30 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 Tuesday with any changes.

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

Our invoicing is done on a monthly basis.

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

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

Thank you!

Brittany Grady
Public Notice Representative

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From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, March 10, 2026 11:50 AM
To: SFA-Legals mbx <allegals@appleton.gannett.com>
Subject: 12164069 9012-3 Roger Sieck - Public Notice

Attached is a notice to be published on March 19, 2026.

Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, 402-670-1781 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: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Wednesday, March 11, 2026 1:33 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 12164069 9012-3 Roger Sieck - Public Notice
Attachments: 12164069.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on March 19. The order cost is \$61.30 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 Tuesday with any changes.

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

Our invoicing is done on a monthly basis.

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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.

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From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, March 10, 2026 11:50 AM
To: SFA-Legals mbx <allegals@appleton.gannett.com>
Subject: 12164069 9012-3 Roger Sieck - Public Notice

Attached is a notice to be published on March 19, 2026.

Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, 402-670-1781 has been notified to contact you to authorize publication and arrange for payment.



Order Confirmation

Not an Invoice

Account Number:	1588679
Customer Name:	Roger Sieck
Customer Address:	Roger Sieck 728 Appaloosa LN Spearfish SD 57783-9404
Contact Name:	Roger Sieck
Contact Phone:	
Contact Email:	rachel.rodriguez@state.sd.us
PO Number:	

Date:	03/11/2026
Order Number:	12164069
Prepayment Amount:	\$ 0.00

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

Print

Product	#Insertions	Start - End	Category
SFA Sioux Falls Argus Leader	1	03/19/2026 - 03/19/2026	Public Notices
SFA argusleader.com	1	03/19/2026 - 03/19/2026	Public Notices

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

Total Cash Order Confirmation Amount Due	\$61.30
Tax Amount	\$0.00
Service Fee 3.99%	\$2.45
Cash/Check/ACH Discount	-\$2.45
Payment Amount by Cash/Check/ACH	\$61.30
Payment Amount by Credit Card	\$63.75

Order Confirmation Amount	\$61.30
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USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Roger Sieck
Roger Sieck
728 Appaloosa LN
Spearfish SD 57783-9404

RECEIVED
MAR 25 2026
Water Rights
Program

STATE OF WISCONSIN, COUNTY OF BROWN

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

03/19/2026

and that the fees charged are legal.
Sworn to and subscribed before on 03/19/2026

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$61.30	
Tax Amount:	\$0.00	
Payment Cost:	\$61.30	
Order No:	12164069	# of Copies:
Customer No:	1588679	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

**NOTICE OF APPLICATION
NO. 9012-3 to
Appropriate Water**

Notice is given that Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: North Aquifer (approximately 210 feet deep) located in the approximate center of the E 1/2 Section 22 for irrigation of 160 acres located in the S 1/2 NE 1/4, N 1/2 SE 1/4 Section 22; all in T98N-R52W. This site is located approximately six miles east northeast of Hurley SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9012-3 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 Amanda Dewell 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-

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MAR 25 2026

**Water Rights
Program**

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 March 30, 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 March 30, 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 \$61.30 and may be viewed free of charge at www.sdpublicnotices.com.

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MAR 25 2026

Water Rights
Program

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

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MAR 25 2026

Water Rights
Program

I, Amber Miller of New Century Press, publisher of The New Era, which is a weekly newspaper of general circulation, Printed and published in the City of Parker, in said County of Turner., and has been such legal newspaper during the times here in after mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice here unto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Office Assistant of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

N0319-10 Notice of Application

Once printed copy of hereto attached, is printed and published in the said newspaper for one week, to wit:

On Thursday, the 19th day of March, 2026

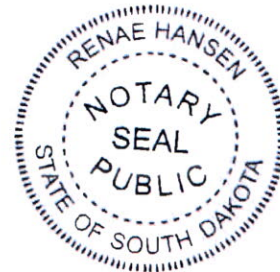
That \$45.61 being the full amount of the fees for publication of the attached notices insure solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid To any other person whomsoever.

Amber D. Miller

Subscribed and sworn to before me this 25th day of March, 2026

Renae Hansen

Notary Public, State of South Dakota
My Commission Expires June 6, 2031



Publication Fee...\$45.61
Notary Fee...\$
Total \$45.61

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MAR 25 2026

Water Rights
Program

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS

I, Amber D. Miller

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

printed and published in Parker

County of Turner and

state of South Dakota. The notice was published

in the newspaper on the following date:

March 19, 2026

Cost of Printing 45.61

Amber D. Miller
(Signature)

office assistant
(Title)

03-25-26
(Date Signed)

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MAR 25 2026

Water Rights
Program

**NOTICE OF APPLICATION NO.
9012-3 to Appropriate Water**

Notice is given that Roger Sieck, 728 Appaloosa Lane, Spearfish SD 57783, has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be completed into the Upper Vermillion Missouri: North Aquifer (approximately 210 feet deep) located in the approximate center of the E 1/2 Section 22 for irrigation of 160 acres located in the S 1/2 NE 1/4, N 1/2 SE 1/4 Section 22; all in T98N-R52W. This site is located approximately six miles east northeast of Hurley SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9012-3 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 Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

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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 March 30, 2026.

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

Published once at the total approximate cost of \$45.61 and may be viewed free of charge at www.sdpublicnotices.com.

(N0319-10)



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 15, 2026

Roger Sieck
728 Appaloosa Lane
Spearfish SD 57783

Dear Mr. Sieck:

Enclosed is Water Permit No. 9012-3 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.: 9012-3

Name of Applicant: Roger Sieck

Date of Posting: 3/16/2026

Date of Removal: 5/15/2026

Amanda Dewell, Permitting Administrator

5/15/2026

Date

Subscribed and sworn to before me, a notary public, this 15th day of May, 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

July 1, 2026

9012-3

Roger Sieck
728 Appaloosa Lane
Spearfish, SD 57783

Dear Mr. Sieck:

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

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JUL 01 2026

OFFICE OF
WATER**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date June 24, 2026

TO: Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Roger Sieck

(name)

728 Appaloosa Lane

(address)

Stearfish, SD 57783

(city, state, zip)

402-670-1781

(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. 9012-3 states that the water use system is to be constructed by

MARCH 30, 2031
(date)

, and water is to be put to beneficial use by MARCH 30, 2035
(date)

The water use system was completed on June 23, 2026
(date)

Applying the water to beneficial use was completed on June 24, 2026
(date)

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

Roger Sieck
(signature)



9012-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>SW</u> $\frac{1}{4}$ <u>NE</u> $\frac{1}{4}$ Sec <u>22</u> Twp <u>98N</u> Rg <u>52W</u>				Well Owner: <u>ROGER SIECK</u>																																				
County <u>TURNER</u>				Business Name: _____																																				
GPS Coordinates Lat: <u>43.293613</u> Lon: <u>-96.968367</u>				Address: <u>728 APPALOOSA LANE</u> City, State, Zip: <u>SPEARFISH, SD 57783</u>																																				
Please mark well location with an "X" on section grid				WELL LOG:																																				
Well Completion Date <u>5/12/2026</u>				<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">FORMATION</th> <th colspan="2">DEPTH</th> </tr> <tr> <th>FROM</th> <th>TO</th> </tr> </thead> <tbody> <tr><td>TOP SOIL</td><td>0.0</td><td>2.0</td></tr> <tr><td>GRAY CLAY</td><td>2.0</td><td>63.0</td></tr> <tr><td>SAND</td><td>63.0</td><td>65.0</td></tr> <tr><td>GRAY CLAY</td><td>65.0</td><td>83.0</td></tr> <tr><td>SAND & FINE GRAVEL</td><td>83.0</td><td>87.0</td></tr> <tr><td>GRAY CLAY</td><td>87.0</td><td>140.0</td></tr> <tr><td>FINE SAND - SILTY</td><td>140.0</td><td>160.0</td></tr> <tr><td>COARSE SAND</td><td>160.0</td><td>193.0</td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		FORMATION	DEPTH		FROM	TO	TOP SOIL	0.0	2.0	GRAY CLAY	2.0	63.0	SAND	63.0	65.0	GRAY CLAY	65.0	83.0	SAND & FINE GRAVEL	83.0	87.0	GRAY CLAY	87.0	140.0	FINE SAND - SILTY	140.0	160.0	COARSE SAND	160.0	193.0						
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COARSE SAND	160.0	193.0																																						
Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) ? _____ ft. from _____ (identify source)				STATIC WATER LEVEL <u>36.0</u> 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? _____																																				
PROPOSED USE: ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Monitoring Well ☒ Irrigation ☐ Industrial ☐ Institutional ☐ Test Hole ☐ Dewatering Well ☐ Geothermal ☐ Other _____				RECEIVED JUN 23 2026 OFFICE OF WATER																																				
METHOD OF DRILLING: ROTARY				WELL TEST DATA: ☒ Pumped Describe: ☐ Bailed ☐ Air ☐ Other Pumping Level Below Land Surface <u>78.0</u> Ft. After <u>2.0</u> Hrs. pumped <u>900.0</u> GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM																																				
CASING DATA: ☐ Steel ☒ Plastic ☐ Other If other describe _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>PIPEWEIGHT</th> <th>DIAMETER</th> <th>FROM</th> <th>TO</th> <th>HOLE DIAMETER</th> </tr> </thead> <tbody> <tr> <td>SDR26 LB/FT</td> <td>16 IN</td> <td>0 FT</td> <td>163 FT</td> <td>22 IN</td> </tr> <tr> <td>LB/FT</td> <td>IN</td> <td>FT</td> <td>FT</td> <td>IN</td> </tr> <tr> <td>LB/FT</td> <td>IN</td> <td>FT</td> <td>FT</td> <td>IN</td> </tr> </tbody> </table>				PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER	SDR26 LB/FT	16 IN	0 FT	163 FT	22 IN	LB/FT	IN	FT	FT	IN	LB/FT	IN	FT	FT	IN	SCREEN: ☐ Perforated pipe ☒ Manufactured Diameter <u>16</u> Inches Length <u>30.0</u> Feet Material <u>PVC</u> Slot Size <u>.04</u> Set From <u>163.0</u> Feet to <u>193.0</u> Feet Other information _____																
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SDR26 LB/FT	16 IN	0 FT	163 FT	22 IN																																				
LB/FT	IN	FT	FT	IN																																				
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GROUTING DATA: Grout Type No. of Sacks Grout Weight From To GroutWellIDF 50 Lb/gal 0.0 Ft 145.0 Ft _____ Lb/gal _____ Ft _____ Ft Describe grouting procedure <u>TREMIE</u>				REMARKS ELEVATION: 1277																																				
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No If so, what material? _____ Describe packer(s) and location _____				This well was drilled under license # <u>810</u> And this report is true and accurate. Drilling firm: <u>4 Boys TT, LLC dba Heine Electric & Irrigation</u> Signature of License Representative: _____ Signature of Well Owner or Equitable Property Holder: _____																																				
DISINFECTION: Was well disinfected upon completion? ☒ Yes, How? <u>HTH TABLETS</u> ☐ No, Why Not? _____ Lab sample sent to for water quality analysis _____				Date: <u>6/23/26</u>																																				

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