

WATER PERMIT NO. 9019-3

Name of Applicant: **Jim or Dan Thyen**

Address: **46220 165th Street, Watertown SD 57201**

Phone: **605-520-8159**

Amount of Water Claimed: **No Add'l**

Total Acres: **25**

Source of Water Supply: **Groundwater**Water to be used for: Irrigation

County: **Codington**

Type of Waste Disposal System:

Location: **Approx. 16 miles northeast of Watertown**

PRIORITY Date Received: 12-31-25

Application/License Fee: **\$700.00**

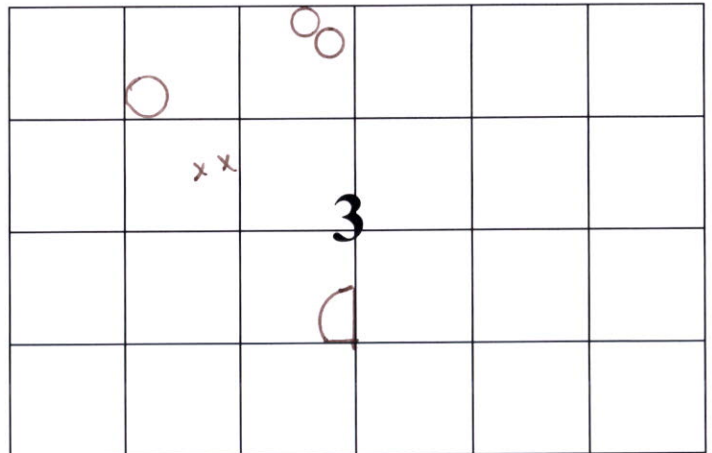
Corrected Application Received: **01-20-26**

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

Remarks: Using the existing 2 wells authorized by WR 7975-3, with no increase of water

Diversion Point: **SW 1/4 NW 1/4 Sec 3-T119N-**
R51W

Land to be Irrigated: NW 1/4 NW 1/4, NE 1/4 NW 1/4, NE 1/4 SW 1/4 Sec 3; all in T119N-R51W

Depth of Well: 52-54

Well Driller: **Thein Well Drilling**

Remarks:

Type of Map: **aerial**Reviewed and the Number Assigned on: **01-20-26**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 9019-3**

Date of first receipt of application December 31, 2025.

Date of return to applicant for corrections, amendments or changes January 14, 2026.

Date of receipt of corrected application January 20, 2026.

The Water Management Board approved Water Permit No. 9019-3 on July 8, 2026 for Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, 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. 9019-3 authorizes irrigation of an additional 25 acres, from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cubic feet of water per second (cfs) from two wells completed into the Antelope Valley Aquifer (52 – 54 feet deep) located in the SW 1/4 NW 1/4 Section 3 for irrigation of 117 acres located in the NW 1/4, NE 1/4 SW 1/4 Section 3; all in T119N-R51W. The Permit authorizes irrigation of an additional 25 acres located in the N 1/2 NW 1/4, NE 1/4 SW 1/4 Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This Permit and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for the irrigation of 142 acres. This site is located approximately two and one-half miles north of South Shore 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 December 31, 2025.
4. One-fifth of the construction is to be completed on or before January 8, 2029.
5. All construction is to be completed on or before July 8, 2031.
6. Water is to be put to beneficial use on or before July 8, 2035.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit and Water Right No. 7975-3 are located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Any future additional or replacement wells 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
Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUL 27 2026

date



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JAN 02 2026

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

OFFICE OF
WATER

PAID

DEC 31 2025

Ck# 4731

Rec't#

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>9019-3</u> Hydrologic Unit <u>0702 0001</u> Basin <u>Upper Minnesota</u> Newspaper <u>Watertown Current</u> <u>Watertown Public Opinion</u> (office use only)
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Application for Permit to Appropriate Water for Irrigation

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

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

- Name to Appear on Irrigation Permit Jim or Dan Thyeen
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.
Mailing Address 46220 165 ST Water Town SD 57201
(Address) (City) (State) (Zip Code)
Phone 605 520 8159 Mobile 605 520 8159 Email JThyeen@itc tel. com
- Amount of water claimed 0 *CFS or 0 **GPM 750 ***AF Total Acreage 22.525
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply 2 wells - Antelope Valley Aq
- Location of point of diversion both - SW 1/4 NW 14 Sec 3, T119N, R51W
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
County Codington
- County or counties where water will be used Codington
- Annual period during which water is to be used May 1 - Sept 30
- 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
<u>03 - T119N R51W - NE 1/4 - SW 1/4</u>	<u>10</u>		
<u>03 T119N R51W NE 1/4 NW 1/4</u>	<u>8</u>		
<u>03 T119N R51W NW 1/4 NW 1/4</u>	<u>4.5</u>		

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

adding a cornering system to irrigation already authorized under WR No. 7975-3

add a small Pivot to 10 acres SE corner and
Volume can for other corners for extra dry periods
using Sand trap on pivot PTR into booster pump

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

- a) If new wells, how many _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)
- b) If existing wells, how many 2 Provide copy of log(s), if available. Drilled by Thein Well Drilling
(see 7975-3)

For either existing or proposed wells:

- c) Well Depth (required) 55' 52-54 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____
- d) Distance to nearest domestic well on applicant's property 7 Property owned by others 1970

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

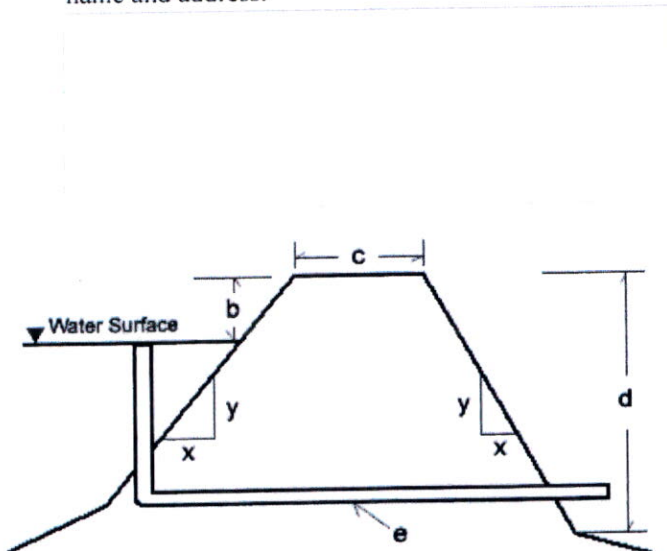
3. Dugout Information

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

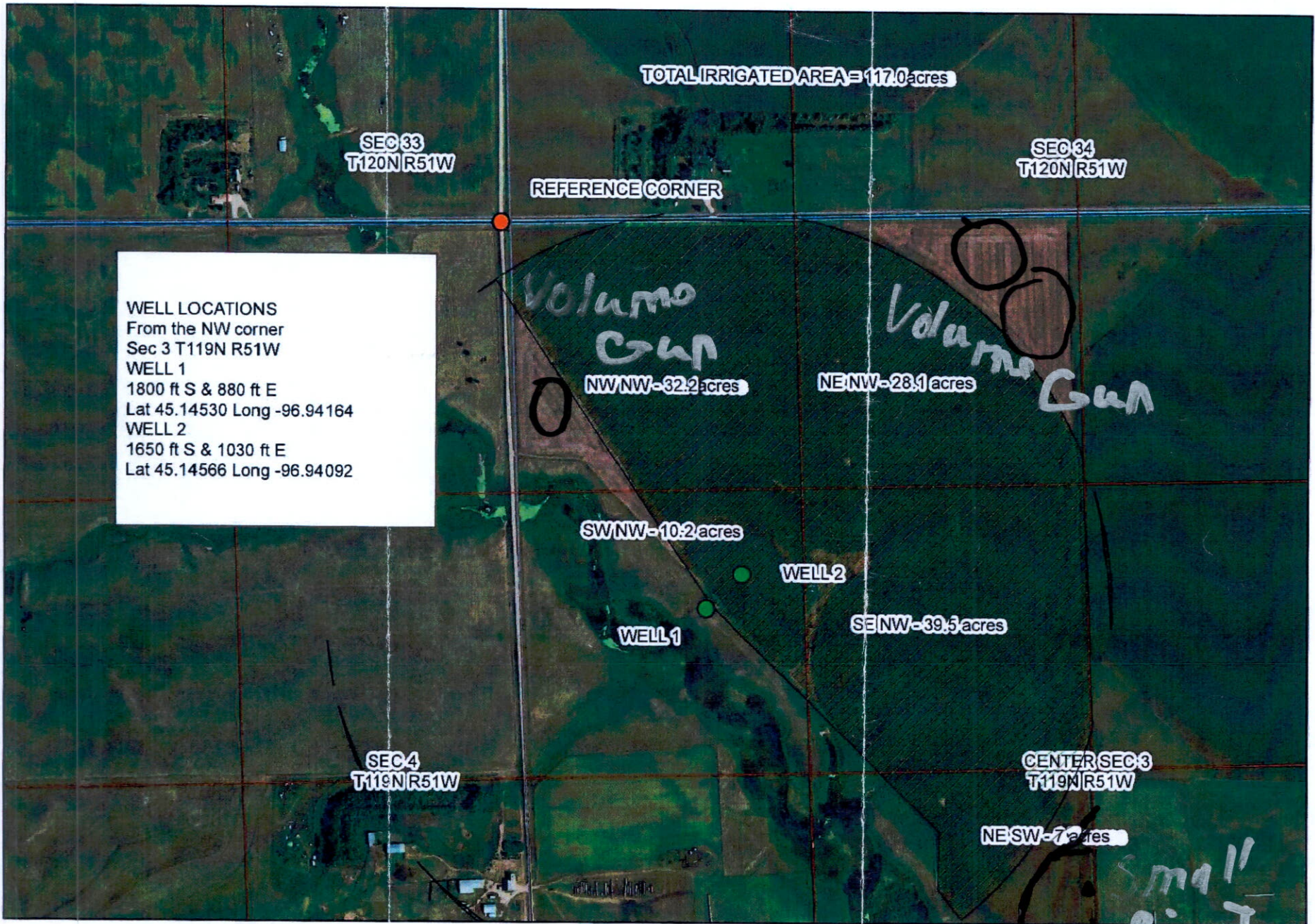
4. Water Storage Dams

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:



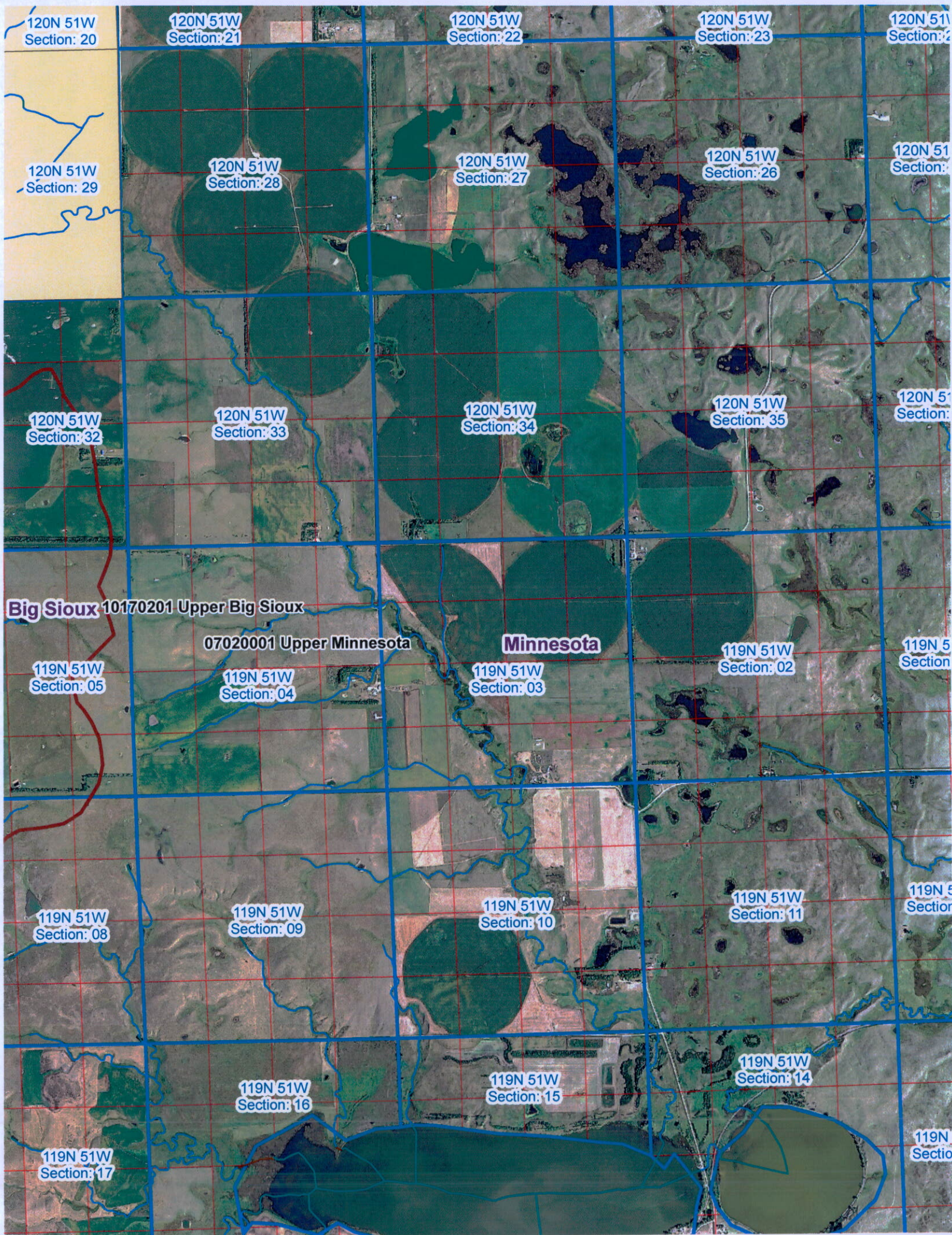
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



0 0.075 0.15 0.3 0.45 0.6 Miles



Darrell DeBoer
 Water Right Inspector
 DANR-Water Rights Program



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Douglas & Sandra Brandriet
1704 7th Ave NE
Watertown, SD 57201
Lots 1-2 & S1/2 NE1/4 4-T119-N R-51-W

Michael & Linda Henrichs Heritage Land Trust
15465 463rd Ave
South Shore, SD 57263
SE 1/4 4-T119-N R-51-W
W 1/2 SW 1/4 3-T119-N R-51-W

Grant Roberts Rural Water System
1205 S Dakota Street
Milbank, SD 57252
N1/2 Less RD & Less Strip in E1/2 NE1/4 & Less S490' E771' 10-T119N R-51-W

Joseph R. Arthur & John E. Arthur
46409 154th Street
South Shore, SD 57263
SE 1/4 Less RD & Less Strip in E 1/2 SE 1/4 3-T119-N R-51-W

Arthur Family Land LLLP
42879 175th Street
Clark, SD 57225
NE 1/4 Less Strip in E 1/2 NE 1/4 3-T119-N R-51-W
34-T120-N R-51-W
35-T120-N R-51-W

Stephen V & Jacqueline E Kowalski
46312 154th Street
South Shore, SD 57263
That portion commence at a point on S of Sec 34, which is 550' E of SW corner

James Zirbel
PO Box 85
South Shore, SD 57263
SE 1/4 Ex Lot 1 Zirbel Subdiv
33-T120-N R-51-W

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date December 31, 2025

RECEIVED OF Thyen Farms/Jim or Dan Thyen 46220 165 St Watertown SD 57201

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>500.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ <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>700.00</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. 9019-3, Jim or Dan Thyen**

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. 9019-3, Jim or Dan Thyen, 46220 165th Street, Waterdown SD 57201.

The Acting Chief Engineer is recommending DEFERRAL of Application No. 9019-3 pending Water Management Board action on a previously filed application by the City of Milbank (Application No. 8990-3) to reserve water from the Antelope Valley Aquifer. The Board's decision on Application No. 8990-3 will impact the amount of water available for appropriation from the aquifer. Consequently, Application No. 9019-3 should be deferred until the status of water availability from the Antelope Valley Aquifer is known based on the Board's decision. At the time of hearing of this application by the Board, the Acting Chief Engineer's deferral recommendation may be revised to either APPROVAL or DENIAL depending on the Board's decision on previously filed Application No. 8990-3.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
March 24, 2026

Report to the Chief Engineer

On Water Permit Application No. 9019-3

Jim or Dan Thyen

March 20th, 2026

Water Permit Application No. 9019-3 proposes to irrigate an additional 25 acres from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cubic feet of water per second (cfs) from two wells completed into the Antelope Valley aquifer (52 and 54 feet deep) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 for the irrigation of 117 acres located in the NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3; all in T119N-R51W. This application proposes to irrigate an additional 25 acres located in the N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This application, if approved, and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for irrigation of 142 acres. The site of interest is located approximately two and one-half miles north of South Shore, SD in Codington County.

AQUIFER: Antelope Valley (AV)

HYDROGEOLOGY:

The Antelope Valley aquifer is a glacial outwash aquifer that is composed of very coarse sand to coarse gravel (Hansen, 1990 and 1994). Hedges and others (1982) estimated the areal extent of 28,700 acres and amount of recoverable water stored of 64,580 acre-feet in the Antelope Valley aquifer. Using aquifer materials maps (Jensen 2001, 2003, & 2004), county studies released after the Hedges and others (1982) study (Biessel & Gilbertson, 1987; Hansen, 1990), sand and gravel resource studies (Schulz, 1991; Jarrett, 1986), lithologic logs (Water Rights, 2026f), observation wells (Water Rights, 2026b), and well completion report data (Water Rights, 2026d), Water Rights Staff delineated a updated area for the Antelope Valley aquifer (Figure 1; Drennon, 2026), of approximately 35,000 acres. The Antelope Valley aquifer is located in the axis of the drainage divide between the Big Sioux and Minnesota Rivers and is hydrologically connected to numerous small lakes and sloughs that overlie or are directly adjacent to the aquifer (Hansen, 1990). The aquifer is generally under unconfined conditions; however, there are locations where the aquifer is buried under up to 50 feet of till where it is generally under confined conditions (Hansen, 1990). In Grant and Codington Counties, the depth to the top of aquifer materials ranges from land surface to 57 feet below grade (Hansen, 1990). The average thickness of Antelope Valley aquifer materials is 34 feet with a documented maximum thickness of 52 feet (Hansen, 1990).

Water Right No. 7975-3 has water well completion reports on file for the existing diversion points this application intends to use. The wells were completed into the Antelope Valley aquifer on April 14th, 2015, and May 20th, 2015 (Water Rights, 2026b). The reported depth to the top of aquifer material is approximately 2 feet below the ground surface, static water level is approximately 10 feet below the ground surface, and a saturated aquifer thickness of approximately 44 to 45 feet (SDGS, 2026; Water Rights, 2026b). Based on this and other nearby

water well completion reports, the Antelope Valley aquifer is unconfined at the diversion points (SDGS, 2026; Water Rights, 2026b and 2026d).

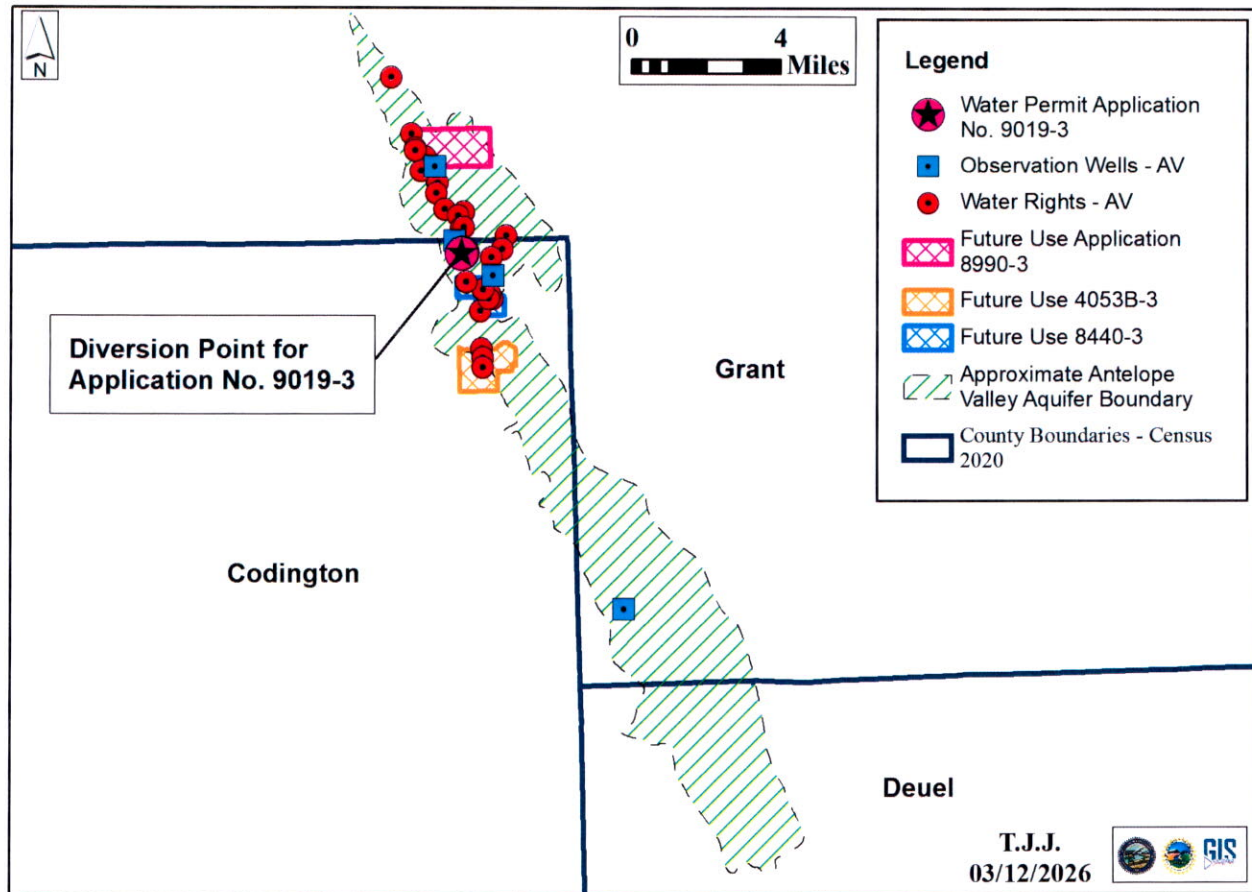


Figure 1. Map of the approximate Antelope Valley aquifer boundary (Drennon, 2026), the location of existing diversion points for Water Permit Application No. 9019-3, Antelope Valley aquifer observation wells, and Antelope Valley aquifer water rights (Water Rights, 2026b and 2026c).

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 Antelope Valley aquifer.

WATER AVAILABILITY:

Water Permit Application No. 9019-3 proposes to appropriate water from the Antelope Valley 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 Antelope Valley aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010), 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 Antelope Valley aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Antelope Valley aquifer is primarily through direct infiltration and subsequent percolation of rainfall and snowmelt where the aquifer is near or at land surface (Hansen, 1990). Additional recharge to the aquifer can occur in hydraulically connected lakes and sloughs, including Punished Woman, Round and Crooked Lakes (Hansen, 1990; Water Rights, 2026d). Using observation well analysis, Hedges and others (1985) estimated a recharge rate of 2.3 inches per year to the Antelope Valley aquifer. The Antelope Valley aquifer has an estimated areal extent of approximately 35,000 acres (Drennon, 2026); therefore, the estimated average annual recharge rate (based on Hedges and others, 1985; Drennon, 2026) is approximately 6,700 acre-feet per year.

The observation well analysis method used by Hedges and others (1985) assumed a rise in water level in the aquifer as the only product of recharge to the aquifer. A rise in water level in the aquifer is the result of recharge to the aquifer exceeding discharge from the aquifer, indicating the observation well analysis method may be conservative when estimating a recharge rate because it does not necessarily account for recharge that occurs when discharge from the aquifer exceeds recharge.

Discharge

Discharge from the Antelope Valley aquifer is through well withdrawals and evapotranspiration where the aquifer is near or at land surface. Additional discharge from the aquifer is through outflow to hydraulically connected lakes and sloughs, including Punished Woman, Round and Crooked Lakes (Hansen, 1990; Water Rights, 2026d).

Currently, there are 16 water rights/permits authorized to appropriate water from Antelope Valley aquifer (Water Rights, 2026c). Additionally, there are three future use permits (Nos. 4053-3 and 4053B-3 for the Town of South Shore, and 8440-3 for Grant-Robert RWS) reserving a combined 959 acre-feet of water annually from the Antelope Valley aquifer (Water Rights, 2026c). Additionally, there are two other applications, Application Nos. 8990-3 & 9022-3. Water

Permit Application No. 8990-3 proposes to reserve 1,120 acre-feet per year for future use by the City of Milbank. It should be noted that Application No. 8990-3 is currently contested and a hearing before the Water Management Board will be needed to determine approval or denial of that future use application. The outcome of that hearing may affect the determination of availability of unappropriated water.

Table 1 summarizes the three non-irrigation water rights/permits authorized to appropriate water from the Antelope Valley aquifer with the estimated annual use for each water right/permit as determined by their permitted maximum diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer and is likely an overestimation of average annual withdrawals (Water Rights, 2026c). Overall, the estimated average annual withdrawal rate for the Antelope Valley aquifer non-irrigation water rights/permits is approximately 1,351 acre-feet per year (Table 1) (Water Rights, 2026c).

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

Permit No.	Name	Uses	Status	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
4053A-3	Town of South Shore	MUN	License	0.58	N/A	252
5520-3	Town of South Shore	MUN	License	0.09	N/A	39
8439-3	Grant-Roberts Rural Water System	RWS	License	5.14	1,995	1,060*
					Total:	1,351

MUN Municipal, RWS Rural Water System *Reports annual non-irrigation use to the chief engineer.

Grant-Roberts Rural Water System currently holds Water Right No. 8439-3, which Water Permit No. 6654-3 and Water Permit No. 8321-3 were incorporated into, and is required to annually report the volume of water pumped from the Antelope Valley aquifer (Water Rights, 2026c). The reported historic annual use from the Grant-Roberts Rural Water System over the period of record (2003 to 2024) on file with the DANR - Water Rights Program is listed in Table 2 (Water Rights, 2026c). The Grant-Roberts Rural Water System, on average, uses less than their permitted volume each year; therefore, the assumed maximum permitted use shown in Table 1 is a higher annual withdrawal rate estimate than what is actually being withdrawn each year from the Antelope Valley aquifer from the non-irrigation water rights/permits. However, this conservative method of estimating average annual withdrawals is used because Grant-Roberts Rural Water System has shown some increase in annual pumpage over the period of record as shown in Table 2 and currently holds a future use permit for potential future growth.

Table 2. Reported historic use from the Grant-Roberts Rural Water System water rights/permits (Water Rights, 2026c).

Year (Right/Permit Nos.)	Permitted (acre-feet/year)	Reported (acre-feet/year)	Year	Permitted (acre-feet/year)	Reported (acre- feet/year)
2003 (5576-3, 5576A-3)	1,074	761	2015 (5576-3, 5576A-3, 6654-3)	1,074	1,043
2004 (5576-3, 5576A-3, 6654-3)	1,074	792	2016 (5576-3, 5576A-3, 6654-3)	1,074	967
2005 (5576-3, 5576A-3, 6654-3)	1,074	645	2017 (5576-3, 5576A-3, 6654-3)	1,074	983
2006 (5576-3, 5576A-3, 6654-3)	1,074	835	2018 (6654-3, 8321-3)	1,381	1,154
2007 (5576-3, 5576A-3, 6654-3)	1,074	875	2019 (6654-3, 8321-3)	1,381	1,183
2008 (5576-3, 5576A-3, 6654-3)	1,074	890	2020 (6654-3, 8321-3)	1,381	1,158
2009 (5576-3, 5576A-3, 6654-3)	1,074	874	2021 (6654-3, 8321-3)	1,381	1,037
2010 (5576-3, 5576A-3, 6654-3)	1,074	881	2022 (6654-3, 8321-3)	1,381	1,077
2011 (5576-3, 5576A-3, 6654-3)	1,074	844	2023 (6654-3, 8321-3)	1,381	1,022
2012 (5576-3, 5576A-3, 6654-3)	1,074	887	2024 (6654-3, 8321-3)	1,381	1,063
2013 (5576-3, 5576A-3, 6654-3)	1,074	920	Reported Average (2003-2024)		948
2014 (5576-3, 5576A-3, 6654-3)	1,074	963	Reported Average (2015-2024)		1,060

Currently, there are 12 irrigation water rights/permits authorized to appropriate water from the Antelope Valley 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 Antelope Valley aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2024) is approximately 1,118 acre-feet per year (Table 3) (Water Rights, 2026a). To reflect the current level of development for irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2015 to 2024 is approximately 1,348 acre-feet per year and will be used as the estimated average annual irrigation withdrawals for review of water availability (Table 3) (Water Rights, 2026a).

There is one recently approved irrigation water permit that has not yet reported in the 2024 irrigation questionnaire (IQ) and needs to be accounted for. Water Permit No. 8915-3 is authorized to irrigate 160 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 60-miles southwest of the Antelope Valley 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 of the following

irrigation water permit and applications. Assuming 0.83 feet of water per acre per year, the withdrawal rate for Water Permit No. 8915-3 is approximately 133 acre-feet per year. This pending application proposes to irrigate approximately 25 acres. Water Permit Application No. 9022-3 proposes to irrigate an additional 40 acres to an existing water permit. Assuming 0.83 feet of water per acre per year, the withdrawal rate for these applications, if approved, is approximately 54 acre-feet per year.

There are domestic wells completed into the Antelope Valley 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 Antelope Valley 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 Antelope Valley aquifer.

Table 3. Reported irrigation use from the Antelope Valley 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	7	73	2002	9	1,534
1980	9	435	2003	9	2,001
1981	7	513	2004	9	1,596
1982	5	61	2005	9	1,740
1983	6	543	2006	9	1,937
1984	6	136	2007	9	1,299
1985	6	49	2008	9	989
1986	6	41	2009	9	1,281
1987	6	645	2010	10	1,419
1988	7	1,827	2011	10	887
1989	7	1,427	2012	10	2,164
1990	10	1,606	2013	12	2,003
1991	12	989	2014	14	749
1992	11	650	2015	14	570
1993	11	310	2016	14	2,019
1994	10	699	2017	14	1,405
1995	10	469	2018	14	1,403
1996	8	1,029	2019	14	228
1997	8	932	2020	14	1,298
1998	9	1,136	2021	14	1,583
1999	9	1,379	2022	14	2,035
2000	9	1,608	2023	12	1,787
2001	9	1,809	2024	12	1,149
			Average (1979-2024)	10	1,118
			Average (2015-2024)	14	1,348

Hydrologic Budget Summary

The estimated average annual recharge rate to the Antelope Valley aquifer is approximately 6,700 acre-feet per year. The estimated average annual withdrawal rate from the Antelope Valley aquifer is approximately 4,965 acre-feet per year (non-irrigation: 1,351 acre-feet/year; irrigation: 1,348 acre-feet/year (2014 to 2023); Future Use Reservations: 959 acre-feet/year; Future Use Application No. 8990-3 (if approved): 1,120 acre-feet/year; Water Permit Application Nos. 9019-3 & 9022-3 (if approved, assuming application rate of 0.83 feet of water per authorized acre): 54 acre-feet/year). 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 Antelope Valley aquifer for the proposed appropriation. As previously stated, Future Use Application No. 8990-3 is currently contested and scheduled for a hearing in front of the Water Management Board. The outcome of that hearing may affect the determination of availability of unappropriated water.

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

	Hydrologic Budget for the Antelope Valley Aquifer (ac-ft/yr)
Future Use	959
Non-Irrigation Appropriation	1,351
Irrigation Appropriation (2015-2024)	1,348
Recently Approved Permits (2023-2025)	133
Current Withdrawal	3,791
Pending Future Use Application (8990-3)	1,120
Pending Application (9019-3 & 9022-3)	54
Total Withdrawal	4,965
Total Recharge	6,700

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 four observation wells completed into the Antelope Valley 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 points are GT-77G (approximately 0.4 miles northwest), CD-76G (approximately 1.0 mile southeast), and GT-76D (approximately 2.4 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.

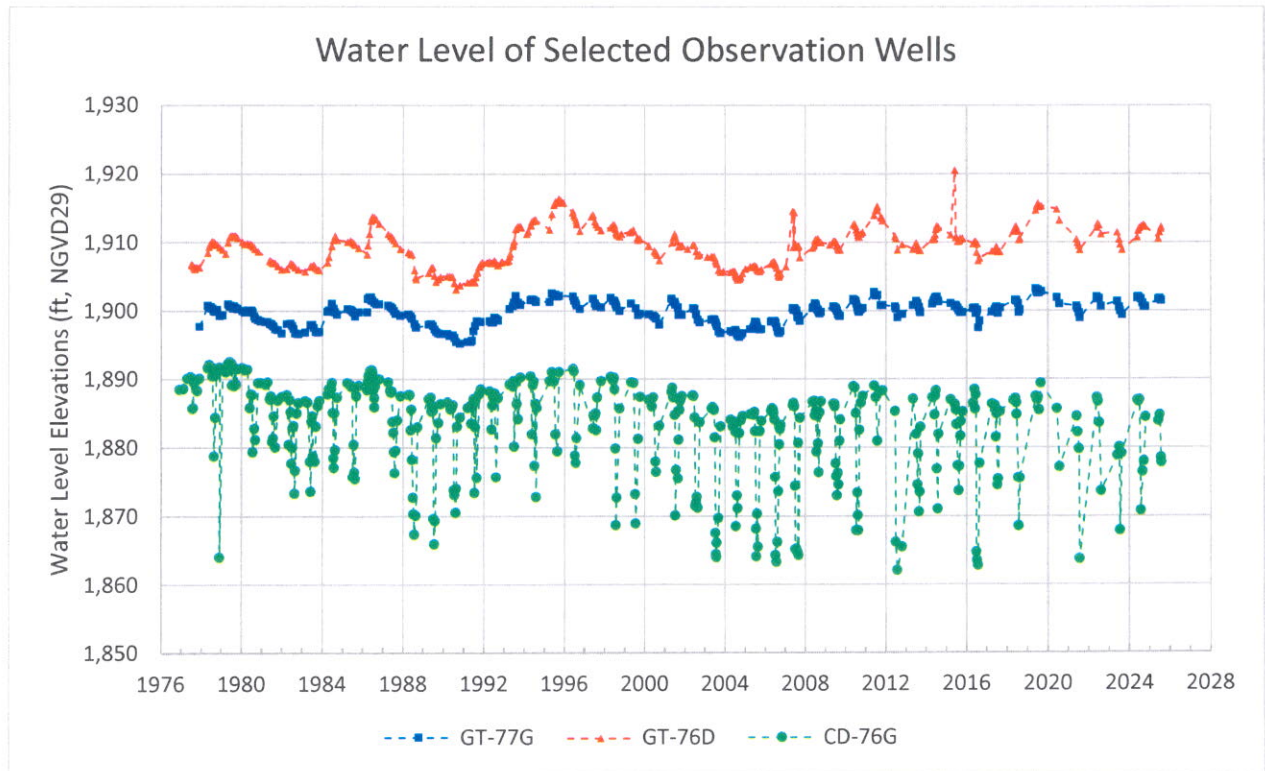


Figure 2. A hydrograph showing the elevation of water levels of observation wells GT-77G, GT-76D, and CD-76G (Water Rights, 2026b)

A majority of the observation wells in the Antelope Valley aquifer have a relatively stable trend in the water level, as seen in Figure 2. The hydrograph for CD-76G shows sudden seasonal drawdown caused by numerous nearby appropriative wells indicating this well is under confined conditions while the other observation wells are not under confined conditions. The hydrographs for the Antelope Valley 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 Antelope Valley 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.

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

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
2478-3	Joe/John Arthur	12/15/1975	License	Irrigation	1.07	75
3672-3*	Coast Properties Investors LLC	02/23/1977	License	Irrigation	1.78	132
3781-3	Joe/John Arthur	02/27/1975	License	Irrigation	3.75	264
4053B-3	Town of South Shore	10/20/1976	Future Use	Municipal	N/A	192 (acre-feet)
5173B-3	Willow Run Farms FLP	03/03/1987	License	Irrigation	1.78	136
5586-3	Willow Run Farms FLP	02/18/1975	License	Irrigation	6.00	420
7192-3	Willow Run Farms FLP	04/05/2010	License	Irrigation	1.00	49
7534-3	Joe/John Arthur	11/27/2012	License	Irrigation	7.02	555
7975-3*	Jim & Dan Thyen	02/12/2014	License	Irrigation	1.67	117
8439-3	Grant-Roberts RWS	08/24/2020	License	RWS	5.14	0
8440-3	Grant-Roberts RWS	09/15/2008	Future Use	RWS	N/A	767 (acre-feet)
8915-3	Craig Arthur	12/20/2024	Permit	Irrigation	1.67	160
*These Water Rights are intended to be incorporated into new applications (9019-3 & 9022-3); RWS: Rural Water System						

The Antelope Valley 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 Antelope Valley aquifer at their location. The South Dakota Department of Agriculture & Natural Resources complaints database has no complaints about the Antelope Valley aquifer in Codington and Grant Counties (Water Rights, 2026e). The existing wells for this application have been in use since 2014 with no history of interference. When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), history of high

capacity well development in the area without any complaints of well interference (Water Rights, 2026e), no increase in the authorized diversion rate, and the saturated aquifer thickness near the diversion points, 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. 9019-3 proposes to irrigate an additional 25 acres, from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cfs from two wells completed into the Antelope Valley aquifer (52-54 feet deep) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 for the irrigation of 117 acres located in the NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3; all in T119N-R51W. This application proposes to irrigate an additional 25 acres located in the N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This application, if approved, and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for irrigation of 142 acres. The site of interest is located approximately two and one-half miles north of South Shore, SD in Codington County.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Antelope Valley aquifer to supply the proposed appropriation.
3. The pending Water Management Board hearing regarding Future Use Application No. 8990-3, may affect the determination of water availability for this application. Thus, it is recommended to defer this application until the hearing for Application No. 8990-3 has concluded.
4. There is a reasonable probability that the proposed diversion by Water Permit Application No. 9019-3 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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Water Rights, 2026f. Lithologic Logs, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights Program - File Documentation

NAME: Jim Thyen

ADDRESS: 46220 165th Street, Watertown SD 57201

DATE: January 20, 2026

RE: Water Permit Application Questions

COMMENTS:

Jim called in response to the questions I had sent regarding his water permit application. He agreed to round up the irrigation to 25 acres. And he also stated that in the past, it was required to send in a list of neighbors in the area planned for irrigation.

Rachel Rodriguez

Rachel Rodriguez

Water Rights Program

605 773-3352

rachel.rodriguez@state.sd.us

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, January 16, 2026 10:48 AM
To: 'jpthyen@itctel.com'
Subject: RE: Water Permit Application for Irrigation

Good morning,

I am just following up on your water permit application. Please see the items below and respond at your earliest convenience.

Thank you,

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



From: Rodriguez, Rachel
Sent: Wednesday, January 14, 2026 11:55 AM
To: jpthyen@itctel.com
Subject: Water Permit Application for Irrigation

Good morning,

In looking over your water permit application, I have a few questions:

- Is 22.5 acres the maximum you plan to irrigate? Otherwise, I suggest rounding up the total acres to 25, you would not owe any additional money. That way when an inspection is done, if there are more 22.5 acres being irrigated, you will not need to submit another application.
- What is the purpose of the list, see attachment.

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, January 14, 2026 11:55 AM
To: jpthyen@itctel.com
Subject: Water Permit Application for Irrigation
Attachments: List.pdf

Good morning,

In looking over your water permit application, I have a few questions:

- Is 22.5 acres the maximum you plan to irrigate? Otherwise, I suggest rounding up the total acres to 25, you would not owe any additional money. That way when an inspection is done, if there are more 22.5 acres being irrigated, you will not need to submit another application.
- What is the purpose of the list, see attachment.

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.**

March 26, 2026

Jim or Dan Thyen
46220 165th Street
Watertown SD 57201

Dear Sirs,

Water Permit Application No. 9019-3 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 Watertown Current printed in Watertown (Ph # 605 657-1797) and the Public Opinion printed in Watertown (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, staff report, and petition form 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 (enclosed) by mail or by personal service to the Acting Chief Engineer by the date specified in the attached notice of hearing. The petition form does NOT need to be submitted if not opposing the deferral recommendation.

NOTICE OF HEARING on Application No. 9019-3 to Appropriate Water

Notice is given that Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, have filed an application for a water permit to irrigate an additional 25 acres, from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cubic feet of water per second (cfs) from two wells completed into the Antelope Valley Aquifer (52 – 54 feet deep) located in the SW 1/4 NW 1/4 Section 3 for irrigation of 117 acres located in the NW 1/4, NE 1/4 SW 1/4 Section 3; all in T119N-R51W. The application proposes to irrigate an additional 25 acres located in the N 1/2 NW 1/4, NE 1/4 SW 1/4 Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This application, if approved, and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for the irrigation of 142 acres. This site is located approximately two and one-half miles north of South Shore SD.

South Dakota Codified Law (SDCL) 46-2A-4(10) provides that “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 Acting Chief Engineer’s recommendation and no hearing may be held before the board, unless the Acting Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board.” In this case, the Acting Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends DEFERENTIAL of Application No. 9019-3 pending Water Management Board action on a previously filed application, Application No. 8990-3 to reserve water from the Antelope Valley Aquifer. The Board’s decision on Application No. 8990-3 will impact the amount of water available for appropriation from the aquifer. At the time of hearing of this application by the Board, the Acting Chief Engineer’s deferral recommendation may be revised to either APPROVAL or DENIAL depending on the Board’s decision on previously filed Application No. 8990-3. The Acting Chief Engineer’s recommendation, 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.

The Water Management Board will consider this application at 2:30 PM (Central Time) on May 6, 2026, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD. The Acting Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

Any person who intends to participate in the hearing 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 April 13, 2026.

The petition shall be in writing and 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. The hearing is an

adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The May hearing date will be automatically delayed for at least 20 days upon written request to the Acting Chief Engineer from the applicant or any person who has filed a petition to oppose the application. The request for an automatic delay must be filed by April 13, 2026. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to the applicant and all petitioners regarding the time, date, and location.

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 April 13, 2026.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 13, 2026. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at an approximate cost of_____.

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Thursday, March 26, 2026 10:03 AM
To: Rodriguez, Rachel
Cc: jpthyen@itctel.com
Subject: RE: [EXT] 12202458 9019-3 Thyen - Public Notice
Attachments: 12202458.pdf

Good Morning,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Public Opinion on April 2. The order cost is \$103.10 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on Tuesday with any changes.

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

Our invoicing is done on a monthly basis.

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

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

Thank you!

Brittany Grady
Public Notice Representative

USA TODAY CO.



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National voice. Local strength. Subscribe TODAY.

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From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, March 25, 2026 10:56 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 12202458 9019-3 Thyen - Public Notice

Attached is a notice to be published on April 2, 2026.

Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, 605-520-8159, jpthyen@itctel.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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





Order Confirmation

Not an Invoice

Account Number:	1591371
Customer Name:	Jim Thyen
Customer Address:	Jim Thyen 46220 165Th ST Waverly SD 57201-8765
Contact Name:	Jim Thyen
Contact Phone:	
Contact Email:	jpthyen@itctel.com
PO Number:	

Date:	03/26/2026
Order Number:	12202458
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	327.0000
Height in Inches:	36.0400

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	04/02/2026 - 04/02/2026	Public Notices
WAT thepublicopinion.com	1	04/02/2026 - 04/02/2026	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	\$103.10
Tax Amount	\$0.00
Service Fee 3.99%	\$4.11
Cash/Check/ACH Discount	-\$4.11
Payment Amount by Cash/Check/ACH	\$103.10
Payment Amount by Credit Card	\$107.21

Order Confirmation Amount

\$103.10

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, March 25, 2026 10:54 AM
To: legals@watertowncurrent.com
Subject: 9019-3 Thyen - Public Notice
Attachments: 9019-3 public.wmb_final.docx; FORM8.FRM.doc

Attached is a notice to be published on April 2, 2026.

Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, 605-520-8159, jpthyen@itctel.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



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AFFIDAVIT OF PUBLICATION

Water Rights Program
Rachel Rodriguez
Water Rights Program
523 E Capitol Ave
Pierre SD 57501

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STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

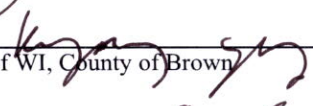
The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed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

04/02/2026

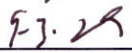
and that the fees charged are legal.
Sworn to and subscribed before on 04/02/2026



Legal Clerk



Notary, State of WI, County of Brown



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KONGMENG YANG
Notary Public
State of Wisconsin

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APR 07 2026

OFFICE OF
WATER

**NOTICE OF HEARING on
Application No. 9019-3 to
Appropriate Water**

Notice is given that Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, have filed an application for a water permit to irrigate an additional 25 acres, from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cubic feet of water per second (cfs) from two wells completed into the Antelope Valley Aquifer (52 - 54 feet deep) located in the SW 1/4 NW 1/4 Section 3 for irrigation of 117 acres located in the NW 1/4, NE 1/4 SW 1/4 Section 3; all in T119N-R51W. The application proposes to irrigate an additional 25 acres located in the N 1/2 NW 1/4, NE 1/4 SW 1/4 Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This application, if approved, and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for the irrigation of 142 acres. This site is located approximately two and one-half miles north of South Shore SD.

South Dakota Codified Law (SDCL) 46-2A-4(10) provides that "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 Acting Chief Engineer's recommendation and no hearing may be held before the board, unless the Acting Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board." In this case, the Acting Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board. Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends DEFERRAL of Application No. 9019-3 pending Water Management Board action on a previously filed application, Application No. 8990-3 to reserve water from the Antelope Valley Aquifer. The Board's decision on Application No. 8990-3 will impact the amount of water available for appropriation from the aquifer. At the time of hearing of this application by the Board, the Acting Chief Engineer's deferral recommendation may be revised to either APPROVAL or DENIAL depending on the Board's decision on previously filed Application No. 8990-3. The Acting Chief Engineer's recommendation, 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.

The Water Management Board will consider this application at 2:30 PM (Central Time) on May 6, 2026, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD. The Acting Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

Any person who intends to participate in the hearing 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 April 13, 2026.

The petition shall be in writing and 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. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

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The May hearing date will be automatically delayed for at least 20 days upon written request to the Acting Chief Engineer from the applicant or any person who has filed a petition to oppose the application. The request for an automatic delay must be filed by April 13, 2026. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to the applicant and all petitioners regarding the time, date, and location.

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 April 13, 2026.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals

requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 13, 2026. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-

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26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at the total approximate cost of \$103.10 and may be viewed free of charge at www.sdpublicnotices.com.

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Proof of Publication

This is not an invoice.

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APR 02 2026

Water Rights
Program

Jim or Dan Thyen
46220 165th Street
Watertown, SD 57201
605.520.8159

The **Watertown Current** is a weekly newspaper of general circulation, posted online, printed, and published in Watertown, Codington County, South Dakota since October 11, 2024. This is an acknowledgement that the attached/included public notice was included in the printed edition(s) of the **Watertown Current**:

April 2, 2026 – NOTICE OF HEARING on Application No. 9019-3 to
Appropriate Water (290 lines @ \$.26 each)

I, Troy McQuillen (Owner and Publisher), under oath, do swear, that I am the publisher of the **Watertown Current**, and that the **Watertown Current** is a local newspaper as described in South Dakota codified laws and maintains a paid print circulation of over 2,000 weekly.

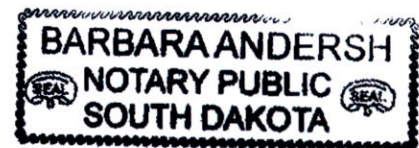
Total Cost: \$75.40

Publisher: Troy McQuillen

Notary

Sworn to and subscribed before me on **April 2, 2026**

Barbara Andersh



Notary, State of South Dakota, County of Codington

My Commission Expires: November 14, 2031

LEGALS

Continued from Page 5C

portion of the meeting; none were offered. There were no conflict-of-interest items to note. AGENDA-APPROVED Motion by Gabel, second by McElhany, to approve the agenda for March 17, 2026, as posted; all voted aye; motion carried. MINUTES APPROVED Motion by Johnson, second by Schweer, to approve the minutes of March 10, 2026; all voted aye; motion carried. MONTHLY REPORTS Highway Superintendent, Randy Falvey, updated the Board: Grangaard Construction Inc. is continuing ahead of schedule on the 14th Ave. bridge project, a good portion of the framing is in place to pour the deck, any thawing or ice movement has not been an issue so far, once again we were fortunate with the snowfall, other than our big event this past weekend we've only had to send the trucks out twice and motor graders once; we continue to crack seal as weather has permitted, in between fog, mist and fumes, we received Lynn's new pickup and have it outfitted with radios, lights and a toolbox. Steve's World is getting the plow and mount ready; talked with Rob Beynon and Aaron Wicks from the City Street Department about potentially looking at and jointly purchasing a new screening plant to screen the reclaimed material from road projects, we have looked at different options for size and price point, we discussed a need to have a MOU in place if we do go this route; we received our new trailer for the skid steer and have prepped it for this summer; we have converted one of our older trailers into a sign trailer to more effectively haul our barricades and sand bags for road closures and such, we will continue to use our old sign trailer when we have multiple events; be advised that we will be closing down 175th Street just west of CR 9-4 on 458th Ave. which is the City landfill haul road, tomorrow March 18th, 2026, to repair the east wing wall. Holloway Construction out of Mitchell will be doing the work, it is scheduled to be completed by Monday, March 23rd, 2026, weather permitting; will be attending the SD Association of County Highway Superintendents Short Course Conference, Facility Manager, Steve Molengraaf, AG Building - staff have been setting up and cleaning for many functions throughout the Extension Center for the past and remainder of March; Court House/Detention Center - staff have been doing daily routine maintenance; Park - 285 reservations, with a revenue of \$43,819.50 as of 3-15-2026, the office will be open on April 1st, 2026, for anyone that wants to call or stop by to make any reservations either for camping and especially buildings or shelters; Weed - Annual Weed board meeting and soup supper with the Townships was held on March 11th, 2026, at 6:00 p.m. in the kitchen of the Extension Complex, 36 individuals representing the county and townships were present, Randy Schweer and I attended the State Weed Conference in February in Deadwood, the sessions were very good and educational; WNV - WEED BOARD APPOINTMENT Motion by McElhany, second by Schweer, to approve the following Weed Board appointment: Adam Hartley, Steve Molengraaf, Facility Manager, informed the Board that he replaces Mike Paulsen, and he will be representing the southwest portion of Codington County; all voted aye, motion carried. PLAT CABINET IN REGISTER OF DEEDS OFFICE Motion by Gabel, second by McElhany, to accept the quote to purchase 2 East File Plat cabinets and 2 carts along with a East File hanger and hanger applicator, from East File, in the amount of \$6,728.22, as recommended

by Register of Deeds, Ann Rasmussen, the previous plat cabinet was purchased in 2003, M&P funds will be used for this purchase; all voted aye; motion carried. SURPLUS OFFICE EQUIPMENT IN SHERIFF'S OFFICE Motion by Johnson, second by Schweer, to declare the following office equipment, in the Sheriff's Office, surplus to be destroyed: 1- 578 HP Elite Book, SN 50G1299344, 1- 574 Desktop Computer, Prodesk, SN MXL1024N6P, 2 - 119 HP ProBook, SN 5CD110QD1X; and 1- 591 GTAC, SN RN503S1540; all voted aye; motion carried. HMEP GRANT FUNDS Motion by Johnson, second by McElhany, to approve the application of HMEP (Hazardous Materials Emergency Preparedness) Grant funds; Andrew Delgado, Emergency Manager, informed the Board that this is an annual grant application, all present voted aye; motion carried. NOTICE NO BOARD MEETING Due to previously adopted policy the Board will not meet Tuesday, March 31st, 2026. CLAIMS Motion by McElhany, second by Gabel, to approve for payment the following claims: South Dakota Public Assurance Alliance \$131,905.90, Auditor, Brenda Hanten, informed the Board that this is the annual renewal for general liability, auto liability and damage, and law enforcement coverage; all voted aye; motion carried. TRAVEL REQUEST Motion by Johnson, second by McElhany, to approve the following travel request: Director of Equalization staff to attend conference; all voted aye; motion carried. OLD BUSINESS Commissioner Gabel provided a construction update on the new jail. The steel columns and beams erection is progressing well, with another planned visit to inspect precast panels for Area C, which houses the Sheriff's Office. OPEN COUNCIL Application Comments Commissioner Johnson mentioned he will be attending the SD Retirement meeting. EXECUTIVE SESSION Motion by Johnson, second by McElhany, to enter executive session, per SDCL 1-25-2 (1) Discussion of personnel issues SDCL 1-25-2(1) and (2) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters (SDCL 1-25-2(2)) at 9:20 a.m.; all voted aye; motion carried. The Board returned to regular session at 9:28 a.m., and no action was taken. Human Resource Representative, Natalie Remund, and State's Attorney, Alison Bakken, were present for executive session. ADJOURNMENT Upon conclusion of all business to come before the Board, a motion was made by Gabel, second by Schweer to adjourn at 9:29 a.m.; all voted aye; motion carried. ATTEST: Brenda Hanten Codington County Auditor Codington County does not discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of service. Published once on April 2, 2026, at the total approximate cost of \$68.90 and can be viewed free of charge at www.sdpublicnotices.com and www.watertowncurrent.com

NOTICE OF HEARING on Application No. 9019-3 to Appropriate Water

Notice is given that Jim or Dan Thyen, 46220 165th Street, Watertown SD 57201, have filed an application for a water permit to irrigate an additional 25 acres, from two existing wells authorized by Water Right No. 7975-3. Water Right No. 7975-3 authorizes 1.67 cubic feet of water per second (cfs) from two wells completed into the Antelope Valley Aquifer (52 - 54 feet deep) located in the SW 1/4 NW 1/4 Section 3 for irrigation

of 117 acres located in the NW 1/4, NE 1/4 SW 1/4 Section 3; all in T119N-R51W. The application proposes to irrigate an additional 25 acres located in the N 1/2 NW 1/4, NE 1/4 SW 1/4 Section 3-T119N-R51W, with no increase to the 1.67 cfs diversion rate. This application, if approved, and Water Right No. 7975-3 will authorize a combined total of 1.67 cfs for the irrigation of 142 acres. This site is located approximately two and one-half miles north of South Shore SD South Dakota Codified Law (SDCL) 46-2A-10(1) provides that "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 Acting Chief Engineer's recommendation and no hearing may be held before the board, unless the Acting Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board." In this case, the Acting Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board. Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends DEFERRAL of Application No. 9019-3 pending Water Management Board action on a previously filed application, Application No. 8990-3 to reserve water from the Antelope Valley Aquifer. The Board's decision on Application No. 8990-3 will impact the amount of water available for appropriation from the aquifer. At the time of hearing of this application by the Board, the Acting Chief Engineer's deferral recommendation may be revised to either APPROVAL or DENIAL depending on the Board's decision on previously filed Application No. 8990-3. The Acting Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any person who intends to participate in the hearing 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 April 13, 2026. The petition shall be in writing and 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, the hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The May hearing date will be automatically delayed for at least 20 days unless written request to the Acting Chief Engineer from the applicant or any person who has filed a petition to oppose the application. The request for an automatic delay must be filed by April 13, 2026. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to the applicant and all petitioners regarding the time, date, and location. 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 April 13, 2026. Notice is given to individuals with dispositive interest in the being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available. Under SDCL 1-26-17(1) notices must state that "if the amount in controversy exceeds \$500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice to the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 13, 2026. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer dispenses the application of this provision and maintains that the hearing must be conducted by the Board. As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1 thru 46-1-16; 46-2-3-1; 46-2-9; 46-2-11; 46-2-17; 46-2A-1 thru 46-2A-12; 46-2A-14; 46-2A-15; 46-2A-20; 46-2A-21; 46-2A-23; 46-5-1; 46-5-2 thru 46-5-26; 46-5-30-2 thru 46-5-30-4; 46-5-31; 46-5-32 thru 46-5-34-1; 46-5-38 thru 46-5-39; 46-5-46; 46-5-47; 46-5-49; 46-6-1 thru 46-6-3-1; 46-6-6-1; 46-6-10; 46-6-13; 46-6-14; 46-6-21; 46-6-26; and Board Rules ARSD 74:02:01:01 thru

74:02:01:25:02; 74:02:01:35:01. Published once on April 2, 2026, at the total approximate cost of \$75.40 and can be viewed free of charge at www.sdpublicnotices.com and www.watertowncurrent.com

LAKE KAMPESKA WATER PROJECT DISTRICT NOTICE OF ANNUAL MEETING

Notice is hereby given that the annual election and meeting of the Lake Kampeska Water Project District will be held on Thursday, April 23, 2026, at 7:00 p.m., at the Proj #28 South Lake Drive, Watertown, South Dakota. The purpose of the meeting is to elect directors at large to fill the expiring terms of Bradley D. Johnson and Jeff Ranum. No qualified nominating petitions were filed. The vacancies created by the expiring term of Johnson and Ranum will be filled by appointment by the directors instead of elections by the members. A short program will be held during the meeting. Katie M. DeBoer Secretary-Treasurer Lake Kampeska Water Project District Published three times on April 2, 2026, April 9, 2026, and April 16, 2026, at the total approximate cost of \$31.54 and can be viewed free of charge at www.sdpublicnotices.com and www.watertowncurrent.com

MINUTES OF HENRY SCHOOL DISTRICT 14-2

The Henry School District's Board of Education met in regular session on March 9th, 2026, at 6:30 p.m. at the High School building with the following members present: PRESIDENT: Audrey Rider, Hanna Owen, Austin Page, Dan Hoffman ABSENT: Paul Johnson, Officers and Other Persons Present: Todd Obele, Superintendent, Nicky Watson, Business Manager, Landon Hammer, Principal, LouAnn Jensen, Layn Warkentien Action #91-26 No public input. Action #92-26 Motion by Owen, seconded by Page, to adopt the agenda as presented and add Assistant Softball Coach, Four (4) Yes Votes, Rider, Owen, Page and Hoffman. Motion carried. Action #93-26 No disclosures. Action #94-26 6.1 Motion by Hoffman, seconded by Owen to approve the Consent Agenda. Four (4) Yes votes. Rider, Owen, Page and Hoffman. Motion carried. 6.2: Dispense with the reading of the minutes of the regular meeting held on February 10th, 2026, and approve as published. Four (4) Yes votes. Rider, Owen, Page and Hoffman. Motion carried. 6.3: Financial Reports GENERAL FUND: Cash Balance 2-1-26 \$431,564.08; Revenue: Local - \$23,470.49; State - \$114,479.04; Federal - \$22,141.17; Intermediate - \$11,194.59; Other - \$0; Expenditures: \$211,522.91; Cash Balance 2-28-26 \$381,326.46 CAPITAL OUTLAY: Cash Balance 2-01-26 \$16,028.77; Revenue: \$13,162.90; Expenditures: \$4,434.00; Cash Balance 2-28-26 \$624,757.67 SPECIAL ED: Cash Balance 2-01-26 \$13,352.92; Revenue - \$17,307.13; Expenditures: \$31,773.04; Cash Balance 2-28-26 \$11,129.99 TRUST & AGENCY FUND: Cash Balance 2-01-26 \$53,108.48; Revenue \$7,058.88; Expenditures \$8,269.10; Balance 2-28-26 \$51,898.26 PROPRIETARY FUND: Cash Balance 2-01-26 \$49,766.28; Revenue - \$823.58; Expenditures - \$10,053.55; Balance 2-28-26 \$48,336.31 Action #95-26-7.1 Motion by Hoffman, seconded by Owen, to approve the Claims Against the District. Four (4) Yes votes. Rider, Owen, Page and Hoffman. Motion carried. 7.1: Claims Against the District GENERAL FUND BRIAN'S

GLASS & DOOR KEYS 48.00 CENTURY BUSINESS PRODUCTS CO. COPIER READINGS 667.48 CLARK COMMUNITY OIL PROPANE 2,391.35 CLARK COUNTY COURIER OFFICIAL PROCEEDINGS AUDIT 27.23 DACOTAH BANK VISA CARD BOOKS, EARBUDS, SUPPLIES 238.93 DOUGS AUTO REPAIR #27 MINI BUS OIL CHANGE 79.63 DYKSTRA, LOGAN REIMB FOR FUEL 50.32 IMPREST ACCOUNT SUB MULTI DRIVER, GBB OFFICIALS 577.92 ITC TELEPHONE 157.19 KPHR POWER 106.3 ADVERTISING 150.00 MENARDS JANITOR SUPPLIES 146.32 NORTHWESTERN ENERGY ELECTRICITY 3,455.79 OFFICE PEEPS BINDER CLIPS 15.40 PT APPLIANCE REPAIR FIX DRYER 186.95 RAASCH, STEPHANIE REIMB FOR DEIGER 7.42 REIFFENBERGER, CARLIE REIMB FOR ICE CREAM SUPPLIES 42.80 SAVVAS LEARNING COMPANY ADTL IUT SUBSCRIPTIONS 1,795.50 SHEYENNE TRANSPORT LLC BUS TRANSPORTATION 20,602.76 TOWN OF HENRY WATER/SEWER 294.69 WATERTOWN CURRENT OFFICIAL PROCEEDINGS 73.84 MARCH PAYROLL FUND 53,904.36 9 WITHHOLDINGS/ APRIL 53,24,847.72 NPPI INS/STANDARD 19,298.75 SD RETIREMENT SYSTEM/ FUND 53,133,640.60 SPPPL RETIREMENT 2,480.87 VSP 283,280.26 610.74 AFLAC 527.52 TOTAL GENERAL FUND DISBURSEMENTS: 183,140.05 CAPITAL OUTLAY ACTIVE HEATING HOT WATER HEATER REPAIR 1,450.50 TOTAL CAPITAL OUTLAY DISBURSEMENTS: 1,427.50 SPECIAL EDUCATION DACOTAH BANK VISA CARD EXPEDIA-SPED CONFERENCE 178.37 NORTH-EAST SERV COOP MARCH ASSESSMENT 8,996.54 MARCH AND 2026 2,017.84 TOTAL SPECIAL EDUCATION DISBURSEMENTS: 31,192.75 SCHOOL FOOD SERVICE MARCH PAYROLL 6,506.26 CASH-WA DISTRIBUTING 548.33 CLARK COUNTY COURIER 17.00 EAST SIDE DAPER 688.00 PERFORMANCE FOOD SERVICE 2,318.02 SD DEPT OF CHILD NUTRITION 196.72 TOTAL SCHOOL FOOD SERVICE DISBURSEMENTS: 10,272.72 7.2: Motion by Page, seconded by Hoffman, to approve the updated Wellness Policy. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.3: Motion by Owen, seconded by Hoffman, to approve the Drivers Ed Contract with Craig Case & Nathan Bloom at \$250 per student. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.4: Motion by Hoffman, seconded by Page to approve the resignation of Matthew Lepke. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.5: Motion by Hoffman, seconded by Owen to approve one open enrollment application and deny one open enrollment application. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.6: Motion by Owen, seconded by Page to approve the 2nd reading of the discipline policy GCBDF. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.7: Motion by Page, seconded by Hoffman to approve the Assistant Softball Coaching Contract. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. 7.8: Motion by Owen, seconded by Page, for nonrenewal of the contract for Todd Obele. Four (4) Yes votes. Rider, Owen, Page, Hoffman. Motion carried. Action #96-26 8.0 Communication Reports 8.1: Bus report was reviewed by the Business Manager with no action necessary. 8.2: Business Manager discussed school board petition information. 8.3: Business Manager discussed Family Fun Day for the Town of Henry will be June 27th, 2026. More

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APR 02 2026
Water Rights
Program

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, March 26, 2026 10:40 AM
To: jpthyen@itctel.com
Subject: 9019-3 Thyen - Public Notice
Attachments: 9019-3 Rec.pdf; 9019-3 Ltr.pdf; 9019-3 PubNotice.pdf; AppPetition form.pdf; PublicOpinion Info.pdf

Good morning,

Attached is a copy of the report, chief engineer's recommendation, and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is also being mailed to you today.

Let me know if you have questions. Please 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

March 12, 2026

NOTICE

TO: Jim or Dan Thyen
46220 165th St
Watertown SD 57201

Emily Greco, Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre SD 57501

FROM: Amanda Dewell, Permitting Administrator
SD DANR - Water Rights Program

SUBJECT: Board Action & Scheduling of Hearing on Water Permit Application No. 9019-3,
Jim or Dan Thyen

At the Water Management Board meeting held May 6th and 7th, 2026, the Board deferred Water Permit Application No. 9019-3. The deferral action was taken based on the Acting Chief Engineer's recommendation and public notice published in the Watertown Public Opinion and the Watertown Current on April 2, 2026, pending Board action on a previously filed application submitted by the City of Milbank (Application No. 8990-3), to reserve water from the Antelope Valley Aquifer for future use, since the Board's decision on Application No. 8990-3 will impact the amount of water available from the aquifer.

The Water Management Board will conduct a hearing to re-consider Application No. 9019-3 at **9:45 AM (Central Time), on Wednesday, July 8, 2026**, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD. The time is an estimate and may be delayed due to prior items on the agenda. Notice will be provided if there is a change in the time or date of the hearing.

Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-4, the Board has legal authority and jurisdiction to conduct this hearing. Applicable provisions of the public notices references above, still apply. The acting Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny the application after it reaches a conclusion based on the facts presented at the public hearing.

Contact Amanda Dewell at the above address to request a copy of the staff report, recommendation, application, or other information related to the application.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice, service is being provided by direct mail to you, and the applicable date to give notice to the acting Chief Engineer is May 25, 2026. The acting Chief Engineer asserts this hearing pertains to a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; Board Rules ARSD 74:02:01:01 thru 74:02:01:24.02 and ARSD Chapter 74:02:04.

Questions regarding the hearing process may be directed to Amanda Dewell, Water Rights Permitting Administrator, at (605) 773-3352 or by email at amanda.dewell@state.sd.us.

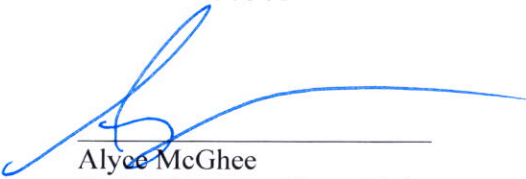
CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally deposited a true and correct NOTICE dated May 12, 2026, into the United States Mail in Pierre, South Dakota, first class postage prepaid to the following on May 12, 2026.

Jim or Dan Thyen
46220 165th St
Watertown SD 57201

Also sent inter-office to:

Emily Greco, Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre SD 57501



Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 12th day of May, 2026.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



9019-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 27, 2026

Jim or Dan Thyen
46220 165th Street
Watertown SD 57201

Dear Sirs:

Enclosed is Water Permit No. 9019-3 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
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.: 9019-3

Name of Applicant: Jim or Dan Thyen

Date of Posting: 3/30/2026

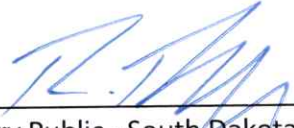
Date of Removal: 7/27/2026


Amanda Dewell, Permitting Administrator

7/27/2026

Date

Subscribed and sworn to before me, a notary public, this 27th day of July, 2026.


Notary Public - South Dakota
My commission expires:

**Rachel Rodriguez
My Commission Expires
May 18, 2029**

(SEAL)

