

WATER PERMIT NO. 9020-3

Name of Applicant: **Hord Family Farms of SD**

Address: **PO Box 808, Bucyrus OH 44820** Phone: **419-569-2748**

Amount of Water Claimed: **86 AF** Total Acres: **N/A**

Source of Water Supply: **Groundwater**

Water to be used for: **COM** County: **Miner**

Type of Waste Disposal System:

Location: **Approx. 17 miles southwest of DeSmet**

PRIORITY Date Received: **01-20-26**

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

Corrected Application Received: **01-21-26**

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

Remarks: **3 wells for a proposed swine production facility**

Diversion Point: **SW 1/4 SW 1/4 Sec 19-T108N-R56W**

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

Depth of Well: **960**

Well Driller: **Stretch's Well Service**

Remarks:

Type of Map: **aerial**

			19		
	x x x				

Reviewed and the Number Assigned on: **01-21-26**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 9020-3**

Date of first receipt of application January 20, 2026.

Date of return to applicant for corrections, amendments or changes January 21, 2026.

Date of receipt of corrected application January 29, 2026.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 9020-3 to Hord Family Farms of SD, PO Box 808, Bucyrus OH 44820, 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. 9020-3 appropriates up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cubic feet of water per second from up to three wells to be completed into the Dakota Aquifer (approximately 960 feet deep) located in the S 1/2 SW 1/4 Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located approximately five and one-half miles southeast of Carthage SD.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 9020-3 is April 27, 2026.
5. The date from which applicant may claim right is January 20, 2026.
6. One-fifth of the construction is to be completed on or before October 27, 2028.
7. All construction is to be completed on or before April 27, 2031.
8. Water is to be put to beneficial use on or before April 27, 2035.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under Water Permit No. 9020-3 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 additional wells or future replacement wells must meet the adequate well construction standard as defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20 and may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.
3. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Dakota Aquifer.
4. Water Permit No. 9020-3 authorizes a total annual diversion of up to 86 acre-feet of water.

WATER MANAGEMENT BOARD

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

May 20, 2026
date



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

RECEIVED

JAN 20 2026

Water Rights
Program

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>9020-3</u> Hydrologic Unit <u>10160011</u>
	Basin <u>Lower James</u>
	Newspaper <u>Howard Miner County Pioneer</u> <u>Argus Leader</u> (office use only)

Application for Permit to Appropriate Water in South Dakota

Check use(s) of water:

☐
☐
☐

Municipal
Rural Water System
Domestic (over 18 gpm)

☒
☐
☐

Water Distribution System
Commercial
Industrial

☐
☐
☐

Recreational
Fish & Wildlife
Other

☐
☐
☐

Institutional
Geothermal

Type of Application:
(check one)

☒
☐
☐

New

☐

Vested Right (Use predates Mar 2, 1955)

☐

Future Use Reservation

Place to Beneficial Use Water Reserved by Future Use Permit No. _____

Amendment/Correction to Permit No. _____

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

- Name to Appear on Water Permit Hord Family Farms of SD
Mailing Address Po Box 808 Bucyrus OH 44820
(Address) (City) (State) (Zip Code)
Phone 419-569-2748 Mobile _____ Email Colleen@hordfarms.com
- Amount of water claimed 0.334 *CFS or 150 **GPM and 86 ***AF or 28 million Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use
- Source of water supply Ground water 3 wells
- Location of point of diversion SW 1/4 of Section 19, T108N, R56W County Miner
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ No
If "Yes," where will water be used? _____
(example - NW1/4 section 12-T104N-R53W)
- County or counties where water will be used Miner
- Annual period during which water is to be used January 1st to December 31st
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

I, Colleen Hord Member, 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)

RECEIVED

JAN 21 2026

Water Rights
Program

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

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

- a) If new wells, how many 3 Have test holes been drilled? ☒ Yes ☐ No Drilled by Stretch's well service
(if yes, please provide copies of logs)
- b) If existing wells, how many 0 Provide copy of log(s), if available. Drilled by _____

For either existing or proposed wells:

- c) Well Depth (required) 960 Depth to Top of Water Bearing Material 150 Depth to Water from Surface 150
- d) Distance to nearest domestic well on applicant's property none Property owned by others unknown

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)

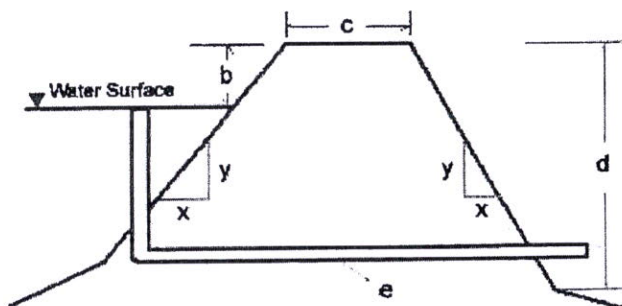
Upstream _____

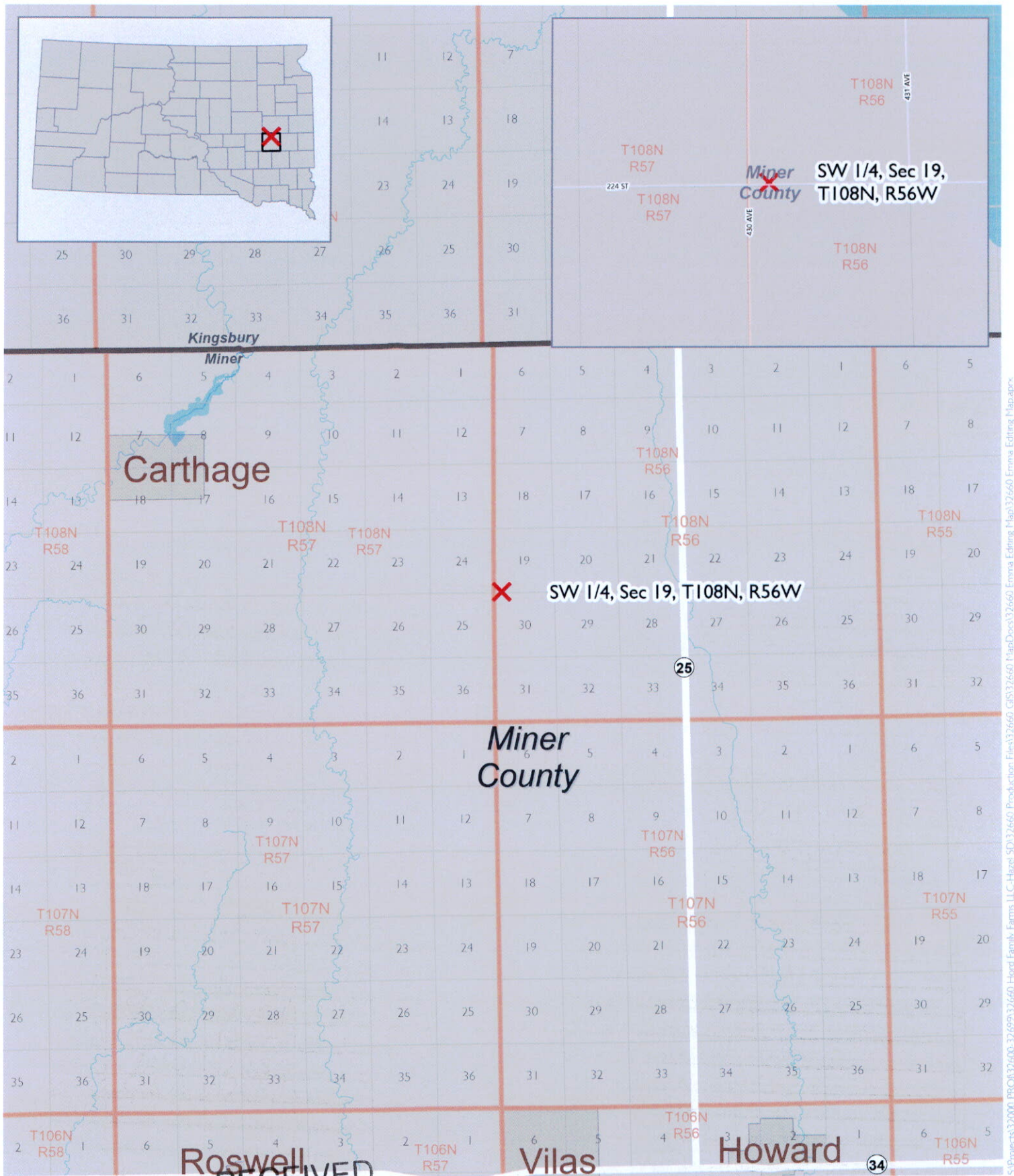
Downstream _____

h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres





Friday, January 16, 2026

JAN 20 2026

0 1 2 Miles
1 inch = 2 miles

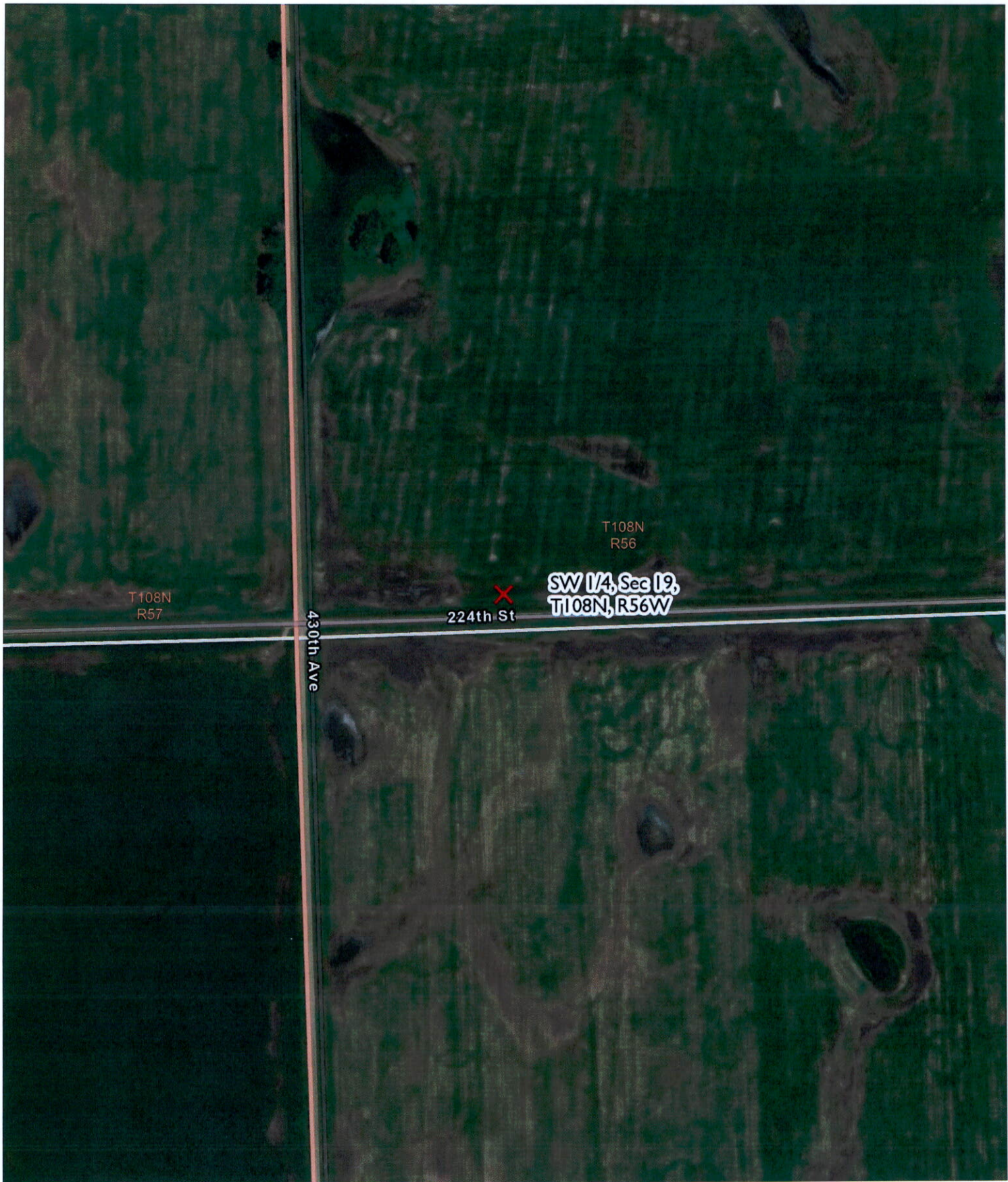


Water Rights Program

Figure 1 Project Location Map Hord Family Farms Well Permit Application Miner County, South Dakota

Source(s):
Municipalities (SD DOR, 7/1/2017)
Hydrography (USGS NHD, 9/14/2017)
Counties (US Census, 2010)
Roads (SD DOT)

ISG



S:\Projects\32000 PROJ\32600-32699\32660 Hord Family Farms LLC-Hazel SD\32660 Production Files\32660 GIS\32660 MapDocs\32660 Emma Editing Map.aprx

Friday, January 16, 2026

RECEIVED

JAN 20 2026

Figure 2
Site Map

Water Rights
Hord Family Farms

Well Permit Application
Miner County, South Dakota

Source(s):
Orthophoto (ESRI, 2024)

ISG

0 200 400
ft
1 inch = 400 feet



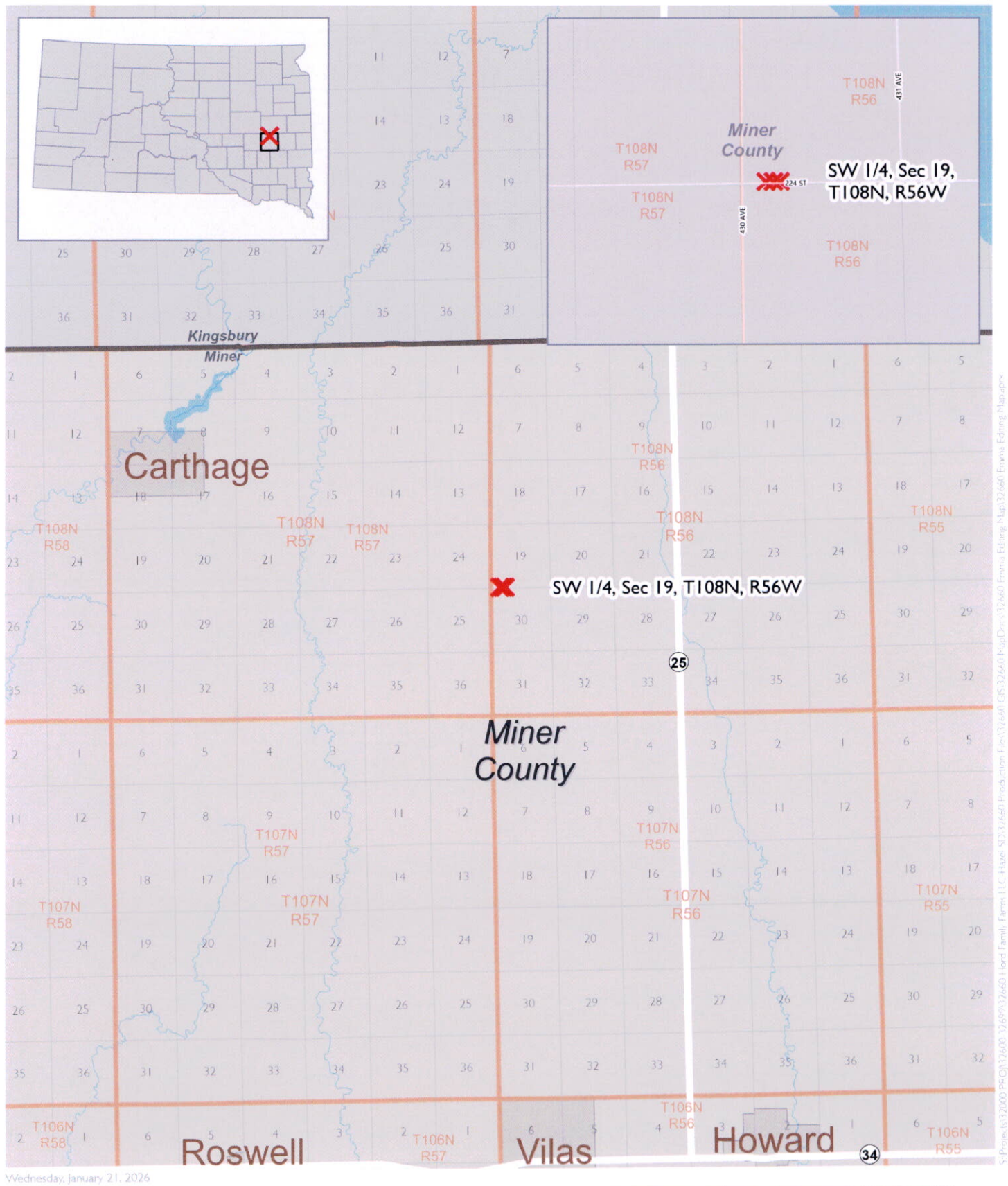
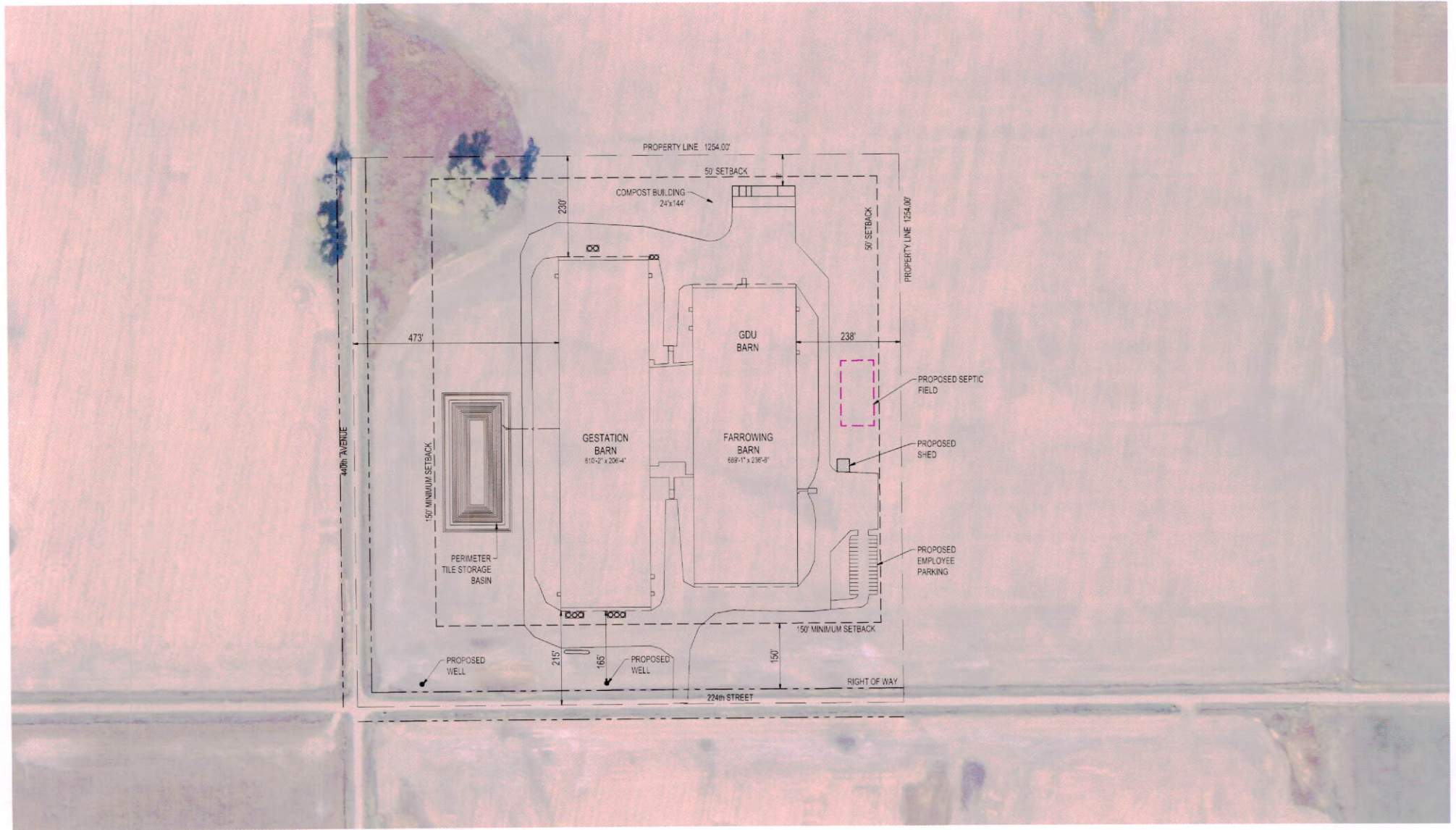


Figure 1
Project Location Map
Hord Family Farms Well Permit Application
 Miner County, South Dakota

Source(s):
 Municipalities (SD DOR, 7/1/2017)
 Hydrography (USGS NHD, 9/14/2017)
 Counties (US Census, 2010)
 Roads (SD DOT)





WELL LOCATIONS 2025-6-10



Architecture + Engineering + Environmental + Planning

HORD FAMILY FARMS, LLC
MINER COUNTY, SOUTH DAKOTA
ISG PROJECT NO. 25-32660

ISGInc.com



Wednesday, January 21, 2026

S:\Projects\32000 PPO\37600-37699\32660 Hord Family Farms LLC-Hazel SD\32660 Production Files\32660 GIS\32660 MapDocs\32660 Emma Editing Map.aprx

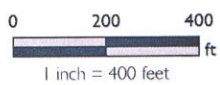


Figure 2
Site Map
Hord Family Farms Well Permit Application
 Miner County, South Dakota

Source(s):
 Orthophoto (ESRI, 2024)



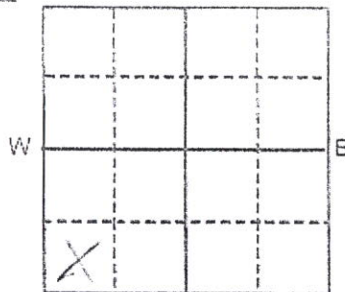
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location S 66 1/4 S 66 1/4 Sec 17 Twp 108 Rg 56County Miner

North

Please mark well location with an "X"



Well Completion Date

12-22-25

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☒ Other
If other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>900</u> FT	<u>7 7/8</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>150</u>	<u>15</u> Lb/gal	<u>0</u> Ft	<u>900</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Pumped Through 5" Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 2" inches Length 40 Feet
 Material Stainless Steel
 Slot Size 1025 Set From 900 Feet to 960 Feet
 Other information
WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? CementDescribe packer(s) and location 900'

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine
☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: PipestoneBusiness Name: BuckeyeAddress: 1801 Forman DriveCity, State, Zip: Pipestone, MN 56164

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Yellow Clay</u>	<u>5</u>	<u>30</u>
<u>Blue Clay</u>	<u>30</u>	<u>135</u>
<u>Chalk</u>	<u>135</u>	<u>235</u>
<u>Shale</u>	<u>235</u>	<u>540</u>
<u>Greenhorn</u>	<u>540</u>	<u>580</u>
<u>Shale</u>	<u>580</u>	<u>740</u>
<u>Dakota</u>	<u>740</u>	<u>960</u>

STATIC WATER LEVEL 150 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Air☐ Bailed☐ Other

Pumping Level Below Land Surface

150 Ft. After 12 Hrs. pumped 15 GPM

Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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

Signature of License Representative:

Tom Butcher

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED

JAN 20 2026

Water Rights
Program

Pipestone Feeders

Buckeye Site

Carthage S.D.

11-14-2025

Goldie

Paul Hofer

Job Name

Location

Date

Rig No.

Foreman

Jt. #

Depth

Time

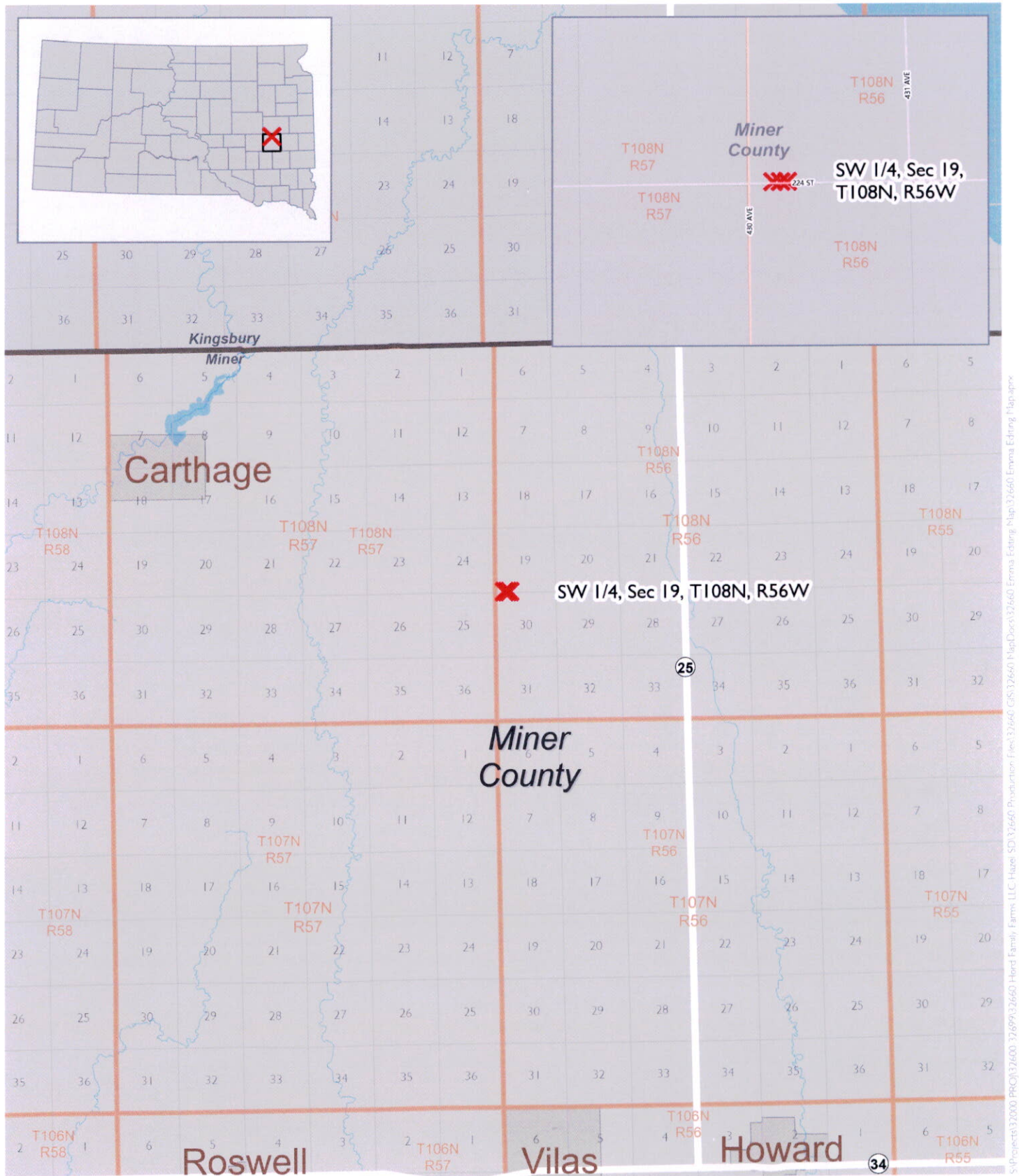
Remarks

1-14	1	20	2:45	Yellow clay
	2	40		Yellow clay 30-40 Blue clay
1-14	3	60	10:30	Blue clay w/ 1/2 sd Rocks
	4	80	10:40	Blue clay
	5	100	10:49	Blue clay
	6	120	11:03	Blue clay
1-18	7	140		Blue clay w/ rocks shale at 135'
	8	160	12:00	Chalk
	9	180	12:32	Chalk
	10	200	12:59	Chalk
	11	220	1:43	Chalk
	12	240	2:23	Chalk shale at 235'
	13	260	3:15	Shale
	14	280	3:24	Shale
	15	300	3:53	Shale
	16	320	4:25	Shale
	17	340	4:45	Shale
	18	360	5:09	Shale
	19	380	5:56	Shale
	20	400		Shale
1-19	21	420	10:34	Shale
	22	440	10:53	Shale
	23	460	11:10	Shale
	24	480	11:35	Shale
	25	500	12:20	Shale
	26	520	1:03	Shale
	27	540	1:31	Shale w/ sandy shale streaks Code 11
	28	560	1:57	Shale w/ sandy shale & hard shells
	29	580	2:29	" " " " " "
	30	600	2:52	" " " " " "
	31	620	3:15	Shale 7 7/8" Hole 0-645'
	32	640	3:53	Shale 4 1/2" gearbit at 645'
20	33	660	11:55	Shale
	34	680	12:36	Shale
	35	700	1:46	Shale
	36	720	2:20	Shale
	37	740	2:45	Shale w/ hard sand last 5'
	38	760	3:04	740-760 Poor & hard sand
	39	780	3:27	760-780 Poor sand w/ shale breaks
	40	800	3:50	780-800 Poor sand & shale

RECEIVED

JAN 20 2026

Water Rights
Program



RECEIVED

Figure 1

JAN 21 2026

Project Location Map

Hord Family Farms Well Permit Application

Miner County, South Dakota

Water Rights Program

Source(s):

Municipalities (SD DOR, 7/1/2017)
Topography (USGS NHD, 9/14/2017)
Counties (US Census, 2010)
Roads (SD DOT)

ISG



S:\Projects\132000 PROJ\132600-32699\32660 Hord Family Farms LLC-Hazel SD\132660 Production Files\132660 GIS\132660 MapDocs\132660 Emma Editing Map.aprx

Wednesday, January 21, 2026

RECEIVED

0 200 400
ft
1 inch = 400 feet



Figure 2
Site Map

JAN 21 2026

Water Rights
Program

Hord Family Farms Well Permit Application
Miner County, South Dakota

Source(s):
Orthophoto (ESRI, 2024)

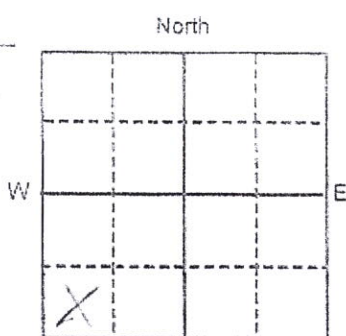


SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location S 46 1/4 S 46 1/4 Sec 19 Twp 108 Rg 56County Miner

Please mark well location with an "X"



Well Completion Date

12-22-25

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☒ Other
If other describe Stainless Steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>250</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>900</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>150</u>	<u>15</u> Lb/gal	<u>0</u> Ft	<u>900</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Pumped Through 5" Pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 2" inches Length 40 Feet
 Material Stainless Steel
 Slot Size 1025 Set From 900 Feet to 960 Feet
 Other information _____
WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? CementDescribe packer(s) and location 900'

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine
☐ No, Why Not? _____

Lab to which water quality sample sent for analysis

Well Owner: PipestoneBusiness Name: BuckeyeAddress: 1801 Forman DriveCity, State, Zip: Pipestone, MN 56164

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>5</u>
<u>Yellow Clay</u>	<u>5</u>	<u>30</u>
<u>Blue Clay</u>	<u>30</u>	<u>135</u>
<u>Chalk</u>	<u>135</u>	<u>235</u>
<u>Shale</u>	<u>235</u>	<u>540</u>
<u>Greenhorn</u>	<u>540</u>	<u>580</u>
<u>Shale</u>	<u>580</u>	<u>740</u>
<u>Dakota</u>	<u>740</u>	<u>960</u>

STATIC WATER LEVEL 150 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Air☐ Bailed☐ Other

Pumping Level Below Land Surface

150 Ft. After 12 Hrs. pumped 15 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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

Signature of License Representative:

Tom Butcher

Signature of Well Owner or Equitable Property Holder:

Date: _____

Pipe stone Buckeye

Cartage S.D.

12-22-2025

Goldie

Paul Hoyer

Feeder's Job Name SITE

Location

DT

Rig No.

FORM 20

北 宗

Depth

Time

Remarks

Sand packed Artesian Well

T.D. 960'

900' 5" SDR17 PVC Pipe

60 Bags Cement

60' 2" 025 Stainlesssteel screen

300' 2" PVC SCH 80 Pipe Leader

1500 lbs. of #30 Redflint sand

Pumped w/ air at 280'

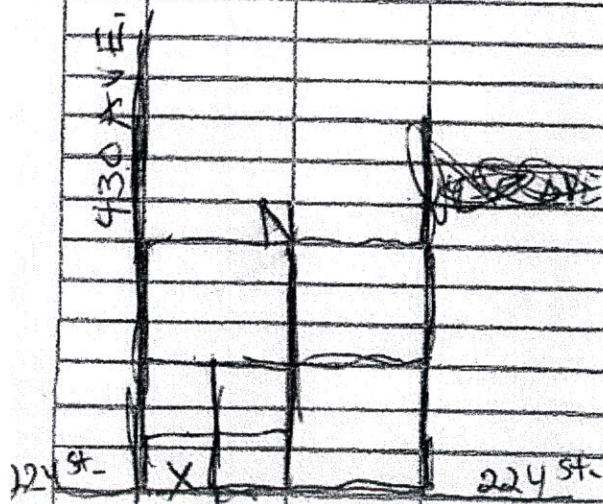
20 G.P.M.

Water head	50'
------------	-----

Pumped w/ Sub. 50 G.P.M.

0-900' 7 7/8" Hole

900' - 960' 4 3/4" Hole



Pipe Stone Feeders

Buckeye Site

Carthage S.D.

11-14-2025

Gouldie

Paul Hofer

Location

Date

Rig No.

Foreman

Jt. #	Depth	Time	Remarks
1-14	1	20	2:45 Yellow clay
✓	2	40	Yellow clay / 30-40 Blue clay
1-14	3	60	10:30 Blue clay w/ 1/2 sd Rocks
✓	4	80	10:40 Blue clay
✓	5	100	10:49 Blue clay
✓	6	120	11:03 Blue clay
✓	7	140	Blue clay w/ rocks shale at 135'
1-18	8	160	12:00 Chalk
7	180	12:32	chalk
10	200	12:59	chalk
11	220	1:43	chalk
12	240	2:23	chalk shale at 235'
13	260	2:56	Shale
14	280	3:24	Shale
15	300	3:53	Shale
16	320	4:25	Shale
17	340	4:45	Shale
18	360	5:09	Shale
19	380	5:36	Shale
20	400		Shale
1-19	21	420	10:34 Shale
✓	22	440	10:53 Shale
✓	23	460	11:10 Shale
✓	24	480	11:35 Shale
✓	25	500	12:20 Shale
✓	26	520	1:03 Shale
✓	27	540	1:31 Shale w/ sandy shale streaks Core 11
✓	28	560	1:57 Shale w/ sandy shale & hard shells
✓	29	580	2:29 " " " " " "
✓	30	600	2:52 " " " " " "
✓	31	620	3:15 Shale 7 7/8" Hole 0-645'
✓	32	640	3:53 Shale 4 1/2" gear bit at 645'
20	33	660	11:55 Shale
✓	34	680	12:36 Shale
✓	35	700	1:46 Shale
✓	36	720	2:20 Shale
✓	37	740	2:45 Shale w/ hard sand last 5'
✓	38	760	3:04 740-760 Poor & hard sand
✓	39	780	3:27 760-780 Poor sand w/ shale breaks
✓	40	800	3:50 780-800 Poor sand & shale

Pipestone Feeders

Bucke / Joe Names

Carthage S.D.

11-20-2025

Goldie

0.14.0.

برای

02000

Line

Reference

	Depth	Time	Remarks
✓ 1-26	41 820	4:16	Shale w/ Poor sand streaks
✓ 42	840 4:42		Shale w/ Sand streaks
✓ 43	860		Shale w/ sand streaks d. hard shells
✓ 44	880 11:29		Shale
✓ 45	900 12:07		Shale
46	920 12:18		900-920 Fair sand
47	940 12:30		920-940 Fair sand
48	960 12:41		940-960 Fair sand
49			

50

Si

52

53

54

25

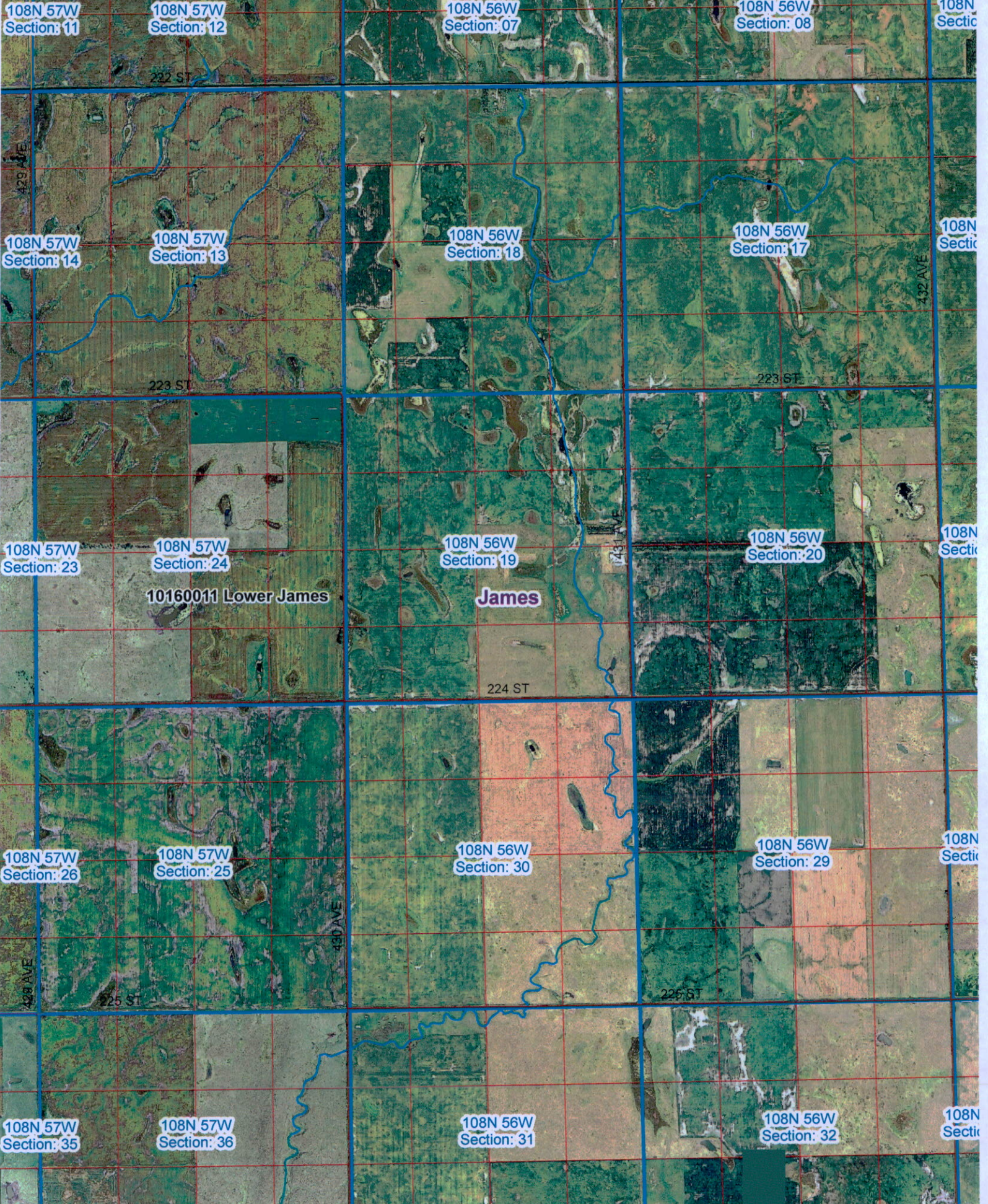
26

2.5

58

27

50



RECEIPT

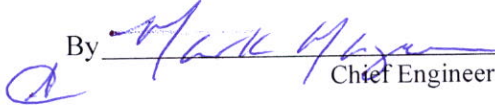
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 20, 2026

RECEIVED OF Hord Family Farms of SD PO Box 808 Bucyrus OH 44920

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

Fee for Application for Permit No. <u>9020-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>9020-3</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>700.00</u>

By 
Chief Engineer



FL303506

APPLICATION FOR CERTIFICATE OF AUTHORITY

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

FOREIGN LIMITED LIABILITY COMPANY
SDCL 47-34A-1002

Filing Fee: \$750

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

Total Fee: \$750

Application must be accompanied by a one page **Original Certificate of Existence** issued by the Secretary of State or other official having custody of the organizational records in the state or other jurisdiction under whose law it is organized.

1. The name of the Company: **Hord Family Farms of SD, LLC**

2. If the name indicated above does not include Limited Liability Company, Limited Company or the abbreviation L.L.C., LLC, L.C. or LC. (Limited may be abbreviated as Ltd. and company may be abbreviated as Co.), then what is the alternative name adopted:

3. Professional Type (Optional):

4. The name of the state or other jurisdiction under whose laws it is organized: **DELAWARE**

5. The address of its principal office (this is the address of the executive offices of the company):

Actual Street Address

911 OH-98

BUCYRUS, OH 44820

Mailing Address

PO BOX 808

BUCYRUS, OH 44820

6. If the jurisdiction under which the company is formed requires the company to maintain an office in that jurisdiction then provide for that office:

Actual Street Address

Mailing Address

7. The South Dakota Registered Agent's Name:

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

(b) The South Dakota Commercial Registered Agent's name & CRA#

CRA: **C T CORPORATION SYSTEM (00000002)**

Actual Street Address in this State

Mailing Address in this State

319 S COTEAU ST

PIERRE, SD 57501-3187

8. The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is:



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

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

06/30/2025

Dated

Email (Optional)

Colleen Hord

Signature of an Authorized Person

Colleen Hord

Printed Name

State of South Dakota

Office of the Secretary of State

Certificate of Authority

Foreign Limited Liability Company

I, **Monae L. Johnson**, Secretary of State of the State of South Dakota, hereby certify that the APPLICATION FOR CERTIFICATE OF AUTHORITY to transact business in this state for

Hord Family Farms of SD, LLC

BUSINESS ID# FL303506

with an effective date of: June 30, 2025, duly signed and verified, pursuant to the provisions of the South Dakota Limited Liability Company Act, has been received in this office and is found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the APPLICATION FOR CERTIFICATE OF AUTHORITY.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, June 30, 2025.

Monae L. Johnson

Monae L. Johnson
Secretary of State

06/30/2025 4:02 PM

Delaware

The First State

Page 1

I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "HORD FAMILY FARMS OF SD, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SEVENTH DAY OF JUNE, A.D. 2025.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "HORD FAMILY FARMS OF SD, LLC" WAS FORMED ON THE TWENTY-SIXTH DAY OF JUNE, A.D. 2025.



10241168 8300

SR# 20253198989

You may verify this certificate online at corp.delaware.gov/authver.shtml

C. P. Sanchez

Charuni Patibanda-Sanchez, Secretary of State

Authentication: 204058470

Date: 06-27-25

B0368-8727 06/30/2025 10:29AM Rec'd by SD SOS



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 9020-3, Hord Family Farms of SD**

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. 9020-3, Hord Family Farms of SD, PO Box 808, Bucyrus OH 44820.

The Acting Chief Engineer is recommending APPROVAL of Application No. 9020-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The wells approved under Water Permit No. 9020-3 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 additional wells or future replacement wells must meet the adequate well construction standard as defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20 and may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.
3. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Dakota Aquifer.
4. Water Permit No. 9020-3 authorizes a total annual diversion of up to 86 acre-feet of water.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
April 08, 2026

Report to the Chief Engineer
On Water Permit Application No. 9020-3
Hord Family Farms of SD

April 8, 2026

Water Permit Application No. 9020-3 proposes to appropriate up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cubic feet of water per second (cfs) from up to three wells to be completed into the Dakota aquifer (approximately 960 feet deep) located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located in Miner County, approximately five and one-half miles southeast of Carthage, SD.

AQUIFER: Dakota (DKOT)

HYDROGEOLOGY:

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

The Dakota aquifer is comprised of the saturated and permeable portions of the Dakota Formation and is primarily a confined bedrock aquifer throughout most of South Dakota (Schoon, 1971; Water Rights 2026b and 2026d). The Dakota Formation underlies approximately 66,500 square miles of South Dakota and has an average thickness of 150 feet (Schoon, 1971). Using Schoon's (1971) estimates of average thickness (150 feet) and areal extent (66,500 square miles or 42.5 million acres) of the Dakota aquifer, and assuming 15% porosity for the Dakota Formation, approximately 960 million acre-feet of water is stored within the Dakota aquifer in South Dakota.

A well completion report was submitted with this application for one of the wells to be used (Water Rights, 2026d). The report lists, "Top Soil" from 0 to 5 feet, "Yellow Clay" from 5 to 30 feet, "Blue Clay" from 30 to 135 feet, "Chalk" from 135 to 235 feet, "Shale" from 235 to 540 feet, "Greenhorn" from 540 to 580 feet, "Shale" from 580 to 740 feet, and "Dakota" from 740 to 960 feet below the ground surface (Water Rights, 2026d). The well was screened from 900 to 960 feet and had a static water level of approximately 150 feet below top of casing at the time of well completion (December 22nd, 2025) (Water Rights, 2026d).

South Dakota Codified Law (SDCL)

Water Permit Application No. 9020-3 proposes to appropriate water from the Dakota aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering *SDCL 46-6-3.1, SDCL 46-2A-9.*

Pursuant to SDCL 46-6-3.1,

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

The Dakota aquifer is older than and stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010). However, the applicant’s proposed use is not for 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 Dakota aquifer must be considered.

Pursuant to SDCL 46-2A-9,

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

This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Dakota aquifer.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Dakota aquifer in South Dakota occurs through upward leakage from underlying aquifers with a higher potentiometric surface than the Dakota aquifer, downward seepage through overlying confining layers, and through the infiltration of precipitation on the Newcastle Formation that outcrops in the Black Hills (Bredehoeft and others, 1983; Water Rights, 2026b). Using computer modeling, Bredehoeft and others (1983) attempted to match Darton’s (1909) potentiometric surface map of the Dakota aquifer and developed a recharge estimate of approximately 79.4 cfs (57,500 acre-feet/year) prior to well development. However, assumptions used in Bredehoeft and other’s (1983) recharge estimate are now outdated. For example, the recharge estimates used for the Madison and Inyan Kara aquifers in Bredehoeft and others (1983) analysis are much lower than estimates calculated by the more recent research of Carter and others (2002) and Medler and others (2025). While outdated, the Bredehoeft and other’s

(1983) estimate is the best information available to give a sense of scale of the recharge to the Dakota aquifer in South Dakota, it is unknown whether the true recharge rate of the Dakota aquifer is higher or lower than the Bredehoeft and others (1983) estimates.

Discharge

Discharge from the Dakota aquifer in South Dakota occurs through well withdrawals, uncontrolled flowing wells, outflow through corroded well casings, and outflow to overlying or adjacent aquifers due to a higher potentiometric surface in the Dakota aquifer (Bredehoeft and others, 1983; Water Rights, 2026d). Currently, there are 260 water rights/permits, and seven future use permits reserving 4,287 acre-feet/year of water from the Dakota aquifer. The future use permits are shown on Table 1 (Water Rights, 2026c).

Table 1. Future use permits reserving water from the Dakota aquifer (Water Rights, 2026c)

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

Of the 260 active water rights/permits, 97 are primarily for water distribution systems (rural water system, municipal, suburban housing development, etc.), 21 for irrigation, 114 for commercial use, 7 for industrial use, 10 for domestic use, 4 for fish and wildlife propagation, 2 for geothermal use, 2 for institutional use, and 3 for recreation (Water Rights, 2026c). The use type determined for each water right/permit was based on the primary use categorized for each water right/permit as some permits have multiple uses (Water Rights, 2026c). 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). Additionally, some water rights/permits withdraw from multiple aquifers. As such, only water from the Dakota aquifer for Water Right Nos. 8199-3 & 8252-3 and additionally Water Permit Nos. 2804-2, 6394-3, 8464-3, 8670-3 & 8697-3 will be considered in total estimates for Table 2. Some of the water rights/permits authorized to appropriate water from the Dakota aquifer are identified as being connected to a rural water system (RWS) rather than using their permitted wells, as allowed under ARSD 74:02:01:37(2). Therefore, the annual water use for these water rights/permits has been estimated to be zero acre-feet per year.

Additionally, the City of Canton purchases 49% of their water from South Lincoln Water System. Therefore, the estimated withdrawals from the City of Canton are adjusted to better reflect the estimated usage from the Dakota aquifer (Friedeman and Settje, 2025). Overall, the estimated average annual withdrawal rate from the Dakota aquifer by the non-irrigation water rights/permits is approximately 24,930 acre-feet per year (Table 2) (Water Rights, 2026c).

Table 2. Estimated annual use for the non-irrigation water right/permits authorized to divert water from the Dakota aquifer (Water Rights, 2026c)

Use Type	Count	Diversion Rate (cfs)	Estimated Diversion Rate Total (ac-ft/yr)	Limited by Volume (ac-ft/yr)	Total Estimated Use (ac-ft/yr)
Commercial	114	11.36	4,936	2,352	7,288
Domestic	10	1.47	640	72	712
Fish and Wildlife Propagation	4	2.73	1,187	0	1,187
Geothermal	2	2.33	1,012	0	1,012
Industrial	7	0.84	367	38	405
Institutional	2	1.34	582	0	582
Municipal	84	5.19	2,253	6,402	8,655
Recreational	3	0.45	195	3.1	199
Rural Water System	6	3.31	1,438	2,005	3,443
Suburban Housing Development	7	3.33	1,447	0	1,447
Total:	239	32.35	14,057	10,872	24,930
COM: Commercial, DOM: Domestic, FWP: Fish & Wildlife Propagation, GEO: Geothermal, IND: Industrial, INS: Institutional, MUN: Municipal, REC: Recreation, RWS: Rural Water System, SHD: Suburban Housing Development					

Currently, there are 21 irrigation water rights/permits authorized to appropriate water from the Dakota aquifer (Water Rights, 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 Dakota aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2024) is approximately 168 acre-feet per year (Table 3) (Water Rights, 2026a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2015 to 2024, which is approximately 262 acre-feet per year (Table 3), will be used for the hydrologic budget (Water Rights, 2026a).

Water Permit No. 2890-2 was approved in 2025 and has not reported an annual usage; therefore, its withdrawal must be estimated. Generally, crop irrigators in eastern South Dakota apply 10 inches (or less) of water per acre per year (Drennon, K. 2025). Because Water Permit No. 2890-2 is located in western South Dakota, an application rate of one foot per acre per year is used to estimate annual withdrawals. This rate is likely an overestimate, as the water is used to dilute feedlot runoff prior to land application. Therefore, Water Permit No. 2890-2 (assuming an application rate of one foot of water per authorized acre) has an estimated annual withdrawal rate of approximately 95 acre-feet per year. Water Permit No. 2890-2, combined with the reported annual average (2015 to 2024), results in an estimated annual irrigation withdrawal rate of 357 acre-feet per year.

Table 3. Reported historic irrigation use from the Dakota aquifer (Water Rights, 2026a)

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

There is one pending application for the Dakota aquifer. Water Permit Application No. 8991-3 for Century Swine RE LLC, if approved, plans to appropriate up to 154 ac-ft/yr at a maximum pump rate of 0.5 cfs from one existing well and up to two additional wells to be completed into the Dakota aquifer for commercial use in Edmunds County.

There are domestic wells completed into the Dakota aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2026d). Due to their relatively low diversion rates, withdrawals from domestic wells are generally not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Dakota aquifer is 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 Dakota aquifer. It is currently unknown how much water is being discharged from the Dakota aquifer through uncontrolled flowing wells. The Water Management Board has previously determined water being discharged through uncontrolled flowing wells is not a beneficial use and does not constitute appropriation pursuant to SDCL 46-6-3.1 (Water Rights, 1987).

Hydrologic Budget Summary

Bredehoeft and others (1983) estimated the recharge rate to be approximately 57,500 acre-feet/year. However, the Bredehoeft and others (1983) recharge estimate relies on outdated assumptions, and the actual recharge rate of the Dakota aquifer could be higher or lower than previously estimated. The estimated average annual withdrawal rate from the Dakota aquifer is approximately 29,814 acre-feet per year (future use: 4,287 acre-feet/year; non-irrigation: 24,930 acre-feet/year; irrigation: 357 acre-feet/year; Water Permit Application No. 9020-3 (if approved, assuming full volume): 86 acre-feet/year; pending Water Permit Application. No. 8991-3 (if approved, assuming full volume): 154 acre-feet/year. Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Dakota aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

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

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors 46 observation wells completed into the Dakota aquifer (Water Rights, 2026b). The four closest observation wells to the well the applicant provided a well completion report for, are HD-87A (approximately 59 miles northwest), AU-89A (approximately 59 miles southwest), LN-80D (approximately 63 miles southeast), and LN-81F (approximately 66 miles southeast) (Figure 1) (Water Rights, 2026b). Due to an access issue, measurements have not been collected for the last several years at HD-

87A. The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing which were then converted to elevation in feet from the NGVD29 vertical datum.

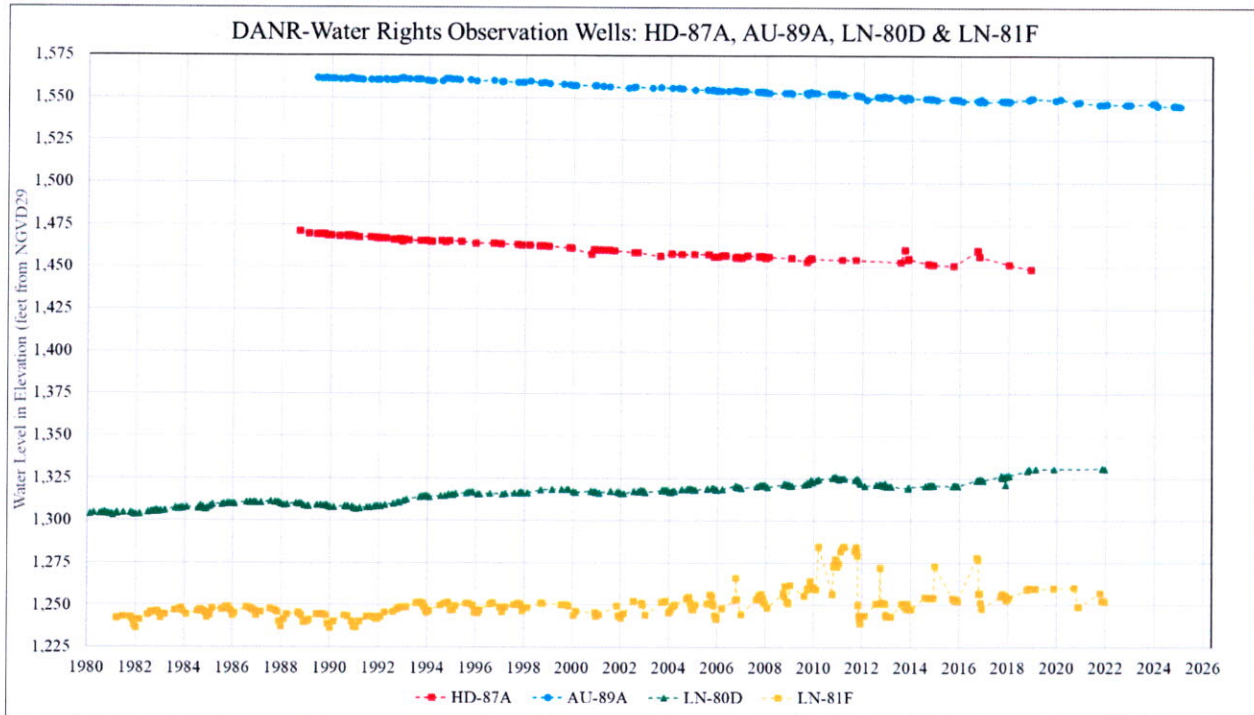


Figure 1. A graph showing the elevation of water levels for observation wells: HD-87A, AU-89A, LN-80D, and LN-81F (Water Rights, 2026b)

In addition to the observation well hydrographs, a record of the potentiometric surface is available through historical accounts. Schoon (1971) developed maps of the potentiometric surface of the Dakota aquifer, and for this particular area, used data modified from Darton (1909), used data modified after Rothrock and Robinson (1936), Erickson (1953-54), and Barkley (1953). Wells that have been completed into the Dakota aquifer in roughly the past thirty-five years and within approximately 10 miles of the proposed diversion point were used to approximate the current potentiometric surface conditions (Table 4) (Water Rights, 2026d).

Table 4. Historic and current approximate water level elevations within approximately 10 miles of the proposed diversion point (Schoon, 1971; Water Rights, 2026d)

Data Source	Year(s)	Approximate potentiometric surface in the vicinity of the existing well (fmsl)
Schoon (1971), after Darton	1909	1,550 to 1,500
Schoon (1971), Modified after Rothrock and Robinson (1936), Erickson (1953-54), and Barkley (1953)	1936 - 1953	1,450 to 1,400
Well Logs Database	1990-Present	1,450 to 1,370

Throughout South Dakota, most of the hydrographs for observation wells completed into the Dakota aquifer, and the potentiometric surface measurements of the Dakota aquifer show a decreasing trend in hydraulic head (Water Rights, 2026b). A decline in water levels in a confined aquifer does not necessarily indicate a significant decrease in water stored in the aquifer, as water levels above the top of the aquifer materials are representative of the hydraulic head (water pressure) inside the aquifer. Additionally, there are uncontrolled, flowing wells discharging water from the Dakota aquifer at ground surface, and it is expected water from the aquifer is also being discharged to other aquifers if wells completed into the Dakota aquifer have experienced casing failure.

The hydrographs in Figure 1 display both declining and stable water levels in the Dakota aquifer in central and south-eastern South Dakota. Several observation wells in the southeast and south-central South Dakota were shown to have water levels that stabilize over time or have recently began stabilizing. The observation wells under the influence of heavy and continuous pumping quickly stabilized after the pumping starts. There has been a long history, back to the late 1800's, of well development into the Dakota aquifer. Concerns have developed over time about the decline in artesian head pressure of the Dakota aquifer. The Water Management Board has concluded and reaffirmed that withdrawals exceeding the average annual recharge cannot be determined solely upon a decline in head pressure, and in theory the Dakota aquifer head is stabilizing relative to withdrawals and discharges (Water Rights, 1987 and 2010). Since discharge from uncontrolled flowing wells is likely to continue until water levels in the aquifer decline to being at or below the ground surface, continuing to allow beneficial pumping to occur reduces the amount of water being discharged to waste. The Water Management Board's decision to optimize development of the Dakota aquifer is favorable to issuance of permits. Therefore, there is a reasonable probability unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

The closest water right/permit not held by the applicant to the proposed diversion points is Water Right No. 4270-3, which is held by Town of Carthage. The Town of Carthage is currently served by a rural water system (Friedeman, 2026). The diversion point for Water Right No. 4270-3 is located approximately 5.7 miles northwest of the of the existing and proposed well sites for this application (Figure 2) (Table 5) (Water Rights, 2026c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Dakota aquifer, with the closest domestic well on file (not held by the applicant) located approximately 1.2 miles south of the proposed diversion points (Water Rights, 2026d). There could potentially be other domestic wells completed into the Dakota aquifer near the diversion points the applicant proposes to use that are not on file with the DANR-Water Rights Program. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report.

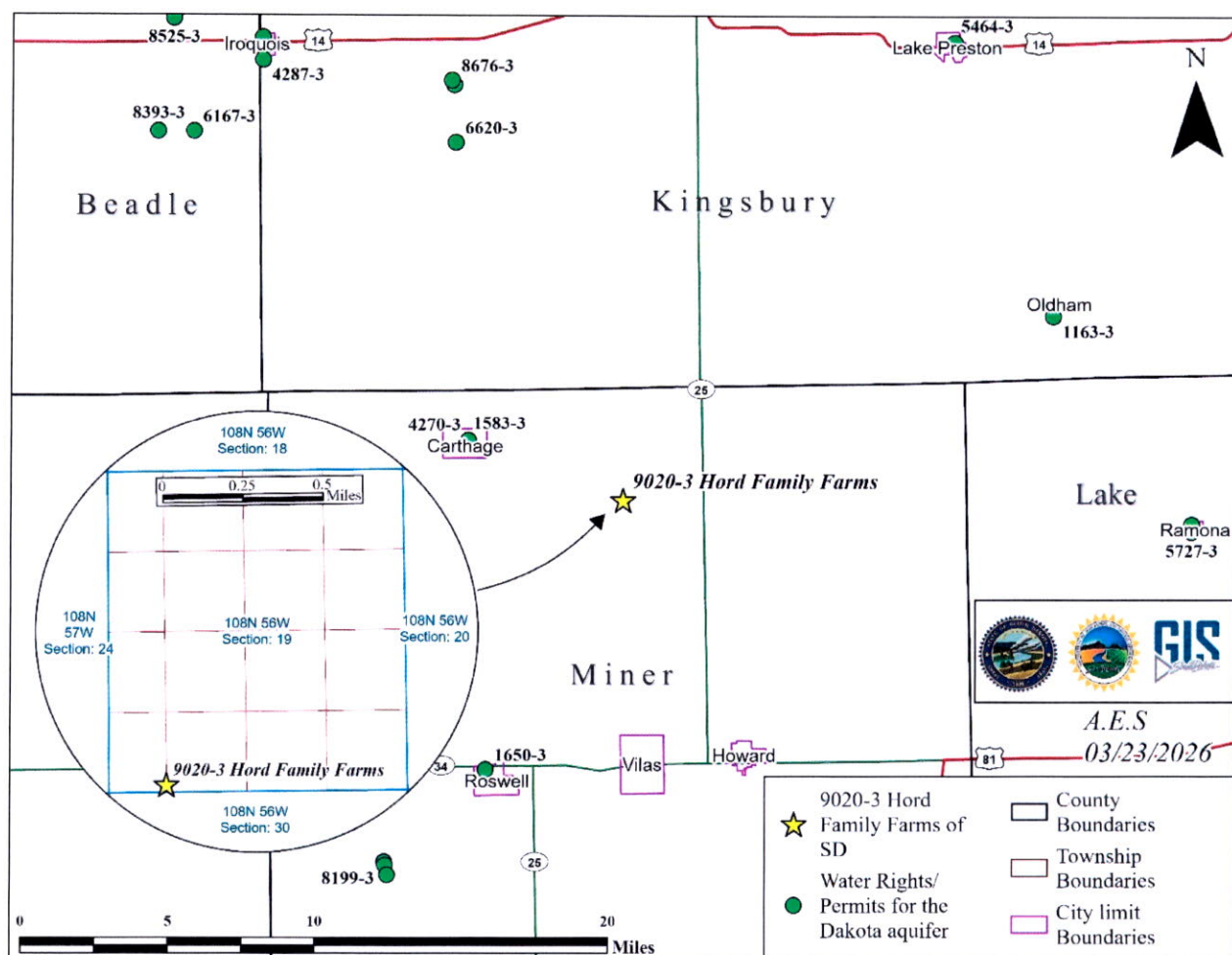


Figure 2. Water rights/permits authorized to withdraw from the Dakota aquifer within approximately 20 miles of the proposed diversion points for Water Permit Application No. 9020-3 (Water Rights, 2026b and 2026c)

Table 5. Water rights/permits authorized to withdraw water from the Dakota aquifer within approximately 20 miles of Water Permit Application No. 9020-3 as shown in Figure 2 (Water Rights, 2026c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Licensed/Permitted Volume (ac-ft/yr)
1163-3*	City Of Oldham	LC	MUN	0.51	**
1583-3*	Town Of Carthage	LC	MUN	0.20	**
1650-3*	Town Of Roswell	LC	MUN	0.06	**
4270-3*	Town Of Carthage	LC	MUN	0.18	**
4287-3*	City Of Iroquois	LC	MUN	2.50	**
5464-3*	City Of Lake Preston	LC	MUN	0.33	**
5727-3*	City Of Ramona	LC	MUN	0.33	**
6167-3	Pearl Creek Htrn Brth	LC	COM, LCO	0.15	**
6620-3	Riverview LLP	LC	COM, LCO	0.13	**
8199-3	Donahue Farms	LC	COM, DOM	0.15	72.6
8393-3	Pearl Creek Htrn Brth	PE	COM, LCO	0.13	7.7
8525-3	Banner Farms Re LLC	LC	COM, LCO	0.20	130.0
8676-3	Kingston LLC	PE	COM, LCO	0.29	155.0

LC: License; PE: Permit; COM: Commercial; DOM: Domestic; LCO: Livestock Confinement Operation; MUN: Municipal; *Identified as being connected to a rural water system and currently do not use their well except for emergency purposes; ** Limited by diversion rate

The Dakota aquifer generally is under confined conditions. In a confined aquifer, drawdown from a pumping well can extend some distance from the well. Based on the well completion report submitted with Water Permit Application No. 9020-3, there is expected to be at least 220 feet of saturated aquifer thickness at the time of drilling and the artesian head pressure of 590 feet above the top of the aquifer materials at the time of drilling. Any drawdown as a result of the diversion for this application is not expected to unlawfully impair nearby adequate wells. In the counties of Miner, Kingsbury, Lake, and Sanborn; there are no complaints on file with the DNR-Water Rights Program regarding well interference for adequate wells completed into the Dakota aquifer (Water Rights, 2026e).

The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“A well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs.”

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use during the issuance of Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Board adopted the Findings of Facts and Conclusions of Law that noted the reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, “general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable...” (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered as an unlawful impairment, it would also conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to install or lower pumps depending on the specific characteristics of the Dakota aquifer at their location. However, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), the saturated thickness of the Dakota aquifer in Miner County, and the lack of substantiated well interference complaints for adequate wells completed into the Dakota aquifer in Miner County or the surrounding counties (Water Rights, 2026e), any drawdown created from the proposed diversion is not expected to cause an unlawful impairment to 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 to existing users with adequate wells.

Special Consideration: Well Construction

The existing well for this application meets the adequate well definition in the well construction standards, ARSD 74:02:04:20(6):

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

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

CONCLUSIONS:

1. Water Permit Application No. 9020-3 proposes to appropriate up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cfs from up to three wells to be completed into the Dakota aquifer (approximately 960 feet deep) located in the S ½ SW ¼ Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located in Miner County, approximately five and one-half miles southeast of Carthage, SD.
2. The Water Management Board’s position has been that beneficial use of water from the Dakota aquifer may reduce the amount of water discharged from uncontrolled flowing wells.
3. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Dakota aquifer to supply to the proposed appropriation. The Water Management Board has concluded and reaffirmed that withdrawals exceeding the average annual recharge cannot be determined solely upon a decline in head pressure for confined aquifers. Declining head pressure may indicate the aquifer is reaching equilibrium under current recharge and discharge from the aquifer.
4. There is reasonable probability that the diversion by Water Permit Application No. 9020-3 will not unlawfully impair adequate wells for existing water rights/permits holders or domestic users with adequate wells.
5. Any future replacement or additional wells shall meet the adequate well construction standard as defined in ARSD 74:02:04:20(6). Replacement or additional wells may not be constructed using the alternative construction requirements that are allowed for domestic use wells outlined in ARSD 74:02:04:35.



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

References

- Bredehoeft, J.D., Neuzil, C.E., and Milly, P.C., 1983. Regional Flow in the Dakota Aquifer: A Study of the Role of Confining Layers. Alexandria, Virginia: U.S. Geological Survey, 1983. Water- Supply Paper 2237.
- Carter, J.M., Driscoll, D.G., Williamson, J.E., and Lindquist, V.A., 2002. Atlas of Water Resources in the Black Hills area, South Dakota. Rapid City South Dakota: U.S. Geological Survey, 2002. Hydrologic Investigations Atlas HA-747.
- Darton, H.H., 1909. Geology and Underground Waters of South Dakota. Water Supply Paper 227. U.S. Geological Survey, Washington D.C.
- Drennon, K. 2025. Second Report on the Five-Year Review of Water Availability in the East James Management Unit of the Tulare Aquifer. File for Held Application No. 8082-3. SD DANR-Water Rights Program. Pierre, SD.
- Fahrenbach, M.D., Steece, F.V., Sawyer, J.F., McCormick, K.A., McGillivray, G.L., Schulz, L.D., and Redden, J.A. 2010. South Dakota Stratigraphic Correlation Chart. Oil and Gas Investigations 3. SD DANR-Geological Survey, Vermillion, SD.
- Friedeman, B. and Settje, A.E. 2025. Personal communication on status of public water systems August 6, 2025.
- Friedeman, B. and Mathiowetz, A. 2026. Personal communication on status of public water systems April 8, 2026.
- Medler, C.J., Anderson, T.M., and Eldridge, W.G., 2025. Hydrologic Budgets and Water Availability of Six Bedrock Aquifers in the Black Hills Area, South Dakota and Wyoming 1931-2022. Reston, Virginia: U.S. Geological Survey, 2025. Scientific Investigations Report 2025-5067.
- Schoon, R.A., 1971. Geology and Hydrogeology of the Dakota Formation in South Dakota. South Dakota Geological Survey Report of Investigations No. 104. Vermillion, SD.
- Water Rights, 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DANR-Water Rights Program file for Water Right No. 2313-2. Pierre, SD.
- Water Rights, 2010. Finding of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 7165-3, Paul Buckneberg. SD DANR-Water Rights Program file for Cancelled Water Permit No. 7165-3. Pierre, SD.

Water Rights, 2026a. "1979-2024 Irrigation Summaries by Aquifer", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.

Water Rights, 2026b. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2026c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

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

Water Rights, 2026e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Dewell, Amanda

From: Nicholas Fitzgerald <Nick.Fitzgerald@pipestone.com>
Sent: Thursday, January 29, 2026 10:15 AM
To: Dewell, Amanda
Cc: Colleen Hord
Subject: FW: [EXT] Water Permit Application
Attachments: Well Permit Application 1-28-2026.pdf

Hi Amanda,

Following up on your questions below. I have attached an updated application with the update to help clarify from our engineer.

- 1) Are the three wells each expected to produce 50 gpm, or all three combined will produce 50 gpm?
 - a. Each well will be expected to produce 50 gpm (or 150 gpm total capacity for the 3 wells)
- 2) How did you land on an annual need of 28 million gallons of water? At 50 gpm, even pumping 24/7/365 you would only achieve 26,280,000 gallons.
 - a. 28,000,000 would be the annual volume for the 3 wells, we would not intend to pump 24/7/365.

Thank you,



Nick Fitzgerald
Director, Business Development
Phone: (319) 631-9316
Address: 1510 King Ave., Tipton, IA 52772
nick.fitzgerald@pipestone.com
Pipestone.com

From: Colleen Hord <colleen@hordfarms.com>
Sent: Tuesday, January 27, 2026 7:37 PM
To: Nicholas Fitzgerald <Nick.Fitzgerald@pipestone.com>
Cc: Pat Hord <pat@hordfarms.com>
Subject: FW: Water Permit Application

This email came from outside the organization

Do not open attachments or click links unless you recognize the sender's email address and know the contents are safe.

- Pipestone IT Helpdesk

Hi Nick, I had a voicemail from Amanda and looks like she sent me this note too- would you know the answer to these questions or should I reach out to ISG?

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, January 27, 2026 4:57 PM
To: Colleen Hord <colleen@hordfarms.com>
Subject: Water Permit Application

Colleen,

I'm reviewing the application submitted for Hord Family Farms of SD for three new wells in Miner County, and in doing so, I have a few questions.

- 1) Are the three wells each expected to produce 50 gpm, or all three combined will produce 50 gpm?
- 2) How did you land on an annual need of 28 million gallons of water? At 50 gpm, even pumping 24/7/365 you would only achieve 26,280,000 gallons.

Thank you,

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov



Warning: This email comes from outside the Hord team. Please use External Sender Policies when interacting with this email.

Rodriguez, Rachel

From: Matt Hudson <Matt.Hudson@ISGInc.com>
Sent: Wednesday, January 21, 2026 1:45 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] Hord Family Farms of SD - Water Permit Application
Attachments: Well 1 Permit Application 1-21-2026.pdf

Rachel,

Here is the new permit that should cover all your questions below.

The one map shows all three well locations, only Well #1 has been drilled at this time. All three will be in the SW ¼ of section 19.

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Tuesday, January 20, 2026 11:43 AM
To: Matt Hudson <Matt.Hudson@ISGInc.com>
Subject: RE: Hord Family Farms of SD - Water Permit Application

Good afternoon,

In looking over the application, I see a few issues:

- A review of the Secretary of State's corporation website finds Hord Family Farms listed. The signature does not appear listed as one of its partners. DANR will need the application to be signed by a listed partner or a statement of authority that the person signing the application has the authority to act on behalf of Hord Family Farms on all matters involving the water permit application.
- One page 2, please see the yellow highlighted area, if you do not know, you may say unknown.
- Also, you indicate 3 wells. However, only two maps were submitted. One appears to be in the NW 1/4 SW 1/4, and another in the SW 1/4 SW 1/4 Sec 19-T108N-R56W. Is that correct? Please mark the proposed well location of the 3rd well on the attached map with an "X".

Once I receive the item above, I will begin processing the application.

Thank you,

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



From: Matt Hudson <Matt.Hudson@ISGInc.com>
Sent: Monday, January 19, 2026 9:01 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: [EXT] Hord Family Farms of SD - Water Permit Application

Amanda,
Attached are files for another application for 3 wells on site. The name of the site is Hord Family Farms of SD.
As of now we only have 1 of 3 wells drilled and have included that well log.

I believe the total fee for this amount of water and wells would be \$700. This will be paid today.

Let me know if you have any questions or need more info.

Thanks.



Matt Hudson

Project Manager
Employee Owner

P 507.387.6651
C 507.317.2526
E Matt.Hudson@ISGInc.com
W ISGInc.com





**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.**

April 10, 2026

Hord Family Farms
c/o Colleen Hord
PO Box 808
Bucyrus OH 44820

Dear Ms. Hord:

Water Permit Application No. 9020-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Miner County Pioneer printed in Howard (Ph # 605 772-5644) and the Argus Leader printed in Sioux Falls (see attachment for contact number). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Acting Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Acting Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

NOTICE OF APPLICATION NO. 9020-3 to Appropriate Water

Notice is given that Hord Family Farms of SD, PO Box 808, Bucyrus OH 44820, has filed an application for a water permit to appropriate up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cubic feet of water per second from up to three wells to be completed into the Dakota Aquifer (approximately 960 feet deep) located in the S 1/2 SW 1/4 Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located approximately five and one-half miles southeast of Carthage SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9020-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by April 27, 2026.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 27, 2026.

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

Published once at the total approximate cost of _

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, April 9, 2026 8:27 AM
To: minercountypioneer@alliancecom.net
Subject: 9020-3 Hord Family Farms - Public Notice
Attachments: 9020-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on April 16, 2026.

Hord Family Farms of SD, c/o Colleen Hord, PO Box 808, Bucyrus OH 44820, 419-569-2748, has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Friday, April 10, 2026 9:32 AM
To: Rodriguez, Rachel
Cc: colleen@hordfarms.com
Subject: RE: [EXT] 12247727 9020-3 Hord Family Farms - Public Notice
Attachments: 12247727.pdf

Good Morning,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on April 16. The order cost is \$61.90 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on Tuesday with any changes.

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

Our invoicing is done on a monthly basis.

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

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

Thank you!

Brittany Grady
Public Notice Representative

USA TODAY CO.



844-254-5287

National voice. Local strength. Subscribe TODAY.

#TeamUSATODAY

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

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Thursday, April 9, 2026 8:29 AM
To: SFA-Legals mbx <allegals@appleton.gannett.com>
Subject: 12247727 9020-3 Hord Family Farms - Public Notice

Attached is a notice to be published on April 16, 2026.

Hord Family Farms of SD, c/o Colleen Hord, PO Box 808, Bucyrus OH 44820, 419-569-2748, colleen@hordfarms.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:	1594141
Customer Name:	Hord Family Farms Of SD
Customer Address:	Hord Family Farms Of SD Po Box 808 Bucyrus OH 44820-0808
Contact Name:	Colleen Hord
Contact Phone:	
Contact Email:	colleen@hordfarms.com
PO Number:	

Date:	04/10/2026
Order Number:	12247727
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	173.0000
Height in Inches:	19.0700

Print

Product	#Insertions	Start - End	Category
SFA SiouxFalls Argus Leader 1		04/16/2026 - 04/16/2026	Public Notices
SFA argusleader.com 1		04/16/2026 - 04/16/2026	Public Notices

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

Total Cash Order Confirmation Amount Due	\$61.90
Tax Amount	\$0.00
Service Fee 3.99%	\$2.47
Cash/Check/ACH Discount	-\$2.47
Payment Amount by Cash/Check/ACH	\$61.90
Payment Amount by Credit Card	\$64.37

Order Confirmation Amount	\$61.90
---------------------------	---------

RECEIVED

APR 29 2026

OFFICE OF
WATER

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says:
That the Miner County Pioneer is a legal newspaper of general circulation,
printed and published in Howard, said County and State, by Carla Poulson, and
has been such newspaper during the time hereinafter mentioned: and that I,
Carla Poulson the undersigned, am publisher of said newspaper, in charge of
the advertising department thereof, and have personal knowledge of all the
facts stated in this affidavit, and that the advertisement or notice headed

Notice of Application

Permit 9020-3

A printed copy of which is hereunto attached, was printed and published in the
regular and entire issue of said newspaper and not in a supplement, once each
week for ...1... successive weeks, the first publication being made on the
.....16... day of April, 20.26

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

The fifth publication being made on the day of 20.....

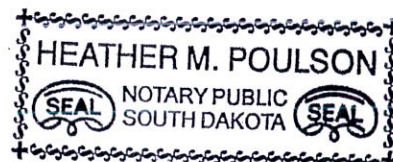
That said newspaper is a legal newspaper, and has a bona fide circulation of
more than two hundred copies weekly, and has been published within the
County of Miner, for more than fifty-two successive weeks next prior to the
first publication of said notice, and is printed in an office maintained in
Howard, South Dakota, the place of publication of said newspaper. That the
full amount of fees for publication of the annexed notice is \$ 419.2. and
insures solely to the benefit of said publisher; that no agreement or understand-
ing for a division thereof has been made with any person and that no part there-
of has been agreed to be paid to any person whomever.

Subscribed and sworn to me this ...27... day of April, 20.26

C.R.

My commission expires the ...10... day of Oct 2031

[Signature]



Legal Notices • Legal N

NOTICE OF APPLICATION NO. 9020-3 to Appropriate Water

Notice is given that Hord Family Farms of SD, PO Box 808, Bucyrus, OH 44820, has filed an application for a water permit to appropriate up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cubic feet of water per second from up to three wells to be completed into the Dakota Aquifer (approximately 960 feet deep) located in the S 1/2 SW 1/4 Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located approximately five and one-half miles southeast of Carthage, SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9020-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

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 27, 2026.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 27, 2026.

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

Published once at the approximate total cost of \$41.92 and can be viewed free of charge at www.sdpublicnotices.com.

(April 16, 2026)

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD 57501" or call (605) 773-3352. The

USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Colleen Hord
Hord Family Farms Of SD
Po Box 808
Bucyrus OH 44820-0808

STATE OF WISCONSIN, COUNTY OF BROWN

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

04/16/2026

and that the fees charged are legal.
Sworn to and subscribed before on 04/16/2026

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$61.90

Tax Amount: \$0.00

Payment Cost: \$61.90

Order No: 12247727

Customer No: 1594141

PO #:

of Copies:

1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

**NOTICE OF APPLICATION
NO. 9020-3 to
Appropriate Water**

Notice is given that Hord Family Farms of SD, PO Box 808, Bucyrus OH 44820, has filed an application for a water permit to appropriate up to 86 acre-feet of water annually at a maximum combined pump rate of 0.334 cubic feet of water per second from up to three wells to be completed into the Dakota Aquifer (approximately 960 feet deep) located in the S 1/2 SW 1/4 Section 19-T108N-R56W for commercial use at a swine production facility at the same location. This site is located approximately five and one-half miles southeast of Carthage SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9020-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program, Foss Building,

523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by April 27, 2026.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 27, 2026.

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

Published once at the total approximate cost of \$61.90 and may be viewed free of charge at www.sdpublicnotices.com.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, April 10, 2026 10:13 AM
To: 'colleen@hordfarms.com'
Subject: 9020-3 Hord Family Farms - Public Notice
Attachments: 9020-3 Rec.pdf; 9020-3 Ltr.pdf; 9020-3 PubNotice.pdf; Argus Leader Info.pdf

Good morning,

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

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 20, 2026

Hord Family Farms of SD
c/o Colleen Hord
PO Box 808
Bucyrus OH 44820

Dear Ms. Hord:

Enclosed is Water Permit No. 9020-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

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

Application No.: 9020-3

Name of Applicant: Hord Family Farms of SD, c/o Colleen Hord

Date of Posting: 4/13/2026

Date of Removal: 5/20/2026

Amanda Dewell, Permitting Administrator

5/20/2026

Date

Subscribed and sworn to before me, a notary public, this 20th day of May, 2026.

Notary Public - South Dakota

My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)

