

WATER PERMIT NO. 9021-3

Name of Applicant: **Craig Arthur**

Address: **16116 456th Avenue, Watertown SD 57201**

Phone: **605-880-0289**

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

Total Acres: **80**

Source of Water Supply: **Groundwater**

Water to be used for: **Irrigation**

County: **Grant**

Type of Waste Disposal System:

Location: **Approx. 6 miles southwest of Milbank**

PRIORITY

Date Received: **01-21-26**

Application/License Fee: **\$750.00**

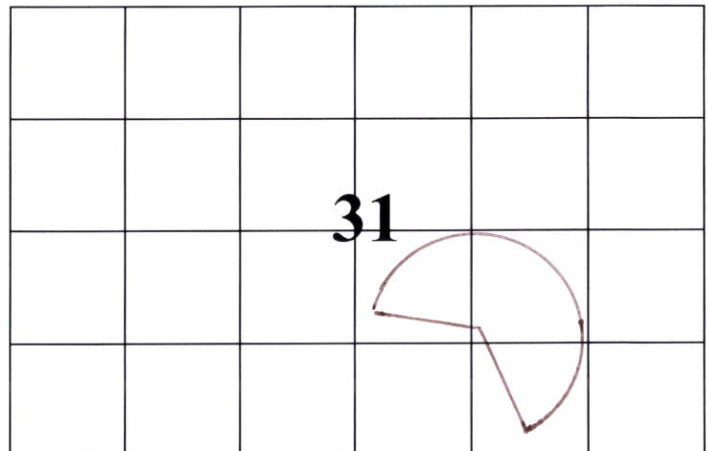
Corrected Application Received: **01-22-26**

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

Remarks: **Using the existing well authorized by Permit 8814-3, with no increase in diversion rate**

Diversion Point: **SE 1/4 SE 1/4 Sec 31-T120N-R49W**

Land to be Irrigated: **N 1/2 SE 1/4, SE 1/4 SE 1/4 Sec 31-T120N-R49W**



Depth of Well: **80**

Well Driller: **Thein Well**

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **01-22-26**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 9021-3**

Date of first receipt of application January 21, 2026.

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

Date of receipt of corrected application January 22, 2026.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 9021-3 to Craig Arthur, 16116 456th Avenue, 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. 9021-3 authorizes irrigation of an additional 80 acres, from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Wilmot Aquifer (80 feet deep) located in the SE 1/4 SE 1/4 Section 31-T120N-R49W for irrigation of 102 acres located in the NE 1/4 Section 6-T119N-R49W and the SW 1/4 SE 1/4 Section 31-T120N-R49W. This permit authorizes irrigation of an additional 80 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 31; all in T120N-R49W, with no increase to the 1.44 cfs diversion rate. This Permit, and Water Permit No. 8814-3 authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 21, 2026.
4. The date of approval of Permit No. 9021-3 is May 4, 2026.
5. One-fifth of the construction is to be completed on or before November 4, 2028.
6. All construction is to be completed on or before May 4, 2031.
7. Water is to be put to beneficial use on or before May 4, 2035.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

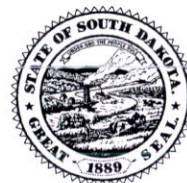
1. The well approved under this Permit and Water Permit No. 8814-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. 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

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

May 20, 2026
date



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

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>9021-3</u> Hydrologic Unit <u>07020001</u> Basin <u>Upper Minnesota</u> Newspaper <u>Milbank Grant County Review</u> <u>Watertown Public Opinion</u> (office use only)
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JAN 21 2026

Water Rights
Program

Application for Permit to Appropriate Water for Irrigation

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

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

1. Name to Appear on Irrigation Permit Craig Arthur
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.
Mailing Address 16116 456th Ave Watertown SD 57201
(Address) (City) (State) (Zip Code)
Phone 605-880-0284 Mobile _____ Email cjarthur30@hotmail.com
2. Amount of water claimed ~~650~~ No Add'l *CFS or 650 **GPM ***AF Total Acreage 80
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply existing well
4. Location of point of diversion 1 well N88 degree W 860 ft from SE
corner Sect 31 + 120N R49W County _____
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
5. County or counties where water will be used Grant, County, SD
6. Annual period during which water is to be used May - Sept 30
7. List below each forty-acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 of SE 1/4 120N 49W Sect 31	28		
NE 1/4 of SE 1/4 120N 49W Sect 31	30		
SE 1/4 of SE 1/4 120N 49W Sect 31	22		

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

Adding center pivot to SE 1/4 of 120N 49W Section 31 to share split well with pivot currently in use that is located in NE 1/4 of 119N 49W Sect 6. that is operating under permit number 8814-3

I, Craig Arthur Owner, the applicant, certify under
Name of Person Title (if applicable)

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

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)

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- a) If new wells, how many _____ Have test holes been drilled? ☐ Yes ☐ No Drilled by _____
(if yes, please provide copies of logs)
- b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by Ther Well

For either existing or proposed wells:

- c) Well Depth (required) 80 Depth to Top of Water Bearing Material 56 ft Depth to Water from Surface 3 ft
- d) Distance to nearest domestic well on applicant's property _____ Property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

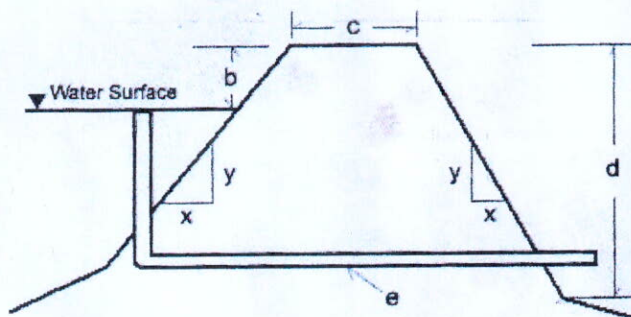
3. Dugout Information

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

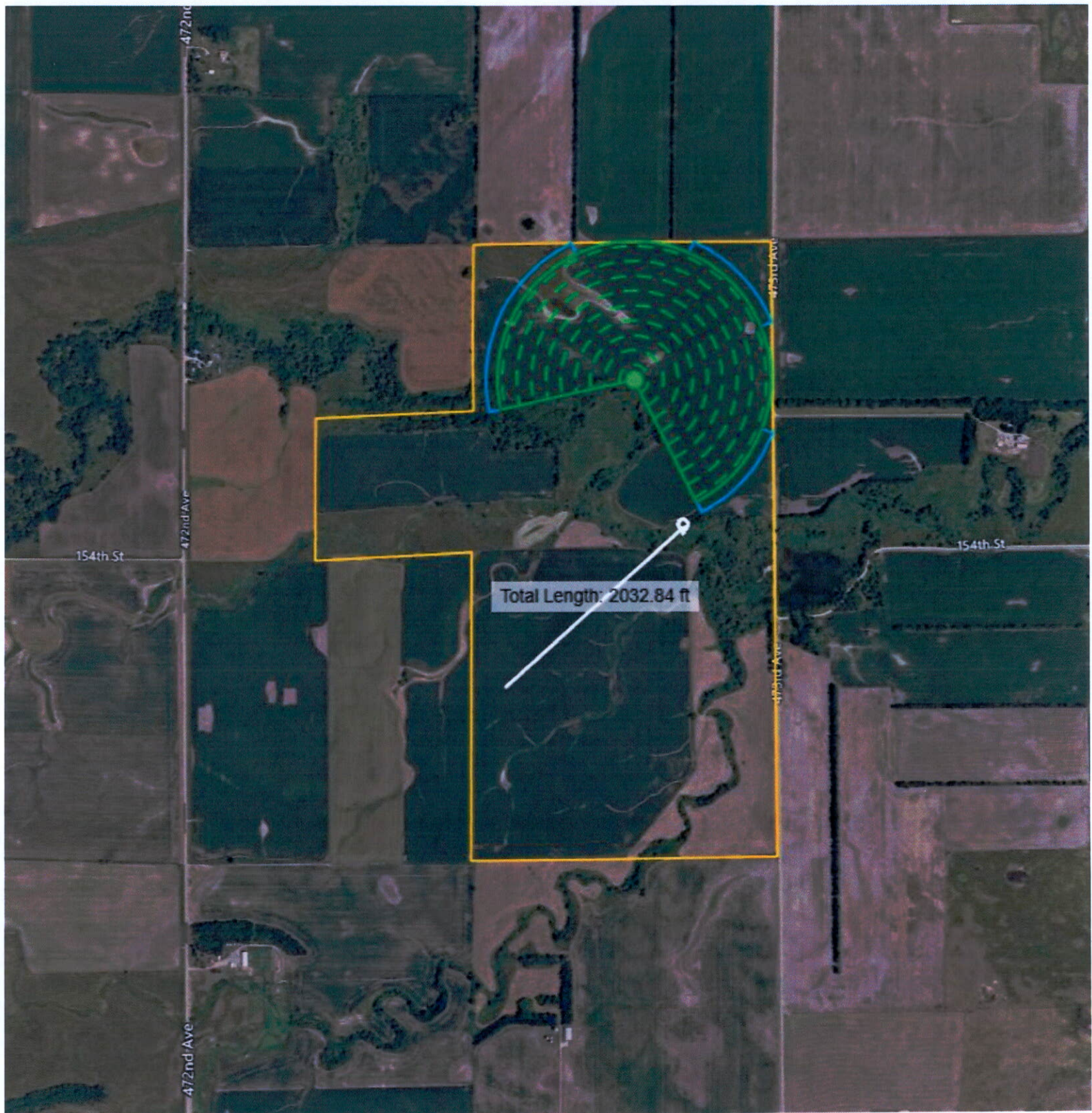
4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



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



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MIDWEST IRRIGATION & ELECTRIC INC.

01/20/2026

2 of 2

Design Summary



Prepared For:
arthur farms
Craig Arthur

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	System Name:	Span Summary	System Length:	Total Coverage Area
	Pivot 10	9 spans, 40.00 ft	1174.00 ft	78.60 acres
Totals:			1174.00 ft	78.60 acres

System Name:	Pivot Center Type:	Latitude	Longitude
Pivot 10		45.153662°	-96.747104°

Well Information	Latitude	Longitude
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Pipe Information	Length	Description
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Wire Information	Length	Description
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MIDWEST IRRIGATION & ELECTRIC INC.

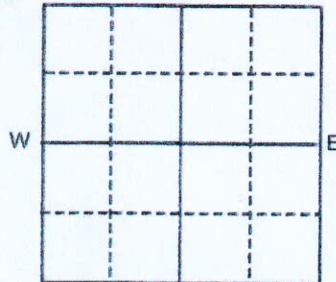
552 Main St PO Box 36; Big Stone City, 57216-2179
Office: 1 (605) 862-8149; Mobile: 1 (605) 595-3440
Michael Pribbenow - mie.bigstone@gmail.com
Miebigstone.com

01/20/2026

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location SE 1/4 SE 1/4 Sec 31 Twp 120 Rg 49County GRANT

North

Please mark well
location with an "X"

Well Completion Date

6/27/2024

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

MUD ROTARY

CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>12</u> IN	<u>0</u> FT	<u>59</u> FT	<u>16</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>BENTONITE</u>	<u>16</u>	Lb/gal	<u>0</u> Ft	<u>55</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 12 Inches Length 20 Feet
Material Stainless SteelSlot Size .040 Set From 59 Feet to 79 Feet

Other information

WAS A PACKER OR SEAL USED? ☐ Yes ☐ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorinated☐ No, Why Not?Lab to which water
quality sample sent for analysisWell Owner: CRAIG ARTER

Business Name:

Address: 16116 456TH AVECity, State, Zip: WATERTOWN ☒ SD ☒ 57201

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL/ GRAVEL	0	11
BLUE CLAY/ FINE SAND	11	29
BLUE CLAY	29	45
FINE SAND/ BLUE CLAY	45	53
MED/ FINE SAND	53	56
CLAY BLUE	56	56.5
MED / FINE SAND/ GRAVEL GRAY	56.5	79.5
GRAY CLAY	79.5	80

STATIC WATER LEVEL 2' 10" 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: AIRLIFTED
☐ Bailed
☒ Other

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AUG 30 2024

Pumping Level Below Land Surface

42' 7" Ft. After 6 Hrs. pumped

_____ Ft. After _____ Hrs. pumped

If pump installed, pump rate: _____ GPM

OFFICE OF
WATER

400 GPM

GPM

GPM

REMARKS

GPS N 45 9.0080 W 96 44.728012" WELL - IRRIGATIONThis well was drilled under license # 475 and this report is true and accurate.Drilling firm: THEIN WELL COMPANY, INCORPORATED

Signature of License Representative:

Michael Thein

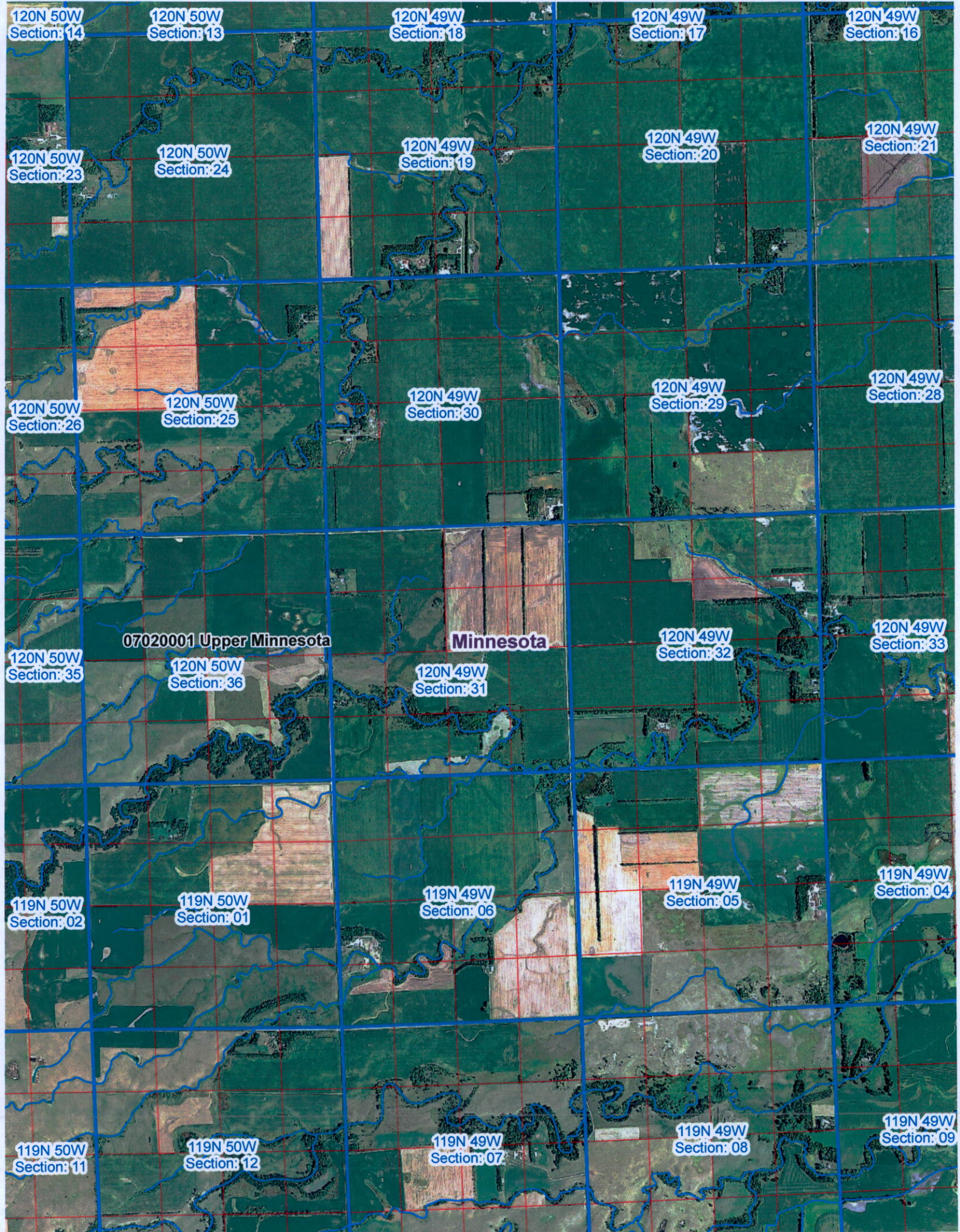
Signature of Well Owner or Equitable Property Holder:

Date: _____

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120N 50W
Section: 14

120N 50W
Section: 13

120N 49W
Section: 18

120N 49W
Section: 17

120N 49W
Section: 16

120N 50W
Section: 23

120N 50W
Section: 24

120N 49W
Section: 19

120N 49W
Section: 20

120N 49W
Section: 21

120N 50W
Section: 26

120N 50W
Section: 25

120N 49W
Section: 30

120N 49W
Section: 29

120N 49W
Section: 28

120N 50W
Section: 35

120N 50W
Section: 36

120N 49W
Section: 31

120N 49W
Section: 32

120N 49W
Section: 33

119N 50W
Section: 02

119N 50W
Section: 01

119N 49W
Section: 06

119N 49W
Section: 05

119N 49W
Section: 04

119N 50W
Section: 11

119N 50W
Section: 12

119N 49W
Section: 07

119N 49W
Section: 08

119N 49W
Section: 09

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WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 22, 2026

RECEIVED OF Craig Authur 16116 456th Ave Watertown SD 57201

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

Fee for Application for Permit No. <u>9021-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>750.00</u>
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
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>750.00</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. 9021-3, Craig Arthur**

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. 9021-3, Craig Arthur, 16116 456th Avenue, Watertown SD 57201.

The Acting Chief Engineer is recommending APPROVAL of Application No. 9021-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under this Permit and Water Permit No. 8814-3 is located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. 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.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
April 10, 2026

Report to the Chief Engineer

On Water Permit Application No. 9021-3

Craig Arthur

April 10, 2026

Water Permit Application No. 9021-3 proposes to irrigate an additional 80 acres from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Wilmot aquifer (80 feet deep) located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T120N-R49W for the irrigation of 102 acres located in the NE $\frac{1}{4}$ Section 6-T119N-R49W and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T120N-R49W. The application proposes to irrigate an additional 80 acres located in the N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31; all in T120N-49W, with no increase to the 1.44 cfs diversion rate. This application, if approved, and Water Permit No. 8814-3 will authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank, SD.

AQUIFER: Wilmot (WIL)

HYDROGEOLOGY:

The Wilmot aquifer is composed of Pleistocene-aged glacial and alluvium outwash deposits ranging from fine sand to coarse gravel (Thompson, 2001). The Wilmot aquifer has previously been estimated to underly approximately 152,900 acres in Grant and Roberts Counties in South Dakota, and the aquifer estimated to contain approximately 344,030 acre-feet of recoverable water in storage (Hedges et al., 1982). Hedges and others (1982) estimated areal extent for the Wilmot aquifer is currently the best information available. However, additional drilling is being completed, and a more accurate estimation of the areal extent will become available. The South Dakota Geological Survey (SDGS) "Current Projects - Aquifer Delineation" webpage mentions an ongoing study in the northeast part of the state to more accurately map the boundaries of glacial outwash aquifers that lie east of the Coteau des Prairies, with the Wilmot aquifer being one of the five named aquifers under study (SDGS, 2026). The drilling and studies needed to refine aquifer delineations are multi-year projects. Review of nearby well logs (Water Rights, 2026d), observation well lithologic logs (Water Rights, 2026b), and conversations with SDGS staff aided in the determination that the existing well proposed to be used by this application is withdrawing from the Wilmot aquifer (Steen, N. 2024). The SDGS study mentioned above has been ongoing for several years and SDGS staff indicated that the drilling work to refine the Wilmot aquifer boundaries in Grant and Roberts Counties could be completed soon. The anticipated updates to the delineation of the Wilmot aquifer boundary is not expected to affect the review of this application in a manner that would require deferral of this application until the study is complete (Christensen et al., 2026).

The Wilmot aquifer varies between confined and unconfined conditions (Water Rights, 2026b and 2026d). A water well completion report was submitted with this application for the existing well proposed to be used (Water Rights, 2026d). The report lists, "Top Soil/Gravel" from 0 to 11

feet below the ground surface, “Blue Clay/Fine Sand” from 11 to 29 feet, “Blue Clay” from 29 to 45 feet, “Fine Sand/Blue Clay” from 45 to 53 feet, “Med/Fine Sand” from 53 to 56 feet, and “Clay Blue” from 56 to 56.5 feet, “Med/Fine Sand/Gravel Gray” from 56.5 to 79.5 feet, “Gray Clay” from 79.5 to 80 feet below the ground surface (Water Rights, 2026d). The well was screened from 59 to 79 feet and had a static water level of approximately 2 feet 10 inches below the ground surface at the time of well completion (June 27, 2024) (Water Rights, 2026d). Additionally, based on the well completion report submitted with this application and on well logs from wells completed into the Wilmot aquifer within approximately two miles of the existing well site, saturated aquifer thicknesses range from approximately 11 to 23 feet, with the depth to the top of aquifer materials ranging from approximately 50 to 75 feet below ground surface. The Wilmot aquifer is under confined conditions near the existing well site based on the water well completion submitted with this application, the well completion reports on file for nearby wells, and the lithologic log on file for the nearby observation well (SDGS, 2026; Water Rights, 2026b and 2026d).

South Dakota Codified Law (SDCL)

Water Permit Application No. 9021-3 proposes to appropriate water from the Wilmot aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering *SDCL 46-6-3.1* and *SDCL 46-2A-9*.

Pursuant to SDCL 46-6-3.1,

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

The Wilmot aquifer is not older than or stratigraphically lower than the Cretaceous aged 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 Wilmot 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 Wilmot aquifer.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Wilmot aquifer is primarily through the infiltration of precipitation where the aquifer is at or near the ground surface (Thompson, 2001). An average annual recharge rate has not been estimated for the Wilmot aquifer. For buried confined aquifers, Hedges and others (1985) recommended recharge rates of 0.15 to 0.60 inches per year for use by management and development programs. The areal extent of the Wilmot aquifer is approximately 152,900 acres when adding the estimates for Grant and Roberts Counties (Hedges et al., 1982); therefore, the average annual recharge rate to Wilmot aquifer ranges between approximately 1,911 to 7,645 acre-feet per year. Water Rights Staff have been using the midpoint of estimated average annual recharge rate ranges for aquifers with recharge ranges. As such, the midpoint between the two average annual recharge rates to the Wilmot aquifer is approximately 4,778 acre-feet per year which will be used as the average annual recharge rate to the Wilmot aquifer. Additional drilling and study of the Wilmot aquifer is expected to refine the estimated areal extent of the aquifer by Hedges and others (1982) which will likely affect the mathematics of the average annual recharge range. However, the potential changes from the pending delineation is not expected to significantly change the estimated recharge rate range.

Discharge

Discharge from the Wilmot aquifer is primarily through well withdrawals and evapotranspiration where the aquifer is at or near the ground surface (Thompson, 2001; Water Rights, 2026d).

Currently, there are seven water rights/permits authorized to appropriate water from the Wilmot aquifer (Water Rights, 2026c). Additionally, there is one future use permit (No. 4796-3) reserving 1,607 acre-feet of water annually from the Wilmot aquifer (Water Rights, 2026c). For the purpose of estimating average annual withdrawals, the future use permit is assumed to be fully developable for a total of 1,607 acre-feet per year.

Table 1 summarizes the non-irrigation water right (5006-3) authorized to appropriate water from the Wilmot aquifer with the estimated annual use determined by their permitted maximum diversion rate or annual volume and future use permit (4796-3) reserving water. 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).

Future Use Permit No. 4796-3, held by the City of Sisseton, had originally been permitted to claim up to 10 cfs with stipulation that the permit be subject to review by the Water Management Board every seven years. On September 28, 1989, the Water Management Board deferred the

review of Future use Permit No. 4796-3 pending submission of additional information. After annual water usage was submitted by the City of Sisseton, it was determined by the Board and Chief Engineer that Future Use Permit No. 4796-3 would be amended to remove the diversion rate and limit the annual volume reserved to two times the amount of permitted water actually put to beneficial use pursuant to Board Rule 74:02:01:24.01. Currently, Future Use Permit No. 4796-3 is limited to an annual volume of 1,607 ac-ft/yr.

Overall, the estimated average annual withdrawal rate from the Wilmot aquifer by the one non-irrigation water right and one future use permit is approximately 2,189 acre-feet per year (Table 1) (Water Rights, 2026c).

Table 1. Estimated annual use for the non-irrigation water right and Future Use Permit authorized to divert water and reserve water, respectively, from the Wilmot aquifer (Water Rights, 2026c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet/year)	Estimated Use (acre-feet/year)
4796-3	City of Sisseton	FU	MUN		1,607	1,607
5006-3	City of Sisseton	LC	MUN	1.34		582
LC: Licensed; FU: Future Use Permit; MUN: Municipal					TOTAL:	2,189

Currently, there are six irrigation water rights/permits authorized to appropriate water from the Wilmot 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 Wilmot aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2024) is approximately 152 acre-feet per year (Table 2) (Water Rights, 2026a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2015 to 2024 is approximately 180 acre-feet per year (Table 2) (Water Rights, 2026a).

The average annual withdrawal rate for irrigation water rights/permits includes the reported withdrawal rates from now cancelled Water Right No. 2266-3 and Water Permit No. 4719-3, previously labeled as withdrawing from the Pleistocene Series: Unknown aquifer but were likely withdrawing from the Wilmot aquifer based on the information available from the SDGS study currently in progress (Christensen et al., 2026).

Water Permit No. 8846-3 was approved in 2024 and has not reported 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). As such, 10 inches of water per acre per year application rate will be used to somewhat overestimate the annual withdrawal rate for Water Permit No. 8846-3. Water Permit No. 8846-3 is permitted to irrigate 266 acres. Therefore, the estimated annual use of Water Permit No. 8846-3 is approximately 222 acre-feet per year. Combining the estimated annual use of Water Permit No. 8846-3 and the reported annual average (2015 to 2024), results in an estimated annual irrigation withdrawal rate of 402 acre-feet per year.

Table 2 Reported historic irrigation use from the Wilmot aquifer (Water Rights, 2026a)

Year	No. of Permits	Reported (acre-feet)
1979	7	84.8
1980	7	257.7
1981	10	218.3
1982	8	218.9
1983	8	344.4
1984	8	288
1985	10	90
1986	10	0
1987	8	215
1988	9	396.7
1989	9	239.5
1990	9	156
1991	7	0
1992	7	65.5
1993	7	0
1994	7	0
1995	6	0
1996	5	101
1997	5	130
1998	5	170
1999	5	106.2
2000	5	164.9
2001	5	48.9
2002	5	39.6
2003	5	100.4
2004	5	108
2005	3	61.9
2006	4	209.9
2007	4	102.5
2008	4	89.5
2009	4	117.5
2010	4	167
2011	4	136.1
2012	4	397.6
2013	4	229.6
2014	4	132.9
2015	4	78.3
2016	4	155
2017	4	173.5
2018	4	205
2019	4	0
2020	4	238.6
2021	4	201.4
2022	4	228
2023	5	297.4
2024	6	227.6
Min	3	0
Max	10	398
Avg (1979-2024)	6	152
Avg (2015-2024)	4	180

There are domestic wells completed into the Wilmot 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 Wilmot 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 Wilmot aquifer.

Hydrologic Budget Summary

The annual recharge rate to the Wilmot is approximately 4,778 acre-feet/year (Hedges et al, 1982 and 1985). The estimated average annual withdrawal rate from the Wilmot aquifer is approximately 2,658 acre-feet per year (non-irrigation (including future use reservation): 2,189 acre-feet/year; irrigation (Water Permit No. 8846-3) (avg 2015 to 2024): 402 acre-feet/year; Water Permit Application No. 9021-3 (if approved, assuming 10 inches of water applied per authorized acre): 67 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Wilmot aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

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

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DNR-Water Rights Program monitors four observation wells completed into the Wilmot aquifer (Water Rights, 2026b). The four observation wells in proximity to the well the applicant proposes to use are GT-76E (approximately 1 mile northwest), RB-77Q (approximately 15.2 miles northwest), RB-77P (approximately 16.6 miles northwest), and RB-77O (approximately 16.8 miles northwest) (Figure 1 & 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 which were then converted to elevation in feet from the NGVD29 vertical datum.

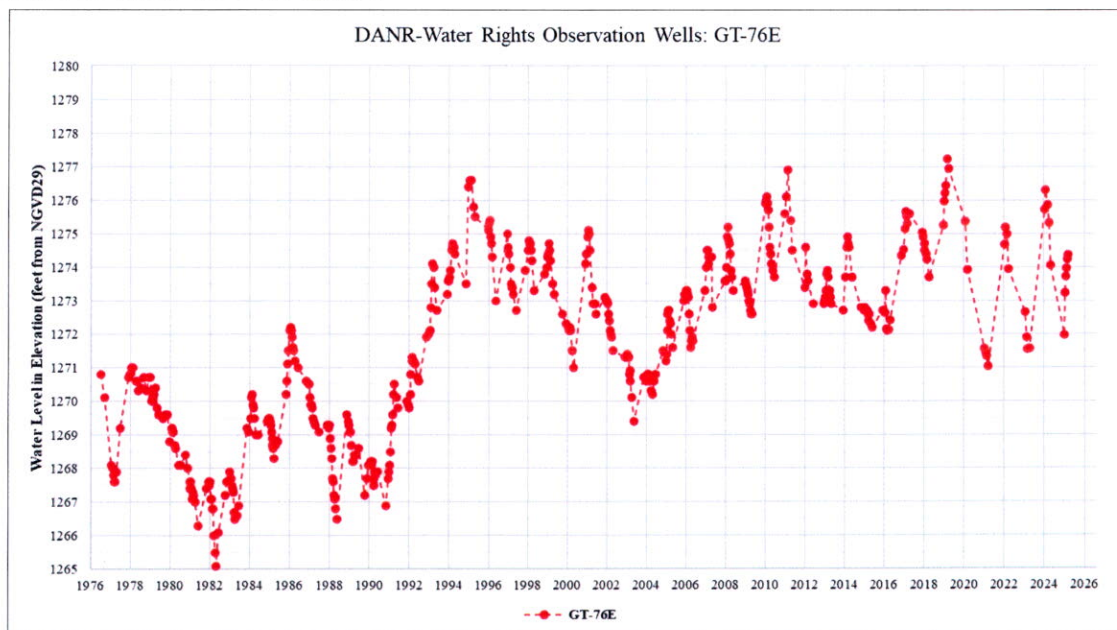


Figure 1. A graph showing the elevation of water levels for observation well GT-76E (Water Rights, 2026b)

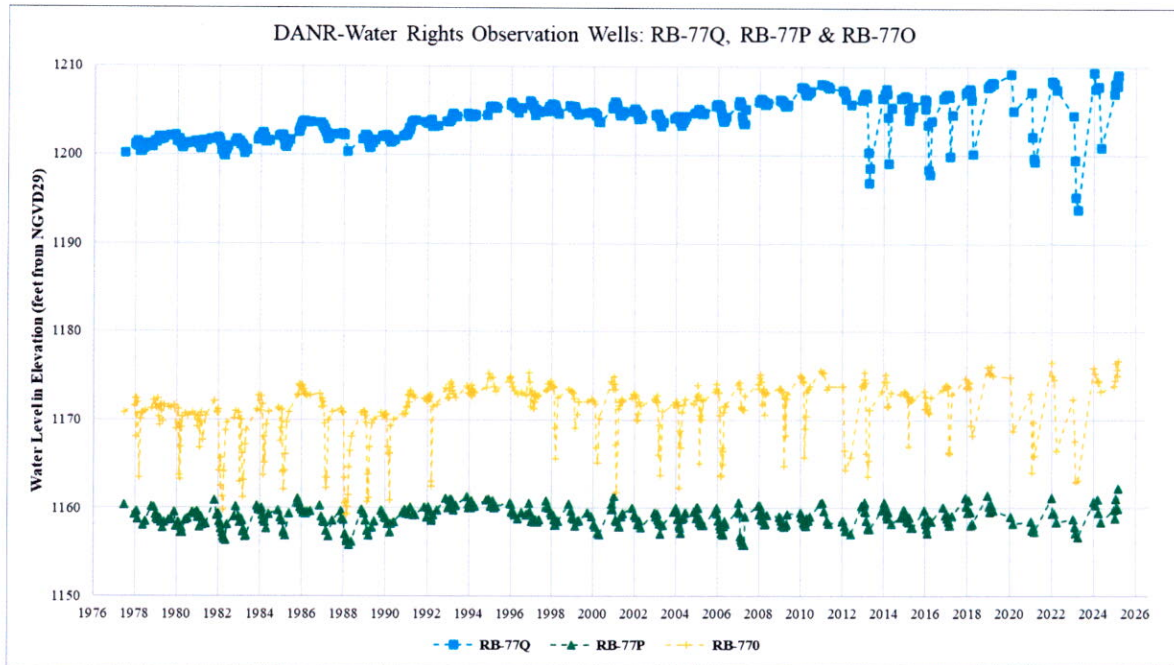


Figure 2. A graph showing the elevation of water levels for observation wells: RB-77Q, RB-77P, and RB-77O (Water Rights, 2026b)

The hydrographs for the observation wells display stable to rising water levels over their respective periods of record. The hydrographs for the Wilmot aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods 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 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 Wilmot aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

The closest water right/permit not held by the applicant to the proposed diversion point is Water Permit No. 8846-3, which is held by Anthony/Kimberly Folk. The diversion point for Water Permit No. 8846-3 is located approximately 13.3 miles northeast of the existing well for this application (Figure 3) (Water Rights, 2026c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Wilmot aquifer, with the closest domestic well on file (not held by the applicant) located approximately 0.9 miles northwest of the existing well site (Water Rights, 2026d). There could potentially be other domestic wells completed into the Wilmot aquifer near the well 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.

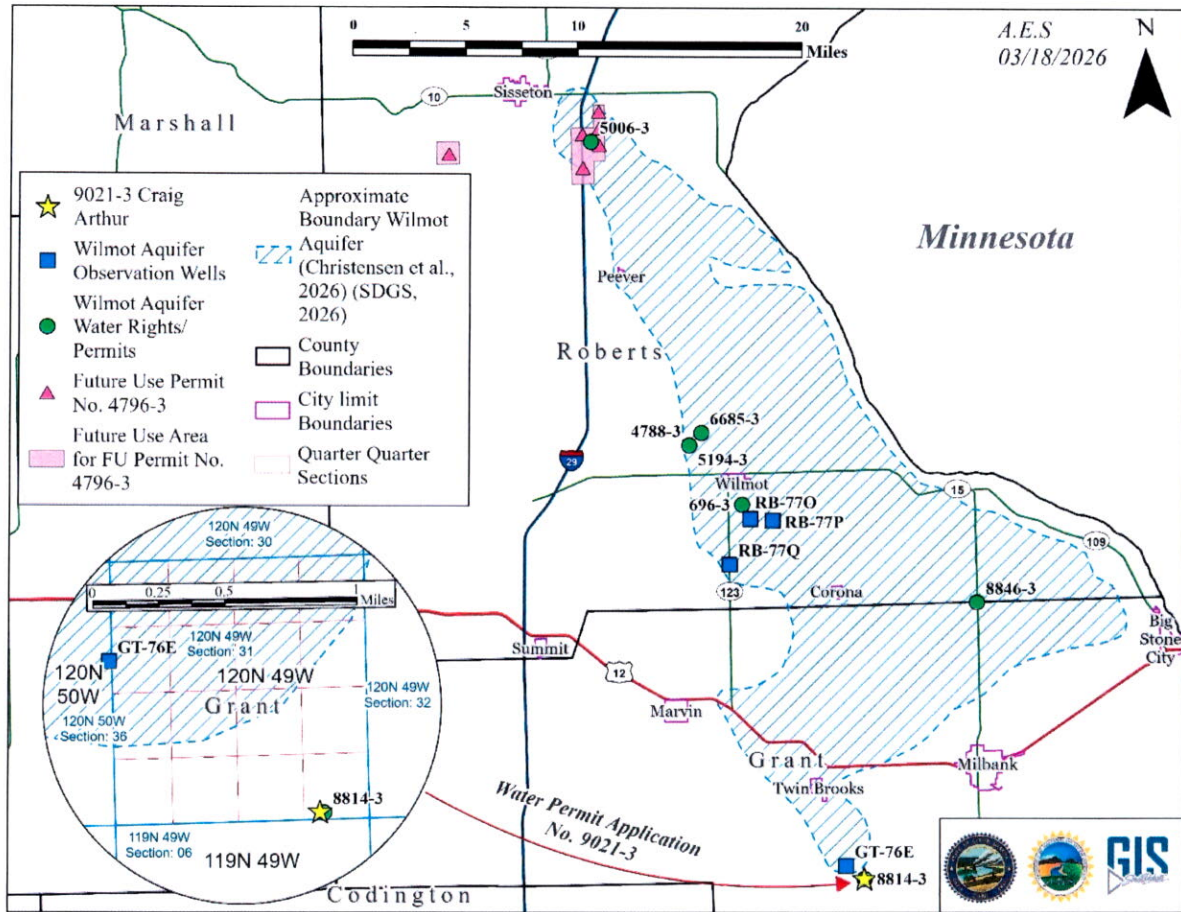


Figure 3. Location of the existing well for Water Permit Application No. 9021-3, water rights/permits and Future Use Permit No. 4796-3 authorized to withdraw from the Wilmot aquifer, and observation wells within the Wilmot aquifer (Water Rights, 2026b and 2026c)

Table 3. Water rights/permits authorized to withdraw water and future use permit reserving water from the Wilmot aquifer (Figure 3) (Water Rights, 2026c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Acres	Permitted Volume (ac-ft/yr)
696-3	Brian Renelt	LC	IRR	3	289	
4788-3	Kent E Frerichs	LC	IRR	2.67	498	
4796-3	City Of Sisseton	FU	MUN			1,607
5006-3	City Of Sisseton	LC	MUN	1.34		
5194-3	Kent E Frerichs	LC	IRR	2	234	
6685-3	David Anderson	PE	IRR	0.89	55	
8814-3	Craig Arthur	PE	IRR	1.44	102	
8846-3	Anthony/Kimberly Folk	PE	IRR	2	266	

LC: License; PE: Permit; FU: Future Use Permit; IRR: Irrigation; MUN: Municipal

The Wilmot aquifer varies between confined and unconfined conditions (Water Rights, 2026b and 2026d). The Wilmot aquifer is confined near the existing well site, based on nearby well completion reports, and the lithologic log on file for the nearby observation well (SDGS, 2026; Water Rights, 2026b and 2026d). The drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test. However, observation wells completed into the Wilmot aquifer near permitted/licensed diversion points can provide some insight on how the aquifer responds to pumping.

Observation well RB-77Q (approximately 15 miles northwest of the existing well site) has four high-yield (assumed to be a well with an authorized diversion rate greater than 0.2 cfs) irrigation wells within approximately six miles of it (Water Rights, 2026b and 2026c). The drawdown from pumping can be seen on the hydrograph for RB-77Q, along with the aquifer returning to pre-pumping conditions between irrigation seasons (Figure 2) (Water Rights, 2026b). The lithologic log on file for RB-77Q noted the well was drilled 165 feet deep below the ground surface, had a casing stick up height of approximately 1.5 feet, and the top of aquifer materials approximately 131 feet below the ground surface (SDGS, 2026). The lowest recorded static water level on the hydrograph (displayed in Figure 2) is approximately 56 feet below the top of the well casing, which indicates there was still approximately 75 feet of artesian head pressure in RB-77Q even during drier periods when high-yield wells are expected to be pumping more water and when water levels are generally naturally lower in response to drier conditions (SDGS, 2026; Water Rights, 2026b).

Based off the well completion report submitted with this application, the existing well completed into the Wilmot aquifer has a saturated aquifer thickness of approximately 23 feet (Water Rights, 2026d). This would generally allow for enough thickness for a pump to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6). Any drawdown as a result of the proposed diversion for this application is not expected to unlawfully impair nearby adequate wells. Within two miles of the existing well site, there are wells completed into the Wilmot aquifer with saturated thicknesses of 11 to 15 feet (Water Rights, 2026d). A saturated aquifer thickness of 11 to 15 feet would not allow for enough thickness for a pump to be placed 20 feet below the top of the aquifer. Therefore, to be considered an adequate well at this location, the inlet of the pump would need to be placed as near as practical to the bottom of the saturated aquifer to qualify as an adequate well under ARSD 74:02:04:20(6). While the best information available indicates that there is a reasonable probability average annual recharge exceeds average annual withdrawals in the aquifer, conditions can occur where withdrawals in the aquifer exceed recharge for a short period of time. Situations may occur where pumping from a thicker part of an unconfined aquifer could cause drawdown impacting adequate wells in a thinner part of the aquifer. Under such conditions an unlawful impairment of senior water rights/permits or adequate domestic wells may occur. Therefore, the applicant should control their water withdrawals, so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

In Grant and Roberts Counties, there are no substantiated complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Wilmot 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 Wilmot 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 aquifer thickness of the aquifer at the existing well site, the artesian head pressure in observation wells completed into the aquifer, the fact the well this application proposes to use has been in use for a number of years without reported well interference, and the lack of well interference complaints for adequate wells completed into the aquifer in Grant and Roberts Counties, 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.

CONCLUSIONS:

1. Water Permit Application No. 9021-3 proposes to irrigate an additional 80 acres from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cfs from one well completed into the Wilmot aquifer (80 feet deep) for the irrigation of 102 acres. The application proposes to irrigate an additional 80 acres located in the N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31; all in T120N-49W, with no increase to the 1.44 cfs diversion rate.
2. If approved, Water Permit Application No. 9021-3 and Water Permit No. 8814-3 will authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank, SD.
3. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Wilmot aquifer to supply to the proposed appropriation.
4. There is reasonable probability that the proposed diversion by Water Permit Application No. 9021-3 will not unlawfully impair adequate wells for existing water rights/permits holders or domestic users with adequate wells.
5. If this application is approved, a qualification requiring the applicant to control their water withdrawals, so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights should be included.



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

References

- Christensen, WP., Mathiowetz, A.W., and Settje, A., 2026. Email Communication. South Dakota Geological Survey and SD DANR-Water Rights Program
- 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.
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- Water Rights, 2026c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Rodriguez, Rachel

From: Craig Arthur <Cjarthur30@hotmail.com>
Sent: Wednesday, January 21, 2026 2:23 PM
To: Rodriguez, Rachel
Subject: Re: [EXT] new application

I just plan to split the well between these two pivots. Only one will run at a time.

Sent via the Samsung Galaxy S25+, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, January 21, 2026 2:20:27 PM
To: Craig Arthur <cjarthur30@hotmail.com>
Subject: FW: new application

Good Afternoon Craig,

You application looks good. I just want to clarify a few items:

- Water Permit 8814-3 authorizes 1.44 cfs, so just to clarify, you are not requesting an additional 1.44 cfs?
- Total fees: application fee \$750.00 since Water Permit 8814-3 paid the inspection fee. Please call our Fiscal Office and pay over the phone (605) 773-5559, or mail a check (payable to SD Water Rights) to: DANR-Water Rights, 523 E Capitol Ave, Pierre SD 57501

Once I receive your response and the fee, I will begin processing your application.

Thank you,

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



From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Wednesday, January 21, 2026 1:57 PM
To: Craig Arthur <Cjarthur30@hotmail.com>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: RE: [EXT] new application

For 80 acres the fees would total \$950.00. You can either call our Fiscal Office and pay over the phone (605) 773-5559, or mail a check (payable to SD Water Rights) to: DANR-Water Rights, 523 E Capitol Ave, Pierre SD 57501

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: Craig Arthur <Cjarthur30@hotmail.com>
Sent: Wednesday, January 21, 2026 1:48 PM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: Re: [EXT] new application

Can you send me the total of what I owe and where to make payment again. Thanks.

Sent via the Samsung Galaxy S25+, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Wednesday, January 21, 2026 1:32:35 PM
To: Craig Arthur <cjarthur30@hotmail.com>
Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: FW: new application

Thanks, Craig! I'm sending this off to Rachel to receipt in & start processing.

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: Craig Arthur <cjarthur30@hotmail.com>
Sent: Wednesday, January 21, 2026 10:49 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: [EXT] new application



**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 13, 2026

Craig Arthur
16116 456th Avenue
Watertown SD 57201

Dear Mr. Arthur:

Water Permit Application No. 9021-3 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 Grant County Review printed in Milbank (Ph # 605 432-4516) 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 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. 9021-3 to Appropriate Water

Notice is given that Craig Arthur, 16116 456th Avenue, Watertown SD 57201, has filed an application for a water permit to irrigate an additional 80 acres, from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Wilmot Aquifer (80 feet deep) located in the SE 1/4 SE 1/4 Section 31-T120N-R49W for irrigation of 102 acres located in the NE 1/4 Section 6-T119N-R49W and the SW 1/4 SE 1/4 Section 31-T120N-R49W. The application proposes to irrigate an additional 80 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 31; all in T120N-R49W, with no increase to the 1.44 cfs diversion rate. This application, if approved, and Water Permit No. 8814-3 will authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9021-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact 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 May 4, 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 May 4, 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.

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Monday, April 13, 2026 9:32 AM
To: Rodriguez, Rachel
Cc: cjarthur30@hotmail.com
Subject: RE: [EXT] 12251179 9021-3 Craig Arthur - Public Notice
Attachments: 12251179.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 22. The order cost is \$59.90 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing.

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

Our invoicing is done on a monthly basis.

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

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

Thank you!

Brittany Grady
Public Notice Representative

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From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Monday, April 13, 2026 9:13 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 12251179 9021-3 Craig Arthur - Public Notice

Attached is a notice to be published on April 22, 2026.

Craig Arthur, 16116 456th Avenue, Watertown SD 57201, 605-880-0289, cjarthur30@hotmail.com has been notified to contact you to authorize publication and arrange for payment.

USA TODAY CO.



Order Confirmation

Not an Invoice

Account Number:	1349231
Customer Name:	Craig Arthur
Customer Address:	Craig Arthur 16116 456Th AVE Watertown SD 57201-7329
Contact Name:	Craig Arthur
Contact Phone:	
Contact Email:	cjarthur30@hotmail.com
PO Number:	

Date:	04/13/2026
Order Number:	12251179
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	183.0000
Height in Inches:	20.1600

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	04/22/2026 - 04/22/2026	Public Notices
WAT thepublicopinion.com	1	04/22/2026 - 04/22/2026	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	\$59.90
Tax Amount	\$0.00
Service Fee 3.99%	\$2.39
Cash/Check/ACH Discount	-\$2.39
Payment Amount by Cash/Check/ACH	\$59.90
Payment Amount by Credit Card	\$62.29

Order Confirmation Amount

\$59.90

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, April 13, 2026 9:12 AM
To: gcreview@itcmilbank.com
Subject: 9021-3 Craig Arthur - Public Notice
Attachments: 9021-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on April 22, 2026.

Craig Arthur, 16116 456th Avenue, Watertown SD 57201, 605-880-0289, cjarthur30@hotmail.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



USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

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APR 28 2026

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WATER**

AFFIDAVIT OF PUBLICATION

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

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:

04/22/2026

and that the fees charged are legal.

Sworn to and subscribed before on 04/22/2026

A handwritten signature in dark ink, appearing to read "D. Roberts", is written over a horizontal line.

Legal Clerk

A handwritten signature in dark ink, appearing to read "Kongmeng Yang", is written over a horizontal line.

Notary, State of WI, County of Brown

93-29

My commission expires

Publication Cost: \$59.90

Tax Amount: \$0.00

Payment Cost: \$59.90

Order No: 12251179

of Copies:

Customer No: 1349231

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KONGMENG YANG
Notary Public
State of Wisconsin

**NOTICE OF APPLICATION
NO. 9021-3 to
Appropriate Water**

Notice is given that Craig Arthur, 16116 456th Avenue, Watertown SD 57201, has filed an application for a water permit to irrigate an additional 80 acres, from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Wilmot Aquifer (80 feet deep) located in the SE 1/4 SE 1/4 Section 31-T120N-R49W for irrigation of 102 acres located in the NE 1/4 Section 6-T119N-R49W and the SW 1/4 SE 1/4 Section 31-T120N-R49W. The application proposes to irrigate an additional 80 acres located in the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 31; all in T120N-R49W, with no increase to the 1.44 cfs diversion rate. This application, if approved, and Water Permit No. 8814-3 will authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank SD. Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9021-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact 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

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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 May 4, 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 May 4, 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 cost of \$59.90 and may be viewed free of charge at www.sdpublicnotices.com

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OFFICE OF
WATER

Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

Holli Seehafer

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Grant County Review, Inc., and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, _____ Owner _____ of said newspaper, in charge of the accounts receivable department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of Application No. 9021-3 to Appropriate Water, Craig Arthur

_____ a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for one successive week(s), on the day of each week on which the said newspaper was regularly published, to-wit:

<u>April 22</u>	<u>20</u>	<u>26</u>	<u>20</u>
	<u>20</u>		<u>20</u>
	<u>20</u>		<u>20</u>

That \$ 45.98, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Holli Seehafer

Subscribed and sworn to before me this 22nd day of Apr 20 26

Ashlie Schweitzer
Notary Public, Grant County, South Dakota

My Commission Expires:
September 21, 2027



Publication Fee \$ 45.98
Notarial Fee \$ _____
Total \$ 45.98

NOTICE OF APPLICATION NO. 9021-3 TO APPROPRIATE WATER

Notice is given that Craig Arthur, 16116 456th Avenue, Watertown, SD, 57201, has filed an application for a water permit to irrigate an additional 80 acres, from the existing well authorized by Water Permit No. 8814-3. Water Permit No. 8814-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Wilmot Aquifer (80 feet deep) located in the SE1/4SE1/4 Section 31-T120N-R49W for irrigation of 102 acres located in the NE1/4 Section 6-T119N-R49W and the SW1/4SE1/4 Section 31-T120N-R49W. The application proposes to irrigate an additional 80 acres located in the N1/2SE1/4, SE1/4SE1/4 Section 31; all in T120N-R49W, with no increase to the 1.44 cfs diversion rate. This application, if approved, and Water Permit No. 8814-3 will authorize a combined total of 1.44 cfs for irrigation of 182 acres. This site is located in Grant County, approximately six miles southwest of Milbank, SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 9021-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the applica-

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APR 27 2026

OFFICE OF
WATER

Printer's Affidavit of Publication

and Attorney's Affidavit Ex-Rel. Fees

In _____ Court

STATE OF SOUTH DAKOTA } ss.
COUNTY OF GRANT

Filed in the office of _____

_____ on the

_____ day of _____, 20____

Attorney for _____

tion, 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 May 4, 2026.

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

Published once at an approximate cost of \$45.98 and can be viewed free of charge at www.sdpublicnotices.com.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, April 13, 2026 10:18 AM
To: Craig Arthur
Subject: 9021-3 Craig Arthur - Public Notice
Attachments: 9021-3 Rec.pdf; 9021-3 Ltr.pdf; 9021-3 PubNotice.pdf; PubOpinion Info.pdf

Good Morning Craig,

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

Craig Arthur
16116 456th Avenue
Watertown SD 57201

Dear Mr. Arthur:

Enclosed is Water Permit No. 9021-3 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.: 9021-3

Name of Applicant: Craig Arthur

Date of Posting: 4/20/2026

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:



(SEAL)

Rachel Rodriguez
My Commission Expires
May 16, 2029