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MINUTES OF THE 250<sup>TH</sup> MEETING  
OF THE WATER MANAGEMENT BOARD  
FLOYD MATTHEW TRAINING CENTER  
523 EAST CAPITOL AVENUE  
PIERRE, SOUTH DAKOTA  
OCTOBER 2, 2024

CALL TO ORDER AND ROLL CALL: Chairman Hutmacher called the meeting to order at 9:30 a.m. Central Time. The roll was called, and a quorum was present.

The meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

The following attended the meeting:

Board Members: Jim Hutmacher, Rodney Freeman, Leo Holzbauer, Chad Comes, and Peggy Dixon participated remotely. William Larson was absent.

Tim Bjork resigned from the Board effective September 26, 2024. Chairman Hutmacher thanked Mr. Bjork for his years of service on the Water Management Board.

Department of Agriculture and Natural Resources (DANR): Eric Gronlund, Chief Engineer, Ron Duvall, Amanda Dewell, Adam Mathiowetz, Whitney Kilts, Brittan Hullinger, and Austin Settje, Water Rights Program.

Attorney General's Office: David McVey, Board counsel; Jennifer Verleger Water Rights Program counsel.

Court Reporter: Carla Bachand, Capital Reporting Services.

Legislative Oversight Committee Members: None.

ADOPT FINAL AGENDA: Motion by Freeman, seconded by Holzbauer, to adopt the final agenda. A roll call vote was taken, and the motion carried unanimously.

CONFLICT DISCLOSURES AND REQUESTS FOR STATE BOARD WAIVERS: None.

ADOPT JULY 10, 2024, BOARD MINUTES: Motion by Freeman, seconded by Comes, to approve the minutes of the July 10, 2024, Water Management Board meeting. A roll call vote was taken, and the motion carried unanimously.

SET DECEMBER 4-5, 2024, MEETING DATES AND LOCATION: The December 4-5, 2024, Board meeting will be at the Matthew Environmental Training Center in Pierre.

PUBLIC COMMENT PERIOD IN ACCORDANCE WITH SDCL 1-25-1: None.

STATUS AND REVIEW OF WATER RIGHTS LITIGATION: David McVey reported that the

McCook Lake matters are still pending before the Supreme Court.

ADMINISTER OATH TO DANR STAFF: The court reporter administered the oath to DANR staff who were present and intended to testify during the meeting.

CANCELLATION CONSIDERATIONS: A table listing the proposed cancellations, notices of cancellation, and Chief Engineer’s recommendations were included in the packet the Board members received prior to the meeting.

Amanda Dewell noted that in the table included in the Board packet the headings in the first two columns were transposed. The error was corrected after the packet was mailed.

Ms. Dewell stated that that nine water rights and water permits were scheduled for cancellation. The owners were notified of the hearing and the reasons for cancellation. The department received no comments or letters in response to the notices of cancellation.

The Chief Engineer recommended cancellation of the following water rights and water permits for the reasons listed.

<b>Number</b>	<b>Present Owner(s) and Other Persons Notified</b>	<b>Previous Owner</b>	<b>Reason</b>
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**DIVISION II**

PE 2751-2	City of Custer c/o Lauri Woodward	NA	Non-Construction
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**DIVISION III**

<b>RT 1288-3</b>	Filips Properties LLC c/o Cindy L Nordstrom	National Food Stores Inc	Abandonment/Forfeiture
<b>RT 3255-3</b>	Oscar Inc c/o Floyd Peterson	N/A	Abandonment/Forfeiture
<b>PE 3268B-3</b>	Huron Colony c/o Joey Waldner	N/A	Non-Construction
<b>PE 7285-3</b>	Riverview Organics LLLP c/o Steve Bruere	N/A	Non-Construction
<b>PE 7325-3</b>	Coulson Land Company c/o Tom Coulson	N/A	Abandonment/ Non-Construction
<b>PE 7690-3</b>	Tim or Dave Ostrem	N/A	Non-Construction
<b>PE 7706-3</b>	Jerome Van De Stroet	N/A	Non-Construction
<b>PE 8213-3</b>	Bon Homme Colony c/o Samuel Waldner	N/A	Non-Construction

Motion by Freeman, seconded by Dixon, to accept the Chief Engineer’s recommendations for cancellation of the nine water rights and water permits for the reasons listed in the table. A roll call

vote was taken, and the motion carried unanimously.

UNOPPOSED NEW WATER PERMITS ISSUED BY THE CHIEF ENGINEER WITHOUT A HEARING BEFORE THE BOARD: Prior to the meeting, the Board received a copy of the table listing the unopposed new water permits issued by the Chief Engineer. (See attachment.)

Ron Duvall stated that, by law, the board is required to receive any comments received regarding unopposed new water permit applications.

Water Permit Application No. 8858-3, Plainview Dairy, LLC, was included on the list of unopposed permits because a comment, rather than a petition, was submitted. It requires filing a petition for a contested case hearing to be held. Mr. Duvall stated that the permit has been issued.

The application is for water to be used in a proposed dairy operation five miles northwest of Toronto, SD. The applicant proposes to capture surface runoff from roads and roof areas amounting to approximately 30 acres of area and two retention ponds. The applicant would then use that water in a dairy separator building.

The application was public noticed. Following the public notice, Troy Lenning, Toronto, SD, submitted a comment regarding the application.

In his comment, Mr. Lenning expressed concern about the amount of water the dairy proposes to use, and he believes the shallow aquifer could be directly affected by the harvesting of this water. Mr. Lenning commented that the water will be coming out of the creek that feeds a stock dam he utilizes. He was concerned about water available downstream.

Mr. Duvall said he looked at the drainage areas to get a sense of the 30 acres in this application and how that compares with the entire drainage area. The site where the facility is located is split between two tributaries that run into Peg Monkey Creek. One of the tributaries has a 1,200-acre drainage and the other has a 700-acre drainage. If Mr. Lenning is on Peg Monkey Creek itself there is an additional 1,500 acres of drainage that would be available to him and others downstream. Mr. Duvall noted that given the footprint of water being captured being 30 acres of a much larger drainage, the potential of Mr. Lenning being impacted is unlikely.

No board action was necessary.

CONSIDER VALIDATION OF RECOGNIZED VESTED WATER RIGHT CLAIM NO. 1844-3, SD GAME, FISH & PARKS FOR RICHMOND DAM: Mr. Duvall reported that between 1955 and 1986, there was statutory authority in place for people to file vested water right claims. As those claims were filed, they were simply recognized and not public noticed.

In 1986 legislation was passed to validate all vested right claims that had been filed.

Vested Water Claim No. 1844-3 is held by Game, Fish, and Parks and involves Richmond Dam, which is located northwest of Aberdeen. In 1988, the Water Rights Program issued public notices in all counties where these recognized vested water right claims were located. In response to the

public notice, people had the opportunity to petition to intervene. The Water Rights Program opposed the validation of nearly all of Game, Fish and Parks' recognized vested water right claims. The reason the Water Rights Program filed a petition in opposition was to include a spillway elevation, to correct the amount of water claimed, or to add any amendments and qualifications necessary to clarify a vested right claim.

In the case of Richmond Dam, there wasn't an elevation of the spillway, so the Water Rights Program opposed validation until that could be determined. Richmond Dam needs spillway repair. Surveying has been done of the current spillway elevation and the intent is to put in a new spillway at the same elevation as well as do other repairs regarding seepage issues.

The Chief Engineer recommended the Board validate Recognized Vested Water Right Claim No. 1844-3 for sufficient water to maintain the water level to Richmond Dam's primary spillway elevation of 1,360.6 feet mean sea level (fmsl) (NAVD 88), and the vested water right will retain a priority date of January 1, 1935.

Motion by Freeman, seconded by Dixon, to approve validation of Recognized Vested Water Right Claim No. 1844-3 for sufficient water to maintain the water level to Richmond Dam's primary spillway elevation of 1,360.6 fmsl (NAVD 88), and the vested water right will retain a priority date of January 1, 1935. A roll call vote was taken, and the motion carried unanimously.

NEW WATER PERMIT APPLICATIONS: The pertinent qualifications attached to approved water permit applications are listed below:

Well Interference Qualification

The well(s) approved under this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this permit shall control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Well Construction Rule Qualification

The wells authorized by Permit No. \_\_\_\_\_ shall be constructed by a licensed well driller and construction of the well and installation of the pump shall 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.

Irrigation Water Use Questionnaire Qualification

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Low Flow Qualification

Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

CONSIDER WATER PERMIT APPLICATION NO. 8579-3, BRETT GUTHMILLER AND PERMIT APPLICATION NO. 8616-3, MICHAEL SCHULTZ: Whitney Kilts presented her reports on the applications. The presentation to the Board included both applications.

Water Permit Application No. 8579-3, Brett Guthmiller, proposes to appropriate water for the irrigation of 32 acres at a maximum instantaneous diversion rate of 0.89 cubic feet per second (cfs) from one well to be completed into the Niobrara aquifer. The proposed well and acres for irrigation are both located in Hutchinson County approximately four miles southeast of Menno, SD. The applicant requested a diversion rate greater than the statutory limit of one cfs per 70 acres.

Water Permit Application No. 8616-3, Michael Schultz, proposes the irrigation of an additional 21 acres with no additional diversion rate from three wells completed into the Niobrara aquifer authorized by Water Permit No. 7344-3. These additional acres were identified as part of the licensing inspection for Water Permit No. 7344-3. The inspection found the system capable of diverting 2.56 cfs from the existing wells. Combined, this application, if approved, and Water Permit No. 7344-3 will authorize a total diversion rate of 2.56 cfs for irrigation of 420 acres in Hutchinson County approximately two miles southwest of Freeman, SD.

For this overview, Ms. Kilts referenced the report for Application No. 8579-3, Brett Guthmiller.

Both applications were received in early 2022 and were either deferred or held in abeyance while the Water Rights Program evaluated an unlawful impairment issue of two adequate domestic wells in the general area of the two applications.

In January 2023, the Water Rights Program was notified that the two wells involved with this unlawful impairment issue had been replaced with connections to a rural water system.

The Niobrara Formation is a Late Cretaceous age formation that is a mix of chalk, marl, and shale and occurs extensively throughout South Dakota. This formation is not an aquifer over the entirety of its extent. Water movement in this aquifer has been identified as being mainly through fractures and solution cavities. Where these features are absent, the formation is generally a low-permeability or almost a no-permeability formation that transmits little to no water.

In southeastern South Dakota portions of the Niobrara Formation were isolated from the main body of the formation through erosional forces. These two applications are located within one of these erosional remnants. The extent of this remnant is shown in Figure 2 on page 4 of the report. Throughout this erosional remnant there are well completion reports on file that indicated water is present, so generally this remnant does have areas where it acts as an aquifer.

For this portion of the Niobrara aquifer potentiometric surface maps from different time periods were compiled or created. Those are shown in Figures 3-6 of the report. These potentiometric surface maps indicate that water movement is generally from the center of this portion of the aquifer towards the edge, and recharge to this portion of the aquifer is through infiltration of precipitation and infiltration from adjacent or overlying aquifers such as the Turkey Ridge aquifer.

Natural discharge from this portion of the Niobrara is to the glacial aquifers located in the surrounding bedrock valleys.

There is no estimate of recharge to the Niobrara aquifer. However, the potentiometric surface maps

can be used to estimate natural discharge from the aquifer. Natural discharge estimates can then be used to gain an understanding of the approximate amount of recharge an aquifer is receiving assuming a change in storage of water in the aquifer is at or near zero. The relationship of natural discharge to recharge is shown in equations 2 and 3 on page 18 of the report.

The total estimate of natural discharge from this aquifer ranges from 2,488 to 2,693 acre-feet per year. The estimated appropriative use from this portion of the aquifer, using the standard Water Rights methodology for estimation, including these two applications is 1,801 acre-feet per year. Using these estimates of natural discharge and appropriative use, there is a reasonable probability that water is available for appropriation from this portion of the Niobrara aquifer over its overall extent.

When these applications were initially deferred or held in obedience, two new observation wells were installed in the area. The location of the two observation wells is shown in Figure 8 on page 12 of the report. The hydrographs for the two observation wells are shown in Figure 9 on page 14 of the report.

The observation wells showing longer term data for this aquifer are shown in Figures 10 and 11 on pages 15 and 16 of the report. Water levels in the observation wells monitoring this aquifer generally rise during wet periods and decline to stable levels during drier periods. This type of behavior, along with aquifer recovery following the irrigation season, is indicative that climatic conditions, and therefore the effects of recharge to and natural discharge from the aquifer are governing the long-term water level fluctuations in the aquifer instead of pumping. Since recharge to and natural discharge from an aquifer can be captured for pumping, the observation well data indicates that there is a reasonable probability that unappropriated water is available from this portion of the Niobrara aquifer.

Regarding unlawful impairment, Ms. Kilts stated as she reported earlier, both domestic users have connected to rural water.

At the location of these two applications, the aquifer is expected to be under confined conditions. Ms. Kilts' summary of the unlawful impairment information primarily focused on Application No. 8579-3 since the additional acres requested by Application No. 8616-3 were already developed at the time of the complaint being received and were believed to have been in irrigation at that time.

During the 2022 irrigation season, appropriative pumping was shut down from July 20 to July 27, 2022, in the area of Observation Wells HT-2022A and HT-2022B, which are the two new wells. Figure 13 on page 30 of the report shows how water levels at those two observation wells responded to that shut down. The water level data from HT-2022B and the other observation wells in this aquifer were utilized to create an estimated potentiometric surface map for this area of the aquifer for the Fall 2022 time period. The two impaired wells and one well in the area with no history of complaints were looked at for potential of unlawful impairment. The locations of these wells are shown in Figure B2 on page 39 of the report. That analysis indicated that during a combination of a dry climatic conditions and the cumulative effects of heavy irrigation pumping if there is further appropriative development in this area of this portion of the Niobrara aquifer, this development could potentially cause short term unlawful impairment of existing adequate domestic wells even

beyond the domestic users that have connected to rural water. However, once those users connected to rural water there were no additional complaints in this area from the irrigation pumping after the July 27, 2022, shut down was lifted.

The Chief Engineer recommended approval of Application No. 8579-3, Brett Guthmiller with the following qualifications:

1. The well approved under Water Permit No. 8579-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8579-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 8579-3 authorizes a maximum diversion rate of 0.89 cfs for the irrigation of 32 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The Chief Engineer also recommended approval of Application No. 8616-3, Michael Schultz, with the following qualifications:

1. The wells approved under Water Permit Nos. 7344-3 and 8616-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The Chief Engineer's recommendation for both applications also included the following:

It is noted on the recommendation that this Permit is in an area with a history of adequate domestic wells being impaired by pumping of high-capacity wells. Enforcement of Qualification No. 1 may result in a shutoff order being issued to prevent impairment of adequate domestic wells or prior rights with adequate wells.

Ms. Kilts noted that Application No. 8579-3 requested an irrigation rate that exceeds the diversion rate limit of one cfs per 70 acres. The method of irrigation requested by this application is by center pivot. Since this is a shorter span than a whole quarter, occasionally to operate properly, the one cfs

per 70 acres rate is sometimes exceeded. Historically, this exceedance has been allowed based on the method of irrigation.

This concluded Ms. Kilts' presentation. There were no questions from the Board.

Chairman Hutmacher requested board action.

Motion by Freeman, seconded by Comes, to approve Water Permit Application No. 8579-3, Brett Guthmiller, subject to the qualifications set forth by the Chief Engineer. A roll call vote was taken, and the motion carried unanimously.

Motion by Freeman, seconded by Dixon, to approve Water Permit Application No. 8616-3, Michael Schultz, subject to the qualifications set forth by the Chief Engineer. A roll call vote was taken, and the motion carried unanimously.

DRAFT REPORT CONCERNING JAMES RIVER WATER MANAGEMENT: Ron Duvall stated that a copy of the draft report was included in the board packet, which was sent to the board members prior to the meeting.

Mr. Duvall stated that during the last couple of meetings the Water Management Board deferred several applications to appropriate water from the James River. The reason those applications were deferred is because the 300 cfs threshold on the James River has been reached. Given the situation with increased flows in the last 30 years, the Water Rights Program thought a review was warranted of the James River flows from a water management perspective to determine what should be done with the deferred applications.

Mr. Duvall stated that following Ms. Hullinger's presentation the Water Rights Program would like to receive any feedback or questions the Board may have on the content of the report.

Brittan Hullinger explained that this report came about due to an influx of new applications received in early 2024 requesting to irrigate from the James River.

The current appropriation threshold of 300 cfs on the James River was set by the Water Resources Commission in 1965, and the appropriation is now close to that threshold. A preliminary review in March of 2024 showed that more water is flowing through the river than there was pre-1990's; almost 300 percent more annual mean streamflow in water years 2010-2019 compared to water years 1960-1969 at the USGS gage near Scotland. These increases equate to an average of 1,269,679 acre-feet more water being transported downstream every year.

The preliminary review found that a more thorough investigation was justified due to the influx of applications to determine how much water could be available to appropriate beyond the current 300 cfs threshold. This investigation was completed by using all available data and methods, to investigate the increase of streamflow in the James River, possible causes, and whether it is reasonable to predict future flow conditions.

Using conservative methods to determine availability, flow exceedance probabilities were



calculated for each month of the irrigation season for three stream gages that have historically been used to manage the James River; the USGS gages at Ashton, Huron, and near Scotland, using all daily discharge data from 1946 to 2023. Using the 50 percent exceedance probabilities for the month of August while maintaining the August 10 cutoff date, as well as determining availability at a gage using flow data during years where pumping occurred, there is a reasonable probability that water is available on the James River for appropriation.

The increase in streamflow has been well documented in multiple publications and concurs with Ms. Hullinger's investigation. Climate is the dominant likely force causing the increase in streamflow. There have been increases in mean precipitation in every South Dakota county the James River runs through, ranging from an eight percent increase to a near 17 percent increase, when comparing data from the years 1901 to 1960 and 1991 to 2023. However, it is also well documented in studies that eastern North and South Dakota and parts of Canada are prone to long-term, multi-decade fluctuations between wet and dry periods, and that this may only be one wet period within a larger cycle, which goes to say that the increased streamflow may not continue into the future.

Based on the best available information it is recommended that the Board consider approving applications beyond the 300 cfs threshold to maximize use of the resource. It is also recommended that qualifications be included for new applications to protect existing water users.

Ms. Hullinger stated that this draft report is being presented to seek input from Board members and the public.

Chairman Hutmacher asked if the increase in precipitation is caused by global warming. Ms. Hullinger answered it may be, but how much of it is human caused is unknown.

Mr. Duvall stated that the Water Rights Program would like to solicit input from the public on the draft report. A personal notice would be sent to all water right holders on the James River as well as publishing a display ad in all the newspapers located where the James River flows. The Water Rights Program intends to include the following in the notices to water right holders and the display ads:

The State Water Management Board has directed that a draft report detailing proposed changes to management of James River be made available for public comments. The effect of the proposed changes, if adopted by the Board, is to allow additional beneficial use of water from the James River with certain qualifications to protect senior water and other water uses. The draft report detailing the proposed management plan is available online along with links to send comments for consideration by the Board. Comments may also be mailed to the Department of Agriculture and Natural Resources Water Rights Program at 523 East Capitol Avenue, Pierre, SD 57501. Comments need to be received no later than Wednesday, November 20, 2024. A hard copy of the draft report may be requested by calling or emailing the Water Rights Program. The Board will consider comments and adoption of an updated James River Water Management Plan at the Board's December 4, 2024, meeting. A link to listen to the livestream of the meeting will be available at sd.net. If you wish to address the Board, you may participate by attending the meeting in Pierre or

connecting remotely. The Board agenda and remote participation details will be made available on the South Dakota Boards and Commissions Portal at the following link.

Mr. Duvall stated that there is no statute saying the Board needs to do this; however, the Water Rights Program believes it would be a good idea to let people know that the board is considering going above the 300 cfs threshold. Any comments received will be provided to the Board, and at the December meeting the Board will decide whether to adopt a new management plan for the James River.

Mr. Duvall requested the Board's permission to proceed with providing notice of the draft report for public input.

Mr. Comes asked if, following the notice in the newspapers or notice to permit holders, Mr. Duvall anticipates a technical review from any engineering firms or consultants that may be hired by interested parties?

Mr. Duvall answered that he is not anticipating that to happen, but there could be existing water rights holders who may believe the suggested low flow bypasses for newly issued permits are too low, and there may be people that want to get new permits that believe those numbers are too high. So, it is possible that someone may ask a consultant for a technical review of the report.

Mr. Duvall stated that the comments and any responses the Water Rights Program makes to the comments will be included in the Board packet for the December 4, 2024, meeting.

Discussion took place regarding public comments received during the hearing on the draft report and potentially making changes to the report as a result of the comments received. Mr. Duvall stated that the draft management plan, available online, includes a coversheet indicating that the Board has the option to adopt the plan as recommended, to adopt it with modifications, to take no action, or to not adopt it.

Mr. Duvall said the Water Rights Program also intends to bring those deferred applications back before the Board for consideration at the December meeting with the Water Rights Program recommendations based upon what should be done. That does not mean the Board can't defer those applications again.

Mr. Freeman asked if the Water Management Board needs to take official action to rescind the 1965 action by the Water Resources Commission?

Mr. Duvall said he does not believe Board action to rescind the 1965 action is needed. The 300 cfs threshold was reached in the 1980s. In the early 1980s Mr. Duvall performed inspections of permits on the James River and found that over 400 cfs was appropriated. Following inspections on the river the number dropped below 300 cfs. Mr. Duvall said he does not know that there was any official Board action that allowed it to go above the threshold. The draft report states that when that original 300 cfs threshold was set, there was anticipation that it could potentially go above that with certain qualifications. So, it was contemplated in 1965 that this could happen.

Mr. McVey suggested that any motion regarding the threshold state that the new policy supersedes 1965 policy.

Mr. Duvall stated that on pages 28 and 29 of Ms. Hullinger's report are suggested qualifications for each stretch of the James River. It would seem appropriate that the Board's motion could be in the form of adopting those as qualifications for new permits to appropriate water from the James River.

Chairman Hutmacher said he could see a scenario where the Board may change the minimum flow rates and maybe put a time period of 10 years to revisit that again.

Ms. Dixon asked how many applications the Board has deferred? Mr. Duvall answered that there are 14 deferred applications amounting to approximately 35 cfs of water. The Water Rights Program intends to provide notice to the applicants that their applications will be reconsidered at the December 2024 Water Management Board meeting. The Board could defer the applications again or the recommendations could be modified and the permits approved.

Motion by Freeman, seconded by Dixon, to authorize the Water Rights Program to proceed with notice soliciting input on the draft report from the public and all water right holders on the James River. A roll call vote was taken, and the motion carried unanimously.

ADJOURN: Motion by Dixon, seconded by Freeman, to adjourn. Motion carried unanimously.

A court reporter was present, and a transcript of the proceedings may be obtained by contacting Carla Bachand, Capital Reporting Services, PO Box 903, Pierre SD 57501, telephone number (605) 222-4235.

An audio recording of the meeting is available on the South Dakota Boards and Commissions Portal at <https://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=106>.

Approved December 4, 2024.

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Water Management Board

# WATER MANAGEMENT BOARD MEETING

**October 2, 2024**

**Qualifications:**  
 wi - well interference  
 wcr -well construction rules  
 iq - irrigation questionnaire  
 lf - low flow

## Unopposed New Water Permit Applications Issued Based on the Chief Engineer Recommendations

No.	Name	Address	County	Amount	Use	Source	Qualifications
2037-1	Jared and Anna Lukens Black	Spearfish	LA	0.055 cfs	COM/DOM	1 well – Madison	wi, iq, 1 special
2875-2	Tripp County Water User	Winner	TR	960 AF	RWS	1 well – Ogallala	wi, wcr, 2 special
2876-2	Hwy 16, LLC	Rapid City	PE	955 AF	WDS/COM	Dam – Alluvial	wi, lf, 5 special
2877-2	Rapid Valley Sanitary Dist.	Rapid City	PE	10.9 AF	MUN	Rapid Creek natural flow	7 special
2878-2	City of Custer	Custer	CU	47.5 AF	REC/FWP	Dam – French Creek	lf, 3 special
2879-2	Weinreis Brothers	Edgemont	FR	0.50 cfs	Irrigation	1 well - Madison	wi, iq, 2 special
8846-3	Anthony or Kimberly Folk	Corona	GT	2.00 cfs	Irrigation	2 wells – Wilmot	wi, wcr, iq,
8847-3	Troy Cook	Gayville	YA	1.11 cfs	Irrigation	1 well – Missouri: Elk Point	wi, wcr, iq, 1 special
8848-3	Kingbrook RWS	Arlington	KG	1,100 AF	RWS	4 wells – Vermillion East Fork	wi, wcr, 2 special
8849-3	Reiter, Jim & ETAL	Brandon	KG	0.067 cfs	Irrigation	1 well – Big Sioux: South	wi, wcr, iq, 1 special
8850-3	Derek Guthmiller	Yankton	YA	1.78 cfs	Irrigation	1 well – Missouri: Elk Point	wi, wcr, iq, 1 special
8851-3	Jacob Andersen and Tyler Andersen	Centerville	LN	2.22 cfs	Irrigation	1 well – Upper Vermillion Missouri: South	wi, wcr, iq, 1 special
8852-3	Swan Creek Land Co	Akaska	WL	0.78 cfs	Irrigation	Swan Creek	lf, iq, 1 special
8853-3	Darby Parson – Prairie States Pit	Sioux Falls	MA	6 AF	IND	Surface runoff/Big Sioux: Southern Skunk Creek	wi, 3 special
8854-3	Darby Parson – Chancellor Pit	Sioux Falls	TU	6 AF	IND	Surface runoff/Parker-Centerville	wi, 3 special
8855-3	Darby Parson – Abbas Pit	Sioux Falls	TU	6 AF	IND	Surface runoff/Parker-Centerville	wi, 3 special
8858-3	Plainview Dairy, LLC	Toronto	DU	91.78 AF	COM	Surface runoff	5 special
8865-3	Kyle Jensen	Meckling	CL	1.78 cfs	Irrigation	1 well – Missouri: Elk Point	wi, wcr, iq
8872-3	Coulson Land Company	Aberdeen	YA	1.67 cfs	Irrigation	Missouri River	iq, 1 special
8873-3	Ochsner Real Estate II LP	Aberdeen	BN	1.11 cfs	Irrigation	Surface runoff	lf, iq, 2 special
8874-3	Mark Johnson	Avon	BH	1.45 cfs	Irrigation	1 well – Choteau: West	wi, iq
8875-3	Dakota Valley Farms, Inc.	Elk Point	UN	2.67 cfs	Irrigation	1 well – Missouri: Elk Point	wi, wcr, iq, 1 special
8876-3	East River Genetic Services	Hudson	LN	243 AF	COM	3 wells – Dakota	wi, wcr, 5 special
8877-3	Nick Bebo & Scott Bebo	Redfield	SP	1.78 cfs	Irrigation	Surface runoff	lf, iq, 3 special
8878-3	Tim & Cindy Henrich	Bellingham	GT	2.0 cfs	Irrigation	1 well – Veblen	wi, wcr, iq, 2 special
8879-3	City of Elkton	Elkton	BG	0.18 cfs	Irrigation	1 well – Big Sioux Aurora	wi, iq, 1 special
8880-3	Old Tree Dairy	Volga	BG	No Add'l	Irrigation	2 wells – Big Sioux Brookings	wi, iq
8881-3	Roger Baumfalk	Avon	BH	0.89 cfs	Irrigation	Choteau Creek	lf, iq, 3 special
8882-3	Arlingh E Gretschrman	Avon	BH	0.89 cfs	Irrigation	Choteau Creek	lf, iq, 3 special
8885-3	Myron & Kim Bierema	Springfield	BH	No Add'l	Irrigation	1 well – Choteau Tyndall	wi, iq, 1 special