



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

April 2, 2026


**NOTICE**

TO: City of Milbank  
c/o Steve Pendergrass  
1001 E 4<sup>th</sup> Ave, Suite 301  
Milbank SD 57252

Craig or Joe Arthur  
16116 456<sup>th</sup> Ave  
Watertown SD 57201

Emily Greco, Assistant Attorney General  
1302 East Highway 14, Ste 1  
Pierre SD 575010

Helsper, McCarty & Rasmussen PC  
c/o Reed Mahlke, *Attorney for Grant Roberts RWS*  
1441 6<sup>th</sup> St, Suite 200  
Brookings SD 57006

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

SUBJECT: Notice of Automatic Delay of Hearing on Future Use Permit Application No. 8990-3, City of Milbank

Petitions have been filed in the matter of Future Use Permit Application No. 8990-3 in response to the Notice of Application published in the Grant County Review and the Watertown Public Opinion on January 28, 2026. In response, a Notice of Hearing dated March 19, 2026, was sent to the applicant and the petitioners. The notice scheduled a hearing before the Water Management Board on May 6, 2026.

In response to the March 19, 2026, Notice of Hearing, a petitioner filed a request for an automatic delay of the May 6, 2026, hearing. The request for a stay was dated March 29, 2026, received via email service, meeting the March 30, 2026, filing deadline. Pursuant to SDCL 46-2A-5 and the Notice of Hearing dated March 19, 2026, this is considered to be written notice to the Acting Chief Engineer, requesting an automatic delay of the May 6, 2026, hearing date. Therefore, the hearing on Application No. 8990-3 is postponed pursuant to SDCL 46-2A-5 and 46-2A-23 and will NOT be held on May 6, 2026.

The hearing to consider Application No. 8990-3 is now tentatively scheduled for the July 8-9, 2026, Water Management Board meeting. Future notice of the time and place of the hearing for Application No. 8990-3 will be provided.

Notices, Orders, and other pleadings filed in the matter of Future Use Permit Application No. 8990-3 are posted on DANR's contested case page at <https://danr.sd.gov/public/ContestedCase.aspx>.

Questions regarding the hearing process may be directed to Amanda Dewell, Permitting Administrator, Water Rights Program at (605) 773-3352 or [Amanda.Dewell@state.sd.us](mailto:Amanda.Dewell@state.sd.us).

