

**Notice of Hearing Regarding Five-Year Review to Determine the Availability of Unappropriated Water in the Tulare East James Aquifer**

The Water Management Board (Board) previously determined that the average annual withdrawal of water from the Tulare East James aquifer is equal to the average estimated annual recharge and deemed the aquifer fully appropriated. A map showing the approximate boundary of the aquifer; a copy of a public notice; and a report prepared for the Board to review will be available for public viewing on September 17, 2020, at <https://denr.sd.gov/ap>.

Pursuant to statute, the Board held a hearing for the purpose of accepting applications for potential future appropriations from the aquifer and a creation of a priority list. That hearing was held on May 7, 2015. Fourteen applications were prioritized by the Board and are being held for possible future action.

Pursuant to SDCL 46-2A-7.5, the Board is required to hold a public hearing reviewing the groundwater source, all permits appropriating water from that source, and all held applications at least once every five years to determine whether unappropriated water has become available for use. The five-year review is scheduled for 10:30 AM (Central Time), on Wednesday, October 7, 2020, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD. The Board is authorized to 1) determine that additional water is available for appropriation, 2) determine that no additional water is available for appropriation, or 3) defer action for further study. The hearing time is an estimate and may be delayed due to prior items on the agenda. Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-7.5, the Board has legal authority and jurisdiction to conduct this hearing.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Questions regarding the hearing may be directed to Ron Duvall, Water Rights Program at (605) 773-3352 or [ron.duvall@state.sd.us](mailto:ron.duvall@state.sd.us).