

WATER PERMIT NO. 2881-2

Name of Applicant: **Western Dakota Regional Water System**

Address: **PO Box 484, Rapid City SD 57709**

Phone: **605-519-7333**

Amount of Water Claimed: **20,765 AF**

Total Acres: **N/A**

Source of Water Supply: **Surface**

Water to be used for: **Future/Mun/RWS**

County: **Stanley**

Type of Waste Disposal System:

Location: **Within Pierre City limits**

PRIORITY Date Received: **08-13-24**

Application/License Fee: **\$1,785.42**

Corrected Application Received: **N/A**

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

Remarks: **Future Use**

Diversion Point: **Between Sec 16-T6N-R29E, and
Sec 5-T4N-R32E**

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

Depth of Well:

Well Driller:

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **08-14-24**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
FUTURE USE WATER PERMIT NO. 2881-2

Date of first receipt of application August 13, 2024.

The Water Management Board approved Future Use Permit No. 2881-2 on May 7, 2025, for Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 2881-2 reserves for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T111N-R79W and Section 11-T110N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. This permit does not authorize construction of works or application of water to beneficial use.
2. The water appropriated shall be used for municipal and rural water system use and may not exceed the amount of water needed for beneficial use.
3. The date from which applicant may claim right is August 13, 2024.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Future Use Permit No. 2881-2 reserves 20,765 acre-feet of water annually from the Missouri River.
2. Future Use Permit No. 2881-2 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.

WATER MANAGEMENT BOARD

By: _____

Mark Mayer
Mark Mayer, PE
Director of Office of Water
Department of Agriculture and Natural Resources

5/27/25
date



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

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2881-2</u> Hydrologic Unit <u>10130105</u> Basin <u>Missouri R</u> Newspaper <u>Capital Journal</u> <u>Huron Plainsman</u> (office use only)
---	--

PAID
AUG 13 2024
Ck# 1091
Rec't# _____

Application for Permit to Appropriate Water in South Dakota

Check use(s) of water:

☒ Municipal	☐ Water Distribution System	☐ Recreational	☐ Institutional
☒ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other _____	

Type of Application: (check one)

☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☒ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☐ Amendment/Correction to Permit No. _____		

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

- Name to Appear on Water Permit Western Dakota Regional Water System (WDRWS)
Mailing Address PO Box 484 Rapid City SD 57709
(Address) (City) (State) (Zip Code)
Phone 605-519-7333 Mobile 605-484-0334 Email Cheryl.Chapman@wdrws.org
- Amount of water claimed _____ *CFS or _____ **GPM and 20,765 ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use
- Source of water supply Missouri River
- Location of point of diversion Varies (see attached map) County Hughes/Stanley
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No
If "Yes," where will water be used? _____
Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, Bennett
- County or counties where water will be used _____
- Annual period during which water is to be used Year-Round

- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Western South Dakota is currently experiencing rapid growth in population and water needs, both of which are expected to double in the next century. South Dakota Mines completed an initial evaluation of population and water need projections in comparison to available water resources for Pennington County in 2019 on behalf of the West Dakota Water Development District (WDWDD). The initial findings indicated that existing water supply resources will likely struggle to meet current water demands in an extended drought.

The WDRWS was created in September of 2021 to evaluate and plan for the long-term water needs of western South Dakota due to the area's growing population and the unpredictable nature of future drought projections. Over the past 2 years, the WDRWS has been evaluating future water needs for interested systems in western South Dakota and has estimated that an additional future use reservation of 20,765 AF are needed over a 50-year planning period in addition to the 52,545 AF in current future use reservations held by likely project participants.

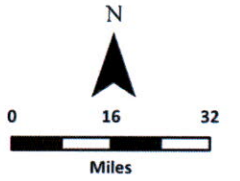
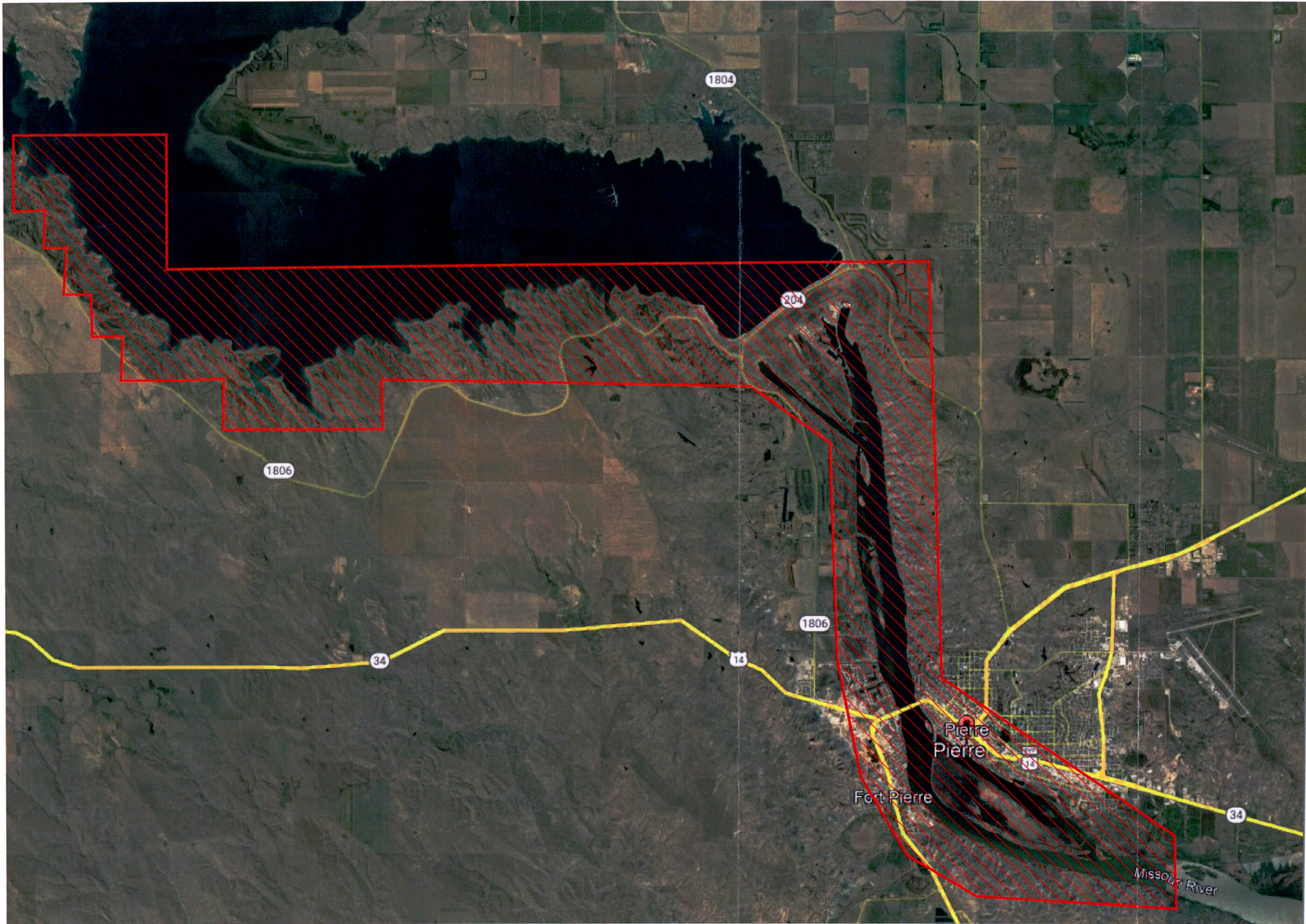
I, Cheryl Chapman, PhD, PE Executive Director, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. If I am not the applicant, I 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)

RECEIVED
AUG 13 2024
OFFICE OF
WATER



Locator Map Not to Scale

Western
South Dakota

WESTERN DAKOTA REGIONAL WATER SYSTEM

Future Use Permit
Application

Point of Diversion
Boundary

RECEIVED

AUG 13 2024

OFFICE OF
WATER



Date: 5/29/2024



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere | Edited by: CLidenberg | W:\W\WDRWS\GIS_General\GIS\WDRWS GIS General -System Users.aprx | WDRWS Project Canvassing Area

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 14th, 2024

RECEIVED OF Western Dakota Regional Water System PO Box 484 Rapid City SD

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. <u>2881-2</u> to Appropriate Water for Future use	<u>\$1785.42</u>
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>\$1785.42</u>

By Eric Gronlund
Chief Engineer

Se

WDRWS STRATEGIC PLANNING



**WESTERN
DAKOTA REGIONAL
WATER SYSTEM**

To: Board of Directors
Cheryl Chapman, PhD, PE, Executive Director
Talbot Wiczorek, Attorney of Directors
Western Dakota Regional Water System (WDRWS)

From: Cory Chorne
Advanced Engineering and Environmental Services, Inc. (AE2S)

Date: 07-12-2024

Re: Future Use Permit

RECEIVED

AUG 13 2024

**OFFICE OF
WATER**

Under Task Order No. 4, the Engineering Team has continued engaging Members and potential Members for the purpose of gathering critical information in an effort to predict the future water needs of a potential regional water system. And although those efforts are on-going and will continue in the near-term, the Engineering Team has developed preliminary water demand projections for likely project participants to estimate the volume needed in a future use permit to meet the future water needs for the region. Several Members and potential Members currently have future use permits, but an additional volume is likely needed to meet regional future needs. The preliminary water demand projections are summarized in Figure 1 as follows:

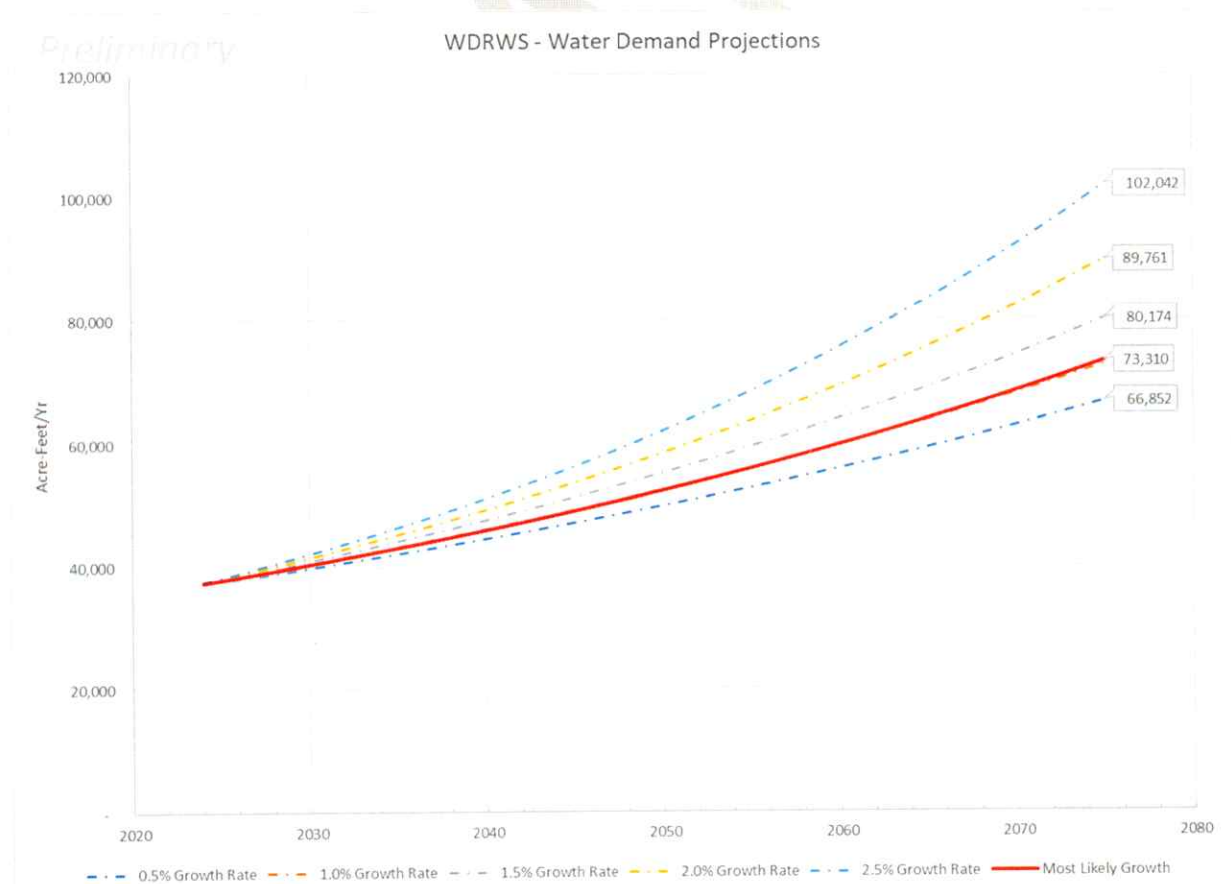


Figure 1: WDRWS Preliminary Regional Water Demand Projections

WDRWS STRATEGIC PLANNING



OFFICE OF

As presented in Figure 1, the current preliminary estimated regional future water demand ranges between a low of 66,852 acre-feet per year (af/yr) to a high of 102,042 af/yr. The ranges were developed using water demand growth rates ranging between 0.5 and 2.5 percent per year. The Engineering Team's preliminary recommended aggregate growth rate (Most Likely Growth Rate) is approximately 1 percent (solid red line in Figure 1). That recommended aggregate growth rate is based on water use analysis and individual growth rates for each system as summarized in Table 1. The exception to that is for systems that have current Future Use Permits. The predicted future demand from a regionalization project used their current Future Use Permit volume regardless of predicted future use demands. In addition, systems that show a declining future demand used a growth rate of 0.5 percent to predict initial preliminary future water demands.

Member	Predicted Growth Rate	Estimated Future Demand (af/yr)	Member	Predicted Growth Rate	Estimated Future Demand (af/yr)
BBVWD	1.0%	244	Martin	0.5%	344
Belle Fourche	0.5%	1,485	New Underwood	0.5%	79
BHWUD	0.5%	785	Newell	0.5%	101
Box Elder*	n/a	2,100	Pine Grove	0.5%	59
BMSD	1.0%	1,035	Rapid City*	n/a	28,880
CPH	1.5%	538	RVSD	n/a	6,050
Custer	1.0%	441	SBH	0.5%	56
Edgemont	0.5%	225	Small Systems	Varies	6,882
Fort Pierre	Included in WRLJ Demand		Spearfish	1.0%	3,722
FRWUD	0.5%	621	Sturgis	1.0%	1,969
Hermosa	2.5%	286	Tripp County	n/a	4,440
Hill City	0.5%	136	Wall	Included in WRLJ Demand	
Hot Springs	0.5%	1,175	WHHA	0.5%	9
Keystone	0.5%	137	Whitewood	0.5%	244
L-DSD	2.0%	5,752	WRLJ**	n/a	5,515
Total Preliminary Estimated Future Water Demand					73,310

*Systems with Future Use Permit used as Estimated Future Demand from Regionalization Project

**WRLJ calculated their future need from WDRWS at 8 MGD including Fort Pierre and Wall

**WRLJ Future use permit held by West River Water Development District

Table 1: Summary of Preliminary WDRWS Likely Future Water Demand Projections

WDRWS STRATEGIC PLANNING



WDRWS Recommended Future Use Permit

The estimated regional water demand, current future use permits, and additional future use permit are summarized in Table 2.

	Volume (af/yr)
1. Total Preliminary Estimated Future Water Demand	73,310
2. Current Future Use Permits	
a. Rapid City	28,880
b. Box Elder	2,100
c. Rapid Valley Sanitary District	6,050
d. West Dakota Water Development District	10,000
e. West River Water Development District (WRLJ)	5,515
3. Total Future Use Permits (Sum of 2.a through 2.e)	52,545
4. Recommended Future Use Permit (1 – 3)	20,765

Table 2: Preliminary Recommendation for WDRWS Future Use Permit

Note: All the estimated future water demand presented in this report are preliminary and have not been finalized by all Members or potential Members. As such, the final project water nominations may change from those presented herein as demand projections change and/or are updated and as systems reflect upon project costs in the future. Additionally, the recommendation for the WDRWS future use permit assumes that systems currently using groundwater would replace their groundwater with surface water entirely.

RECEIVED

AUG 13 2024

OFFICE OF



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 28, 2025

NOTICE OF HEARING

To: Cheryl Chapman, Executive Director
Western Dakota Regional Water Systems
PO Box 484
Tea SD 57064

Jennifer Verleger, Assistant Attorney General
Legal Counsel for Chief Engineer
1302 E Hwy 14, Suite 1
Pierre SD 57501

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

Subject: Notice of Hearing on Future Use Water Permit Application No. 2881-2, Western Dakota Regional Water Systems

The South Dakota Legislature approved Senate Joint Resolution 501 providing legislative approval of the Future Use Water Permit Application No. 2881-2, filed by Western Dakota Regional Water Systems. The approved resolution was filed with the South Dakota Secretary of State on March 10, 2025 (see enclosure). Pursuant to SDCL 46-5-20.1, Future Use Application No. 2881-2 is now eligible for final consideration by the Water Management Board. Approval by the Legislature does not mandate approval by the Water Management Board.

The Water Management Board will conduct a hearing to consider Future Use Application No. 2881-2 at 9:30 AM (central time), on Wednesday May 7, 2025, at the Floyd Matthews Training Center, Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501. The time is an estimate and may be delayed due to prior items on the agenda. Remote connection information will be made available on the Water Management Board webpage at <https://boardsandcommissions.sd.gov/>.

Pursuant to SDCL 46-2-9, 46-2-11, 46-2A-23, and 46-5-30.1, the Board has legal authority and jurisdiction to conduct this hearing. As a legal entity, Western Dakota Regional Water Systems is required to be represented by legal counsel in this administrative proceeding. Applicable provisions of the public notice published in the Dakota Herald on October 21, 2024, Winner Advocate, Faith Independent, Lyman County Herald, Gregory Times-Advocate, Custer County Chronical, Fall River County Herald-Star, Todd County Tribune, Mellette County News, and Lakota Times on October 23, 2024, Pioneer Review, Murdo Coyote, Nation's Center News, Rapid City Journal, Pennington County Courant, and Capitol Journal on October 24, 2024, and the Black Hills Pioneer on October 26, 2024, still apply.

Western Dakota Regional Water Systems may request an automatic delay of the hearing which will delay the hearing date by at least 20 days. The deadline for the request for an automatic delay is March 24, 2025.

Questions regarding the hearing process may be directed to myself or Ron Duvall, Water Rights Program (605) 773-3352 Amanda.Dewell@state.sd.us or Ron.Duvall@state.sd.us.

enclosure

Cc: David McVey, Assistant Attorney General, Legal Counsel for Water Management Board

CERTIFICATION

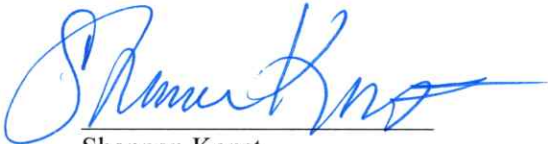
The undersigned hereby certifies under the penalty of perjury that I have personally deposited a true and correct NOTICE OF HEARING & attachment dated March 28, 2025, into the United States Mail in Pierre, South Dakota, first class postage prepaid to the following Water Permit and Right holders on March 28, 2025.

Cheryl Chapman, Executive Director
Western Dakota Regional Water Systems
PO Box 484
Tea SD 57064

Also sent via Inter-Office Mail to:

Jennifer Verleger, Assistant Attorney General
Legal Counsel for Chief Engineer
1302 E Hwy 14, Suite 1
Pierre SD 57501

David McVey, Assistant Attorney General
Legal Counsel for Water Management Board
1302 E Hwy 14, Suite 1
Pierre SD 57501



Shannon Konst
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 28th day of March, 2025.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029





2025 South Dakota Legislature
Senate Joint Resolution 501
ENROLLED

AN ACT

A JOINT RESOLUTION, Providing legislative approval for a future use water permit application by the Western Dakota Regional Water System.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

WHEREAS, pursuant to § 46-5-20.1, any application for an appropriation of water, in excess of ten thousand acre-feet annually, must be presented by the Water Management Board to the Legislature for approval, prior to action by the board; and

WHEREAS, pursuant to § 46-5-20.1, the Western Dakota Regional Water System submitted a future use water permit application numbered 2881-2 to the chief engineer of the water rights program within the Department of Agriculture and Natural Resources, seeking to have annually appropriated and reserved twenty thousand seven hundred and sixty-five acre-feet of unappropriated water from the Missouri River for the purpose of providing future water supplies to the Western Dakota Regional Water System counties of Bennett, Butte, Custer, Fall River, Gregory, Haakon, Harding, Hughes, Jackson, Jones, Lawrence, Lyman, Meade, Mellette, Oglala Lakota, Pennington, Perkins, Stanley, Todd, and Tripp; and

WHEREAS, the chief engineer, pursuant to § 46-2A-2, considered the permit application and recommended approval, with qualifications, because there is a reasonable probability that unappropriated water is available for the proposed use, the quantity of water sought to be reserved will be needed by the Western Dakota Regional Water System, the proposed use is a beneficial use, and the proposed use is in the public interest; and

WHEREAS, after a public hearing held on December 4, 2024, in Pierre, South Dakota, the Water Management Board moved to present the application to the Legislature for approval, subject to the following qualifications:

- (1) That future use water permit number 2881-2 annually reserve twenty thousand seven hundred and sixty-five acre-feet from the Missouri River;

KT

- (2) That future use water permit number 2881-2 is subject to review every seven years by the board and subject to cancellation if the board determines, during a review, that the Western Dakota Regional Water System cannot demonstrate a reasonable need for the permit; and
- (3) That at the time plans are made to construct the works and put the water reserved by future use water permit number 2881-2 to beneficial use, the executive director of the Western Dakota Regional Water System must apply to the board for all or part of the reserved water, pursuant to § 46-5-38.1;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the One Hundredth Legislature of the State of South Dakota, the House of Representatives concurring therein, that the Western Dakota Regional Water System's future use water permit application number 2881-2 is approved and returned to the Water Management Board for final action; and

BE IT FURTHER RESOLVED, that if future use water permit application number 2881-2 is approved by the Water Management Board, the board may act on any application to place the water reserved by application number 2881-2 to beneficial use, regardless of the amount being placed to beneficial use, including up to the full twenty thousand seven hundred and sixty-five acre-feet reserved by application number 2881-2, without further action by the Legislature.

A JOINT RESOLUTION, Providing legislative approval for a future use water permit application by the Western Dakota Regional Water System.

I certify that the attached Resolution originated in the:

STATE OF SOUTH DAKOTA,

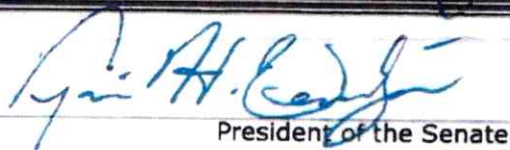
Office of the Secretary of State

SS.

Senate as Joint Resolution No. 501

at 9:43 Filed March 10, 2025
o'clock A M.


Secretary of the Senate


President of the Senate

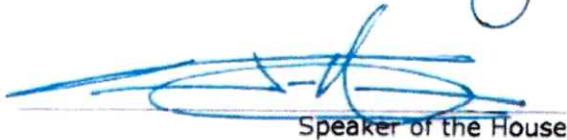

Secretary of State

Attest:

By

Asst. Secretary of State


Secretary of the Senate


Speaker of the House

Attest:


Chief Clerk

Senate Joint Resolution No. 501

File No. _____

Chapter No. 66

Dewell, Amanda

From: Cheryl Chapman <Cheryl.Chapman@wdrws.org>
Sent: Tuesday, April 8, 2025 10:52 AM
To: Dewell, Amanda
Subject: Re: [EXT] Notice of Hearing

Good morning, received the email.

Get [Outlook for iOS](#)

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, April 8, 2025 7:35:34 AM
To: Cheryl Chapman <Cheryl.Chapman@wdrws.org>
Subject: Notice of Hearing

Cheryl,

I'm not sure how it happened but this Notice was sent to the wrong address (Tea SD). I apologize for any inconvenience.

Please confirm that you have received the attached Notice and copy of Senate Joint Resolution 501. If I do not hear from you by end of day today, I will send a hard copy to the correct address (Rapid City SD).

Thank you,

Amanda Dewell

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
APPLICATION NO. 2881-2, Western Dakota Regional Water System**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit Application No. 2881-2, Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Future Use Permit No. 2881-2 reserves 20,765 acre-feet of water annually from the Missouri River.
2. Future Use Permit No. 2881-2 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.

See report on application for additional information.

Eric Gronlund, Chief Engineer
October 10, 2024

NOTE: Pursuant to SDCL 46-5-20.1, the Water Management Board shall present applications in excess of 10,000 acre-feet to the Legislature for approval prior to the Board acting upon the application. Following public notice to place this on a Board meeting agenda, the Board will take action to present this application to the Legislature with or without a recommendation. Upon approval by the Legislature, the Board shall schedule a time and place for final consideration of the application.

Report to the Chief Engineer
Water Permit Application No. 2881-2
Western Dakota Regional Water System
October 10, 2024

Western Dakota Regional Water System (WDRWS) has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve 20,765 acre-feet of water annually for future use from the natural flows of the Missouri River. The area reserved for future diversion from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16 in T6N-R29E and Section 5 in T4N-R32E (Stanley County) or between Section 6 in T111N-R79W and Section 11 in T110N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between LaFramboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett Counties; all in South Dakota. If approved, this application does not authorize construction of works or application of water to beneficial use.

South Dakota Codified Law (SDCL) 46-2A-2

“Within sixty days of receipt of a completed application, the chief engineer shall recommend in writing approval, disapproval, or deferral until further notice and shall schedule the application for hearing by the Water Management Board. The recommendation shall include any terms, conditions, restrictions, qualifications, quantifications, or limitations on perpetuity which are consistent with this chapter, necessary to protect the public interest and related to matters within the jurisdiction of the chief engineer or the board.”

This report is being prepared to aid the Chief Engineer in making a recommendation and for the Water Management Board’s decision-making on the application.

SDCL 46-2A-10

“A reservation for a future use may be approved only if there is a reasonable probability that unappropriated water is available for appropriation, that the quantity of water reserved will be needed by the entity and that the proposed use will be a beneficial use and in the public interest.”

SDCL 46-5-20.1

“Any application for appropriation of water, pursuant to this chapter, in excess of ten thousand acre-feet annually shall be presented by the Water Management Board to the Legislature for approval prior to the board’s acting up on the application and all powers of eminent domain shall be denied any common carrier appropriating over ten thousand acre-feet of water per annum which has not obtained such prior legislative approval. Legislative approval does not mandate approval by the Water Management Board and does not constitute an issuance of a water permit. This section does not apply to applications by the South Dakota Conservancy District or applications for the approval of water permits for energy industry use.”

This application is not by the South Dakota Conservancy District or for energy industry use. Therefore, this application must be presented by the Water Management Board to the Legislature for approval since the application is in excess of ten thousand acre-feet annually.

SDCL 46-5-38.1

“Water Management Board approval of an application to appropriate water for future use is a reservation of a definite amount of water with a specified priority date and is not a grant of authority to construct the works or to put the water to beneficial use. Before the time that the holder of a future use permit initiates construction of the works and puts water to beneficial use, the holder shall file an application for a water permit pursuant to the procedure contained in chapter 46-2A. If the holder of the future use permit is granted a water permit to develop only a portion of the water reserved by the future use permit, the holder shall apply for and receive an additional water permit, or permits, before developing and using the remaining water reserved in the future use permit. Permits for future uses shall be reviewed by the board every seven years and are subject to cancellation if the board determines that the permit holder cannot demonstrate a reasonable need for a future use permit.”

Projected Beneficial Use by WDRWS

As part of the application, WDRWS provided a description of the beneficial use and public interest of the proposed future use reservation. Western South Dakota is experiencing rapid growth in population and water needs, which are expected to double in the next century. In 2019, faculty and students at the South Dakota School of Mines and Technology published an evaluation of population and water needs projections compared to available water resources for Pennington County (Katzenstein, et al., 2019) on behalf of the West Dakota Water Development District. The initial findings indicated that existing water supply resources will struggle to meet current water demands during extended droughts.

The WDRWS was created in September of 2021 to advance a Missouri River pipeline proposal addressing the long-term water needs of western South Dakota due to the growing population and the unpredictable nature of future drought. For the past two years, the WDRWS has been investigating water needs for interested existing systems in western South Dakota. Another study from this year was done by faculty and students at South Dakota School of Mines and Technology, along with staff at WDRWS. The study collected and analyzed data from smaller water systems to evaluate current capabilities and future needs (SDSMT, 2024), including eventually connecting participating systems to an extensive pipeline supplying water to much of western South Dakota. The aggregate growth rate for western South Dakota is approximately one percent, based on water use analysis and individual growth rates for existing water systems that would be likely participants. The total preliminary estimated future water demand is 73,310 acre-feet per year. For this application, WDRWS has estimated that an additional 20,765 acre-feet was needed over a 50-year planning period, in addition to the 52,545 acre-feet of Missouri River water already held in future use reservations by likely project participants. Those existing future use permits are listed in **Table 1**.

Table 1. Existing Missouri River Future Use Permits from likely project participants (Water Rights, 2024). The year of next review indicates when the Water Management will next review the future use permit to determine whether the future use reservation should be allowed to remain in effect, pursuant to SDCL 46-5-38.1.

Current Missouri River Future Use Permits held by likely participants	Future Use Permit No.	Remaining reserved volume for development (ac-ft)	Year of next review
City of Rapid City	1492-2	28,880	2026
City of Box Elder	2844-2	2,100	2029
Rapid Valley Sanitary District	2840-2	6,050	2029
West Dakota Water Development District	1443-2	10,000	2031
West River Water Development District	1442-2	5,515	2030
TOTAL		52,545	

Interested existing water systems that are not reserving or appropriating water from the Missouri River would have their systems replaced entirely with water from the Missouri River, meaning that any systems currently using groundwater would be replaced with surface water. The proposed service area for this proposed water system would not leave the Missouri River basin.

Review on Application No. 2881-2

This application proposes to appropriate 20,765 acre-feet of water per year from the Missouri River. One cubic foot of water per second pumping continuously for a year equals an approximate volume of 724 acre-feet. This application proposes to appropriate a maximum of 20,765 acre-feet of water per year from the natural flows of the Missouri River when fully developed. To reach this volume, continuous pumping equates to approximately 29 cfs. Since pumping will not be on a continuous basis, the actual pump rate required to divert the proposed volume will, at times, exceed a rate of 29 cfs. However, a generalized, equivalent pump rate of 29 cfs is needed to pump 20,765 acre-feet as requested by this application, so 29 cfs will be used for purposes of the hydrologic budget.

The area reserved for future diversions from the Missouri River will be generally located between Chantier Creek and LaFramboise Island and Farm Island, in either Hughes or Stanley Counties. This general area is shown in **Figure 1**.

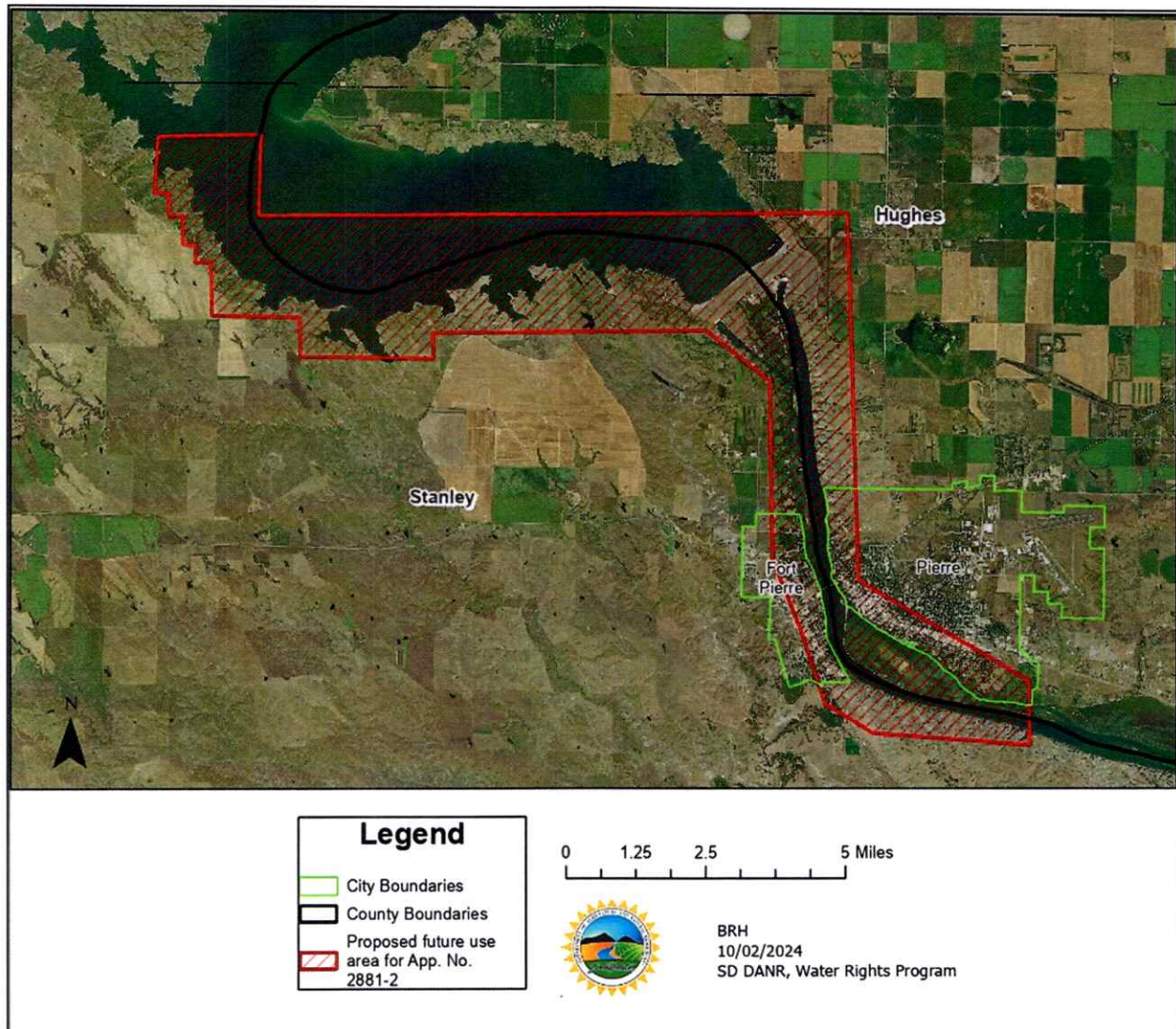


Figure 1. Approximate boundary of the proposed future use area for Future Use Application No. 2881-2 Western Dakota Regional Water System.

Review of Proposed Water Source

The water source for this future use reservation is from the natural flow of the Missouri River from diversion points located in the reach impounded behind Oahe Dam near Chantier Creek and LaFramboise and Farm Islands downstream of Oahe Dam. The Missouri River is a regulated system, and flow hydrographs of the river are affected by the presence of the mainstem reservoir system, with excess natural flows stored and bypassed according to an annual operating plan. The Missouri River Basin Mainstem System is comprised of six reservoirs that were constructed by the U.S. Army Corps of Engineers (USACE) between 1933 and 1964: Fort Peck, Garrison, Oahe, Big Bend, Fort Randall, and Gavins Point (upstream to downstream).

The dams are managed as a single system, with eight congressionally-authorized purposes under the 1944 Flood Control Act. These purposes are flood control, navigation, irrigation, power, water supply, water quality control, recreation, and fish and wildlife.

Natural flow in an instream reservoir system like the Missouri River mainstem system is the volume of water moving past a point along a river that is not augmented by artificial releases from storage. This flow is available for appropriation without the need for releases to augment the flow. Although the general pattern of summer flows being higher than winter flows still prevails, system regulation serves to reduce high spring and summer flows in most years and to release the stored water to increase flows during the lower flow fall and winter periods (USACE, 2018).

In 2001, the United States Geological Survey (USGS) conducted a study which modeled outflow alternatives using 100 years of historical inflow data for the years 1898 to 1998 at Oahe Dam and Gavins Point Dam (Jacobson and Heuser, 2001). One of the outflow alternatives is called Run of River, where streamflow is modeled for the condition of constantly full reservoirs and provides a realistic description of flows in the absence of flow regulation by the reservoirs. For each day of the year, outflow exceedance probabilities (10th, 25th, 50th, 75th, and 90th percentiles) were calculated. For example, the 90th percentile line shows the flow that was equaled or exceeded 90% of the time on that day for each year. **Figures 2 and 3** show the five flow exceedance curves made for modeled outflow at Oahe Dam and Gavins Point Dam, respectively.

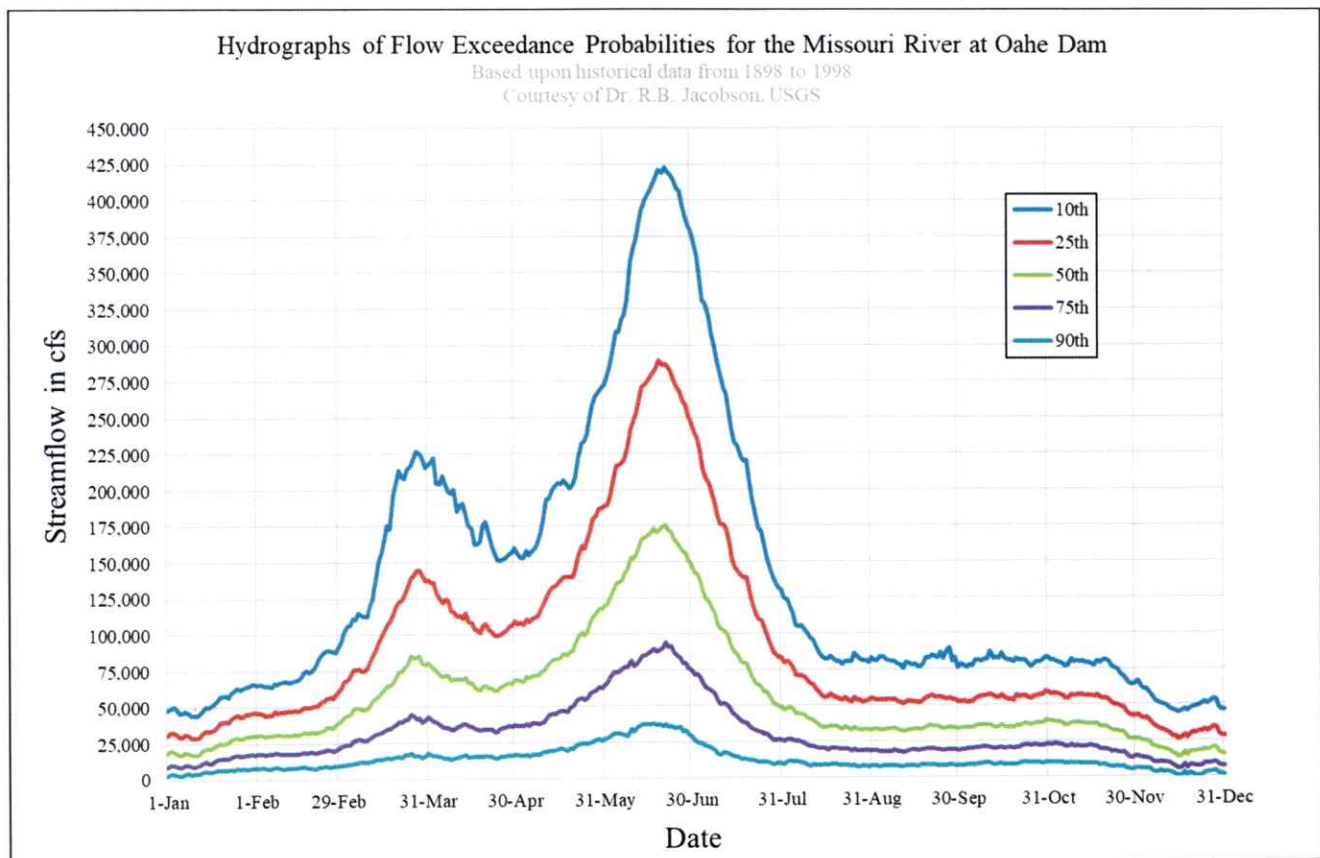


Figure 2. Flow exceedance probabilities for the Missouri River modeled outflow at Oahe Dam, depicting flows in the absence of regulation (Jacobson and Heuser, 2001).

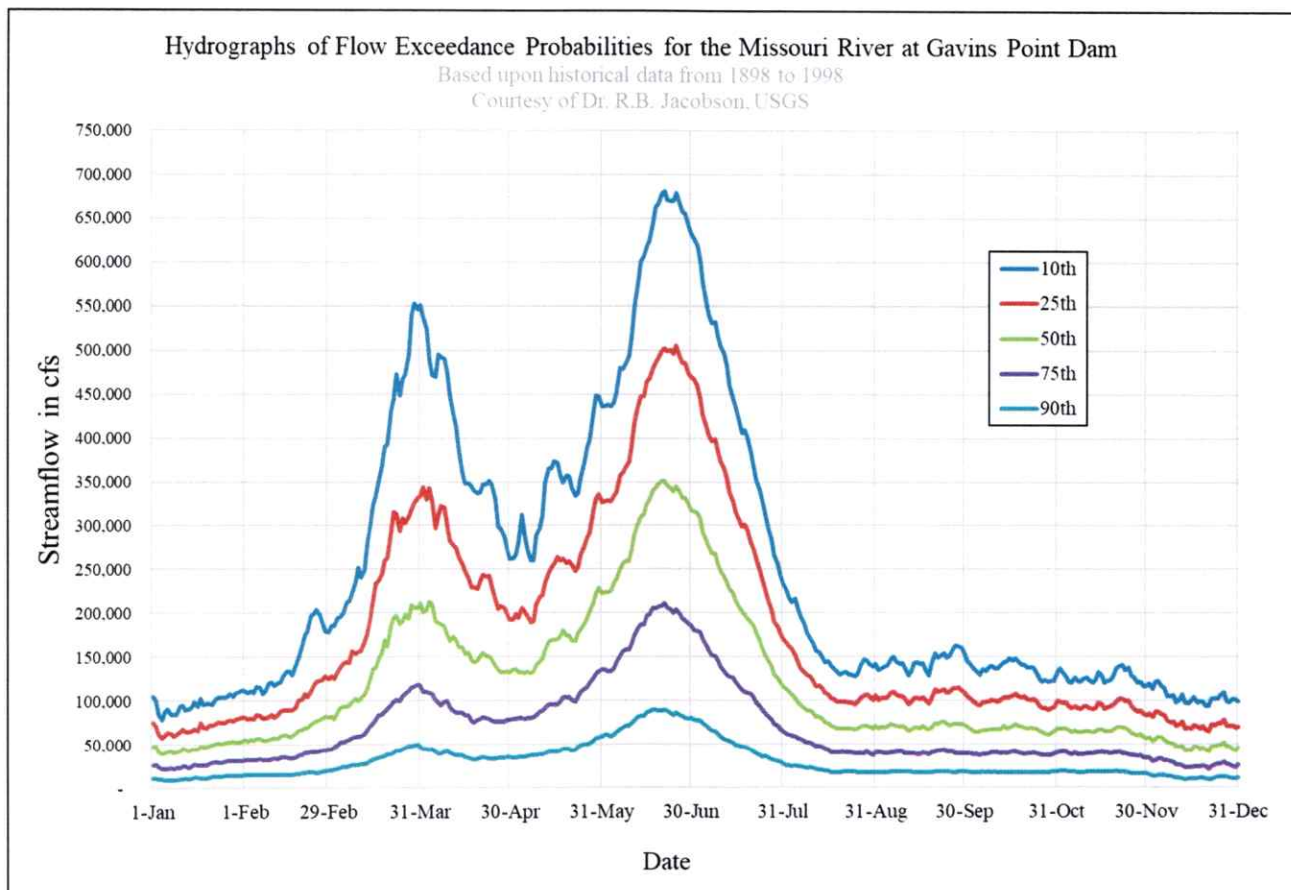


Figure 3. Flow exceedance probabilities for the Missouri River modeled outflow at Gavins Point Dam, depicting flows in the absence of regulation (Jacobson and Heuser, 2001).

The annual variability of historical inputs for the Missouri River is reflected in the variability of the output discharge, and **Figures 2 and 3** show a range of available natural flows in the river throughout the year. Vertical variation in the graph is a measure of annual variation, and horizontal variation is a measure of seasonal variation (Jacobson and Heuser, 2001). Seasonal variability shows two peaks, the first spanning February, March and April, which corresponds to the rapid melting of ice and snow from the plains of Montana, Wyoming, North Dakota and South Dakota in the early spring. The largest peak is late spring to early summer, which shows rainfall over large areas of the Missouri Basin, including severe local thunderstorms and rapid melting of mountain snow in Wyoming and Montana. Late summer and fall show diminishing rainfall, low runoff, and light precipitation in the winter (USACE, 2018).

Figure 3 shows that at the 90th percentile (where 9 out of 10 years that flow is equaled or exceeded) at Gavins Point dam the lowest modeled outflow is still over 8,000 cfs. During the low-flow months at Oahe Dam (late fall to early spring) (**Figure 2**), the modeled outflows at the 90th percentile are generally greater than 1,500 cfs with only a few modeled low-flow days. Considering the 90th percentile hydrograph (the most conservative hydrograph to determine water availability), there is ample natural flow available at the proposed future use area and downstream of the future use area, if this project is approved. As **Figures 2 and 3** demonstrate,

water availability is not a concern if the diversion is developed under this reservation of water when using the natural flows of the Missouri River as a source (Jacobson and Heuser, 2001).

Existing Users

There are currently 251 existing water rights/permits appropriating 1,218 cfs from the natural flows of the Missouri River in South Dakota. Of those 251 existing water rights/permits, 215 are for irrigation use, and during the irrigation season (generally April 1 through October 31 in South Dakota) are authorized to pump approximately 1,031 cfs at any given time, which means that 187 cfs of flow is appropriated to 36 non-irrigation water rights/permits (Water Rights, 2024). It is a conservative measure to assume that all water right/permit holders would be pumping at any given time.

There are currently 20 future use permits collectively reserving 365,201 acre-feet of water per year (Water Rights, 2024). Those future use permits are listed in **Table 2**.

Table 2. Existing Missouri River future use permits (Water Rights, 2024).

Permit Holder	Permit No.	Remaining reserved water (ac-ft)
Lake Andes-Wagner Irrigation District	1688A-3	96,000
East Dakota Water Development District	3574-3	91,500
Lewis and Clark Regional Water System	3574B-3	52,500
City of Rapid City	1492-2	28,880
City of Sioux Falls	2042-3	28,236
WEB Water Development Association, Inc.	2671-3	0
	3429-3	15,000
	8852-3	10,000
	8778-3	10,000
West Dakota Water Development District	1443-2	10,000
Rapid Valley Sanitary District	2840-2	6,050
City of Mitchell	3142-3	5,765
West River Water Development District	1442-2	5,515
City of Box Elder	2844-2	2,100
City of Mobridge	4290-3	1,656
Clay Rural Water System, Inc.	3574A-3	1,000
Aurora-Brule Rural Water System, Inc.	4456-3	621
	4456A-3	0
City of Elk Point	4673-3	378
U.S. Bureau of Reclamation	US594-3	1.1 million
Totals	20	365,201*
*Total remaining reserved water does not include the large appropriation held by Permit No. US594-3 for the undeveloped Oahe Irrigation Project.		

When a future use permit requests to put their reserved water to beneficial use, a new water permit is issued, which includes a pump rate and the annual volume for that water permit, and the respective amount is subtracted from the volume of water reserved by the original future use permit. Any active pumping of water reserved by future use permits is included in the 1,218 cfs previously mentioned. Assuming full development of the remaining reserved water by the 20 Missouri River future use permits, and assuming that they will pump continuously throughout the year, the 365,201 acre-feet of water per year equates to approximately 504 cfs of water being pumped on a continuous basis. This application, when fully developed, seeks to withdraw the equivalent of 29 cfs of water from the Missouri River. **Table 3** lists the estimated required flow for surface water rights on the Missouri River during April 1 to October 31 (irrigation season) and the estimated required flow during November 1 to March 31 (non-irrigation season), including an equivalent pump rate of 29 cfs at full development from WDRWS, if this application is approved.

Future Use Permit No. US594-3 held by the U.S. Bureau of Reclamation reserves approximately 1.1 million acre-feet of water from the Missouri and James Rivers for the suspended Oahe Irrigation Project. The federal irrigation project for which the water was reserved has not been constructed and is currently defunded. Even though the project has not been deauthorized, the future use permit remains in place (Water Rights, 2024).

Table 3. Estimated required natural flows on the Missouri River to satisfy existing water rights/permits, assuming full development of the remainder of Future Use permits, and including the proposed pump rate for this application, if approved, during the irrigation and non-irrigation seasons.

Use Type	Irrigation season (April 1 to October 31) estimated pumping at any given time (cfs)	Non-irrigation season (November 1 to March 31) estimated pumping at any given time (cfs)
Irrigation Use	1,031	0
Non-Irrigation Use	187	187
Remaining Future Use Development	504	504
Future Use Application No. 2881-3, if approved	29	29
Totals	1,751	720

The 90th percentile for **Figures 2 and 3** show that modeled outflows between November 1 and March 31 vary approximately between 1,500 cfs and 18,000 cfs at Oahe Dam (except for a few low-flow days), and 8,000 cfs and 47,000 cfs at Gavins Point Dam. Modeled flows at the 90th percentile between April 1 and October 31 vary approximately between 7,000 cfs and 38,000 cfs at Oahe Dam, and 16,000 cfs and 80,000 cfs at Gavins Point Dam. Comparing those values to the estimated required flow (**Table 3**) for different times of the year, including an equivalent pump rate of 29 cfs for this application, water availability in the Missouri River is currently not an issue, even considering that the pumping for existing future use permits and this application are likely to be at a higher rate than at the assumed year round continuous rate. Even by using the 90th percentile modeled outflows to determine water availability in this report, there is a

reasonable probability that ample flow is available year round to support this application with the following assumptions:

- All 215 irrigation water rights/permits, accounting for approximately 86% of the water permits/rights, are pumping continuously during the irrigation season which is mostly during high-flow months;
- All 36 non-irrigation water rights/permits are pumping continuously year round;
- All existing future use permits become fully developed and would pump continuously year round;
- This future use application becomes fully developed and would pump continuously year round.

Conclusions

1. This application proposes to reserve 20,765 acre-feet of water per year for future use from the natural flows of the Missouri River for the purpose of providing future water supplies for municipal and water distribution system uses. The possible diversion points would be located in Hughes or Stanley Counties, downstream of Oahe Dam between Chantier Creek and LaFramboise Island or Farm Island.
2. The Western Dakota Regional Water System has investigated future regional water demands for western South Dakota, including studies done by the local community.
3. The determination that there is unappropriated water available is based strictly on flows naturally occurring in the Missouri River and is not based in any way upon anticipated flows into the Missouri River by Fort Peck, Garrison, Oahe, Big Bend, Fort Randall, or Gavins Point Dams, though the reservoirs may supplement the rivers during low-flow periods.
4. Based on an evaluation of a USGS report which models the natural flows of the Missouri River, the review indicates a reasonable probability that unappropriated water is available for this reservation of water.



Brittan R. Hullinger
Natural Resources Engineer I
SD DANR, Water Rights Program

Resources

- Jacobson, R.B. and Heuser, J. 2001. Visualization of Flow Alternatives, Lower Missouri River. U.S. Geological Survey. Open-File Report OF02-122.
- Katzenstein, K.W., Davis, A.D., Kenner, S.J., Anderson, M.T., Lisenbee, A., Hedman, K., Noteboom, H., Wess, R. 2019. Missouri River Water Allotment Study for Future Use Water Permit 1443-2. South Dakota School of Mines and Technology.
- SDSMT. 2024. South Dakota Mines students help collect data for Missouri River pipeline study. News Release. September 17, 2024.
<<https://www.sdsmt.edu/news/releases/wdrwsinterns.html>>
- USACE. 2018. Missouri River Mainstem Reservoir System Master Water Control Manual. U.S. Army Corps of Engineers, Northwestern Division. Omaha, Nebraska.
- Water Rights. 2024. Water Right/Permit Files. SD DANR Water Rights Program. Joe Foss Building. Pierre, South Dakota.



**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.**

October 15, 2024

Western Dakota Regional Water System
c/o Cheryl Chapman
PO Box 484
Rapid City SD 57709

Dear Ms. Chapman:

Water Permit Application No. 2881-2 for Municipal/RWS use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the following newspapers:

✓Capital Journal (Hughes/Stalley)	605 224-7301 Saturday
✓Lyman County Herald (Lyman)	605 895-6397 Wednesday
✓Murdo Coyote (Jones)	605 669-2271 Thursday
✓Winner Advocate (Tripp)	605 842-1481 Wednesday
✓The Pioneer Review (Haakon/Jackson)	605 859-2516 Thursday
✓Black Hills Pioneer (Butte/Lawrence)	605 642-2761 Saturday
✓Faith Independent (Meade)	605 967-2161 Wednesday
✓Rapid City Journal (Pennington)	Requires prepayment (Saturday)
✓Custer County Chronicle (Custer)	605 673-2217 Wednesday
✓Fall River County Herald-Star (Fall River/Oglala Lakota)	605 745-3930 Thursday
✓Mellette County News (Mellette)	605 259-3642 Wednesday
✓The Dakota Herald (Perkins)	605 374-9628 Monday
✓Nation's Center News (Harding)	605 375-3228 Thursday
✓Gregory Times-Advocate (Gregory)	605 835-8089 Wednesday
✓Todd County Tribune (Todd)	605 856-4469 Wednesday
✓Lakota County Times (Bennett)	605 685-1871 Thursday

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 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 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.

Instruction to Newspaper – Publish the Notice on October 21 or 23, or 24 or 26, 2024. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T111N-R79W and Section 11-T110N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at an approximate cost of _____.

Newspapers

County	Newspaper
Stanley and Hughes	Capital Journal
Lyman	Presho/Lyman County Herald
Jones	Murdo Coyote
Tripp	Winner Advocate
Haakon and Jackson	Philip Pioneer Review
Butte and Lawrence	Black Hills Pioneer
Meade	Faith Independent
Pennington	Rapid City Journal
Custer	Custer County Chronicle
Fall River and Oglala Lakota	Edgemont Fall River County Herald
Mellette	Mellette County News
Perkins	Lemmon Dakota Herald
Harding	Buffalo Nation's Center News
Gregory	Gregory Time-Advocate
Todd	Mission Todd County Tribune
Bennett	Martin Bennett County Booster

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:28 AM
To: jeffrey.hartley@capjournal.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice -UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:35 AM
To: jeffrey.hartley@capjournal.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Saturday, October 26, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:29 AM
To: news@lcherald.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:36 AM
To: news@lcherald.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:30 AM
To: mcoyote@gwtc.net
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:38 AM
To: mcoyote@gwtc.net
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Thursday, October 24, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:30 AM
To: winneradvocate@hotmail.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:41 AM
To: winneradvocate@hotmail.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:31 AM
To: ads@pioneer-review.com
Cc: newsdesk@pioneer-review.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:44 AM
To: ads@pioneer-review.com
Cc: newsdesk@pioneer-review.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Thursday, October 24, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

Black Hills
Pioneer

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:25 AM
To: Kelly Langer
Subject: RE: [EXT] 2881-2 Western Dakota Regional WS - Public Notice UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Kelly Langer <legals@bhpioneer.com>
Sent: Tuesday, October 15, 2024 10:54 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] 2881-2 Western Dakota Regional WS - Public Notice

Hi Rachel,

I will get this scheduled for publishing on October 26th and I will wait for authorization. Thank you!

On Oct 15, 2024, at 9:45 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Attached is a notice to be published on Saturday, October 26, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:26 AM
To: Faith Ind
Subject: RE: [EXT] 2881-2 Western Dakota Regional WS - Public Notice -UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Faith Ind <faithind@faithsd.com>
Sent: Tuesday, October 15, 2024 11:01 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] 2881-2 Western Dakota Regional WS - Public Notice

Received, thank you!

Have a great week,
Krissy Johnson
faithind@faithsd.com
Office: 605-967-2161
Cell: 605-645-0828
Ravellette Publications, Inc.
Faith Independent
Po Box 38
Faith, SD 57626

On Oct 15, 2024, at 9:46 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Attached is a notice to be published on Wednesday, October 23, 2024.

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:36 AM
To: RCY Legals
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice -UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:48 AM
To: RCY Legals <legals@rapidcityjournal.com>
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Saturday, October 26, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:36 AM
To: custernews@gwtc.net
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:49 AM
To: custernews@gwtc.net
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:36 AM
To: 'ads.frcherald@gmail.com'
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:50 AM
To: ads.frcherald@gmail.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Thursday, October 24, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:37 AM
To: Mellette County News
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:52 AM
To: Mellette County News <mcnews@gwtc.net>
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:37 AM
To: dakotaherald@sdplains.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice -UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:54 AM
To: dakotaherald@sdplains.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Monday, October 21, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

*Nation's
Center
News*

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 12:35 PM
To: Kelly Langer
Subject: RE: [EXT] 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice for the Nation's Center News and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Kelly Langer <legals@bhpioneer.com>
Sent: Tuesday, October 15, 2024 11:02 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Subject: Re: [EXT] 2881-2 Western Dakota Regional WS - Public Notice

Hi Rachel,

I will get this scheduled to publish on October 24th in the NCN. I will wait for authorization. Thanks!

On Oct 15, 2024, at 9:56 AM, Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Attached is a notice to be published on Thursday, October 24, 2024 in the Nation's Center News.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:37 AM
To: gregorynews@gregorynews.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 10:58 AM
To: gregorynews@gregorynews.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:38 AM
To: tribnews@gwtc.net
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice - UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:00 AM
To: tribnews@gwtc.net
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Wednesday, October 23, 2024, in the Todd County Tribune.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:33 AM
To: connie@lakotatimes.com
Subject: RE: 2881-2 Western Dakota Regional WS - Public Notice -UPDATED VERSION
Attachments: 2881-2 public.wmb_final.docx

Please use the attached notice and discard the one I sent earlier. My apologies, I forgot the change something in the previous version.

Thank you,

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



From: Rodriguez, Rachel
Sent: Tuesday, October 15, 2024 11:10 AM
To: connie@lakotatimes.com
Subject: 2881-2 Western Dakota Regional WS - Public Notice

Attached is a notice to be published on Thursday, October 24, 2024.

Western Dakota Regional Water System, c/o Cheryl Chapman, PO Box 484, Rapid City SD 57709, 605-519-7333, 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, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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

AFFIDAVIT OF PUBLICATION

State of South Dakota, county of Tripp-ss.

Dan Bechtold

of said county being first duly sworn, on oath says that he is the Editor of the

WINNER ADVOCATE

a weekly newspaper printed and published at Winner, said county of Tripp, and has full and personal knowledge of all the facts herein stated that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly and has been published within said county for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was printed wholly or in part in an office maintained at said place of publication; that the

177 lines @ 1 column X 90%

Application 2881-2

Western Dakota Regional Water System

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 in each week for 1 week(s), on the day of each week on which said newspaper was regularly published to wit:

10-23-2024

That the full amount of the fees for the publication of the *annexed notice is \$66.91

Subscribed and sworn to before me this 23rd day of October, 2024

Laura Brexon

Notary Public

County of Tripp, South Dakota

My Commission Expires June 12, 2025



NOTICE OF APPLICATION NO. 2881-2

to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a bene-

ficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024 in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board of Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct the evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 regu-

latory 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not

exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable the following provides the legal authority and jurisdiction under which

any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-16; 46-2-3.1, 46-2-11, 46-2-17, 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20 46-2A-21, 46-2A-23, 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5034.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Published once at an approximated cost of \$66.91 (43) and may viewed for free online at www.sdpublishnotice.com

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }
}SS
COUNTY OF MEADE }

Kris Stocklin-Johnson of said County and State, being duly sworn on oath says: THE FAITH INDEPENDENT is a weekly newspaper of general circulation, published in FAITH, in said County and State and has been such newspaper during the times thereafter mentioned; that the said THE FAITH INDEPENDENT is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned; and has more than 200 bonafide subscribers; that I, the undersigned, am Office Manager of said newspaper, and have personal knowledge of all facts stated in this affidavit; and that the advertisement headed:

Notice of Application #2881-2 Reserve Water for Future Use
A printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive issue, the first publication being on the 23rd day of October, 2024, and the last publication on the 23rd day of October, 2024, that \$76.36 being the full amount of the fee for publication of the annexed notice insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

x Kris Stocklin-Johnson

Subscribed and sworn to me before this 23rd day of October, 2024.

Handwritten in blue ink: "24th November 2024" with initials "KB" and "KJ" next to it.

Brand Bru
Notary Public, State of South Dakota
My Commission Expires 2/13/2026

**NOTICE OF
APPLICATION
NO. 2881-2 to Reserve
Water for Future Use**

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala, Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published October 23, 2024 at the approximate cost of \$76.36 and may be viewed free of charge at www.sdpublic-notices.com.

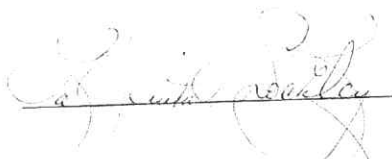
PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF PERKINS)

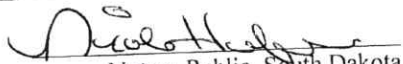
LaQuita Shockley, of said County and State, being duly sworn, on oath says: THE DAKOTA HERALD is a weekly newspaper of general circulation, printed and published in Lemmon, in said County and State and has been such newspaper during the times hereinafter mentioned; that the said THE DAKOTA HERALD is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned; and has more than 200 bonafide subscribers; that I, the undersigned, am the owner/editor of said newspaper; and have personal knowledge of all facts stated in this affidavit; and that the advertisement headed

NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive issue, the publication being on the 21st day of October, 2024 and that \$78.75 being the full amount of the fee for publication of the annexed notice insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me this 30th day of
October, 2024


Notary Public, South Dakota

My commission expires:

4/14/28



Public Notices

Public Notice Advertising Protects Your Right to Know

NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T8N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantler Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Buile, Meade, Pennington, Custer, Fall River, Ogjala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4,

2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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, if the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format

should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3, 1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1, 46-5-2 thru 46-5-28, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Published once at the approximate cost of \$78.75 and can be viewed free of charge at www.sdpublicnotices.com.

Published October 21, 2024

Vote for Dean Schrempf District 28 Senate



For Youth
For Fair Taxation
For Ranchers
For Small Towns
For Seniors
For the Little Guy

Endorsed by retired state legislators Bernie Hunhoff, Frank Kloucek, Garry Morre & Nick Nemecek

We've joined together with all the newspapers in South Dakota to make our public notices available free and searchable at:
www.sdpublicnotices.com

HEY, WALKERS...

**TOMORROW YOU MAY FEEL LIKE
A TRUCK HIT YOU. TONIGHT,
MAKE SURE ONE DOESN'T.**

Remember, pedestrian safety is a two-way street.

Antique Photo of Mott Now Hangs in Minnesota



Jerry Kling of Morristown shared a photo that hangs in his uncle's residence in Minnesota. He had come by the photo in a sale, and is among his many prized possessions. The notation on the pictures states "Northern Pacific Railroad Grade Entering Mott ND 1910"

Publisher's Affidavit of Publication

STATE OF SOUTH DAKOTA)
COUNTY OF LYMAN)SS

Connie Penny, of said county and state being duly sworn on her oath says: The Lyman County Herald is a weekly newspaper of general circulation and published in Presho, Lyman County, and State of South Dakota; and has been such newspaper during the times hereinafter mentioned; That said newspaper is a legal weekly, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of Lyman more than fifty-two successive weeks next prior to publication of the notice hereinafter mentioned and maintained at the place of publication; That I, the undersigned am editor of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; that the advertisement headed:

Notice of Application No 2881-2
26 Lines

a printed copy of which is hereto attached and published in the said newspaper for _____ consecutive week(s).

The first publication of said notice in said newspaper aforesaid was on Wednesday, the 23 day of Oct A.D., 2024 and that the succeeding publications were severally
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024
Wednesday, the _____ day of _____ A.D., 2024

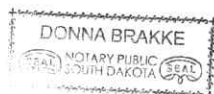
and the last publication on Wednesday, the _____ day of _____, 2024, that the full sum of fees charged for publishing the same, to-wit; the sum of \$ 23.01

insures solely to the editor of The Lyman County Herald. That no agreement or understanding for any division thereof had been made with any other person, and that no part thereof has been agreed to be paid to any person whatsoever.

Connie Penny
Donna Brakke
Notary Public

Subscribed and sworn to before me this 23 day of Oct, 2024

My Commission expires _____ DONNA BRAKKE
NOTARY PUBLIC - SOUTH DAKOTA
My Commission Expires
December 31, 2025



NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-

T1 10N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because

1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use,
2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually,

3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duval for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3-1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-45, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Published once on October 23, 2024 at the total approximate cost of \$86.07 and may be viewed free of charge at www.sdpublicnotices.com.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Haakon) SS

I, Tamara Ravellette

certify that the attached printed Notice was taken
from the Pioneer Review

printed and published in Philip

County of Haakon and

state of South Dakota. The notice was published

in the newspaper on the following date:

October 24, 2024

Cost of Printing 81.27

Tamara Ravellette
(Signature)

Bookkeeper
(Title)

11-6-2024
(Date Signed)

NOTICE OF APPLICATION

NO. 2881-2 TO RESERVE WATER FOR FUTURE USE

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T110N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary

RECEIVED

NOV 12 2024

OFFICE OF
WATER

hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

[Published Oct. 24, 2024, at the total approximate cost of \$81.27 and may be viewed free of charge at www.sdpublic-notices.com]

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Jones) SS

I, Tamara Ravellette

certify that the attached printed Notice was taken
from the Murdo Coyote

printed and published in Murdo, SD

County of Jones and

state of South Dakota. The notice was published

in the newspaper on the following date:

October 24, 2024

Cost of Printing \$76.63

Tamara Ravellette
(Signature)

Bookkeeper
(Title)

11-6-2024
(Date Signed)

Notice of Application No. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of

works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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

RECEIVED

NOV 12 2024

OFFICE OF
WATER

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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date

will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25:02; 74:02:01:35:01.

Published October 24, 2024, at the total approximate cost of \$76.63 and may be viewed free of charge at www.sdpublic-notices.com.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Gregory--as.

CHERYL SPERL

of said county being first duly sworn, on oath says that she is the publisher of the

GREGORY TIMES-ADVOCATE

a weekly newspaper printed and published in Gregory, said county of Gregory, and has full and personal knowledge of all the facts herein stated that said newspaper is a legal newspaper defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive and has a bona fide circulation of at least two hundred copies weekly and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was printed wholly or in part in an office maintained at said place of publication; that the

Western Dakota Regional Water System Notice of Application to Reserve Water for Future Use

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 one in each week for

1 successive weeks,
on the day of each week on which said newspaper was regularly published, to-wit:

10/23	20 24	20
	20	20
	20	20
	20	20
	20	20
	20	20

That the full amount of the fees for the publication of the annexed notice is \$ 80.84

Subscribed and sworn to before me this 23
day of October, 2024.
Notary Public.
My Commission Expires
November 2, 2025



NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16- T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 1- T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/> public or contact Ron Duval for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provisions the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

(Published once at the approximate cost of \$80.84).

(43)

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF LAWRENCE:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Application
NO. 2881-2

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 26th day of Oct, 2024, and the last publication on the _____ day of _____, _____, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 74.73, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Letitia Lister
Subscribed and sworn to before me this 1st day of NOV, 2024

Kevin Jones

Notary Public, Lawrence County, South Dakota

My commission expires: 7-18-2025

NOTICE OF APPLICATION NO. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Law-

RECEIVED

NOV 04 2024

OFFICE OF
WATER

rence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due pro-

cess rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by

calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Non-discrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at the total approximate cost of \$75.21 and can be viewed free of charge at www.sd-publicnotices.com.

#265
Oct 26

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF HARDING:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the NATION'S CENTER NEWS is a legal weekly newspaper of general circulation, printed and published in the City of Buffalo, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice Of Application
NO. 2881-2

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 24th day of Oct. 2024, and the last publication on the _____ day of _____, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 74.73, insures solely to the benefit of the publisher of the NATION'S CENTER NEWS, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

[Signature]
Subscribed and sworn to before me this 30th day of Oct., 2024

[Signature]
Notary Public, Lawrence County, South Dakota
My commission expires: 7-18-2025

RECEIVED

NOV 01 2024

OFFICE OF
WATER

**NOTICE OF
APPLICATION
NO. 2881-2 to Reserve
Water for Future Use**

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use,

2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The peti-

tion form is available online at <https://danr.sd.gov/> public or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as

provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/> public or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive tech-

nology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Non-discrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at the total approximate cost of \$75.21 and can be viewed free of charge at www.sd-publicnotices.com.

#451
Oct 24

Affidavit of Publication

State of South Dakota)

)ss.

County of Custer)

Jerry Lee Lenander of said county, being duly sworn, on oath says that he is publisher of the Custer County Chronicle, a weekly newspaper printed and published in Custer City, said County of Custer and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein, mentioned, and was and is printed wholly or in part in an office maintained at said place of publication: that the

*Western Dakota Regional
Water System - Notice
of Application No 2881-2*

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 which said newspaper was regularly published, to wit:

Oct 23, 2024; _____;

_____; _____;

_____; _____;

_____; _____;

_____; _____;

the full amount of the fees for the publication of the annexed notice is \$ 76.55

Subscribed and sworn to me before this 23rd

of October, 2024;

Jeanne Fuerstenberg
NOTARY PUBLIC

MY COMMISSION EXPIRES:

NOV 30 2027



RECEIVED

OCT 28 2024

**OFFICE OF
WATER**

NOTICE OF APPLICATION NO. 2881-2 TO RESERVE WATER FOR FUTURE USE

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala, Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of

water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the applica-

tion. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at an approximate cost of \$76.55 and may be viewed free of charge at www.sdpublicnotices.com.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of FALL RIVER) SS
I, SHERYL GRIMES

certify that the attached printed Notice was taken
from the FALL RIVER COUNTY
HERALD-STAR

printed and published in HOT SPRINGS
County of FALL RIVER and

state of South Dakota. The notice was published
in the newspaper on the following date:
OCTOBER 24, 2024

Cost of Printing \$88.30

Sheryl Grimes
(Signature)

PRODUCTION MANAGER
(Title)

10-24-24
(Date Signed)

Notice of Application No. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the

Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at the total approximate cost of \$88.33
and can be viewed free of charge at www.sdpublicnotices.com
Published: Oct. 24, 2024

AFFIDAVIT OF PUBLICATION

Rachel Rodriguez
Department of Agriculture and Natural Resources
523 E Capitol Avenue
State of Pennsylvania, County of Lancaster, ss:

Rachel Cozart, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of The Rapid City Journal, a corporation of Rapid City, South Dakota, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published for at least one year prior to the first date of the published notice.

This affidavit is a true and corrected copy of notice which appeared in said newspaper on the following dates:

PUBLICATION DATES: October. 24 2024

NOTICE ID: nvBiSaSI80DNUJB9Bw7F
PUBLISHER ID: COL-SD-1186
NOTICE NAME: NOTICE OF APPLICATION NO. 2881-2 to Reserve
TOTAL AD COST: \$146.23
FILED ON: Oct. 18, 2024

Rachel Cozart

(Signed) _____

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 10/25/2024

Nicole Burkholder

Notary Public
Notarized remotely online using communication technology via Proof.

**NOTICE OF APPLICATION NO.
2881-2 to Reserve Water for
Future Use**

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the

the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Non-discrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

(Published October 24, 2024 for a total approximate cost of \$146.23 and may be viewed for free at www.sdpublicnotices.com)
Legal No: COL-SD-1186

Affidavit of Publication

State of South Dakota

County of Todd

Taylor Risse, being, first duly sworn, on oath, says: That he/she is an employee of Scherer Publishing, LLC, Inc., and that the Todd County Tribune is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Todd and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for **1** successive week(s) to wit:

October 23, 2024

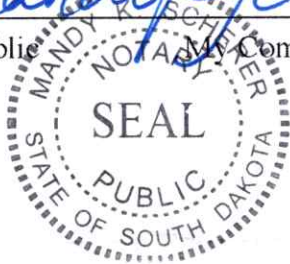
That the full amount of the fee charged for the publication of the attached public notice, **\$89.06** insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: _____

Subscribed and sworn to before me this 23 day of October, 2024.

Mandy K. Scherer

Notary Public _____ Commission Expires December 9, 2027



Legal Notices

Notice Of Testing Automatic Tabulating Equipment

Notice is hereby given that the automatic tabulating equipment will be tested to ascertain that it will correctly count the votes for all offices and measures that are to be cast at the General election held on the 5th day of November 2024.

The test will be conducted on the 30th day of October 2024, at two o'clock p.m. in the commissioner room, 200 E 3rd Street, Winner, SD.

Dated this 18th day of October, 2024.

Barbara DeSera,
Tipp/Todd County Auditor
Published once at the total approximate cost of \$13.14
and can be viewed free of charge at www.sdpublicnotices.com.
Published: October 23, 2024

Notice Of Application No. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T4N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R39E and Section 11-T11N-R49W (Hughes County). The general location along the Missouri River begins near Chamber Creek and ends between La Frambuse Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haskins, Jackson, Butte, Meade, Pennington, Center, Fall River, Ogallala, Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://dair.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthews Training Center, Joe Ross Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a date and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 regulatory authority (found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within regulatory authority of the Board to act upon as defined by SDCL 46-2-9 and 46-2-11), or both. Any person claiming 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://dair.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, P.O. Box Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the 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 November 5, 2024. The petition shall be filed on a form provided by the Chief Engineer. The petition shall include a statement of the nature of the injury upon approval of the application on the part of 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://dair.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, nondiscrimination Coordinator, by calling (605) 773-5555 or by email at Brian.Walsh@gstate.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 126-16 thru 126-26; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16, 46-2-3.1, 46-2-9, 46-2-11, 46-2-17, 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23, 46-5-1.1, 46-5-1.2 thru 46-5-26, 46-5-30-2 thru 46-5-30-4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74-02-01.01 thru 74-02-01.25.02; 74-02-01.35.01.

Published once at the total approximate cost of \$89.06 and can be viewed free of charge at www.sdpublicnotices.com.
Published: October 23, 2024

tribnews@gwtc.net

Request for Bids

The Sisseton Lakota Oyate Head Start/Early Head Start Program is accepting sealed bids beginning October 21, 2024 at 8:00 a.m. and ending October 25, 2024 at 5:00 p.m. CST. Bids will open on October 28, 2024 at 10:00 a.m. CST at the RST TECRO Office in Rosebud, S.D.

A RST# 24-53 Construct a 20'x22' addition to existing food storage building with insulated walls, roof and two exterior doors. All labor cost and materials must be included.

TECRO Ordinance No. 86.03 for Indian Preference in the selection process will be added to TECRO office may be contacted at (605)747-2322 Monday through Friday from 8 a.m. to 5 p.m. CST. Contractors who do not possess a tribal business license must contact the RST Revenue Department at 747-5015.

Rosebud Sioux Tribe has the right to reject any or all bids. Sealed bids should be submitted in a sealed envelope clearly marked (RST Bids) on the front of envelope. Fail to mark envelope will result in a no bid and will be mailed back to sender.

Rosebud Sioux Tribe will not accept email, fax and/or telephone bids. For further information contact Peulette Ivette, Finance Manager at Sisseton Lakota Oyate Head Start/Early Head Start Program, (605)747-2391 ext. 207 Monday through Friday from 8 a.m. to 5 p.m.

Sealed bids can be mailed to Rosebud Sioux Tribe Treasurer's Office, Attn: Louis W. Boyd, RST Treasurer, 11 Legion Avenue, Rosebud, South Dakota 57570.

Published once at the total approximate cost of \$21.90 and can be viewed free of charge at www.sdpublicnotices.com.
Published: October 23, 2024

Proceedings

Todd County, South Dakota

October 2, 2024

The meeting of the Todd County Commissioners was called to order by the Chairman in the Commissioner Room at the County Building at Mission on October 2, 2024 at 10:00 a.m. Roll call showed Board members Gregg Grimshaw, Patsy Valandra, Clifford Lafferty and Marshall Tinsal. Absent was Trent Poigne. Also present was Auditor Barbara DeSera.

Tinsal made the motion, seconded by Lafferty, to approve the agenda with the addition as presented.

Roll call: All present ayes. Motion carried.

Tinsal made the motion, seconded by Lafferty, that the minutes of the meeting held on September 18, 2024, be approved as read.

Roll call: All present ayes. Motion carried.

No conflict of interest reported.

During Public Comment there was mention of needing housing for the Sheriff.

Diana Asanman came to the meeting to give a report on the Fair.

Mr. Asanman said the attendance and

4-11 participants were down in numbers. Diana said they are having trouble meeting as the Fairboard as they don't have a quorum. The Fairboard members are Whitney Jones, Josh Larson, Kathy Williams and Diana Asanman.

At 10:12 a.m. Trent Poigne entered the meeting.

Dustin Jones came to the meeting to present a plat for approval of the board. Tinsal made the motion, seconded by Valandra, to adopt the following:

RESOLUTION (33-2024):

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TODD COUNTY, SOUTH DAKOTA, THAT WHEREAS:

The Land described herein and platd as, Jones Lot 1 and Jones Lot 2, located in part of the E 1/2 of SE 1/4 SE 1/4 SE 1/4 of Section 8, T38N, R28W of the 6th P.M., Todd County, South Dakota, was duly filed with the County Commissioners for the purpose of examination and approval by the Governing Body, and

Whereas, it appears that all taxes have been fully paid and that the plat of said tracts has been executed according to law, NOW THEREFORE,

BE IT RESOLVED, that Jones Lot 1 and Jones Lot 2, located in part of the E 1/2 of SE 1/4 SE 1/4 SE 1/4 of Section 8, T38N, R28W of the 6th P.M., Todd County, South Dakota, and,

That the same hereby approved and the County Auditor of Todd County is hereby authorized to endorse on such plat a copy of the resolution and certify to its correctness.

Roll call: Ayes: Grimshaw, Valandra, Poigne, Lafferty and Tinsal.

Nays: None. Resolution adopted.

Ronald Moran, Highway Superintendent and Wade Izler, RDO, entered the meeting. Wade Izler, RDO, came to the meeting as he was asked to bring quotes for what options they had available for used graders. Discussion was held.

Marvin Royer, Butler Machinery Company, came to the meeting as he was asked to bring quotes for what options they had available for used graders. Discussion was held.

Lafferty made the motion, seconded by Valandra, to approve the purchase of the used 2014 John Deere 772G from RDO in the amount of \$195,500.00, pending the inspection.

Roll call: Ayes: Grimshaw, Valandra, Poigne, and Lafferty. Nays: Tinsal. Motion carried.

Ronald Moran, Highway Superintendent, gave his report. The crew worked on equipment moving on Road 148, 123, 137, 135, 133, 131, 129, 127, 125, 123, 121, 119, 117, 115, 113, 111, 109, 107, 105, 103, 101, 99, 97, 95, 93, 91, 89, 87, 85, 83, 81, 79, 77, 75, 73, 71, 69, 67, 65, 63, 61, 59, 57, 55, 53, 51, 49, 47, 45, 43, 41, 39, 37, 35, 33, 31, 29, 27, 25, 23, 21, 19, 17, 15, 13, 11, 9, 7, 5, 3, 1, 0.

Discussion was held on the Emergency Manager position. Mr. Moran told the commissioners that he would like to continue with this position. An application for the position was received and reviewed. Discussion was held. No decision was made at this time.

A gravel haul proposal was given to the commissioners by Craig Lafferty. The commissioners decided the county did not need this service at this time.

Commissioner Tinsal responded to a letter he received from Merchant Macynire, a Washington DC based company who helps small governments and nonprofits secure federal funds. Mr. Tinsal

had a conference call with Merchant Macynire and presented the information discussed to the commission. Mr. Tinsal will communicate with Merchant Macynire who will create Federal Funding Action Plan for the commissioners to review at the next meeting.

Valandra made the motion, seconded by Lafferty, that the claims be approved as follows:

Commissioners: SDACO, Convention Registration, \$250.00; Clifford Lafferty, Mileage/Meals At Convention/September Meeting Mileage, \$241.36; Election Systems And Software, Coding/Audio/Video, \$1,831.76; Election Systems And Software, \$1,727.47; Melend's Office Supply, Ballot Envelopes/Seals/Poll Book Envelopes, \$184.21; County Building Maintenance: Cherry-Todd Electric, Utilities, \$247.50; State's Attorney: Public Law Office, September Attorney Fees, \$1,507.50; Sheriff: Verizon Wireless, Cell Service, \$95.85; Fairgrounds: Cherry-Todd Electric, Utilities, \$99.51; Road And Bridge: Cherry-Todd Electric, Utilities Shop Hwy 83, \$199.72; Harry K Auto Parts, Repairs/Supplies, \$867.81; Todd County Treasurer, Duplicate Fails, \$10.00.

Roll call: All present ayes. Motion carried.

At 12:00 p.m. Tinsal made the motion to adjourn until October 16, 2024 at 10:00 a.m., seconded by Valandra.

Roll call: All present ayes. Meeting adjourned.

Chairman, Gregg Grimshaw

County Auditor

Published once at the total approximate cost of \$79.00 and can be viewed free of charge at www.sdpublicnotices.com.
Published: October 23, 2024

ATTEST:

County Auditor

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Published: October 23, 2024

Affidavit of Publication

State of South Dakota

County of Mellette

Taylor Risse, being, first duly sworn, on oath, says: That he/she is an employee of Scherer Publishing, LLC, Inc., and that the Mellette County News is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Mellette and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for **1** successive week(s) to wit:

October 23, 2024

That the full amount of the fee charged for the publication of the attached public notice, **\$89.06** insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: _____

Subscribed and sworn to before me this 23 day of October, 2024.

Mandy K. Scherer
Notary Public, My Commission Expires December 9, 2027



RECEIVED
OCT 25 2024
OFFICE OF
WATER

Affidavit of Publication

State of South Dakota

County of Fall River

Taylor Risse, being, first duly sworn, on oath, says: That he/she is an employee of Scherer Publishing, LLC, and that the Fall River County Herald Star is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Fall River and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for **1** successive week(s) to wit:

October 23, 2024

That the full amount of the fee charged for the publication of the attached public notice, **\$88.33** insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

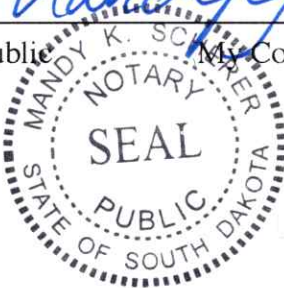
Signed: _____

Taylor Risse

Subscribed and sworn to before me this 24 day of October, 2024.

Mandy Scherer

Notary Public _____ My Commission Expires December 9, 2027



RECEIVED

OCT 25 2024

OFFICE OF
WATER

EQUALS

Notice to Bidders

NOTICE IS HEREBY GIVEN that the City Council of the City of Hot Springs, South Dakota is accepting written bids at City Hall, 303 North River, Hot Springs, South Dakota 57747 until 4 p.m. Monday, November 4, 2024, for the sale of 2020 Chrysler Town & Country Van mileage 58,637. Vehicle may be viewed in person at the Hot Springs Municipal Auditor, 27858 US Hwy 385 Hot Springs, SD 57747. Bids shall be submitted as a total lump sum. Sealed bids must be plainly marked to identify their contents and will be withdrawn after the filing time without written consent of the Hot Springs City Council for a period of thirty (30) days after the filing time.

The bids will be opened at the regular City Council meeting November 4, 2024 at 7:10 p.m. Successful bidder must pay in full within 15 days of award notification and must arrange pick up upon payment in full.

Council reserves the right to reject any and all bids, or to waive any formalities or technicalities in bidding, and to accept the bid that is to the advantage of, and in the best interest of, the City of Hot Springs.

Dated October 7, 2024

Marty Summers-Walton,
Finance Officer, City of Hot Springs

Published twice at the total approximate cost of \$36.68
and can be viewed free of charge at www.sdpublishonics.com
Published: Oct 17, 24, 2024

Notice to Creditors

STATE OF SOUTH DAKOTA IN THE CIRCUIT COURT

COUNTY OF FALL RIVER SS Seventh Judicial Circuit
In the Matter of the Estate of
Mack James Benton, 23 PRO. NO. 24-28
Deceased.

Notice is given that on October 16, 2024, the Clerk of the Circuit Court of Fall River County, SD, issued a written statement admitting the 2024 Will of Mack James Benton to informal probate and Crystal Bossett of 5072 Roberts Court, Rapid City, SD 57703 was informally appointed as Personal Representative of the Estate.

Creditors of decedent must file their claims within four (4) months after the date of first publication of this notice or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Fall River County Clerk, and a copy of the claim mailed to the Personal Representative.

Dated October 16, 2024.

/s/ Crystal Bossett
Crystal Bossett
5072 Roberts Court
Rapid City, SD 57703
(605) 209-8382

Tammy Grapentine
Clerk of Courts
Fall River County Courthouse
906 N. River St.
Hot Springs, SD 57747
(605) 745-5131

Michael P. Orton, Attorney
P.O. Box 629
Hot Springs, SD 57747
(605) 745-6415

Published three times at the total approximate cost of \$85.05
and can be viewed free of charge at www.sdpublishonics.com
Published: Oct 24, 31, Nov 7, 2024

Notice of Application No. 2881-2 to Reserve Water for Future Use

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R17W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Franboise Island and Farm Island. The water is to be reserved as a future water permit for serving municipal and rural water system uses in Stanley, Lyman, Jones, Trip, Haskell, Jackson, Butte, Meade, Pennington, Custer, Fall River, Ogjala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of water or application of water to be used.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duval for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave, Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and date to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing shall allege that the application, upon approval, will cause injury to the person that is unique from and not 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 46-2-5 and 46-2-11, or both. Any person meeting the petition 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, P.O. Box 523, 523 E. Capitol, Pierre SD 57501" or call (605) 773-3352. The application mailing address is given above. If contesting the 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 November 5, 2024.

The petition shall include and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the

Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Noncommunication Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-13 thru 46-1-16; 46-2-1 thru 46-2-9; 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12; 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and 46-6-28; ARSD 74-02-01.01 thru 74-02-01.25, 02.02, 02.03, 02.04, 02.05, 02.06, 02.07, 02.08, 02.09, 02.10, 02.11, 02.12, 02.13, 02.14, 02.15, 02.16, 02.17, 02.18, 02.19, 02.20, 02.21, 02.22, 02.23, 02.24, 02.25, 02.26, 02.27, 02.28, 02.29, 02.30, 02.31, 02.32, 02.33, 02.34, 02.35, 02.36, 02.37, 02.38, 02.39, 02.40, 02.41, 02.42, 02.43, 02.44, 02.45, 02.46, 02.47, 02.48, 02.49, 02.50, 02.51, 02.52, 02.53, 02.54, 02.55, 02.56, 02.57, 02.58, 02.59, 02.60, 02.61, 02.62, 02.63, 02.64, 02.65, 02.66, 02.67, 02.68, 02.69, 02.70, 02.71, 02.72, 02.73, 02.74, 02.75, 02.76, 02.77, 02.78, 02.79, 02.80, 02.81, 02.82, 02.83, 02.84, 02.85, 02.86, 02.87, 02.88, 02.89, 02.90, 02.91, 02.92, 02.93, 02.94, 02.95, 02.96, 02.97, 02.98, 02.99, 03.00, 03.01, 03.02, 03.03, 03.04, 03.05, 03.06, 03.07, 03.08, 03.09, 03.10, 03.11, 03.12, 03.13, 03.14, 03.15, 03.16, 03.17, 03.18, 03.19, 03.20, 03.21, 03.22, 03.23, 03.24, 03.25, 03.26, 03.27, 03.28, 03.29, 03.30, 03.31, 03.32, 03.33, 03.34, 03.35, 03.36, 03.37, 03.38, 03.39, 03.40, 03.41, 03.42, 03.43, 03.44, 03.45, 03.46, 03.47, 03.48, 03.49, 03.50, 03.51, 03.52, 03.53, 03.54, 03.55, 03.56, 03.57, 03.58, 03.59, 03.60, 03.61, 03.62, 03.63, 03.64, 03.65, 03.66, 03.67, 03.68, 03.69, 03.70, 03.71, 03.72, 03.73, 03.74, 03.75, 03.76, 03.77, 03.78, 03.79, 03.80, 03.81, 03.82, 03.83, 03.84, 03.85, 03.86, 03.87, 03.88, 03.89, 03.90, 03.91, 03.92, 03.93, 03.94, 03.95, 03.96, 03.97, 03.98, 03.99, 04.00, 04.01, 04.02, 04.03, 04.04, 04.05, 04.06, 04.07, 04.08, 04.09, 04.10, 04.11, 04.12, 04.13, 04.14, 04.15, 04.16, 04.17, 04.18, 04.19, 04.20, 04.21, 04.22, 04.23, 04.24, 04.25, 04.26, 04.27, 04.28, 04.29, 04.30, 04.31, 04.32, 04.33, 04.34, 04.35, 04.36, 04.37, 04.38, 04.39, 04.40, 04.41, 04.42, 04.43, 04.44, 04.45, 04.46, 04.47, 04.48, 04.49, 04.50, 04.51, 04.52, 04.53, 04.54, 04.55, 04.56, 04.57, 04.58, 04.59, 04.60, 04.61, 04.62, 04.63, 04.64, 04.65, 04.66, 04.67, 04.68, 04.69, 04.70, 04.71, 04.72, 04.73, 04.74, 04.75, 04.76, 04.77, 04.78, 04.79, 04.80, 04.81, 04.82, 04.83, 04.84, 04.85, 04.86, 04.87, 04.88, 04.89, 04.90, 04.91, 04.92, 04.93, 04.94, 04.95, 04.96, 04.97, 04.98, 04.99, 05.00, 05.01, 05.02, 05.03, 05.04, 05.05, 05.06, 05.07, 05.08, 05.09, 05.10, 05.11, 05.12, 05.13, 05.14, 05.15, 05.16, 05.17, 05.18, 05.19, 05.20, 05.21, 05.22, 05.23, 05.24, 05.25, 05.26, 05.27, 05.28, 05.29, 05.30, 05.31, 05.32, 05.33, 05.34, 05.35, 05.36, 05.37, 05.38, 05.39, 05.40, 05.41, 05.42, 05.43, 05.44, 05.45, 05.46, 05.47, 05.48, 05.49, 05.50, 05.51, 05.52, 05.53, 05.54, 05.55, 05.56, 05.57, 05.58, 05.59, 05.60, 05.61, 05.62, 05.63, 05.64, 05.65, 05.66, 05.67, 05.68, 05.69, 05.70, 05.71, 05.72, 05.73, 05.74, 05.75, 05.76, 05.77, 05.78, 05.79, 05.80, 05.81, 05.82, 05.83, 05.84, 05.85, 05.86, 05.87, 05.88, 05.89, 05.90, 05.91, 05.92, 05.93, 05.94, 05.95, 05.96, 05.97, 05.98, 05.99, 06.00, 06.01, 06.02, 06.03, 06.04, 06.05, 06.06, 06.07, 06.08, 06.09, 06.10, 06.11, 06.12, 06.13, 06.14, 06.15, 06.16, 06.17, 06.18, 06.19, 06.20, 06.21, 06.22, 06.23, 06.24, 06.25, 06.26, 06.27, 06.28, 06.29, 06.30, 06.31, 06.32, 06.33, 06.34, 06.35, 06.36, 06.37, 06.38, 06.39, 06.40, 06.41, 06.42, 06.43, 06.44, 06.45, 06.46, 06.47, 06.48, 06.49, 06.50, 06.51, 06.52, 06.53, 06.54, 06.55, 06.56, 06.57, 06.58, 06.59, 06.60, 06.61, 06.62, 06.63, 06.64, 06.65, 06.66, 06.67, 06.68, 06.69, 06.70, 06.71, 06.72, 06.73, 06.74, 06.75, 06.76, 06.77, 06.78, 06.79, 06.80, 06.81, 06.82, 06.83, 06.84, 06.85, 06.86, 06.87, 06.88, 06.89, 06.90, 06.91, 06.92, 06.93, 06.94, 06.95, 06.96, 06.97, 06.98, 06.99, 07.00, 07.01, 07.02, 07.03, 07.04, 07.05, 07.06, 07.07, 07.08, 07.09, 07.10, 07.11, 07.12, 07.13, 07.14, 07.15, 07.16, 07.17, 07.18, 07.19, 07.20, 07.21, 07.22, 07.23, 07.24, 07.25, 07.26, 07.27, 07.28, 07.29, 07.30, 07.31, 07.32, 07.33, 07.34, 07.35, 07.36, 07.37, 07.38, 07.39, 07.40, 07.41, 07.42, 07.43, 07.44, 07.45, 07.46, 07.47, 07.48, 07.49, 07.50, 07.51, 07.52, 07.53, 07.54, 07.55, 07.56, 07.57, 07.58, 07.59, 07.60, 07.61, 07.62, 07.63, 07.64, 07.65, 07.66, 07.67, 07.68, 07.69, 07.70, 07.71, 07.72, 07.73, 07.74, 07.75, 07.76, 07.77, 07.78, 07.79, 07.80, 07.81, 07.82, 07.83, 07.84, 07.85, 07.86, 07.87, 07.88, 07.89, 07.90, 07.91, 07.92, 07.93, 07.94, 07.95, 07.96, 07.97, 07.98, 07.99, 08.00, 08.01, 08.02, 08.03, 08.04, 08.05, 08.06, 08.07, 08.08, 08.09, 08.10, 08.11, 08.12, 08.13, 08.14, 08.15, 08.16, 08.17, 08.18, 08.19, 08.20, 08.21, 08.22, 08.23, 08.24, 08.25, 08.26, 08.27, 08.28, 08.29, 08.30, 08.31, 08.32, 08.33, 08.34, 08.35, 08.36, 08.37, 08.38, 08.39, 08.40, 08.41, 08.42, 08.43, 08.44, 08.45, 08.46, 08.47, 08.48, 08.49, 08.50, 08.51, 08.52, 08.53, 08.54, 08.55, 08.56, 08.57, 08.58, 08.59, 08.60, 08.61, 08.62, 08.63, 08.64, 08.65, 08.66, 08.67, 08.68, 08.69, 08.70, 08.71, 08.72, 08.73, 08.74, 08.75, 08.76, 08.77, 08.78, 08.79, 08.80, 08.81, 08.82, 08.83, 08.84, 08.85, 08.86, 08.87, 08.88, 08.89, 08.90, 08.91, 08.92, 08.93, 08.94, 08.95, 08.96, 08.97, 08.98, 08.99, 09.00, 09.01, 09.02, 09.03, 09.04, 09.05, 09.06, 09.07, 09.08, 09.09, 09.10, 09.11, 09.12, 09.13, 09.14, 09.15, 09.16, 09.17, 09.18, 09.19, 09.20, 09.21, 09.22, 09.23, 09.24, 09.25, 09.26, 09.27, 09.28, 09.29, 09.30, 09.31, 09.32, 09.33, 09.34, 09.35, 09.36, 09.37, 09.38, 09.39, 09.40, 09.41, 09.42, 09.43, 09.44, 09.45, 09.46, 09.47, 09.48, 09.49, 09.50, 09.51, 09.52, 09.53, 09.54, 09.55, 09.56, 09.57, 09.58, 09.59, 09.60, 09.61, 09.62, 09.63, 09.64, 09.65, 09.66, 09.67, 09.68, 09.69, 09.70, 09.71, 09.72, 09.73, 09.74, 09.75, 09.76, 09.77, 09.78, 09.79, 09.80, 09.81, 09.82, 09.83, 09.84, 09.85, 09.86, 09.87, 09.88, 09.89, 09.90, 09.91, 09.92, 09.93, 09.94, 09.95, 09.96, 09.97, 09.98, 09.99, 10.00, 10.01, 10.02, 10.03, 10.04, 10.05, 10.06, 10.07, 10.08, 10.09, 10.10, 10.11, 10.12, 10.13, 10.14, 10.15, 10.16, 10.17, 10.18, 10.19, 10.20, 10.21, 10.22, 10.23, 10.24, 10.25, 10.26, 10.27, 10.28, 10.29, 10.30, 10.31, 10.32, 10.33, 10.34, 10.35, 10.36, 10.37, 10.38, 10.39, 10.40, 10.41, 10.42, 10.43, 10.44, 10.45, 10.46, 10.47, 10.48, 10.49, 10.50, 10.51, 10.52, 10.53, 10.54, 10.55, 10.56, 10.57, 10.58, 10.59, 10.60, 10.61, 10.62, 10.63, 10.64, 10.65, 10.66, 10.67, 10.68, 10.69, 10.70, 10.71, 10.72, 10.73, 10.74, 10.75, 10.76, 10.77, 10.78, 10.79, 10.80, 10.81, 10.82, 10.83, 10.84, 10.85, 10.86, 10.87, 10.88, 10.89, 10.90, 10.91, 10.92, 10.93, 10.94, 10.95, 10.96, 10.97, 10.98, 10.99, 11.00, 11.01, 11.02, 11.03, 11.04, 11.05, 11.06, 11.07, 11.08, 11.09, 11.10, 11.11, 11.12, 11.13, 11.14, 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28, 11.29, 11.30, 11.31, 11.32, 11.33, 11.34, 11.35, 11.36, 11.37, 11.38, 11.39, 11.40, 11.41, 11.42, 11.43, 11.44, 11.45, 11.46, 11.47, 11.48, 11.49, 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.56, 11.57, 11.58, 11.59, 11.60, 11.61, 11.62, 11.63, 11.64, 11.65, 11.66, 11.67, 11.68, 11.69, 11.70, 11.71, 11.72, 11.73, 11.74, 11.75, 11.76, 11.77, 11.78, 11.79, 11.80, 11.81, 11.82, 11.83, 11.84, 11.85, 11.86, 11.87, 11.88, 11.89, 11.90, 11.91, 11.92, 11.93, 11.94, 11.95, 11.96, 11.97, 11.98, 11.99, 12.00, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 12.07, 12.08, 12.09, 12.10, 12.11, 12.12, 12.13, 12.14, 12.15, 12.16, 12.17, 12.18, 12.19, 12.20, 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27, 12.28, 12.29, 12.30, 12.31, 12.32, 12.33, 12.34, 12.35, 12.36, 12.37, 12.38, 12.39, 12.40, 12.41, 12.42, 12.43, 12.44, 12.45, 12.46, 12.47, 12.48, 12.49, 12.50, 12.51, 12.52, 12.53, 12.54, 12.55, 12.56, 12.57, 12.58, 12.59, 12.60, 12.61, 12.62, 12.63, 12.64, 12.65, 12.66, 12.67, 12.68, 12.69, 12.70, 12.71, 12.72, 12.73, 12.74, 12.75, 12.76, 12.77, 12.78, 12.79, 12.80, 12.81, 12.82, 12.83, 12.84, 12.85, 12.86, 12.87, 12.88, 12.89, 12.90, 12.91, 12.92, 12.93, 12.94, 12.95, 12.96, 12.97, 12.98, 12.99, 13.00, 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, 13.10, 13.11, 13.12, 13.13, 13.14, 13.15, 13.16, 13.17, 13.18, 13.19, 13.20, 13.21, 13.22, 13.23, 13.24, 13.25, 13.26, 13.27, 13.28, 13.29, 13.30, 13.31, 13.32, 13.33, 13.34, 13.35, 13.36, 13.37, 13.38, 13.39, 13.40, 13.41, 13.42, 13.43, 13.44, 13.45, 13.46, 13.47, 13.48, 13.49, 13.50, 13.51, 13.52, 13.53, 13.54, 13.55, 13.56, 13.57, 13.58, 13.59, 13.60, 13.61, 13.62, 13.63, 13.64, 13.65, 13.66, 13.67, 13.68, 13.69, 13.70, 13.71, 13.72, 13.73, 13.74, 13.75, 13.76, 13.77, 13.78, 13.79, 13.80, 13.81, 13.82, 13.83, 13.84, 13.85, 13.86, 13.87, 13.88, 13.89, 13.90, 13.91, 13.92, 13.93, 13.94, 13.95, 13.96, 1

LAKOTA TIMES

PO Box 386, Martin, SD 57551 Phone: 605-685-1868 FAX: 605-685-1870

US Postal Permit Number: USPS 024-176

State of South Dakota, County of Bennett and Oglala Lakota County

Roseanna Hammock of said county, being first duly sworn, on oath, says that he/she is the Editor/Publisher or an employee of the Publisher of the Lakota Times, a weekly newspaper published in the county of Bennett for circulation in the counties of Bennett and Oglala Lakota County in South Dakota; That he/she has full and personal knowledge of the facts herein stated, that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 Inclusive, that said newspaper has been published within the said County of Bennett and State of South Dakota, for a least one year prior to the first publication of the attached public notice, and that the legal advertisement headed:

Western Dakota Water System Public Notice

A printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 successive weeks) to wit:

<u>OCT 23</u>	<u>2024</u>	Volume 21	Issue # 7
<u> </u>	<u>2024</u>	Volume 21	Issue #
<u> </u>	<u>2024</u>	Volume 21	Issue #
<u> </u>	<u>2024</u>	Volume 21	Issue #

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

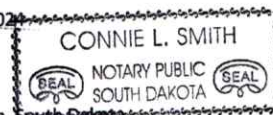
COST = \$ 280.16

Signed: Roseanna Hammock

Subscribed and sworn to before me this date: 10-29, 2024

Signed: Connie L. Smith

Notary Public in and for the County of Bennett, County of Oglala Lakota, South Dakota



My Commission expires Dec. 13, 2025



CONTINUED FROM B1

Motion made by Yellow Bull, seconded by Hopkins, to have State's Attorney Russell draft a letter that Oglala Lakota County strongly recommends that there be at least 2 indigent individuals be part of the committees that work on House Bills that benefit County paid costs due to State Laws that require them, ie. HB 1057.

Motion made by Yellow Bull, seconded by Hopkins, to approve Oglala Lakota County Resolution #2024-10 as follows:

OGALA LAKOTA COUNTY RESOLUTION #2024-10

WHEREAS, Oglala Lakota County follows rates set by the State of South Dakota for mileage, meals and lodging; and

WHEREAS, new rates have been set as follows:

Mileage: \$0.655 per mile; \$0.295 per mile if a fleet vehicle is available but the full-time employee opts to use a private vehicle;

In-state meal rates of: \$6.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.; \$14.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;

\$20.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;

\$40.00 Total Out-of-state meal rates of:

\$30.00 if the employee leaves before 5:31 a.m. and returns after 7:59 a.m.;

\$28.00 if the employee leaves before 11:30 a.m. and returns after 12:59 p.m.;

\$28.00 if the employee leaves before 5:31 p.m. and returns after 7:59 p.m.;

\$56.00 Total Lodging In-state:

Up to \$269.00 plus tax a day from check-in

Lodging Out-of-state: \$275.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective July 1, 2024.

Passed and approved this 11th day of October, 2024.

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

Up to \$269.00 plus tax a day from check-in

Lodging Out-of-state: \$275.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective July 1, 2024.

Passed and approved this 11th day of October, 2024.

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

and returns after 7:59 p.m.;

\$56.00 Total Lodging In-state:

Up to \$269.00 plus tax a day from check-in

Lodging Out-of-state: \$275.00 plus tax

NOW THEREFORE BE IT RESOLVED that the above rates are effective October 1, 2024.

Passed and approved this 11th day of October, 2024.

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Allyssa Corner, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

ATTEST: Sue Ganje, Chair Oglala Lakota Board of County Commissioners

TECHNOLOGIES

IT SUPPORT/CONTRACT \$1,699.00

HOPKINS, ARTHUR L. SDACO/ADVANCED TRAVEL \$224.80

HOPKINS, ARTHUR L. ADVANCED TRAVEL/REIM \$284.68

HOPKINS, ARTHUR L. MEETING MILEAGE \$142.04

LAKOTA TIMES PUBLICATION \$612.00

LYNN'S DAKOTA MART MEETING SNACKS/WATER \$24.98

MASTEL, BRUCE WEB HOST/UPDATE/SERV \$35.00

M A S T E R C A R D COUNTY CREDIT CARD \$935.76

MESTETH, MARK R E I M B U R S E M E N T \$100.00

QUADIENT FINANCE USA, INC. POSTAGE \$349.83

P E N N I N G T O N COUNTY JAIL INMATE HOUSING \$390.00

RELANCE STANDARD LIFE LIFE INSURANCE \$46.00

SAFETY BENEFITS, INC. S A F E T Y BENEFITS REGIS \$75.00

SD SHERIFFS ASSOCIATION 24 FALL SD SHER & DEPUTY \$190.00

SONTECH VEHICLE TECH EQUIPMENT/PARTS \$20,701.60

SD DEPT OF REVENUE AUTO/STATE REMITT \$120.00

SIGNS NOW VEHICLE ACCESSORIES \$895.45

STEELE, DANIELLE LOST CHECK REIMBURSE \$41.00

THOMSON REUTERS - WEST SUBSCRIPTION \$163.17

YELLOW BULL, WENDELL SDACO/ADVANCED TRAVEL \$247.33

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

YELLOW BULL, WENDELL ADVANCED TRAVEL/REIM \$339.70

WENDELL MEETING MILEAGE \$87.10

COMER, ALLYSSA S D A C O / A D V A N C E D TRAVEL \$201.48

COMER, ALLYSSA ADVANCED TRAVEL/REIM \$304.86

COMER, ALLYSSA MEETING MILEAGE \$97.82

COMMISSION WAGES & BENEFITS \$1,937.30

ELECTION WAGES & BENEFITS \$1,379.30

STATTY WAGES & BENEFITS \$568.26

VET'S WAGES & BENEFITS \$3,769.67

SHERIFF WAGES & BENEFITS \$5,643.72

CORONER WAGES & BENEFITS \$846.44

TOTAL FOR GENERAL FUND \$47,345.36

COUNTY ROAD & BRIDGE

GREAT PLAINS COMMUNICATION LOCAL PHONE & INTERNET \$221.96

GREAT WESTERN TIRE INC. T I R E S \$2,834.63

LACREEK ELECTRIC ASSOC UTILITY/ELECTRIC \$270.32

MCI COMM SERVICE LONG DISTANCE \$54.24

MODERN FARM EQUIPMENT CO. EQUIPMENT \$399.41

RELANCE STANDARD LIFE LIFE INSURANCE \$144.50

SAFETY BENEFITS, INC. SAFETY BENEFITS REGIS \$75.00

S C O T T S M A N U F A C T U R E R S PARTS \$111.36

CRBR ADMIN WAGES & BENEFITS \$20,909.51

TOTAL FOR COUNTY ROAD & BRIDGE \$26,020.93

M&P FUND, MICROFILM IMAGING SYSTEMS, SCANNING EQUIP LEASE \$75.00

TOTAL FOR M&P FUND \$75.00

TOTAL FOR BILLS PAID BETWEEN 09-10 & 10-11-2024, \$73,041.29

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

COMER

declared that the Board go into Executive Session at 3:04 p.m.

Comer declared that the Board be out of Executive Session at 3:11 p.m.

Motion made by Yellow Bull, seconded by Hopkins, to adjourn the meeting at 3:12 p.m.

Attest: Allyssa Corner, Chairwoman Board of Oglala Lakota County Commissioners

Attest: Sue Ganje, Chairwoman Board of



CONTINUED FROM B2

Pennington, Custer, Fall River, Ogjala, Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duval for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.3, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval

of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online

at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing.

Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten

days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9; 46-1-11 thru 46-1-16; 46-2-3, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12; 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1, 46-5-2 thru 46-5-26; 46-5-30.2 thru 46-5-30.4; 46-5-31, 46-5-32 thru 46-5-34.3; 46-5-38 thru 46-5-39; 46-5-46; 46-5-47; 46-5-49; 46-6-1 thru 46-6-3.3; 46-6-6.1, 46-6-10, 46-6-13; 46-6-14; 46-6-21; 46-6-26; and Board Rules ARSD 74:02:01.02 thru 74:02:01.25; 02, 74:02:01.35.01.

BIDS

REQUEST FOR PROPOSAL: SOLICITATION 24-3 FOR AUDITING SERVICES

The Yankton Sioux Housing Authority (YSHA), located at 410 S. Main St. Wagner SD, 57380 is requesting proposals from qualified individuals and firms for professional services for proposed Auditing Services, solicitation 24-3 specifically for Indian Housing Authorities or Tribally Designated Housing Entities (TDHE) as defined in the Native American Assistance and Self-Determination Act of 1995 (NAHASDA) from interested Indian owned as well as non-Indian owned firm. This Request for Proposal (RFP) is being advertised as an open procurement with Indian Preference. All firms (Indian and non-Indian) wishing to respond to the RFP whether claiming Indian Preference or not, must contact Shelly Saunso, YST TERO Compliance Officer at the YST TERO

office at (605) 478-7192 to fill out the required documentation prior to submitting your proposal. The deadline for submitting a proposal is Friday, November 1st, 2024, no later than 3:00 p.m.

For more information or to obtain a copy of the complete RFP contact Savannah Fischer, Procurement Officer. Email: s.fischer@yhsa.org (605) 384-3271 EXT 212, Fax 605-384-3001.

ADVERTISEMENTS FOR BIDS

Sealed bids from contractors will be received by Yankton Sioux Tribal Housing Authority, 410 South Main Wagner, South Dakota beginning September 20th 2024, through November 1st, 2024, at 3:00 p.m. for Roof Replacement/Repair on Red Bird, War Eagle Elderly, Marty & White Swan Complexes. Bids for materials only, labor only and materials & labor shall be considered.

Bids shall be submitted in a sealed envelope with the name and address of the bidder clearly identified on the envelope. Faxed bids will not be accepted.

Owner representative will be available if requested. For further information please contact Farrand Hopkins, Project Maintenance Manager at the Yankton Sioux Housing Authority. Bid bond is required, TERO laws, Indian Preference and Bacon Davis wage rates do apply. The Owner reserves the right to reject any or all bids and to waive any irregularities therein.

By order of Yankton Sioux Tribal Housing Authority



INVITATION TO BID

The Yankton Sioux Housing Authority will be accepting bids for the following:

4 UNIT RENOVATION PROJECT 2024

PROJECT:

420 Wagner South Housing
408 South Housing
309 Lake Andes Old
Housing 301 Lake Andes
Old Housing

PROJECT LOCATION:

Yankton Sioux Reservation, Wagner, Lake Andes and Marty housing communities.

BID PACKETS AVAILABLE TO PICK UP AT: YANKTON SIOUX HOUSING AUTHORITY 410 SOUTH MAIN STREET, WAGNER, SD 57380 OR: CALL TO GET A BID PACKET MAILED TO YOU.

OPENING BID DATE: September 2-4th, 2024

CLOSING BID DATE: November 1st, 2024 @ 3:00pm

Please submit bids to Yankton Sioux Housing Authority Finance Office. **INCLUDE A COPY OF CURRENT GENERAL LIABILITY INSURANCE CERTIFICATE AND WORKMEN'S COMP INSURANCE.** Any packets submitted **without** these documents will not be a valid submission and therefore **will not** be considered in the evaluation process.

Bids can be mailed, or hand delivered but need to be received by the Finance Office by the deadline. Please write: **4 UNIT RENOVATION PROJECT 2024** on the outside of the envelope.

The Yankton Sioux Housing Authority will, to the greatest extent feasible, give preference in the award of all contracts and subcontracts, and in training and employment to Indian organizations and Indian owned economic enterprises, as per YSHA procurement policy. The YSHA will provide an approved listing of quality materials/products that will be acceptable. Then Yankton Sioux Housing Authority reserves the right to reject all or any bids.

CONTACT INFORMATION:

Yankton Sioux Housing Authority
Savannah Fischer, Procurement Officer
410 South Main Street, Wagner, SD 57380
s.fischer@yhsa.org

SERVING THE IHAANKTONWAN OVATE



INVITATION TO BID

The Yankton Sioux Housing Authority will be accepting bids for the following:

5 UNIT QUICK FIX PROJECT 2024

PROJECT:

503 East Marty
610 Marty East
527 Marty East
805 North Housing Wagner
614 Lake Andes New Housing

PROJECT LOCATION:

Yankton Sioux Reservation, Wagner, Lake Andes and Marty housing communities.

DESCRIPTION/SCOPE OF WORK:

BID PACKETS AVAILABLE TO PICK UP AT: YANKTON SIOUX HOUSING AUTHORITY 410 SOUTH MAIN STREET, WAGNER, SD 57380 OR: CALL TO GET A BID PACKET MAILED TO YOU.

OPENING BID DATE: October 4th, 2024

CLOSING BID DATE: November 8th, 2024 @ 3:00pm

Please submit bids to Yankton Sioux Housing Authority Finance Office. **INCLUDE A COPY OF CURRENT GENERAL LIABILITY INSURANCE CERTIFICATE AND WORKMEN'S COMP INSURANCE.** Any packets submitted **without** these documents will not be a valid submission and therefore **will not** be considered in the evaluation process.

Bids can be mailed, or hand delivered but need to be received by the Finance Office by the deadline. Please write: **5 UNIT QUICK FIX PROJECT 2024** on the outside of the envelope.

The Yankton Sioux Housing Authority will, to the greatest extent feasible, give preference in the award of all contracts and subcontracts, and in training and employment to Indian organizations and Indian owned economic enterprises, as per YSHA procurement policy. The YSHA will provide an approved listing of quality materials/products that will be acceptable. Then Yankton Sioux Housing Authority reserves the right to reject all or any bids.

CONTACT INFORMATION:

Yankton Sioux Housing Authority
Savannah Fischer, Procurement Officer
410 South Main Street, Wagner, SD 57380
s.fischer@yhsa.org

SERVING THE IHAANKTONWAN OVATE

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Pennington) SS

I, Tamara Ravellette

certify that the attached printed Notice was taken

from the Pennington County
Courant

printed and published in Wall

County of Pennington and

state of South Dakota. The notice was published

in the newspaper on the following date:

October 24, 2024

Cost of Printing \$81.66

Tamara Ravellette
(Signature)

Bookkeeper
(Title)

11-6-2024
(Date Signed)

RECEIVED

NOV 12 2024

OFFICE OF
WATER

NOTICE OF APPLICATION

NO. 2881-2 TO RESERVE WATER FOR FUTURE USE

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T111N-R79W and Section 11-T110N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December

4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location.

Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Non-discrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46- 1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01 :01 thru 74:02:01 :25.02; 74:02:01 :35.01.

[Published Oct. 24, 2024, at the total approximate cost of \$81.66 and may be viewed free of charge at www.sdpublic-notices.com]

AFFIDAVIT OF PUBLICATION

State of New York, County of Orange, ss:

Teresa Tseng, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Capital Journal, a newspaper printed and published in the City of Pierre, County of Hughes, State of South Dakota; that he/she has full and personal knowledge of the facts herein stated, that said newspaper is legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the legal display advertisement headed NOTICE OF APPLICATION NO. 2881-2 to Reserve a printed copy of which, taken from the paper in which the same was published, and which is here to attached and made a part of this affidavit, was published in said newspaper for 1 successive week(s) to wit:

Oct. 24, 2024

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomever; that the fees charged for the publication thereof are: 108.28

Teresa Tseng

(Signed) _____

VERIFICATION

State of New York
County of Orange

Subscribed in my presence and sworn to before me on this: 10/25/2024



Notary Public
Notarized remotely online using communication technology via Proof.

LAUREN A PREDMORE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01PR0000070
Qualified in Orange County
Commission Expires February 1, 2027

PUBLIC NOTICE

**NOTICE OF APPLI-
CATION NO. 2881-2 to
Reserve Water for Future
Use**

Notice is given that Western Dakota Regional Water System, PO Box 484, Rapid City SD 57709, has filed Application No. 2881-2 for a future use water permit. Application No. 2881-2 proposes to appropriate and reserve for future use 20,765 acre-feet of water annually from the Missouri River. The area reserved for future diversions from the Missouri River may be anywhere in Stanley County or Hughes County between Section 16-T6N-R29E and Section 5-T4N-R32E (Stanley County) or between Section 6-T11N-R79W and Section 11-T11N-R79W (Hughes County). The general location along the Missouri River begins near Chantier Creek and ends between La Framboise Island and Farm Island. The water is to be reserved as a future water supply for serving municipal and rural water system uses in Stanley, Lyman, Jones, Tripp, Haakon, Jackson, Butte, Meade, Pennington, Custer, Fall River, Oglala Lakota, Mellette, Lawrence, Perkins, Harding, Gregory, Todd, and Bennett counties. If approved, this application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2881-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Western Dakota Regional Water System has demonstrated a reasonable need to reserve water in the amount of 20,765 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application,

and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board is scheduled to take action at 9:45 AM (Central Time) on December 4, 2024, in the Matthew Training Center, Joe Foss Bldg, 523 E. Capitol Ave., Pierre SD to present Application No. 2881-2 to the Legislature for consideration during the 2025 Legislative Session. The Chief Engineer's recommendation is not final or binding upon the Board or Legislature. Pursuant to SDCL 46-5-20.1, the Board shall present the application to the Legislature for approval prior to the Board acting upon the application. Disapproval of the application by the Legislature constitutes disapproval by the Board and no further action need be taken by the Board. PLEASE NOTE, the scheduled December 4, 2024, agenda item is for the Board to present the application to the Legislature, NOT to conduct an evidentiary hearing. If approved by the Legislature, the Board will then schedule a time and place to conduct the evidentiary hearing for final consideration of the application. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the evidentiary hearing. No evidence or testimony will be accepted on December 4, 2024.

Any person who intends to participate in the evidentiary hearing 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 Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 5, 2024.

The petition shall be in writing and 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. If the Legislature approves the application, an evidentiary hearing will be scheduled for the Board to consider the application.

Notice of this hearing will be provided to the applicant and any person filing a petition opposing the application. This hearing will be an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Upon scheduling the Board's evidentiary hearing, the applicant or any

person who has filed a petition to oppose the application may request an automatic delay of the hearing within ten days of the date of the notice scheduling the hearing. Upon receipt of a timely request for an automatic delay, the evidentiary hearing date will be delayed at least 20 days. If delayed, the evidentiary hearing will be rescheduled with personal notice provided to the applicant and all petitioners regarding the new time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 5, 2024.

Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

As applicable, the following provides the legal authority and jurisdiction under which any future hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-

15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01. Published Oct 24, 2024 at the total approximate cost of \$108.28 and may be viewed free of charge at www.sdpublicnotices.com



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAY 27 2025

West Dakota Regional Water System
c/o Kristin Conzet
PO Box 484
Rapid City SD 57709

Dear Ms. Conzet:

Enclosed is Future Use Permit No. 2881-2 as approved by the Water Management Board.

When plans for facilities are prepared to construct and place to beneficial use any portion of the water reserved by this future use permit, an application for such facilities and water use shall be submitted to this office for review, and approval before construction is initiated.

Sincerely,

Mark Mayer, PE
Director of Office of Water

enclosure



**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**

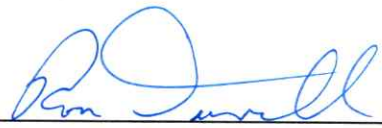
Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the 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.: 2881-2

Name of Applicant: Western Dakota Regional Water System, c/o Cheryl Chapman, Execu

Date of Posting: 10/21/2024

Date of Removal: 5/27/2025



Ron Duvall, Engineer III

5/27/2025

Date

Subscribed and sworn to before me, a notary public, this 27th day of May, 2025.



Notary Public - South Dakota
My commission expires:
**Rachel Rodriguez
My Commission Expires
May 16, 2029**

(SEAL)

