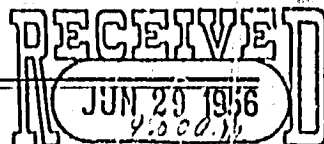


1. Considered September 17, 1956
2. Name of Applicant City of Brookings 217-3
3. Post Office Address Brookings S.D.
4. Amount of water claimed 7.70 cfs
5. Source of water supply LUPHS
6. Water to be used for Municipal Supply
Acres to be irrigated _____
7. Water to be diverted and used in Brookings County about
3 miles North of Brookings
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

withdrawal for future use

No. 217-3Water Division No. 3Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT FOR FUTURE USE To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant City of Brookings
Postoffice address Brookings, County Brookings, State So. Dak.

I. If a corporation Municipal(a) Name of same City of Brookings

(b) Date and place of incorporation _____

(c) Amount of capital stock _____

(d) Amount paid in _____

(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor) _____

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work City Wells3. Amount of water claimed 5,000,000.00 Gallons per day within next 20 years.
_____ cubic feet per second4. Source of water supply Ground Water Aquifer5. Location of point of diversion W1SW1/4 (present location) and for future location
the NE 1/4 of said Section 13 Tapp. 110-50 in Brookings County, S.D.
_____ on _____ bank _____ County.6. Annual period or periods during which water is to be used 12 months

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated _____

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) All Municipal purposes.

It will be necessary to construct additional wells - beginning within
the next twelve months in order to supply water needed for city consumption
and growth.

(a) Nature of use All Municipal purposes

Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

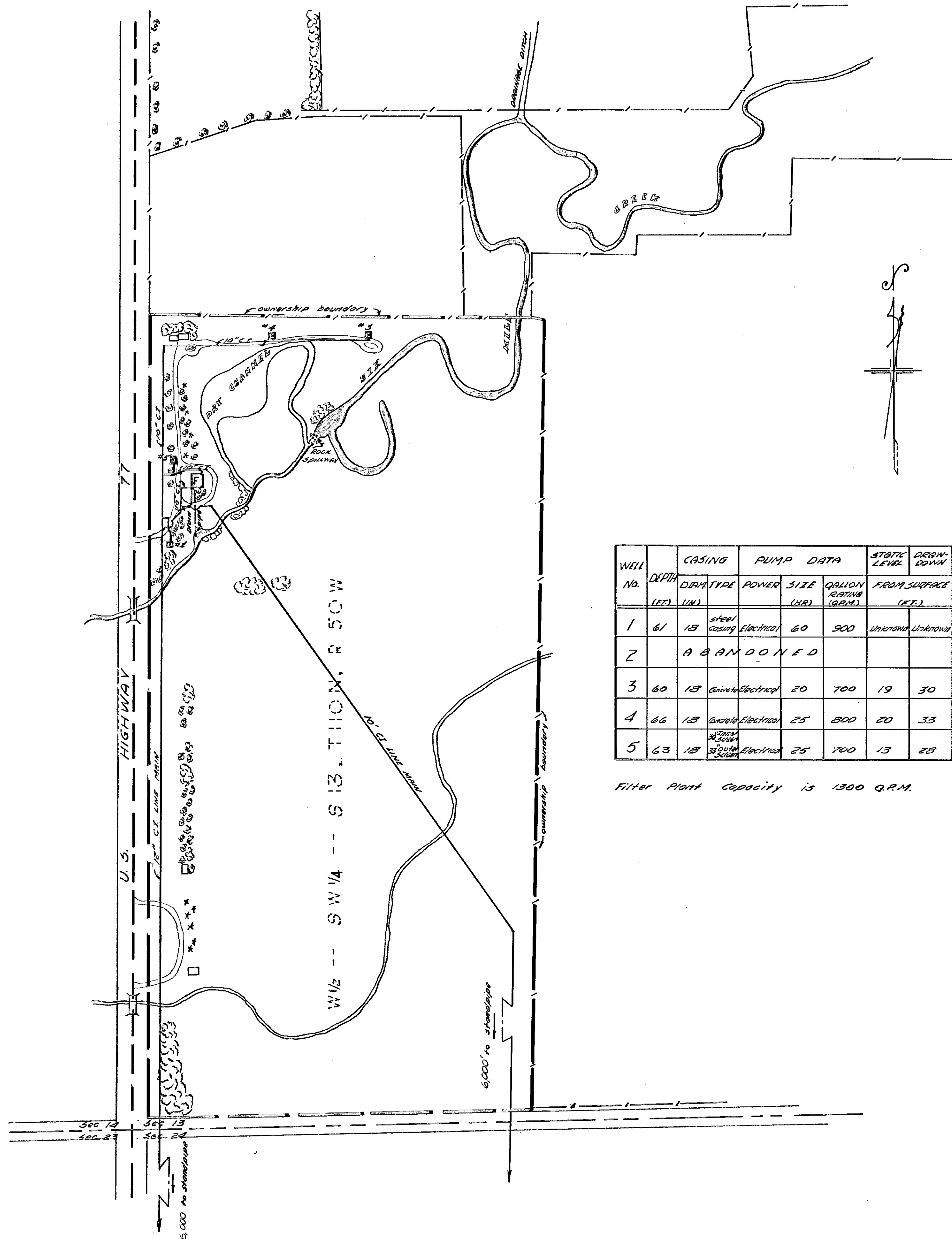
Amount claimed for engine cooling _____

(c) Location of plant: _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map No. 170-3



WELL NO.	DEPTH (FEET)	CASING		PUMP DATA			STATIC LEVEL (FEET)	DRAW-DOWN (FEET)	METERED	APPROXIMATE LOG. FOR ALL WELLS	COURSE AND BEARING	LEGAL CORNER TIE
		DIAM. (IN.)	TYPE	POWER (H.P.)	SIZE (IN.)	GALLON PER MIN. (G.P.M.)						
1	61	18	Steel Casing	Electrical	60	900	Unknown	Unknown	No	0-10' clay	1910' N 3°10' E	South West
2			ABANDONED									
3	60	18	Concrete	Electrical	20	700	19	30	No	10-63' sand gravel	2710' N 16°25' E	Corner Sec. 13 T 110 N R 50 W
4	66	18	Concrete	Electrical	25	800	20	33	No	63-65' clay	2630' N 9°50' E	5th Principal Meridian
5	63	18	Concrete	Electrical	25	700	13	23	Yes		2180' N 2°55' E	

Filter Plant Capacity is 1300 G.P.M.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA S.S.
COUNTY OF BROOKINGS

I, Calvin Vaudrey, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the request of City of Brookings, sole owner, did survey the tract of land within the City's ownership boundaries for which application for an appropriate water right to withdraw underground waters from under this tract for Municipal purposes is made and that this map is a true representation thereof.

In Witness Whereof, I have hereunto set my hand and seal this 21st day of June A.D. 1956

Calvin Vaudrey Reg. No. 683
Registered Land Surveyor

STATE OF SOUTH DAKOTA S.S.
COUNTY OF BROOKINGS

On this day, before me, the undersigned, a Notary Public within and for said state and county, personally appeared Calvin Vaudrey, known to me to be the person who executed the foregoing Surveyor's Certificate and acknowledged to me that he executed the same.

Witness My Hand, I have hereunto set my hand and seal this 21st day of June A.D. 1956

Hodlund
Notary Public

My Commission Expires March 8 1960

Map No. 170-3
(Appl's No. 216-3
217-3)

WATER RIGHT PLAT
CITY OF BROOKINGS
BROOKINGS, SOUTH DAKOTA

PLOT PLAN

SHOWING PRESENT WITHDRAWAL AREA
SCALE: HORIZ. 1"=200'
J.T. BANNER & ASSOCIATES, ENGINEERS, BROOKINGS, S.D.

APPROVED _____	FOR _____
DATE _____	
APPROVED <u>Calvin Vaudrey</u>	FOR J.T. BANNER & ASSOCIATES
DATE <u>June 21, 1956</u>	
CHECKED BY <u>[Signature]</u>	DRAWN BY <u>[Signature]</u>
DATE _____	SHEET OF _____

Remarks by State Water Resources Commission:

This is a permit to withdraw water for future use and specific applications for all or any part of this appropriation will be submitted at such time as the works are constructed.

STATE OF SOUTH DAKOTA

County of

Hughes

SS.

Pierre, South Dakota.

June 29, 19*56*

This is to certify that the foregoing application was received by the Commission at *5:00* o'clock

9 a.m. upon the *29* day of *June*, 19*56*

State Water Resources Commission

By:

J. C. Brines

Chief Engineer, Executive Officer

Number of permit *217-J*

Date of first receipt of application *June 29*, 19*56*

Date of return to applicant for correction, amendments or changes required as follows: *July 5*, 19*56*

Date of receipt of corrected application *July 21*, 19*56*

Date from which applicant may claim right *June 29*, 19*56*

Approved *September 17*, 19*56*, Recorded in Book *3* Page *198*

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before *withdrawal for future use. Specific applications will be submitted when the works are to be constructed*, 19*56*

2nd. The whole of said work is to be completed on or before *same*, 19*56*

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

same, 19*56*

4th. The water appropriated shall be used for the purpose of *municipal use*

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed *same* cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before *same*, 19*56*; said water to be used during the following described annual period:

Perpetuous

Witness my hand this

24

day of

October

19*56*

State Water Resources Commission

By:

J. C. Brines

Chief Engineer, Executive Officer

Certificate of Construction Issued *same*, 19*56*

Water License Issued *same*, 19*56*

Permit 674-3 1.89
675-3 1.56

(Both issued 2-9-60

PERMIT 1296-3 2.00

1.89	
1.56	
<u>2.00</u>	
5.45	
REMAINING	

	7.70
	<u>5.45</u>
	2.25

→

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Brookings } ss.

CHAS. H. J. MITCHELL being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Brookings Register a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city of Brookings County of Brookings and State of South Dakota; that the said notice was published in said newspaper on the following dates:

August 15, 1956

August 22, 1956

August 29, 1956

September 5, 1956

in each and every issue of the full number thereof, the first publication being made on the 15th day of August 1956 and the last publication on the 5th day of September 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor proprietor and publisher of the said newspaper.

Chas H J Mitchell

Subscribed and sworn to before me this 5th day of September A. D. 19 56

Geo. M. T. Miller

Notary Public Brookings County, S. D.

NOTICE OF INTENTION TO APPROPRIATE WATER
OFFICE OF STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

August 9, 1956
 Notice is hereby given that the City of Brookings, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 7.77 cubic feet of water per second of time from ground water through the city distribution system, the point of diversion of which is to be located in the N1/2 of Section 13 Twp. 110N Range 50W. Said water to be used for the purpose of providing estimated future municipal water supplies to the residents of Brookings.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 1956, at 2:00 p.m. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission By:
 J. W. GRINES,
 Chief Engineer,
 Executive Officer
 (Aug. 15, 22, 29, Sept. 5)

RECEIVED
SEP 7 1956
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First Publication before August 16, 1956)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 9, 1956

Notice is hereby given that the City of Brookings whose postoffice address is Brookings S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 7.76 cubic feet of water per second of time from ~~the~~ ground water through the city distribution system, the point of diversion of which is to be located ~~on the~~ ~~main line of the~~ ~~main line of the~~ in the ~~XXXXXX~~ NE 1/4 of Section 13 Twp. 110N Range 50W. Said water to be used for the purpose of providing ~~water for~~ ~~water for~~ ~~water for~~ estimated future municipal water supplies to the residents of Brookings.

~~XXXXXX~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

cc: The Brookings Register
Attention: Mrs. Charles A. Mitchell
Brookings, South Dakota

Filed 7/17-3 Bureau
For your information

August 1, 1963

Mr. John L. Wiersma
South Dakota State College
Brookings, South Dakota

Dear Mr. Wiersma:

In your letter of July 16, you inquire about water rights for College use of City of Brookings wells and the 16 inch pipeline which will be available for irrigation and perhaps other uses.

The irrigation water uses mentioned in your letter are specifically included as part of the municipal water rights held by the City of Brookings, (61.0102 (3)). Consequently, the College should acquire water rights through the regular procedure, (61.0110 thro. 61.0119). A pamphlet copy of the water statutes is enclosed for reference purposes.

The statute (61.0123) provides that non-use of water for a period of three years is a basis for forfeiture of a water right. Irrigation water rights are appertinent to the land upon which used (61.0128).

Under the so-called "wired" conditions you outline, I suggest that you make water right application covering irrigation use on the tracts of land that the College intends to irrigate during each three-year period (not less than 133 acres if use of 1.75 cfs is intended (61.0126), exclusive of water use in the wine unit and other "domestic and" instances (61.0102 (4))). Water use for "survival purposes" on other lands is permissible upon notification to the Water Resources Commission. The diversion point to be specified in your water right application is the location of the City

John L. Hieronim

2.

August 1, 1939

will or walls which deliver to the 10 inch pipelines which you intend to use.

Water right application forms and instructions are enclosed.

If you desire it, I shall be pleased to help.

Sincerely,

JWG:ls
Enc.

J. W. GRIMES

Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

August 8, 1983

NOTICE

To : Roger Prunty, Mayor, City of Brookings

From : *for* John Hatch, Chief Engineer, Water Rights Division *James Austin*

Subject : Review of Future Use Water Permit No. 217-3

The Water Management Board has directed that all future use water permits without a qualification requiring the permit to be reviewed every seven years to be noticed for hearing before the Board. The hearing to review Future Use Permit No. 217-3, City of Brookings will be conducted pursuant to SDCL 46-1-14, 46-5-38.1, ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26, October 5, 1983 at 2:30 pm in the Civil Defense Room, Basement of Capitol Building, Pierre, South Dakota.

The hearing will be to review 1) progress made in development of water reserved by Permit No. 217-3, 2) future plans for development of the reserved water, and 3) if the permit is not cancelled, to amend Permit No. 217-3 to add the seven year review qualification and to add or clarify other qualifications.

Future Use Permit No. 217-3 was approved September 17, 1956 with a priority date of June 29, 1956, for 7.7 cubic feet per second (cfs) from the following area: Sec. 13-T110N-R50W with the following qualifications:

At such time as definite plans are made, specific applications for all or any part of the water granted under this withdrawal, must be submitted and approved prior to construction of facilities.

Our records show that permits to place 5.45 cfs of water reserved by Permit No. 217-3 to beneficial use have been approved with 2.25 cfs remaining. Following the hearing, the Board can:

- 1) Take no action,
- 2) Cancel Permit No. 217-3 for no development and/or no planned future development,
- 3) Amend or clarify Permit No. 217-3 with the following qualifications:
 - a) Permit No. 217-3 to appropriate water for future use is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
 - b) This permit is approved for groundwater from the Big Sioux-South Madary Creek Aquifer.

* At the end of seven years, the permit will again be reviewed and if it is extended you will be required to pay 10% of the usual fee for an application to use water to keep Permit No. 217-3 in effect. The projected 10% fee in seven years based upon the existing permit cfs will be \$134.00.

This hearing is an adversary proceeding. Any person has the right to be present or 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 the State Supreme Court as provided by law.

cc: Boyce Smith, Finance Officer

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

August 24, 1983

NOTICE

TO: Roger Prunty, Mayor, City of Brookings

FROM: John Hatch, Chief Engineer, Water Rights Division *John Hatch*

SUBJECT: Change of Hearing Date for Review of Future Use Permits
No. 217-3 and 1598-3

The October 5, 1983 hearings before the Water Management Board to review Future Use Water Permits No. 217-3 and 1598-3 are being changed because of a conflict with the Municipal League Meeting that starts October 5, 1983. The Water Management Board will now review Future Use Permits No. 217-3 and 1598-3 at 1:30 pm, November 30, 1983, Joe Foss Building, Pierre, South Dakota. The hearing will be conducted pursuant to the notice dated August 8, 1983.

cc: Boyce Smith, Finance Officer

The meeting will be in Room 216 of the Joe Foss Building.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

January 11, 1983

RE: Future Use Permits
No. 217-3 & 1598-3

Roger Prunty, Mayor
City of Brookings
PO Box 270
Brookings SD 57006

Dear Mayor Prunty:

This letter is in regard to the motion passed by the Water Management Board November 30, 1983 after review of Brookings Future Use Water Permits No. 217-3 & 1598-3. The Board continued Permits No. 217-3 & 1598-3 and amended the Permits to add the qualifications on the enclosed attachments which should be placed with your Permits. Future Use Permits No. 217-3 & 1598-3 will be subject to review after seven years.

If you have any questions, please feel free to contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

cc: Boyce Smith, Finance Officer
Jim Nass

Equal Opportunity Employer

ATTACHMENT "A" TO FUTURE USE PERMIT NO. 217-3

CITY OF BROOKINGS

Future Use Permit No. 217-3 was continued by action of the Water Management Board November 30, 1983 and amended to add the following qualifications:

- a) Permit No. 217-3 to appropriate water for future use is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
- b) This permit is approved for groundwater from the Big Sioux-South Medary Creek Aquifer.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 12, 1990

Gail Robertson, Mayor
City of Brookings
PO Box 270
Brookings SD 57006

Dear Mayor Robertson:

I am writing in regard to the seven year review of Future Use Water Permit No. 217-3 for groundwater (Big Sioux-South Medary Creek Aquifer) and Permit No. 1598-3 for groundwater (Big Sioux-South Aurora Aquifer) which are held by the City of Brookings. Currently, our records show that 2.25 and 11.31 cubic feet of water per second remain in reserve under Future Use Permit Nos. 217-3 and 1598-3, respectively.

Permit Nos. 217-3 and 1598-3 will be scheduled for review by the Water Management Board on December 5 & 6, 1990 pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve on the Permits. The fee could be as much as \$52.50 for Permit No. 217-3 and \$137.50 for Permit No. 1598-3, if the Board allows the total amount of appropriated water remaining to remain in reserve.

Please respond in writing by October 12, 1990, regarding the City's intentions for the future use permits. If the City does plan to retain the permits, then your response should outline a reasonable need for retaining the future use permits, any annual pumping records for the past three years and an estimate of future needs.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Natural Resources Analyst
605 773-3352

cc: Gregg Jongeling, City Engineer



October 2, 1990

Water Management Board
Water Rights Division
S. D. Department of Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

RE: Review of Future Use Permit Numbers 217-3 & 1598-3

Board Members:

The City of Brookings operates two (2) water treatment systems that pump to two distinct distribution systems each of which has a different operating pressure (ie. approximately 10 psi. or 24 feet of pressure differential between the two systems). These two treatment systems obtain their water from separate aquifers that are associated with the above referenced Future Use Permits.

The City's original Water Treatment Plant, that was constructed in 1935, is located on the North side of the community and operates its well field in the Big Sioux-South Medary Creek Aquifer under Water Permit No. 217-3. The City presently has 2.25 cfs. remaining to be appropriated from Permit No. 217-3.

In 1968 the City constructed an additional Water Treatment System on the East side of the City and developed an additional well field in the Big Sioux-South Aurora Aquifer under Water Permit No. 1598-3. The City has 11.31 cfs. remaining to be appropriated from that permit.

History has proven that Brookings is a growing community and all signs indicate that it will continue to grow and prosper (see attached documents). In the past 10 years our community has increased in population by 1,302 people bringing our total population to 16,253. In that same time period our average (yearly) daily pumping rate has gone from 1.596 MGD to 1.945 MGD which depicts an annual growth rate of 2.1 per year. Also in that same time period we had 1,005 single family housing units constructed.

In recent years the City has also entered into an agreement with Brookings-Daqui Rural Water System to sell them water which they use to serve approximately 115 customers who live outside the City limits on the South side of the community. Also, in 1991, we will be constructing a water line from Brookings to the City of Aurora and furnishing them with water so that community will be relieved of it's high nitrates problem. With the known construction of the Wal-Mart Store, the major expansion of the 3-M Company, the construction of a new industry to this community

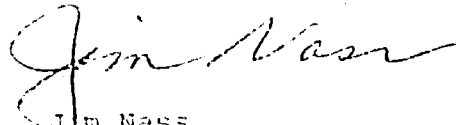
and possibly one additional one in 1991, we know there will be an immediate increase in demand for our water production services.

Because of the City's past and projected growth pattern the Brookings Municipal Utilities Board which governs the administration and operation of the Utility systems, has dictated that the Utility Staff aggressively plan for and construct the physical plant that is necessary to provide the Utility services required to accommodate the growth of the community.

Therefore, the City of Brookings, in the future, does intend to apply for permits to appropriate the remaining volumes of water held under Future Use Permits 217-3 and 1589-3. In fact our plan is to make an application to appropriate a portion of the amount remaining in Permit No. 1598-3 in the year 1991 or 1992.

For the reasons previously stated in this letter, the City of Brookings Municipal Utilities Board requests that Future Use Permit Nos. 217-3 and 1598-3 be held in the City's name for their original intended function.

Thank You,

A handwritten signature in cursive script, appearing to read "Jim Nass".

Jim Nass
Utilities Engineer for
Brookings Municipal Utilities



POPULATION PROJECTIONS

The following comments will depict the past population census records for the City of Brookings as well as what can be projected for the foreseeable future.

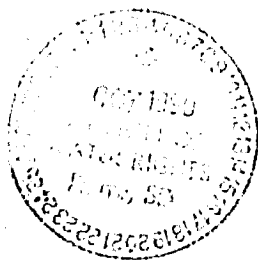
YEAR	POPULATION (Census)	% INCREASE (Per Year)	PROJECTED POPULATION (1 % per Year)
1890	1,516		
1900	2,345	5.45	
1910	2,971	2.66	
1920	3,924	3.21	
1930	4,376	1.15	
1940	5,346	2.22	
1950	7,764	4.52	
1960	10,553	3.60	
1970	13,717	2.99	
1980	14,951	0.90	
1990	18,253	0.90	
2000		1.00	17,955
2010		1.00	19,835
2020		1.00	21,919
2030		1.00	24,200

1960 to 1990 Average Yearly Increase= 1.80 %

1970 to 1990 Average Yearly Increase= 0.69 %

1980 to 1990 Average Yearly Increase= 0.09 %

Use one (1) per-cent for projections



HISTORICAL AND PROJECTED WATER PUMPED

The following comments will depict the past "yearly" volumes of water pumped to the consumers of the City of Brookings. Also a projection of the future volumes is displayed.

YEAR	HISTORICAL (Millions) (Gallons)	INCREASE	FUTURE (Millions) (Gallons)
1970	414.826		
1971	453.712	9.37	
1972	429.696	-5.59	
1973	493.281	8.72	
1974	538.792	9.23	
1975	543.276	0.83	
1976	638.378	25.71	
1977	581.055	-18.47	
1978	585.222	0.72	
1979	582.797	- 0.42	
1980	620.760	6.51	
1981	627.789	1.13	
1982	602.135	- 4.55	
1983	626.345	3.02	
1984	595.499	- 4.17	
1985	617.882	2.76	
1986	571.641	- 8.09	
1987	649.794	13.67	
1988	737.384	13.48	
1989	709.559	- 3.92	
1990	646.566 (Estimate)		
1991		1.00	655.695



1992	1.00	662.555
1993	1.00	669.180
1994	1.00	675.972
1995	1.00	692.631
1996	1.00	689.475
1997	1.00	696.351
1998	1.00	703.215
1999	1.00	710.348
2000	1.00	717.451



SINGLE FAMILY HOUSING UNITS

The following comments depict the amounts of single family units that have been constructed in the City of Brookings from 1979 to 1989. This does not include any Commercial or Industrial construction activity.

YEAR	MOBILE HOMES	ONE FAMILY	TWO FAMILY BLD'S UNITS		MULTI BLD'S UNITS	
1979	0	35	0	0	12	132
1980	1	37	0	0	6	81
1981	2	31	2	6	5	46
1982	1	31	0	0	4	21
1983	2	47	0	0	2	110
1984	1	18	0	0	110	172
1985	1	9	0	0	2	12
1986	1	10	2	4	0	0
1987	1	13	3	0	10	103
1988	0	10	1	2	3	49
TOTAL	10	251	18		726	

GRAND TOTAL (1979--1989)=1,005 Family Units

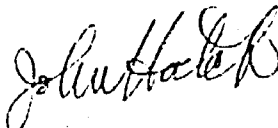
RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 217-3, City of Brookings

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Future Use Water Permit No. 217-3, City of Brookings SD.

The Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the City of Brookings has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

1. That Permit No. 217-3 reserves for future use 1612 acre-feet annually. The diversion rate of 3.71 cfs is deleted from Permit No. 217-3.

And that maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$52.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City of Brookings.



JOHN HATCH, Chief Engineer
October 30, 1990

NOTE: The maximum annual acre-feet of full-time pumping represented by 3.71 cubic feet of water per second (cfs) reserved by No. 217-3 is 2686 acre-feet. Assuming that the total amount pumped annually would equal 60% of 2686 acre-feet, then expected developed pumping of water reserved under Permit No. 217-3 would be about 1612 acre-feet per year.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
527 East Capitol
Pierre, South Dakota 57501-3181

October 31, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

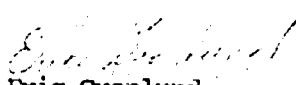
Orrin P. Juel, Mayor
City of Brookings
Box 270
Brookings SD 57006

Dear Mr. Juel:

Future Use Permit Nos. 217-3 and 1598-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publisher of the Daily Register printed at Brookings SD. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 31, 1990

Daily Register
Box 177
Brookings SD 57006

ATTN: Legal Publications:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 217-2 and 1598-2 to be published twice. Please publish the first notice on or before November 8, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the City of Brookings, Box 270, Brookings SD 57006.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE
No. _____

CUT HERE

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
to Review Future Use Water Permit No. _____ which was first published in
our issue of _____. ENCLOSED IS A COPY OF THIS FIRST
PUBLICATION.

Name

Newspaper

PROOF OF PU

STATE OF SOUTH DAKOTA)

County Brookings) ss.

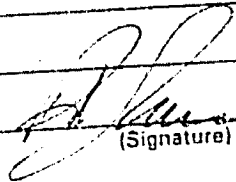
I, Rob James
certify that the attached printed Notice
from the Brookings Register

A newspaper which during the whole time
said notice herein after stated, has been
published in the _____

_____ of _____
County of Brookings and State
that the said notice was published in said
following two dates:

November 7, 1990

November 14, 1990


(Signature)

(Title)

(Date Signed)

Cost of Printing: Legal # S-78

17 1/2 inches @ 1.70

Twenty-nine dollars and thirty-three cents

The hearings to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26.

These hearings are adversary proceedings. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing copies of the Chief Engineer's recommendations, further information on the permits or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRNR, Joe

Foss Building, Pierre SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by November 26, 1990.

Legal S-78, 2x, Nov. 7, 14
NOTICE OF HEARING to Review,
Future Use Water Permit Nos. 217-3
and 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by the City of Brookings, PO Box 270, Brookings SD 57606 for progress made in the development of the water reserved by the permits and future plans for development of the water reserved by the permits.

Permit No. 217-3 was approved September 17, 1956 to reserve 7.7 cubic feet of water per second (cfs) from the Big Sioux-South Medary Creek Aquifer located in the N 1/2 Section 13, T10N, R50W for municipal purposes. Water Permit/Right Nos. 674-3, 675-3, and 1296-3 put a total of 3.99 cfs to beneficial use reserved by No. 217-3 leaving 3.71 cfs held in reserve.

Permit No. 1598-3 was approved September 24, 1968 to reserve 18.0 cfs from the Big Sioux-South Aurora Aquifer located in the W 1/2 Section 4, E 1/2 Section 5; all in T109N, R49W; E 1/2 Section 32, W 1/2 Section 33, W 1/2 Section 28, SE 1/4 Section 29; all in T10N, R49W for municipal purposes. Water Right No. 3979-3 put 6.69 cfs to beneficial use reserved by No. 1598-3 leaving 11.31 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 217-3 REMAIN in EFFECT for 1612 acre-feet annually and Permit No. 1598-3 REMAIN in EFFECT for 4,526 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed uses will be beneficial uses and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD on December 5, 1990 at 8:45 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and/or who intends to participate in the hearings before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by November 26, 1990. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.



November 26, 1990

John Hatch
Chief Engineer
Water Rights Division
Joe Foss Building
Pierre, South Dakota 57501

RE: Additional Comments for Future Use Permit Hearing
(Permit Numbers 217-3 and 1598-3)

Dear Mr. Hatch:

On October 2, 1990 I sent you a letter and other data explaining the City of Brookings position and its request to retain the above referenced permits as they were originally granted.

We, at this time, would like to present to you and the Water Management Board some additional data that we feel is pertinent to this subject. The following comments should further explain why we would like to see the Future Use Permits remain as originally granted.

Permit No.	Original	Proposed	Difference
217-3	2686 Ac-Ft/Yr	1612 Ac-Ft/Yr	1074 Ac-Ft/Yr
1598-3	3188 Ac-Ft/Yr	4526 Ac-Ft/Yr	3662 Ac-Ft/Yr
TOTAL	10874 Ac-Ft/Yr	6138 Ac-Ft/Yr	4736 Ac-Ft/Yr

Now, we would like to present to you some future system load growths as we best see them today.

Normal System Growth (1990 to 2000)	210 Ac-Ft/Yr
City of Aurora (1991)	92 Ac-Ft/Yr
Two (2) Trailer Parks on the SE corner of the City. (1990 to 1995)	43 Ac-Ft/Yr
Corn Crushing Plant (Possible)	1120 Ac-Ft/Yr
Satellite Industries-Sister Companies to the Corn Plant (Possible)	1130 Ac-Ft/Yr
Other Industrial Loads (1990 to 2000)	345 Ac-Ft/Yr

TOTAL ANTICIPATED GROWTH-----2940 Ac-Ft/Yr



The first three (3) items listed above are for sure to occur while the last three (3) items are what we anticipate might happen due to an aggressive Industrial Development Movement now being pursued by our Chamber of Commerce etc. Our best estimate at this time is that these events could occur in the next 5 to 10 years.

If the anticipated growth occurs as presented above, the additional water usage would amount to 27% of the future use presently allocated to our community, or 48% of the future use that is being proposed to be allocated to us.

Therefore, we at this time request that the referenced permits be given serious consideration to remain as originally granted.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Jim Nass".

Jim Nass, P. E.
Utilities Engineer for
Brookings Municipal Utilities

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

December 10, 1990

NOTICE

Orrin P. Juel, Mayor
City of Brookings
PO Box 270
Brookings SD 57006

Dear Mayor Juel:

I am writing in response to action taken by the Water Management Board at the hearing on December 5, 1990 to review Future Use Permit Nos. 217-3 and 1598-3. The Board allowed the permits to remain in effect and amended the permits by adding the qualification on the enclosed "Amendment". The "Amendment" should be placed with the permits. Future Use Permit Nos. 217-3 and 1598-3 are subject to review again in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$52.50 and Permit No. 1598-3 is \$112.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, Water Rights Staff Engineer, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

cc: Jim Nass, Utilities Engineer

AMENDMENT TO FUTURE USE PERMIT NO. 217-3

City of Brookings

Pursuant to the December 5, 1990 Water Management Board hearing, Future Use Permit No. 217-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 217-3 reserves for future use 1,612 acre-feet annually. The diversion rate of 3.71 cfs is deleted from Permit No. 217-3.

AMENDMENT TO FUTURE USE PERMIT NO. 217-3

City of Brookings

Pursuant to the December 5, 1990 Water Management Board hearing, Future Use Permit No. 217-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 217-3 reserves for future use 1,612 acre-feet annually. The diversion rate of 3.71 cfs is deleted from Permit No. 217-3.

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, October 26, 1950

RECEIVED OF City of Brookings, Brookings 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. <u>217-3</u> after period of seven years.	50	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	50

By [Signature]
Chief Engineer



217-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

September 29, 1997

Theodore Kryger, Finance Officer
City of Brookings
PO Box 270
Brookings SD 57006-0270

Dear Mr. Kryger:

I am writing in regard to the seven year review of Future Use Water Permit No. 217-3 from groundwater (Big Sioux:Six Mile Creek Aquifer) and Permit No. 1598-3 from groundwater (Big Sioux:Aurora Aquifer) which are held by the City of Brookings. These permits reserve water for future water supply needs for the city. Currently, our records show that 1,612 acre feet and 4,526 acre-feet remain in reserve under Future Use Permit Nos. 217-3 and 1598-3, respectively. These are the same amounts established when the future use permits were reviewed in 1990.

Please respond in writing by November 1, 1997, regarding the city's intention for the future use permit. If the city plans to retain the permits, then the response should outline a reasonable need for retaining the future use permits, including an estimate of future needs and any annual pumping records for the past three years.

Permit Nos. 217-3 and 1598-3 will then be scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

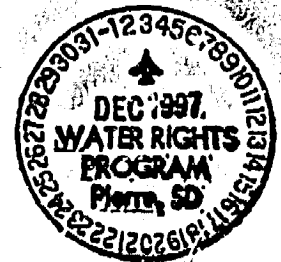
Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352



BROOKINGS

municipal utilities

525 Western Ave. • P.O. Box 588
Brookings, S.D. 57008
(605) 692-6325



December 1, 1997

Water Management Board
Water Rights Division
S.D. Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

RE: Review of Future Use Permit Numbers 217-3 & 1598-3

Board Members and DNER Staff:

The City of Brookings operates two (2) water treatment systems that pump to two distinct distribution systems, each of which has a different operating pressure (ie. approximately 10 psi. or 24 feet of pressure differential between the two systems). These two treatment systems obtain their water from separate aquifers that are associated with the above referenced Future Use Permits.

The City's original Water Treatment Plant, that was constructed in 1935, is located on the North side of the community and operates its well field in the Big Sioux-South Medary Creek Aquifer under Water Permit No. 217-3. The City presently has 1,612 acre-feet remaining to be appropriated from Permit No. 217-3.

In 1968 the City constructed an additional Water Treatment System on the East side of the City and developed an additional well field in the Big Sioux-South Aurora Aquifer under Water Permit No. 1598-3. The City has 4,525 acre-feet remaining to be appropriated from that permit.

History has proven that Brookings is a growing community and all signs indicate that it will continue to grow and prosper (see attached documents). In the past 7 years our community has increased in population by 2,177 people bringing our total estimated population to 18,430. In that same time period our average (yearly) daily pumping rate has gone from 2.045 MGD to 2.688 MGD which depicts an annual growth rate of 4.49 % per year. Also in that same time period we had 841 single family houses units constructed. Plus, in this same time period, the City of Brookings has increased its responsibility by committing to serve

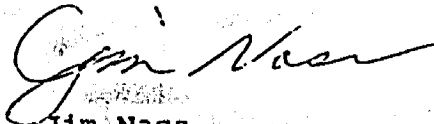
potable water to an additional 695 single family units through the purchase of a portion of the Brookings-Deuel Rural Water System and furnishing the City of Aurora with its total Potable Water requirements.

Because of the City's past and projected growth pattern the Brookings Municipal Utilities Board, which governs the administration and operation of the Utility systems, has dictated that the Utility Staff aggressively plan for and construct the physical plant that is necessary to provide the Utility services required to accommodate the growth of the community.

Therefore, the City of Brookings, in the future, does intend to apply for permits to appropriate the remaining volumes of water held under Future Use Permits 217-3 and 1589-3. In fact our plans were to make an application to appropriate a portion of the amount remaining in Permit No. 1598-3 in the year 1997, but a serious problem with a Sanitary Sewer Interceptor Line created a situation whereby all Funds of the Water and Wastewater Department were used to correct that situation. This action has caused us to move the construction of an additional water well to a future date in our Capital Improvement Plan.

For the reasons previously stated in this letter, the City of Brookings Municipal Utilities Board requests that Future Use Permit Nos. 217-3 and 1598-3 be held in the City's name for their original intended functions.

Thank You,



Jim Nass
Utilities Engineer for
Brookings Municipal Utilities

POPULATION PROJECTIONS

The following comments will depict the past population census records for the City of Brookings as well as what can be projected for the foreseeable future.

YEAR	POPULATION (Census)	% INCREASE (Per Year)	PROJECTED POPULATION (1 % per year)
1890	1,518		
1900	2,346	5.45	
1910	2,971	2.66	
1920	3,924	3.21	
1930	4,376	1.15	
1940	5,346	2.22	
1950	7,764	4.52	
1960	10,558	3.60	
1970	13,717	2.99	
1980	14,951	0.90	
1990	16,253	0.90	
1997	18,430	1.02 (Est. from SDSU Sociology Dep't)	
2000		1.02	19,175
2010		1.02	23,010
2020		1.02	27,615
2030		1.015	28,025

SINGLE FAMILY HOUSING UNITS

The following comments depict the amounts of single family units that have been constructed in the City of Brookings from 1979 to 1997. This does not include any Commercial or Industrial construction activity.

YEAR	MOBILE HOMES	ONE FAMILY	TWO FAMILY BLD'S UNITS		MULTI BLD'S UNITS	
1979	0	35	0	0	12	132
1980	1	37	0	0	6	81
1981	2	31	3	6	5	46
1982	1	31	0	0	4	21
1983	2	47	0	0	8	110
1984	1	18	0	0	11	172
1985	1	9	0	0	2	12
1986	1	16	2	4	0	0
1987	1	13	3	6	10	103
1988	0	14	1	2	3	49
1989	0	20	0	0	2	20
1990	0	18	1	2	3	16
1991	0	24	0	0	6	32
1992	0	45	3	6	7	76
1993	0	34	4	8	9	83
1994	0	57	4	8	20	203
1995	0	34	2	4	9	90
1996	0	37	2	4	4	36
1997 (To Date)	0	27	4	8	2	24
TOTAL	10	547	58		1,306	

GRAND TOTAL (1979--1997)=1,921 Family Units

GRAND TOTAL (1987--1997)=1,113 Family Units (Metered Connections)

ALSO: In the past five (5) years the Brookings Utilities has purchased the Rural Water System that has served the Housing Developements that are physically located South of the City Proper. And the Brookings Utilities in that same time period has made a Long Term Agreement with the City of Aurora to serve that Community with its total water needs.

These two (2) actions have increased the number of residential customers that need to be served by our Utility by an amount of 695. (ie. Metered Connections)

This would bring the past 10 year total increase in customers to 1,808 customers for an Average increase of 180 per year.

HISTORICAL AND PROJECTED WATER PUMPED

The following comments will depict the past "yearly" volumes of water pumped to the consumers of the City of Brookings. Also a projection of the future volumes is displayed.

YEAR	HISTORICAL (Millions) (Gallons)	% INCREASE	FUTURE (Millions) (Gallons)
1970	414.826		
1971	453.712	9.37	
1972	429.686	-5.59	
1973	493.281	8.72	
1974	538.792	9.23	
1975	543.276	0.83	
1976	688.378	26.71	
1977	581.055	-18.47	
1978	585.222	0.72	
1979	582.797	- 0.42	
1980	620.760	6.51	
1981	627.780	1.13	
1982	602.186	- 4.25	
1983	620.345	3.02	
1984	595.499	- 4.17	
1985	617.882	3.76	
1986	571.641	- 8.09	
1987	649.794	13.67	
1988	737.384	13.48	
1989	709.559	- 3.92	
1990	746.185	5.16	
1991	764.904	2.41	

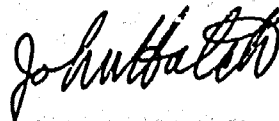
1992	811.875	6.14	
1993	842.631	3.79	
1994	916.953	8.82	
1995	846.691	- 8.30 (Lg. Error in SDSU Metering)	
	(Brookings serves SDSU via a Single Metering Point)		
1996	913.921	7.94	
1997	981.187 (Estimate)		
1998		3.00	1,000.0
1999		3.00	1,030.0
2000		3.00	1,061.0
ETC.		ETC.	ETC.

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 217-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 217-3, City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006.

The Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the City of Brookings has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$52.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City of Brookings.



**JOHN HATCH, Chief Engineer
Water Rights Program
January 16, 1998**



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 20, 1998

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

Jim Nass, Utilities Engineer
Brookings Municipal Utilities
PO Box 588
Brookings SD 57006

Dear Mr. Nass:

Future Use Permit Nos. 217-3 and 1598-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publisher of the Brookings Register (Phone #692-6271). For your information, a copies of the recommendations of the Chief Engineer are enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 20, 1998

Brookings Register
PO Box 177
Brookings SD 57006-0177

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 217-3 and 1598-3 to be published twice. Please publish the first notice on January 28, 1998 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006.

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
Nos. 217-3 & 1598-3

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 20, 1998 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 217-3 & 1598-3 which was first published in our issue of _____
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper-Publish first publication of the following Notice on January 28, 1998 with 2nd publication 7 days later. The City of Brookings is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 217-3 & 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permits.

Future Use Permit No. 217-3 was approved in 1956 to reserve 7.7 cubic feet of water per second (cfs) from the Big Sioux-South Medary Creek Aquifer located in the N 1/2 Section 13-T110N-R50W for municipal use. A review of the Water Permits/Rights indicates 1,612 acre-feet remain in reserve by Permit No. 217-3.

Future Use Permit No. 1598-3 was approved in 1968 to reserve 18.0 cfs from the Big Sioux-Aurora Aquifer located in the W 1/2 Section 4, E 1/2 Section 5; all in T109N-R49W; E 1/2 Section 32, W 1/2 Section 33, W 1/2 Section 28, SE 1/4 Section 29; all in T110N-R49W for municipal use. A review of the Water Permits/Rights indicates 4,526 acre-feet remain in reserve by Permit No. 1598-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and No. 1598-3 REMAIN in EFFECT for 4,526 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD on February 25, 1998 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 16, 1998. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

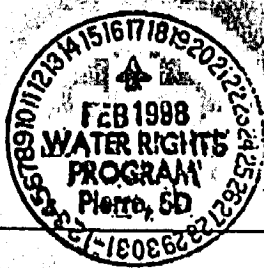
The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

(continued)

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 16, 1998. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 16, 1998. Nettie H Myers, Secretary, Department of Environment and Natural Resources.

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Brookings) SS

I, Nancy Skyberg

certify that the attached printed Notice was taken
from the Brookings Register

printed and published in Brookings

County of Brookings and

state of South Dakota. The notice was published
in the newspaper on the following two dates:

January 28, 1998

February 4, 1998

Cost of Printing Sixty-seven dollars
and twelve cents \$ 67.12

Nancy Skyberg
(Signature)

Legal Ad Coordinator
(Title)

2-11-98

(Date Signed)

Legal 049, 2x, 1/28, 2/4 NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS.

217-3 & 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006, for progress made in the development of the water

reserved by the Permits and future plans for development of the water reserved by Permits.

Future Use Permit No. 217-3 was approved in 1956 to reserve 7.7 cubic feet of water per second (cfs) from the Big Sioux-South Medary Creek Aquifer located in the N 1/2 Section 13-T110N-R50W for municipal use. A review of the Water Permits/Rights indicates 1,612 acre-feet remain in reserve by Permit No. 217-3.

Future Use Permit No. 1598-3 was approved in 1968 to reserve 18.0 cfs from the Big Sioux-Aurora Aquifer located in the W 1/2 Section 4, E 1/2 Section 5; all in T109N-R49W; E 1/2 Section 32, W 1/2 Section 33, W 1/2 Section 28, SE 1/4 Section 29; all in T110N-R49W for municipal use. A review of the Water Permits/Rights indicates 4,526 acre-feet remain in reserve by Permit No. 1598-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and No. 1598-3 REMAIN in EFFECT for 4,526 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD on February 25, 1998 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 16, 1998. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 E Capitol Ave. Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-

5-38.1; Board Rules ARSD 74.02-01:25.01 thru 74.02-01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 16, 1998. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 16, 1998. Nettie H Myers, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 27, 1998

NOTICE

Jiin Nass, Utilities Engineer
Brookings Municipal Utilities
PO Box 588
Brookings SD 57006

Dear Mr. Nass:

I am writing in response to action taken by the Water Management Board at the hearing on February 25, 1998 to review Future Use Permit Nos. 217-3 and 1598-3. The Board allowed No. 217-3 to remain in effect for 1,612 acre-feet of water annually and No. 1598-3 to remain in effect for 4,526 acre-feet of water annually. The Future Use Permits are subject to another review in seven years.

Pursuant to SDCL 46-2-13(2), the fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$52.50 and No. 1598-3 is \$112.50. Please remit the fee (\$165.00 total) within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

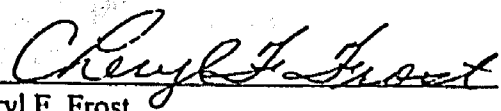
CERTIFICATION

I hereby certify that on February 27, 1998, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 27, 1998, regarding Action taken by the Water management Board at the hearing on February 25, 1998, to review the following Future Use Permits, addressed as stated below:

- 135-3, 5003-3: Bruce Pier, Public Works Director, City of Pierre, P.O. Box 1253, Pierre, SD 57501-1253.
- 192-3, 3427-3: Robin Bobzien, City Engineer, City of Aberdeen, P.O. Box 1420, Aberdeen, SD 57402-1420.
- 217-3, 1598-3: Jim Nass, Utilities Engineer, Brookings Municipal Utilities, P.O. Box 588, Brookings, SD 57006.
- 549-3: Denise Peschong, Finance Officer, City of Milbank, P.O. Box 472, Milbank, SD 57252-0472.
- 1218-3, 2107-3: Harlan Hoy, Water Superintendent, Municipal Utilities Department, 901 4th Ave. SW, Watertown, SD 57201-4107.

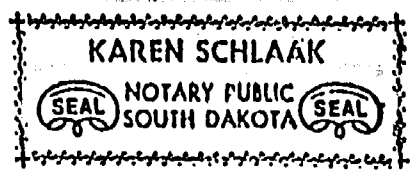
A copy of the Amendment to the Future Use Permit was sent with the following Notice:

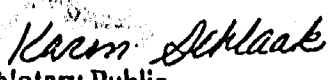
- 1780-2: Jerry Bloom, Public Works Director, City of New Underwood, P.O. Box 278, New Underwood, SD 57761-0278.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 2nd day of February, 1998




Notary Public
KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

217-3

RECEIPT

19 415690

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre, March 16, 19 08

RECEIVED OF City of Brookings, P.O. Box 588, Brookings, SD 57006
 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. _____ to Appropriate Water, for Future
 Use _____

Fee to retain Future Use Permit No. 217-3 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 Filing Extension Request _____

Fee for _____

52 50

(Any Other Work Provided by Law)

Total

52 50

By _____
 Chief Engineer

John Hatcher



217-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 8, 2004

Craig Osvog, Utilities Manager
City of Brookings
PO Box 270
Brookings SD 57006-0270

Dear Mr. Osvog:

I am writing in regard to the seven year review of Future Use Water Permit No. 217-3 from ground-water (Big Sioux:Six Mile Creek Aquifer) and Permit No. 1598-3 from groundwater (Big Sioux: Aurora Aquifer) which are held by the City of Brookings. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city.

Currently, our records show that 1,612 acre-feet and 2,426 acre-feet remain in reserve under Future Use Permit Nos. 217-3 and 1598-3, respectively.

Please respond in writing by January 15, 2005, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit Nos. 217-3 and 1598-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us



525 Western Ave. • P.O. Box 588
Brookings, S.D. 57006
(605) 692-6325

RECEIVED

JAN 10 2005

WATER RIGHTS
PROGRAM

January 7, 2005

Ms. Karen Schlaak
Environmental Scientist / Water Rights Program
Department of Environment & Natural Resources
Joe Foss Building
523 East Capital
Pierre South Dakota 57501-3182

RE: Review of Future Use Permit Numbers 217-3 & 1598-3

Dear Ms. Schlaak:

This is in response to your letter of December 8, 2004 in which you request our justification for retaining the subject permits. We offer the following information.

The City of Brookings operates two water treatment facilities that provide treated water to residential and commercial consumers in the City of Brookings, City of Aurora, South Dakota State University and several residences surrounding Brookings. The two treatment facilities draw water from two branches of the Big Sioux Aquifer that are associated with the above referenced permits. The City's original water treatment facility was constructed in 1935, and is located on the north side of the community and operates its well field in the Six Mile Creek branch of the Big Sioux Aquifer under Permit No. 217-3. In 1968, the City constructed an additional water treatment facility on the east side of the community and developed an additional well field in the Deer Creek branch of the Big Sioux Aquifer under Permit No. 1598-3.

The two water treatment facilities have a combined treatment capacity of 6.5 MGD and in August of 2002, BMU treated 6.25 MGD to meet the peak demand for water generated by its customers. Due to this peak Brookings commissioned an independent water system assessment and Capital Improvements Plan Report. Banner Associates, Inc. prepared the assessment, which included population projections, water consumption projections and capital improvements required to meet projected demands from 2004 to 2030.

The following table 2.6 from the Banners report summarizes the population projection, average day use, maximum day and month production requirements and the treatment facility requirements.

Table 2.6: Projections of Future Water Demands and Population

	2000	2010	2020	2030
Population	18504	20926	23521	26332
Average Water Sales (MGD)	2.49	2.85	3.28	3.94
Metered City Use (MGD)	0.046	0.08	0.10	0.11
"Unaccounted For" Water (MGD)	0.24	0.32	0.37	0.45
Average Day Use (MGD)	2.78	3.25	3.75	4.50
Maximum Month Production (MGD)	3.82	6.25	8.75	11.25
Maximum Day Production (MGD)	5.42	6.91	10.04	13.81
Treatment Plant Capacity Required (MGD)	6.50	8.00	11.00	14.00

Banner Associates - Brookings Municipal Utilities Water System Assessment and Capital Improvements Plan 8-03 Section II-17

Banners proposed a plan to meet the plant capacity requirements. The plan includes expanding the East Water Plant capacity from 4 MGD to 8 MGD and replacing the 80-year-old North Plant with a 3 MGD plant and an addition of another 3 MGD plant in the future. These additions and improvements will meet the projected capacity requirements as outlined in Banners' Assessment Report.

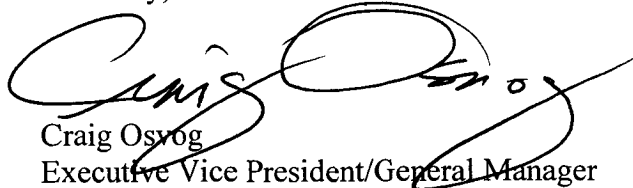
Implementing the addition of 4 MGD of capacity for the East Water Plant will consume 92% or 2,234 acre feet of raw water of the 2,426 acre feet held in reserve by Permit No. 1598-3.

Implementing the addition of 3.5 MGD at the North Plant will consume 100% of the 1612 acre feet of raw water which is held in reserve by Permit No. 217-3.

After review of Banners assessment the BMU Utility Board included the engineers recommendations of constructing a 4 MGD addition to the East Water Plant (circa 2008-2010), a renovation to the existing 4 MGD East Water Plant (circa 2010-2011) and reconstructing the North Water Plant as demand growth dictates (circa 2015 +).

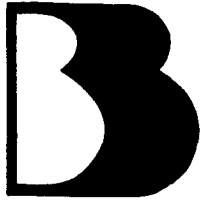
BMU is requesting that the remaining acre-feet held in reserve for permits No. 217-3 (1612 acre feet) and No. 1598-3 (2462 acre feet) remain in future use permits and held there for the City of Brookings as the projected capacity requirements dictate that the city will be requesting the use of the raw water for domestic purposes in the foreseeable future.

Sincerely,



Craig Osvog
Executive Vice President/General Manager

CO: rv



BROOKINGS municipal utilities

525 Western Ave. • P.O. Box 588
Brookings, S.D. 57006
(605) 692-6325

South Dakota DENR
Attn: Ron Duvall, Natural Resource Engineer
Water Rights Program
Joe Foss Building 523 East Capitol
Pierre, SD 57501-3182

January 7, 2005

RE: Ground Water Withdrawn - 2004

Dear Mr. Duvall:

Brookings Municipal Utilities East Water Plant pumped 711.615 million gallons of water out of the Big Sioux Aurora Aquifer and treated it for municipal use during 2004. BMU's North Water Plant pumped 135.456 million gallons of water from the Big Sioux Six Mile Creek Aquifer for treatment and municipal use in 2004.

Please feel free to contact me if there are any questions: (605) 693-3287 office, (605) 691-4342 Sprint PCS mobile, or brokwwtp2@brookings.net e-mail.

Respectfully,

Gary L. Englund

Gary L. Englund
Water/Wastewater Plants Operations Foreman

*BS:A = 2184 AF
BS:SMC = 416 AF
2600 AF - all done*

RECEIVED
JAN 10 2005
WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

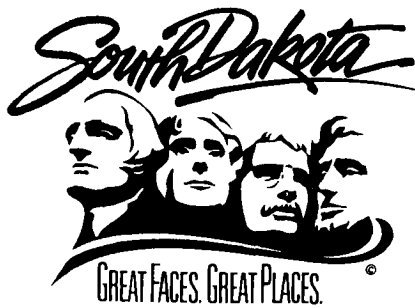
**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 217-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 271-3, City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006.

The Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$52.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer
January 18, 2005



217-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2005

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Craig Osvog
Brookings Municipal Utilities
PO Box 588
Brookings SD 57006

Dear Mr. Osvog:

Future Use Permit Nos. 217-3 and 1598-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Brookings Register (Phone #605 692-6271). For your information, copies of the recommendations of the Chief Engineer are enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2005

Brookings Register
PO Box 177
Brookings SD 57006-0177

Dear Sir:

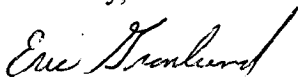
Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 217-3 and 1598-3 to be published twice. Please publish the first notice on January 26, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Brookings, Brookings Municipal Utilities, c/o Craig Osvog, PO Box 588, Brookings SD 57006.

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at 605 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of January 18, 2005 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 217-3 and 1598-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on January 26, 2005 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 217-3 & 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 & 1598-3 held by the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permits and future plans for development of the water reserved by the permits.

Permit No. 217-3 was approved in 1956 and currently reserves 1,612 acre-feet from the Big Sioux:Six Mile Creek Aquifer located in the N ½ Section 13-T110N-R50W for municipal use.

Permit No. 1598-3 was approved in 1968 and currently reserves 2,426 acre-feet from the Big Sioux:Aurora Aquifer located in the W ½ Section 4, E ½ Section 5; all in T109N-R49W; E ½ Section 32, W ½ Section 33, W ½ Section 28, SE ¼ Section 29; all in T110N-R49W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and Permit No. 1598-3 REMAIN in EFFECT for 2,426 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at 10:00 am on March 2, 2005 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 18, 2005. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing may be an adversarial proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendations, further information on these permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 18, 2005. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by February 18, 2005. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

State of South Dakota

Exhibit "A"

SS

County of Brookings

Katy VanMaanen of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed

that the

Legal 257 "Water Permit"

Brookings and State of South Dakota, for more than one
a printed copy of which, taken from the paper in which the
same was published, is hereto attached marked Exhibit

said newspaper for 2 times, to-wit:

January 26, 2005

February 2, 2005

said Exhibit "A" inures to the sole benefit to the publishers of said newspaper; 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:

Seventy one dollars and seventy-three cents \$71.73

Subscribed and sworn to before me this

3rd

day of

February

2005

Katy VanMaanen

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006

RECEIVED
FEB 16 2005
WATER RIGHTS
PROGRAM

rently reserves 1,612 acre-feet from the Big Sioux:Six Mile Creek Aquifer located in the N1/2 Section 13-T110N-R50W for municipal use.

Permit No. 1598-3 was approved in 1968 and currently reserves 2,426 acre-feet from the Big Sioux:Aurora Aquifer located in the W1/2 Section 4, E 1/2 Section 5; all in T109N-R49W; E1/2 Section 32, W 1/2 Section 33, W1/2 Section 28, SE1/4 Section 29; all in T110N-R49W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and Permit No. 1598-3 REMAIN in EFFECT for 2,426 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at 10:00 am on March 2, 2005 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with both the permit owner and the Chief Engineer by February 18, 2005. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the

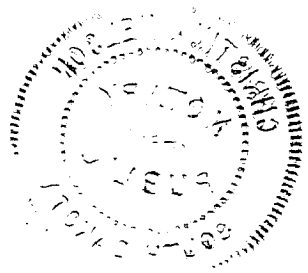
petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing may be an adversarial proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendations, further information on these permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 18, 2005. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for delay must be filed with the Chief Engineer by February 18, 2005. Stephen M. Pimer, Secretary, Department of Environment and Natural Resources.

Legal 257, 2x, 1/26, 2/2
NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NOS. 217-3 & 1598-3
Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 & 1598-3 held by the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permits and future plans for development of the water reserved by the permits. Permit No. 217-3 was approved in 1956 and cur-





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 3, 2005

NOTICE

Craig Osvog
Brookings Municipal Utilities
PO Box 588
Brookings SD 57006

Dear Mr. Osvog:

I am writing in response to action taken by the Water Management Board at the hearing on March 2, 2005 to review Future Use Permit Nos. 217-3 and 1598-3. The Board allowed the permits to remain in effect for 1,612 and 2,426 acre-feet of water annually. Future Use Permit Nos. 217-3 and 1598-3 are subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$52.50 and \$70.00 for Future Use Permit No. 1598-3 pursuant to SDCL 46-2-13(2). Please remit the total fee of \$122.50 within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele". The signature is written in a cursive, flowing style.

Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on March 3, 2005, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 3, 2005 regarding Notice of Review Future Use Permit Nos. 4927-3, 1780-2, 192-3 & 3427A-3, 135-3 & 5003-3, 217-3 & 1598-3, 448-3 & 2042-3, 524-3, 549-3, 1218-3 & 2107-3 addressed as stated below:

1218-3 & 2107-3
Jeff DeVille Water Superintendent
Watertown Municipal Utilities Dept
901 4th Ave SW
Watertown SD 57201

549-3
Denise Peschong Finance Officer
City of Milbank
401 S Main St
Milbank SD 57252

524-3
Gary Wolkow Mayor
City of DeSmet
PO Drawer 70
DeSmet SD 57231-0070

448-3 & 2042-3
Randy Janssen Water Superintendent
City of Sioux Falls
224 W 9th St
Sioux Falls SD 57104-6407

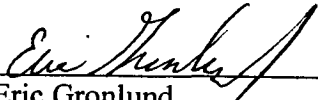
217-3 & 1598-3
Craig Osvog
Brookings Municipal Utilites
PO Box 588
Brookings SD 57006

135-3 & 5003-3
Bradley E Palmer
City of Pierre
PO Box 1253
Pierre SD 57501

192-3 & 3427A-3
Robin Bobzien City Engineer
City of Aberdeen
123 S Lincoln
Aberdeen SD 57401

1780-2
Greg A Hall, Public Works Director
City of New Underwood
PO Box 278
New Underwood SD 57761-0278

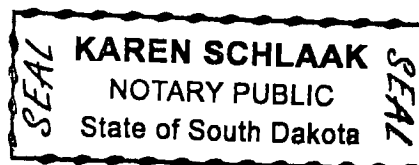
4927-3
Duane C Stokes Mgr
Clark Rural Water System
PO Box 162
Clark SD 57225


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of March, 2004.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 28, 20 04

RECEIVED OF Brookings Municipal Utilities, PO Box 588, Brookings SD 57006

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	52	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>21703</u> 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. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	52.50

No.

00007

By

Darlan E. Ebel

Chief Engineer

gtr



217-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 8, 2011

City of Brookings
Steve Meyer, Utility Manager
PO Box 270
Brookings SD 57006

Dear Mr. Meyer:

I am writing in regard to the seven year review of Future Use Water Permit No. 217-3 from groundwater (Big Sioux:Six Mile Creek Aquifer) and Permit No. 1598-3 from groundwater (Big Sioux:Aurora Aquifer) which are held by the City of Aberdeen. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permits reserve water for future water supply needs for the city.

Currently, our records show that 1,612 acre-feet remain in reserve under Permit No. 217-3 and 2,426 acre-feet remain in reserve under Permit No. 1598-3. Both permits were last reviewed in 2005.

Please respond in writing by January 1, 2012, regarding the city's intention for the future use permits. If the city plans to retain the permits, then the response should outline a reasonable need for retaining the future use permits, including an estimate of future needs.

The future use permits will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire acre-feet remain in reserve on each permit, the total fee will be \$460.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us



BROOKINGS
municipal utilities

RECEIVED

JAN - 3 2012

WATER RIGHTS
PROGRAM

525 Western Ave., P.O. Box 588
Brookings, SD 57006-0588
(605) 692-6325 voice
(605) 697-8485 fax

December 28, 2011

Karen Schlaak
Environmental Scientist / Water Rights Program
Department of Environment & Natural Resources
Joe Foss Building
523 East Capital
Pierre, SD 57501-3182

Re: Review of Future Use Water Permit Nos. 217-3 & 1598-3

Ms. Schlaak:

In a December 8, 2011 letter, you requested a written response regarding our Future Use Water Permits Nos. 217-3 and 1598-3.

BMU hereby requests that the reserved water capacity be maintained for the City of Brookings (1,612 acre-ft and 2,426 acre-ft, for permit Nos. 217-3 and 1598-3, respectively). City Planning estimates continued population growth of 25-30% over the 20 years. In addition, the City is actively recruiting commercial/industrial businesses that could potentially require significant water demand. Further, expansion of one or both of the two existing water plants for the current domestic demand will need to occur in the near future.

If you have questions regarding the above information or this request to retain our reserved water, please contact me.

Thank you,

Steve Meyer
Executive Vice President/General Manager

cc: Paul Melby, Eric Witt - BMU



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 217-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 217-3, City of Brookings, PO Box 588, Brookings SD 57006-0588.

The Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$195.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer
January 20, 2012



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1598-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 1598-3, City of Brookings, PO Box 588, Brookings SD 57006-0588.

The Chief Engineer is recommending that Future Use Permit No. 1598-3 REMAIN in EFFECT for 2,426 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1598-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 1598-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1598-3 is subject to payment of the \$265.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer
January 20, 2012



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2012

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Brookings Municipal Utilities
Steve Meyer, General Manager
PO Box 588
Brookings SD 57006

Dear Mr. Meyer:

Future Use Permit Nos. 217-3 and 1598-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Brookings Register (Phone #605 692-6172). For your information, a copy of the Chief Engineer's recommendations are enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 20, 2012

Brookings Register
PO Box 177
Brookings SD 57006

Dear Sir:

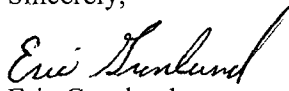
Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 217-3 and 1598-3 to be published twice. Please publish the first notice on February 1, 2012 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Brookings Municipal Utilities, PO Box 588, Brookings SD 57006.

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at 605 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of January 20, 2012 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 217-3 and 1598-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on February 1, 2012 with 2nd publication 7 days later. The permit owner is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 217-3 and 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by the City of Brookings, Brookings Municipal Utilities, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by the permits.

Permit No. 217-3 was approved in 1956 and currently reserves 1,612 acre feet from the Big Sioux:Six Mile Creek Aquifer located in the N ½ Section 13-T110N-R50W for municipal use.

Permit No. 1598-3 was approved in 1968 and currently reserves 2,426 acre-feet from the Big Sioux:Aurora Aquifer located in the W ½ Section 4, E ½ Section 5; all in T109N-R49W; E ½ Section 32, W ½ Section 33, W ½ Section 28, SE ¼ Section 29; all in T110N-R49W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and Permit No. 1598-3 REMAIN in EFFECT for 2,426 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 217-3 and 1598-3 at 10:00 am, March 7, 2012, at the Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 27, 2012. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing may be an adversarial proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 27, 2012. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by February 27, 2012. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of_____.

RECEIVED

FEB 10 2012

WATER RIGHTS PROGRAM

Affidavit of Publication

State of South Dakota

ss

County of Brookings

Danielle Gilbertson of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

Leg# 346 Notice of Hearing

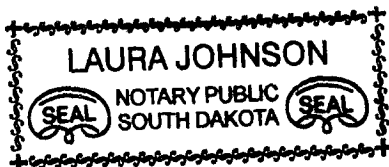
same was published, is hereto attached marked Exhibit said newspaper for _____ 2 times, to-wit:

February 1, 2012

February 8, 2012

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; 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:

Seventy two dollars and two cents \$72.02



Subscribed and sworn to before me this

9th

day of

February

2012

Laura Johnson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires August 3, 2017.

Legal 346, 2x, 2/1, 8
NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NOS. 217-3 and 1598-3
Notice is given that the
Water Management
Board will review Future
Use Permit Nos. 217-3
and 1598-3 held by the
City of Brookings,
Brookings Municipal
Utilities, PO Box 588,
Brookings SD 57006 for
progress made in the
development of the
water reserved by the
Permit and future plans
for development of the
water reserved by the
permits.
Permit No. 217-3 was
approved in 1956 and
currently reserves 1,612
acre feet from the Big
Sioux Six Mile Creek
Aquifer located in the N

1/2 Section 13-T110N-
R50W for municipal
use.

Permit No. 1598-3 was
approved in 1968 and
currently reserves 2,426
acre-feet from the Big
Sioux/Aurora Aquifer
located in the W 1/2
Section 4, E 1/2 Section
5; all in T109N-R49W; E
1/2 Section 32, W 1/2
Section 33, W 1/2
Section 28, SE 1/4
Section 29; all in T110N-
R49W for municipal
use.

Pursuant to SDCL 46-
2A-2 the Chief Engineer
of the Water Rights
Program recommends
that Permit Nos. 217-3
REMAIN in EFFECT for
1,612 acre-feet annually
and Permit No. 1598-3
REMAIN in EFFECT for
2,426 acre-feet annually
because 1) the reserved
water may be devel-
oped, 2) there is need
for the reserved water 3)
the proposed use will be
a beneficial use and 4) it
is in the public interest.

The Water Management
Board will conduct the
hearing to review Future
Use Permit Nos. 217-3
and 1598-3 at 10:00
am, March 7, 2012, at
the Floyd Mathew
Training Center, Joe
Foss Building, 523 E
Capitol, Pierre SD.

The recommendation of
the Chief Engineer is
not final or binding upon
the Board and the
Board is authorized to
1) allow the permits to
remain in effect, 2)
amend the permits by
adding qualifications, 3)
cancel the permits for
no development or no
planned future develop-
ment, or 4) take no
action after it reaches a
conclusion based upon
facts presented at the
public hearing. Any
interested person who
may be affected by a
Board decision and who
intends to participate in
the hearing before the
Board and present evi-

dence or cross-examine
witnesses according to
SDCL 1-26, must file a
written petition with
BOTH the permit owner
and the Chief Engineer
by February 27, 2012.
The Chief Engineer's
address is "Water
Rights Program", Joe
Foss Building, 523 E
Capitol Ave, Pierre SD
57501 (605 773-3352)
and the permit holders
mailing address is given
above. The petition may
be informal, but it must
include a statement
describing the petition-
ers interest in the future
use permits, the rea-
sons for petitioner's
opposition to or support
of continuing the future
use permits, and the
signature and mailing
address of the petitioner
or his legal counsel if
legal counsel is
obtained. The permit
owner need not file a
petition.

The hearing to review
Future Use Permit No.
217-3 and 1598-3 will
be conducted pursuant
to the provisions of
SDCL 46-1-14, 46-2-5,
46-2-9, 46-2-11, 46-5-
38.1; Board Rules
ARSD 74:02:01:25.01
thru 74:02:01:25.03 and
contested case proce-
dures contained in
SDCL 1-26.

This hearing may be an
adversarial proceeding.
The permit owner or any
person, after filing a
petition, has the right to
be present or to be rep-
resented by a lawyer.
These and other due
process rights will be
forfeited if they are not
exercised. Decisions of
the Board may be
appealed to the Circuit
Court and State
Supreme Court as pro-
vided by law.

Any person wishing a
copy of the Chief
Engineer's recommen-
dation, further informa-
tion on this permit, to
assure access to the
hearing by the handi-
capped or obtain an
interpreter for the hear-
ing impaired may con-
tact Eric Gronlund,
Water Rights Program,
(605 773-3352) by
February 27, 2012. The
time of the hearing will
be automatically
delayed for at least 20
days upon written
request of the permit
owner or any person
who has filed a petition
to oppose or support
continuance of the
Future Use Permits.
The request for a delay
must be filed with the
Chief Engineer by
February 27, 2012.
Steven M. Pirmer,
Secretary, Department
of Environment and
Natural Resources.
Published twice at the
total approximate cost
of \$72.02.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 29, 2012

City of Brookings
Steve Meyer, Utility Manager
PO Box 270
Brookings SD 57006

Dear Mr. Meyer:

The City of Brookings holds Future Use Permit Nos. 217-3 and 1598-3 reserving water for future development. These permits are scheduled for a seven year review before the Water Management Board as required by state law. The review has been public noticed for hearing before the Board at 10:00 AM on March 7, 2012. No petitions opposing the future use permits remaining in effect have been received.

This letter is to inform you that the Water Management Board will conduct its March 7, 2012 meeting by telephone conference call. The agenda for the March 7th meeting is attached.

Being this matter is not contested, DENR does not foresee questions or concerns that necessitate you traveling to Pierre on March 7th. There are a limited number of conference call lines available if you have testimony regarding the future use permit to provide to the Board. Please let me know if you want to participate and DENR will try to accommodate everyone up to the number of conference call lines available.

Please contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

March 8, 2012

NOTICE

Brookings Municipal Utilities
Steve Meyer, General Manager
PO Box 588
Brookings SD 57006

Dear Mr. Meyer:

I am writing in response to action taken by the Water Management Board at the hearing on March 7, 2012 to review Future Use Permit Nos. 217-3 and 1598-3. The Board allowed the permits to remain in effect for 1,612 acre-feet and 2,426 acre-feet of water annually. Future Use Permit Nos. 217-3 and 1598-3 are subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$195.00 and Permit No. 1598-3 is \$265.00 pursuant to SDCL 46-2-13(2). Please remit the total fee of \$460.00 within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on March 8, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 8, 2012 regarding Future Use Permits addressed as stated below:

Clark Rural Water System, D Stokes, PO Box 162, Cark SD 57225
Watertown Municipal Utilities, J DeVille, 901 4th Ave SW, Watertown SD 57201
City of Milbank, J Kettwig, 1001 E 4th Ave # 301 Milbank SD 57252
City of Sioux Falls, G Anderson 2100 N Minnesota Ave, Sioux Falls SD 57104
Brookings Municipal Utilities, S Meyer, PO Box 588, Brookings SD 57006
City of Aberdeen, J Ellingson, 123 S Lincoln, Aberdeen SD 57401
City of New Underwood, J Bale, PO Box 278, New Underwood SD 57761
City of Pierre, Brad Palmer, PO Box 1253, Pierre SD 57501



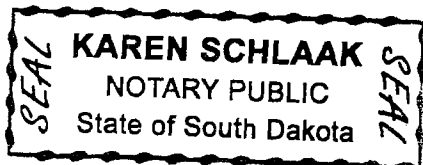
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 20 12.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/25, 20 12

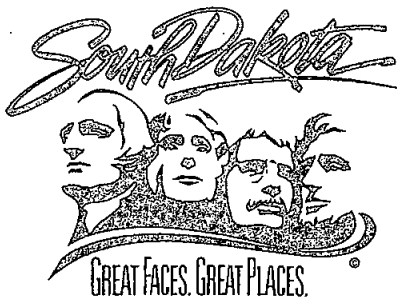
RECEIVED OF Brookings Municipal Utilities PO Box 588 Brookings SD 57006

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	195	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>217-3</u> 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. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	195 00

No. **05421**

By *Laural Erdel*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

217-3

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 16, 2017

Delvin DeBoer
AE2S
1300 W 57th St, Suite 200
Sioux Falls SD 57107

Dear Mr. DeBoer:

As requested, the following table provides a list of water rights held by the City of Brookings. These tables do not include the irrigation rights, the flood control permit or the permit authorizing the relocation of Six Mile Creek for airport expansion held by the city. Please review the list to see how it compares with the numbers you compiled. If there are discrepancies, please contact me so we can determine the correct amount.

Future Use Permits (reserved water for future development)

No.	Source & Future Use Area	Next Review	Amount Remaining in Reserve
1598-3	Big Sioux:Aurora Aquifer (BS:A) N 1/2 Sec 13-T110N-R50W	Spring, 2019	2,426 acre-feet annually
217-3	Big Sioux:Six Mile Creek Aquifer (BS:SMC) W 1/2 Sec 4, E 1/2 Sec 5, all in T109N-R49W; E 1/2 Sec 32, S 1/2 Sec 33, W 1/2 Sec 28; SE 1/4 Sec 29; all in T110N-R49W	Spring, 2019	1,612 acre-feet annually

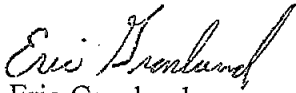
Water Rights

No.	Sources	Diversion Rate	Annual Volume
216-3	BS:SMC	3.85 cfs	2,784 acre-feet annually
674-3	BS:SMC	1.33 cfs	963 acre-feet annually
675-3	BS:SMC	1.33 cfs	963 acre-feet annually
1117-3	BS:SMC	1.44 cfs	1043 acre-feet annually
1296-3	BS:SMC	1.33 cfs	963 acre-feet annually
3979-3	BS:A	6.69 cfs	4,844 acre-feet annually
6048-3	BS:A	2.90 cfs	2,100 acre-feet annually

Please be aware that the table depicts the water rights the city of Brookings holds for municipal use. It does not represent the validity of the water rights. In South Dakota, the right to the use of water can become subject to cancellation due to abandonment and/or forfeiture for nonuse. The review of the city's water rights is to provide a list of the water rights on file and not a review of the past or present capabilities of the wells to produce the amount listed on the water rights. The Water Management Board is the entity entrusted to determine the validity of a water right if the question arises.

If you have any questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund

Water Rights Program, DENR

605 773-3352

eric.gronlund@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

December 7, 2018

Steve Meyer, Utilities Manager
City of Brookings
PO Box 270
Brookings SD 57006-0270

Dear Mr. Meyer:

I am writing in regard to the seven year review of Future Use Water Permit No. 217-3 from groundwater (Big Sioux:Six Mile Creek Aquifer) and Permit No. 1598-3 from groundwater (Big Sioux:Aurora Aquifer) held by the City of Brookings. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permits reserve water for future water supply needs for the city.

Currently, our records show that 1,612 acre-feet remain in reserve under Permit No. 217-3 and 2,426 acre-feet remain in reserve under Permit No. 1598-3. Both permits were last reviewed in 2012.

Please respond in writing by January 15, 2019 regarding the city's intention for the future use permits. If the city plans to retain the permits, then the response should outline a reasonable need for retaining the future use permits, including an estimate of future needs.

The future use permits will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire acre-feet amounts remain in reserve on each permit, the total fee will be \$460.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Karen Schlaak". The signature is written in a cursive, flowing style.

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us



BROOKINGS municipal utilities

525 Western Ave., P.O. Box 588
Brookings, SD 57006-0588
(605) 692-6325 voice

January 15, 2019

Karen Schlaak
Environmental Scientist / Water Rights Program
Department of Environment & Natural Resources
Joe Foss Building
523 East Capital
Pierre, SD 57501-3182

Re: Review of Future Use Water Permit Nos. 217-3 & 1598-3

Ms. Schlaak: -

In a December 7, 2018 letter, you requested a written response regarding our Future Use Water Permits Nos. 217-3 and 1598-3.

Brookings Municipal Utilities (BMU) hereby requests that the reserved water capacity be maintained for the City of Brookings (1,612 acre-ft and 2,426 acre-ft, for permit Nos. 217-3 and 1598-3, respectively). City Planning estimates continued population growth of 25-30% over the 20 years. In addition, BMU is in the process of completing a Water System Facility Plan. The draft Facility Plan recommends that the total treated water capacity be increased from the current 6 MGD capacity to 10 MGD capacity. This increase will likely require the utilization of the reserved water rights in the near future.

If you have questions regarding the above information or this request to retain our reserved water, please contact me.

Thank you,

Eric Witt
Water/Wastewater & Engineering Manager

cc: Steve Meyer – BMU Executive Vice President/GM
Chad Bachman – BMU W/WW & Engineering Supervisor



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 217-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 217-3, City of Brookings, PO Box 588, Brookings SD 57006.

The Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$195.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Jeanne Goodman, Chief Engineer
January 24, 2019



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1598-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 1598-3, City of Brookings, PO Box 588, Brookings SD 57006.

The Chief Engineer is recommending that Future Use Permit No. 1598-3 REMAIN in EFFECT for 2,426 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1598-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 1598-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1598-3 is subject to payment of the \$265.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Jeanne Goodman, Chief Engineer
January 24, 2019

RECEIVED

FEB 21 2019

WATER RIGHTS PROGRAM

Affidavit of Publication

State of South Dakota

ss

County of Brookings

Katherine Foiles of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

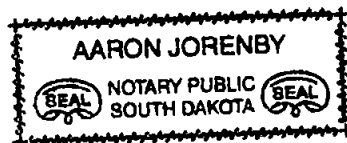
Leg#684 Permit

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

February 6, 2019

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; 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:

Forty-Eight Dollars and Thirty-Eight Cents \$48.38



February

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2020.

Legal 684, 1x, 2/6
NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 217-3 and 1598-3
Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by Brookings Municipal Utilities, Eric Witt, Water/Wastewater & Engineering Manager, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permits and future plans for development of the water reserved by the permits.
Permit No. 217-3 was approved in 1956 and currently reserves 1,612 acre-feet from groundwater (Big Sioux/Six Mile Creek Aquifer) located in the N 1/2 Section 13-T110N-R50W for municipal use.
Permit No. 1598-3 was approved in 1968 and currently reserves 2,416 acre-feet from the Big Sioux/Aurora Aquifer located in the W 1/2 Section 4, E 1/2 Section 5; all in T109N-R49W; E 1/2 Section 32, W 1/2 Section 33, W 1/2 Section 28, SE 1/4 Section 29; all in T110N-R49W for municipal use.
Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights

Exhibit "A"

Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and No. 1598-3 REMAIN in EFFECT for 2,416 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.
The Water Management Board will conduct the hearing to review Future Use Permit No. 217-3 and 1598-3 at 10:30 am on March 6, 2019 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.
The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.
Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 22, 2019. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing

address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.
The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.
This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.
Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 22, 2019. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 22, 2019.
According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by February 18, 2019. Steven M. Pirner, Secretary, Department

of Environment and Natural Resources.
Published once at the total approximate cost of \$48.38.

Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, January 25, 2019 9:35 AM
To: registerclassifieds (registerclassifieds@brookingsregister.com)
Subject: 217-3 & 1598-3, Brookings Municipal Utilities
Attachments: 217-3NOTICE.doc; FORM8.FRM.doc

Attached is a notice to be published on February 6, 2019.

Brookings Municipal Utilities, Eric Witt, Engineering Manager, PO Box 588, Brookings SD 57006 (605 692-6325) 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, Pierre SD 57501.

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

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

January 25, 2019

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER RIGHT AWAY.

Brookings Municipal Utilities
Eric Witt, Water/Wastewater & Engineering Mgr
PO Box 588
Brookings SD 57006

Dear Mr. Witt:

Future Use Permit Nos. 217-3 and 1598-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. Notice of this review has been sent to the Brookings Register (605 692-6271). For your information, a copy of the Chief Engineer's recommendations are enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish this notice on February 6, 2019. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 217-3 and 1598-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 217-3 and 1598-3 held by Brookings Municipal Utilities, Eric Witt, Water/Wastewater & Engineering Manager, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permits and future plans for development of the water reserved by the permits.

Permit No. 217-3 was approved in 1956 and currently reserves 1,612 acre-feet from groundwater (Big Sioux:Six Mile Creek Aquifer) located in the N 1/2 Section 13-T110N-R50W for municipal use.

Permit No. 1598-3 was approved in 1968 and currently reserves 2,416 acre-feet from the Big Sioux:Aurora Aquifer located in the W 1/2 Section 4, E 1/2 Section 5; all in T109N-R49W; E 1/2 Section 32, W 1/2 Section 33, W 1/2 Section 28, SE 1/4 Section 29; all in T110N-R49W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually and No. 1598-3 REMAIN in EFFECT for 2,416 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 217-3 and 1598-3 at 10:30 am on March 6, 2019 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 22, 2019. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 217-3 and 1598-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 22, 2019. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 22, 2019.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by February 18, 2019. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

March 7, 2019

NOTICE OF ENTRY OF ORDER

Eric Witt, Water/Wastewater & Engineering Manager
Brookings Municipal Utilities
PO Box 588
Brookings SD 57006-0588

Dear Mr. Witt:

I am writing in response to action taken by the Water Management Board at the hearing on March 6, 2019 to review Future Use Permit Nos. 217-3 and 1598-3. The Board allowed the Permit No. 217-3 to remain in effect for 1,612 acre-feet of water annually and Permit No. 1598-3 to remain in effect for 2,426 acre-feet annually. The future use permits are subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$195.00 and Future Use Permit No. 1598-3 is \$265.00 pursuant to SDCL 46-2-13(2). Please remit the total fee of \$460.00 within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on March 7, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 7, 2019 regarding Notice of 1780-2, 192-3, 3427A-3, 217-3, 1598-3, 448-3, 2042-3, 549-3, 1218-3, 2107-3, 4927-3, 6988-3 and 6988A-3 addressed as stated below:

City of New Underwood, Tim Hall, Public Works Director, PO Box 278, New Underwood, SD 57761

City of Aberdeen, Robert Braun, Water Superintendent, 123 S Lincoln St., Aberdeen, SD 57401

Brookings Municipal Utilities, Eric Witt, Water/Wastewater & Engineering Manager, PO Box 588, Brookings, SD 57006-0588

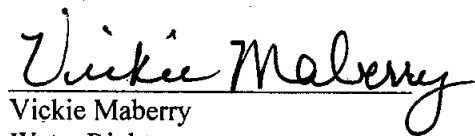
City of Sioux Falls, Greg Anderson, Water Superintendent, PO Box 7402, Sioux Falls, SD 57117-7402

City of Milbank, John C Forman, City Administrator, 1001 E 4th Ave, #301, Milbank, SD 57552

Watertown Municipal Utilities, Jeff Deville, Water Superintendent, 901 4th Ave SW, Watertown, SD 57201

Clark Rural Water System, Terry Kaufman, Manager, PO Box 162, Clark, SD 57225

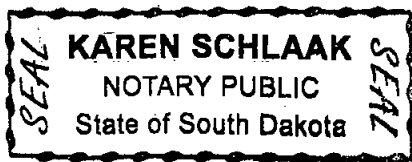
Joint Well Field, Inc. Gene Wilts, Manager, PO Box 340, Toronto, SD 57268


Vickie Maberry
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 20 19.


Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 27, 20 19

RECEIVED OF Brookings Municipal Utilities PO Box 588 Brookings SD 57006-0588

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	195	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>217-3</u> 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 _____	195	00
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	195 00

No. **09103**

By

Jeane Goodman
Chief Engineer
Zm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 2, 2025

City of Brookings
c/o Paul Briseno
520 3rd Street, Suite 230
Brookings SD 57006

Dear Mr. Briseno:

I am writing regarding the seven-year review of Future Use Water Permit Nos. 217-3 from the (Big Sioux: Six Mile Creek Aquifer) and 1598-3 from the (Big Sioux: Aurora Aquifer) held by the City of Brookings. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 1,612 acre-feet remain in reserve under Permit No. 217-3 and 2,426 acre-feet remain in reserve under Permit No. 1598-3. Both permits were last reviewed in 2018.

Please respond in writing by January 15, 2026, regarding the city's intention for the future use permits. If the city plans to retain the permits, then the response should outline a reasonable need for retaining the future use permits, including an estimate of future needs.

The future use permits will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permits. A fee will be charged if the Board allows the permits to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire acre-feet amounts remain in reserve on each permit, the fee will be \$460.00.

Please contact Ron Duvall or me, if you have any questions.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
605 773-3352
rachel.rodriguez@state.sd.us

RECEIVED

DEC 18 2025

OFFICE OF
WATER

December 12, 2025

Rachel Rodriguez
SD DANR, Water Rights
Joe Foss Building
523 E Capital Ave
Pierre, SD 57501-3182

RE: Brookings Future Use Water Permit Nos. 217-3 & 1598-3

Dear Ms. Rodriguez,

In your December 2, 2025 letter, you requested a written response regarding Future Use Water Permit Nos. 217-3 and 1598-3 held by the City of Brookings through Brookings Municipal Utilities (BMU).

Future Use Permit No. 1598-3 was converted to Water Permit No. 8795-3 in 2023. As such, that Future Use Permit should no longer be available to retain. See excerpt below and attachment for reference.

**SOUTH DAKOTA
WATER PERMIT NO. 8795-3**

Date of first receipt of application August 3, 2023.

Date of return to applicant for corrections, amendments, or changes September 1, 2023.

Date of receipt of corrected application September 5, 2023.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8795-3 to Brookings Municipal Utilities, 525 Western Avenue, Brookings SD 57006 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8795-3 authorizes construction and place to beneficial use 2,426 acre-feet of water annually at a maximum pump rate of 5.57 cubic feet of water per second from three wells to be completed into the Big Sioux: Aurora Aquifer (approximately 70 feet deep) located in the S 1/2 SE 1/4 Section 29-T110N-R49W for municipal use. This water is appropriated and reserved by Future Use Permit No. 1598-3. The well sites are located approximately one-half mile east of Brookings SD.

Regarding Future Use Permit 217-3, BMU hereby requests that the reserved water capacity be maintained for the City of Brookings (1,612 acre-ft). As Brookings and Aurora (a consecutive water system to Brookings) continues to grow, the community needs to reserve those water rights for long-term needs.

Also, please change the mailing address for all water rights correspondence to 525 Western Avenue, Attn Steve Meyer, BMU General Manager (instead of 520 3rd Street, Suite 230); this will get that information to the correct location at BMU (instead of City Hall).

Please contact me if you have any questions moving forward 605-697-8410.

Thank you,



Eric Witt, P.E.
Water/Wastewater & Engineering Manager

RECEIVED

DEC 18 2025

OFFICE OF
WATER

**SOUTH DAKOTA
WATER PERMIT NO. 8795-3**

RECEIVED

DEC 18 2025

Date of first receipt of application August 3, 2023.

Date of return to applicant for corrections, amendments, or changes September 1, 2023.

Date of receipt of corrected application September 5, 2023.

OFFICE OF
WATER

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8795-3 to Brookings Municipal Utilities, 525 Western Avenue, Brookings SD 57006 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8795-3 authorizes construction and place to beneficial use 2,426 acre-feet of water annually at a maximum pump rate of 5.57 cubic feet of water per second from three wells to be completed into the Big Sioux: Aurora Aquifer (approximately 70 feet deep) located in the S 1/2 SE 1/4 Section 29-T110N-R49W for municipal use. This water is appropriated and reserved by Future Use Permit No. 1598-3. The well sites are located approximately one-half mile east of Brookings SD.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8795-3 is November 6, 2023.
5. The date from which applicant may claim right is June 28, 1968 (established by Future Use Permit No. 1598-3).
6. One-fifth of the construction is to be completed on or before May 6, 2026.
7. All construction is to be completed on or before November 6, 2028.
8. Water is to be put to beneficial use on or before November 6, 2032.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under Water Permit No. 8795-3 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux: Aurora Aquifer.
3. Water Permit No. 8795-3 authorizes a total annual diversion of up to 2,426 acre-feet of water.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JAN 02 2024,

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

RECEIVED

FEB 06 2026

**OFFICE OF
WATER**

January 14, 2026

Brookings Municipal Utilities
Attn Steve Meyer, General Manager
525 Western Avenue
Brookings SD 57006

Dear Mr. Meyer,

I am in receipt of your response regarding the seven-year review of Future Use Permit 217-3 and 1598-3. I stand corrected, as you pointed out Water Permit 8795-3 used the entire 2,426 acre-feet, leaving a zero balance. Therefore, this letter is regarding Future Use Permit 217-3. We need a written response that should outline a reasonable need for retaining Future Use Permit 217-3, including an estimate of future needs.

I have enclosed the response from the last seven-year review (2018) so you have an idea of the response we need.

Please contact Ron Duvall or me, if you have any questions.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
605 773-3352
rachel.rodriguez@state.sd.us

enclosure



525 Western Avenue | PO Box 588
Brookings, SD 57006



415 4th Street | PO Box 588
Brookings, SD 57006

January 30, 2026

Rachel Rodriguez
SD DANR, Water Rights
Joe Foss Building
523 E Capital Ave
Pierre, SD 57501-3182

RECEIVED
FEB 06 2026
OFFICE OF
WATER

RE: Brookings Future Use Water Permit No. 217-3

Dear Ms. Rodriguez,

In your December 2, 2025 and January 14, 2026 letters, you requested a written response regarding Future Use Water Permit No. 217-3 held by the City of Brookings through Brookings Municipal Utilities (BMU).

Regarding Future Use Permit 217-3, BMU hereby requests that the reserved water capacity be maintained for the City of Brookings (1,612 acre-ft). As Brookings and Aurora (a consecutive water system to Brookings) continues to grow, the community needs to reserve those water rights for long-term needs.

BMU is in the process of completing a water system expansion that will provide 10 million gallons a day capacity to the communities of Brookings and Aurora. This demand was identified in a March 2021 Water System Facilities Plan and was based on a 2045 combined Brookings/Aurora population estimate of 35,515 people. The Facilities Plan also adopted a planning horizon of 2075 for water source planning. The population projections for Brookings/Aurora through 2075 forecast a population range of 44,950 to 69,650 people, and a median value of approximately 55,000. The future use water rights will be required to meet increased water demand associated with the projected 55% population growth between 2045 and 2075.

Please contact me if you have any questions 605-697-8410.

Thank you,

A handwritten signature in blue ink, appearing to read 'Eric Witt'.

Eric Witt, P.E.
Water/Wastewater & Engineering Manager

RECEIVED

FEB 06 2026

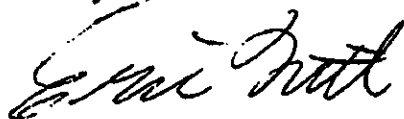
OFFICE OF
WATER

In a December 7, 2018 letter, you requested a written response regarding our Future Use Water Permits Nos. 217-3 and 1598-3.

Brookings Municipal Utilities (BMU) hereby requests that the reserved water capacity be maintained for the City of Brookings (1,612 acre-ft and 2,426 acre-ft, for permit Nos. 217-3 and 1598-3, respectively). City Planning estimates continued population growth of 25-30% over the 20 years. In addition, BMU is in the process of completing a Water System Facility Plan. The draft Facility Plan recommends that the total treated water capacity be increased from the current 6 MGD capacity to 10 MGD capacity. This increase will likely require the utilization of the reserved water rights in the near future.

If you have questions regarding the above information or this request to retain our reserved water, please contact me.

Thank you,

A handwritten signature in black ink, appearing to read "Eric Witt", written in a cursive style.

Eric Witt
Water/Wastewater & Engineering Manager



**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
NO. 217-3, City of Brookings SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit No. 217-3, City of Brookings, PO Box 588, Brookings SD 57006.

The Acting Chief Engineer is recommending that Future Use Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 217-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 217-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 217-3 is subject to payment of the \$ 195.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program
March 9, 2026



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 10, 2026

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPERS RIGHT AWAY.

City of Brookings
c/o Eric Witt
PO Box 588
Brookings SD 57006

Dear Mr. Witt,

Future Use Permit No. 217-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. Notice of this review has been sent to the Brookings Register (Ph # 605 997-3194) and the Watertown Public Opinion (see contact information enclosed). For your information, a copy of the Acting Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER(S) IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on March 20, 2026. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
605 773-3352
rachel.rodriguez@state.sd.us

enclosures

Instruction to Newspaper - Publish the following Notice on March 20, 2026. The City of Brookings is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 217-3

Notice is given that the Water Management Board will review Future Use Permit No. 217-3 held by the City of Brookings, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permit and future plans for development of the water reserved by Permit No. 217-3. This permit was approved in 1956 and currently reserves 1,612 acre-feet from the Big Sioux: Six Mile Creek Aquifer located in the N 1/2 Section 13-T110N-R50W for municipal use. The permit was last reviewed in 2019.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 217-3 on May 6, 2026, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

The recommendation of the Acting Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, 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 renewal, or other matter concerning the renewal 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 with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by March 30, 2026.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 217-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by March 30, 2026.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by March 30, 2026.

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.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is March 30, 2026. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the approximate cost of _____.

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Monday, March 9, 2026 4:50 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 12157987 217-3 City of Brookings - Public Notice
Attachments: 12157987.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Public Opinion on March 20. The order cost is \$84.20 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing.

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

**Our invoicing is done on a monthly basis.
You will receive an invoice for this ad after the close of the month.**

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

Thank you!

Brittany Grady
Public Notice Representative

USA TODAY CO.



844-254-5287
National voice. Local strength. Subscribe TODAY.
#TeamUSATODAY
Tell my boss I rock [HERE!](#)

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Monday, March 9, 2026 9:49 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 12157981 217-3 City of Brookings - Public Notice

Attached is a notice to be published on March 20, 2026.

City of Brookings, c/o Eric Witt, PO Box 588, Brookings SD 57006, 605-697-8410 has been notified to contact you to authorize publication and arrange for payment.



Order Confirmation

Not an Invoice

Account Number:	1588352
Customer Name:	City Of Brookings
Customer Address:	City Of Brookings Po Box 588 Brookings SD 57006-0588
Contact Name:	Eric Witt
Contact Phone:	
Contact Email:	ewitt@swiftel-bmu.com
PO Number:	

Date:	03/09/2026
Order Number:	12157987
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	264.0000
Height in Inches:	29.0300

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	03/20/2026 - 03/20/2026	Public Notices
WAT thepublicopinion.com	1	03/20/2026 - 03/20/2026	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$84.20
Tax Amount	\$0.00
Service Fee 3.99%	\$3.36
Cash/Check/ACH Discount	-\$3.36
Payment Amount by Cash/Check/ACH	\$84.20
Payment Amount by Credit Card	\$87.56

Order Confirmation Amount

\$84.20

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, March 9, 2026 9:48 AM
To: brlegals@cmpapers.com
Subject: 217-3 City of Brookings - Public Notice
Attachments: 217-3 FU REVIEWpubnotice_final.docx; FORM8.FRM.doc

Attached is a notice to be published on March 20, 2026.

City of Brookings, c/o Eric Witt, PO Box 588, Brookings SD 57006, 605-697-8410 has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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



RECEIVED

APR 10 2026

AFFIDAVIT OF PUBLICATION

OFFICE OF
WATER

Exhibit "A"

State of South Dakota
ss
County of Brookings

Catherine Poole of said county, being duly sworn, deposes and says:
That she is the office clerk of The Brookings Register, a newspaper published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has personal knowledge of the facts herein stated; that said newspaper is a legal newspaper; that advertising for

Brookings Municipal Utilities

was published in said newspaper; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A", hereto attached and herein mentioned, and was and is printed that the

01229311 Water Permit # 217-3

same was published, is hereto attached marked Exhibit "A", said newspaper for

1 time, to-wit

March 20, 2026

said that Exhibit "A" occupies:

26.14 column-inches of space in said publication;

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; 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:

Seventy-nine Dollars and Nine Cents \$79.09

Signed Catherine Poole

Subscribed and sworn to before me

this 7th day of April, 2026

Jennifer Beller
JENNIFER BELLER
NOTARY PUBLIC
SOUTH DAKOTA

Notary Public in and for the County of Brookings, South Dakota
My Commission Expires July 21, 2026

01229311 1X
3/20
**NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NO. 217-3**
Notice is given that the Water Management Board will review Future Use Permit No. 217-3 held by the City of Brookings, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permit and future plans for development of the water reserved by Permit No. 217-3. This permit was approved in 1956 and currently reserves 1,612 acre-feet from the Big Sioux: Six Mile Creek Aquifer located in the N 1/2 Section 13-T1 10N-R50W for municipal use. The permit was last reviewed in 2019.
Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.
The Water Management Board will conduct the hearing to review Future Use Permit No. 217-3 on May 6, 2026, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.
The recommendation of the Acting Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, 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 renewal, or other matter concerning the renewal 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 with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by March 30, 2026. The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 217-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01 :25.01 thru 74:02:01 :25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not

exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by March 30, 2026. Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by March 30, 2026. Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location.

Individuals requesting assistance 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) 773-6666 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. Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is March 30, 2026. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board. Published 1X at the total approximate cost of \$79.09 and may be viewed free of charge at www.sdpublicnotices.com.

USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

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

RECEIVED

MAR 30 2026

**OFFICE OF
WATER**

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper in the issue dated:

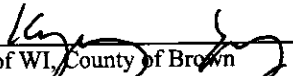
03/20/2026

and that the fees charged are legal.

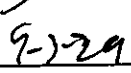
Sworn to and subscribed before on 03/20/2026



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost: \$84.20

Tax Amount: \$0.00

Payment Cost: \$84.20

Order No: 12157987

of Copies:

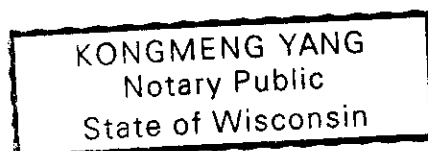
Customer No: 1588352

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.



**NOTICE OF HEARING TO
REVIEW FUTURE USE**

WATER PERMIT NO. 217-3

Notice is given that the Water Management Board will review Future Use Permit No. 217-3 held by the City of Brookings, PO Box 588, Brookings SD 57006 for progress made in the development of the water reserved by the permit and future plans for development of the water reserved by Permit No. 217-3. This permit was approved in 1956 and currently reserves 1,612 acre-feet from the Big Sioux: Six Mile Creek Aquifer located in the N 1/2 Section 13-T110N-R50W for municipal use. The permit was last reviewed in 2019.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 217-3 REMAIN in EFFECT for 1,612 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 217-3 on May 6, 2026, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

The recommendation of the Acting Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, 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 renewal, or other matter concerning the renewal 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

RECEIVED

MAR 30 2026

OFFICE OF
WATER

RECEIVED

MAR 30 2026

OFFICE OF
WATER

party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by March 30, 2026.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 217-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by March 30, 2026.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any

comment must be filed by March 30, 2026.

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.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is March 30, 2026. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the total approximate cost of \$84.20 and may be viewed free of charge at www.sdpublicnotices.com.

RECEIVED

MAR 30 2026

OFFICE OF
WATER

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Tuesday, March 10, 2026 8:40 AM
To: Eric Witt
Subject: 217-3 City of Brookings - Public Notice
Attachments: 217-3 Rec.pdf; 217-3 Ltr.pdf; 217-3 PubNotice.pdf; Public Opinion Info.pdf

Good morning,

Attached is a copy of the acting chief engineer's recommendation and information regarding the public notice for Future Use Permit 217-3. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is also being mailed to you today.

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

RECEIVED

JUN 01 2026

**OFFICE OF
WATER**

NOTICE OF ENTRY OF ORDER

May 7, 2026

Brookings Municipal Utilities
Attn: Steve Meyer, General Manager
525 Western Avenue
Brookings SD 57006

PAID

JUN 01 2026

Ck# 164846

Rec't# _____

Dear Mr. Meyer,

I am writing in response to action taken by the Water Management Board at the hearing on May 6, 2026, to review Future Use Permit No. 217-3. The Board allowed the permit to remain in effect for 1,612 acre-feet of water annually. Future Use Permit No. 217-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 217-3 is \$195.00 pursuant to SDCL 46-2-13(2). Please make the check payable to the Water Rights Program and remit the fee within 60 days.

Please contact Rachel Rodriguez if you have any questions.

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

RECEIPT

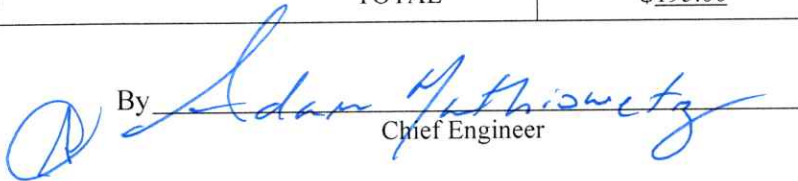
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 01, 2026

RECEIVED OF Brookings Municipal Utilities 525 Western Avenue Brookings SD 57006

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. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. <u>217-3</u> after period of seven years.	<u>\$195.00</u>
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>\$195.00</u>

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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.: 217-3

Name of Applicant: City of Brookings, c/o Eric Witt

Date of Posting: 3/16/2026

Date of Removal: 5/7/2026

Amanda Dewell, Permitting Administrator

5/7/2026

Date

Subscribed and sworn to before me, a notary public, this 7th day of May, 2026.

Notary Public - South Dakota
My commission expires:

(SEAL)

Rachel Rodriguez
My Commission Expires
May 16, 2029

