

Considered: _____

Future Use

WATER PERMIT NO. 5072-3

MAP No. Same

Name of Applicant TM Rural Water District

Post Office Address P.O. Box 445 Parkers S.D.

Amount of Water Claimed 3.34 cfs Total Acres _____

Source of Water Supply Groundwater

Water to be used for RWS County McCook

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred 12-4-85

PRIORITY _____ Date Received Aug. 8, 1985 Fee \$70.00 Remarks _____

Corrected Application Received _____ Period of Annual Use Jan 1 to Dec 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point SW4 sec. 25 T10N-R55W

Land to be Irrigated N.A.

	25				
⊗					

Well Log: Driller Huron Prod. Licensed YES X NO _____

Depth of Well ≈ 180 ft REMARKS _____

Type of Map Drawn PREPARED BY DGR & Associates Reviewed and the Number

assigned on Aug. 12, 1985 By R. Larson

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 5072-3 Hydrologic Unit 10170102
Map No. Same Basin Vermillion River
Newspaper Bridgewater Tribune Box 250 (Thurs)

*New Era, Box 577, Parker (Tues) Tu (Wed) HT
Courier RR2 Box 210 Freeman*

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☒ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☐ Future Use ☒ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☒ Other ☐ _____

☒ Application to: Change diversion point(s) ☐ Add diversion point(s) ☒ on Permit No. 4979-3

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant TM Rural Water District Phone No. 605-297-3334

Post Office Address P.O. Box 445, Parker State SD 57053
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s) 3.34 cfs

3. Source of water supply shallow confined aquifer - unnamed

4. Location of point of diversion See attached

County See attached

5. Counties where water will be used Hutchinson, McCook, Miner, Minnehaha and Turner

6. Annual period during which water is to be used 12 months/year

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

TM Rural Water District. A complete water system including wells, water treatment, pumping, storage and distribution piping for delivery of potable water to meet domestic and livestock needs of the membership. The membership includes 800-850 rural users in the noted counties and the communities of Canistota, Davis and Viborg.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Turner)^{ss}

I, Robert Milbauer, Chairman of the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

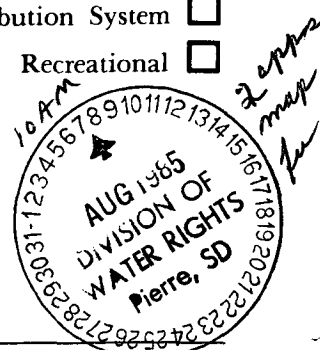
Signed

Robert Milbauer

Subscribed and sworn to before me this 6th day of August 1985

Mary E. Meadows

(Notary Public (or other qualified officer))



**SOUTH DAKOTA
FUTURE USE PERMIT NO. 5072-3**

Date of first receipt of application August 7, 1985.

The Water Management Board approved Future Use Permit No. 5072-3 on October 6, 2004 for the TM Rural Water District, PO Box 445, Parker SD 57053 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 5072-3 reserves 66 acre-feet annually from the Dolton Aquifer. The area to be reserved for future water use is to be located in the SW ¼ Section 25-T101N-R55W.
2. The water appropriated shall be used for the purpose of future water supplies for the rural water district 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 from which applicant may claim right is August 7, 1985.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Permit No. 5072-3 reserves 66 acre feet of water annually.
2. That Future Use Permit No. 5072-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.
4. This Permit is approved for groundwater from the Dolton Aquifer. Wells will be approximately 100 - 150 feet deep.

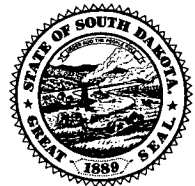
WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 14 2004

date



<u>Well No.</u>	<u>County</u>	<u>Location of Point of Diversion</u>
1. Existing	Turner	SE 1/4 of Sec. 8, T100N, R55W
Included in Future Use Permit No. 4979-3 Constructed per Water Permit No. 4988-3		
2. Existing	Turner	NE 1/4 of Sec. 8, T100N, R55W
Included in Future Use Permit No. 4979-3 Constructed per Water Permit No. 4988-3		
3. Existing	McCook	NW 1/4 of Sec. 31, T101N, R54W
Included in Future Use Permit No. 4979-3 Constructed per Water Permit No. 4988-3		
Future	Hutchinson	NW 1/4 of Sec. 12, T100N, R56W
Included in Future Use Permit No. 4979-3		
Future	McCook	SW 1/4 of Sec. 25, T101N, R55W

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 20 inches Depth 180 feet
- b) Casing Type steel Diameter 12 inches Thickness 0.375 inches
- c) Screen Type stainless steel Diameter 12 inches Thickness 7 gauge (3/16 inch)
- d) Gravel Pack Thickness 4 inches Length of Gravel Pack 40 feet
- e) Depth to Top of Water Bearing Material 140 feet
- f) Depth of Water (ground surface to water level) 80 feet
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others Unknown

2. Dugout Information Estimates Not Applicable

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams Not Applicable

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

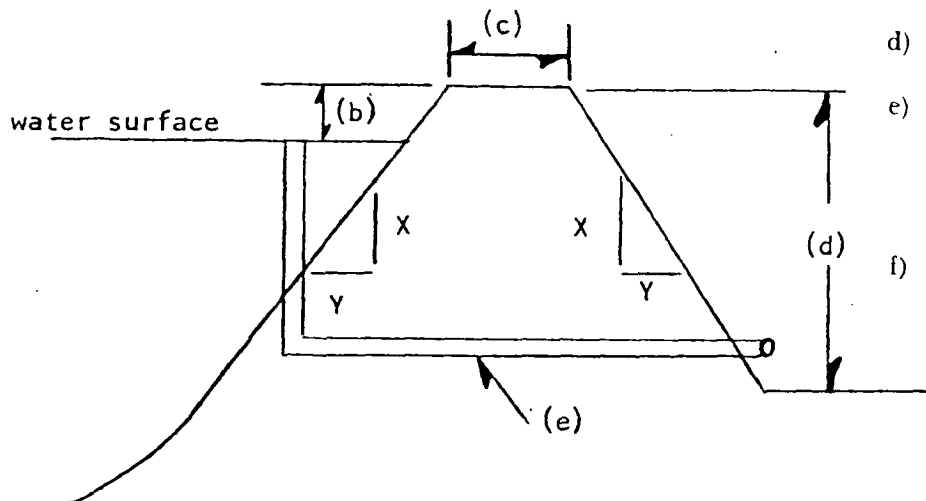
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

PAGE NO.

SW-25

8-27-84

12

Karl Osberg

LOCATION

DATE _____

RIG NO.

FOREMAN

5849

Hole #4-1

WELL REPORT

HURON
DRILLING CO.
Huron, S. D.

TM Rural Water

SW $\frac{1}{4}$ -25

August 27, 1984

OWNER

DESCRIPTION

DATE _____

CASING LOG

Depth 180 ft.

Flows gpm 180 ft. 2" Sch.80 PVC pipe to 180 ft.

Pumps gpm ft. pipe to ft.

Head 79.10 ft. _____ ft. _____ pipe to _____ ft.

20 ft. 2" PVC Slotted
Perforations @ Bottom ft. pipe to ft.

Pressure

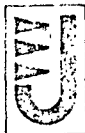
160 - 180 REMARKS

1 Day

Drilling Time

Rig No. 12

Karl Csberg
Foreman



Johnson screens

P.O. Box 64118 • St. Paul, MN 55164

TEL. 612-636-3900 or 1-800-328-9891

TELEX 29-7451

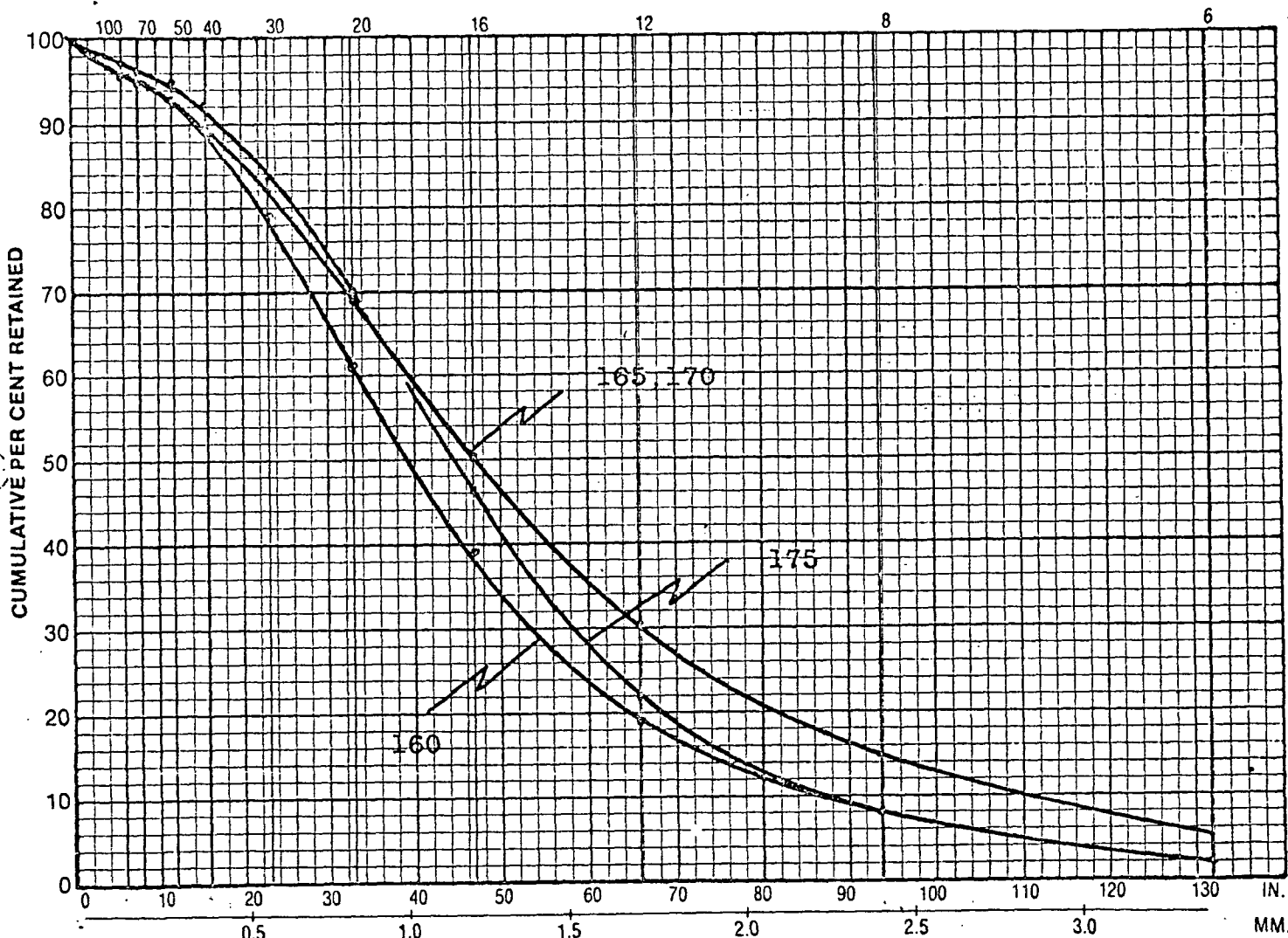
SEND SAMPLES TO: 1950 OLD HWY 8, NEW BRIGHTON, MN 55112

SAND ANALYSIS

BY:

Job Name Hole #4-1, T-M Rural Water System Date 7 Sept. '84
City _____ State _____ Zip _____
Driller Huron Drilling Inc., Huron SD 57350 Phone _____
Engineer _____ Phone _____
Remarks _____

U.S. STANDARD SIEVE NUMBERS



SLOT OPENING AND GRAIN SIZE IN THOUSANDTHS OF AN INCH AND MM.

U.S. SIEVE NO.	SLOT OPENING		SAMPLE DEPTHS		
	IN.	MM	160	165/170	175
6	.132	3.36	2	5	2
8	.094	2.38	8	15	8
12	.066	1.68	19	30	22
16	.047	1.19	39	50	46
20	.033	0.84	61	69	70
30	.023	0.60	79	82	83
40	.016	0.42	89	90	92
50	.012	0.30	93	93	95
70	.008	0.21	95	95	96
100	.006	0.15	96	96	97

Comments _____

SCREEN RECOMMENDATIONS: DIAM. _____

SLOT	SETTING	LENGTH

SO MANY CONSIDERATIONS ENTER INTO THE MAKING OF A GOOD WELL THAT, WHILE WE BELIEVE SLOT SIZES FURNISHED OR RECOMMENDED ARE THE MOST APPROPRIATE, WE ASSUME NO RESPONSIBILITY FOR THE SUCCESSFUL OPERATION OF ANY WELL.

Office of Drinking Water
CHEMICAL ANALYTICAL DATA

Water Supply: T-11 Rural Water
City, County: _____
Source Sampled: Well# 4 Depth 180'
Date drilled _____ Other ✓
Type of Sample: Raw X Treated _____ Composite _____
Treatment Process(s): _____

Date Collected: 8/31/84
Collected By: D. Kinneth
Report Mailed To: DCR & Associates
315 1st Ave
Rock Rapids, Iowa
51246

Received By Lab: 9/10/84
Report Sent By Lab: _____

Lat: _____ Long: _____
Comments: Test Hole # 25-101-55 c.c.c.

Parameter	Maximum Limit	Results	Parameter	Suggested Limit	Results
Arsenic (As)	50 ug/l		Chloride (Cl)	250 mg/l	21.8
Barium (Ba)	1000 ug/l		Iron (Fe)	0.3 mg/l	L.A. +
Cadmium (Cd)	10 ug/l		Manganese (Mn)	0.05 mg/l	3.0 L.A. +
Chromium (Cr)	50 ug/l		Sulfate (SO ₄)	250 mg/l	335
Lead (Pb)	50 ug/l		Tot. Diss. Solids (TDS)	500 mg/l	
Mercury (Hg)	2 ug/l		pH	6.5-8.5	
Nitrate (NO ₃) (as N)	10 mg/l		Alkalinity-M (CaCO ₃)	mg/l	
Selenium (Se)	10 ug/l		Alkalinity-P (CaCO ₃)	mg/l	
Silver (Ag)	50 ug/l		Bicarbonate (HCO ₃)	mg/l	
Fluoride (F)	2.4 mg/l		Carbonate (CO ₃)	mg/l	
Gross alpha	15 pCi/l		Spec. Cond. @ 25 °C	umhos/cm	1505
Gross radium	pCi/l		Calcium (Ca)	mg/l	71.0
Radium 226	5 pCi/l		Magnesium (Mg)	mg/l	23.0
OTHER PARAMETERS			Hardness (CaCO ₃) gpg: 15.9	mg/l	372
			Langelier Index		
			Sodium (Na)	mg/l	249
			Potassium (K)	mg/l	
			Field temperature	°F	°C
			Nitrite (NO ₂) (as N)	mg/l	
LAB COMMENTS:			mg/l = milligrams/liter = parts/million (ppm)		
Bill # 38.25			ug/l = micrograms/liter = parts/billion (ppb)		
* Lab Accident: Please Re-submit			gpg = grains per gallon		
another sample, Mark. 5/24/82 as			pCi/l = picocuries per liter		
Percentage of Error: pd on #844316			LAB NUMBER: 844316		
WNR - 606R - 6/82					

RECEIPT

Division of Water Rights

No 4 10149

South Dakota Department of Water and Natural Resources

Pierre, August 7, 1985

RECEIVED OF T M Rural Water District, Box 445, Parker, SD 57053

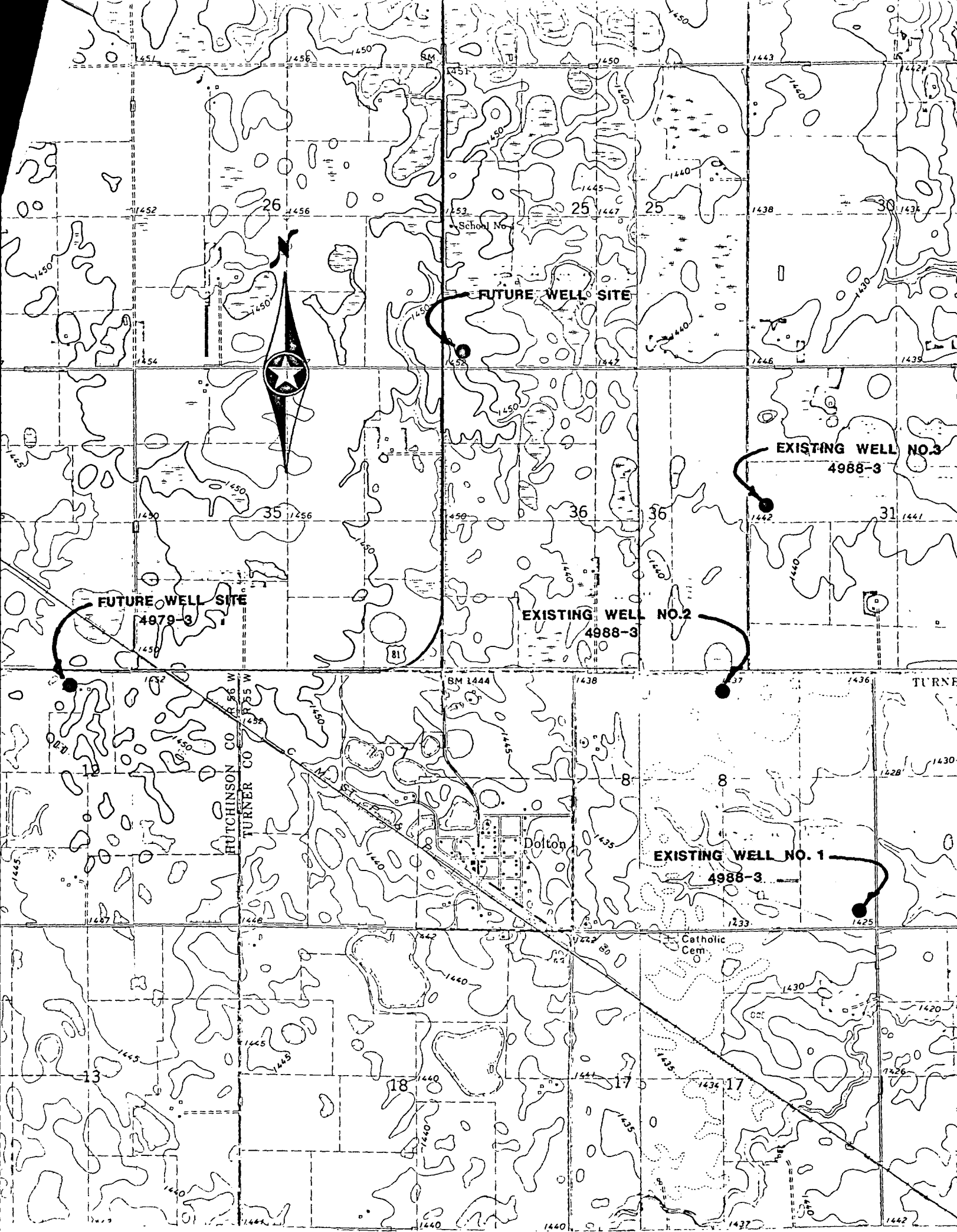
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 5072-3 to Appropriate Water, to construct works and to put water to beneficial use	70	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for 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	70	00

By

Chief Engineer

John Hatch
JOHN HATCH/MS



TM WELL FIELD

I hereby certify that this plan, specification or report was prepared by me or under my direct personal supervision and that I am a duly Registered Professional Engineer under the laws of the State of SOUTH DAKOTA and that I am competent to prepare this document.
 Registration No. 3473 Date 8-2-85
 By Donald Holman



DeWild Grant Reckert & Associates Co.
 Architecture Engineering Planning
 Rock Rapids, Iowa
 Sioux City, Iowa
 Sioux Falls, South Dakota

Date 8-2-85
 Drawn By L.H.
 Approved
 Revised

TM RURAL WATER DISTRICT

PARKER, S.DAK.

DeWild Grant Reckert & Associates Co.

Architecture Engineering Planning

315 First Avenue
Rock Rapids, IA 51246
Telephone 712 472 2531

August 2, 1985

Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501

Attn: John Hatch

Re: TM Rural Water District
DGR Project No. 3260



Dear John:

On behalf of the TM Rural Water District, find enclosed two (2) copies of the Application for Permit to Appropriate Water within the State of South Dakota including the following information:

1. Map showing the general location of the proposed diversion points.
2. Form 2A.
3. Driller's log for the test hole completed in the SW 1/4 of Sec. 25, T101N, R55W.
4. In addition, find attached a copy of the sand analysis and water quality associated with the above referenced test hole.
5. A filing fee based upon the requested volume of water.

Should you have questions or desire additional information, please call.

Very truly yours,

DEWILD GRANT RECKERT
& ASSOCIATES COMPANY

David Holman

David Holman, P.E.

DH:jkv

Attachment

cc: TM Rural Water District (w/attachments)

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT

APPLICATION No. 5072-3, TM Rural Water District

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 Application No. 5072-3, TM Rural Water District, PO Box 445, Parker SD.

The Chief Engineer is recommending DEFERRAL of Application No. 5072-3 to allow the evaluation of additional test drilling data and water level data that has been obtained since Permit No. 1988-3 was approved.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
October 4, 1985

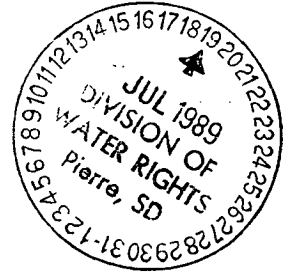
STATE OF SOUTH DAKOTA



OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
Pierre, South Dakota 57501-5090
Phone (605) 773-3215

ROGER A. TELLINGHUISEN
ATTORNEY GENERAL



July 18, 1989

Harold H. Deering, Jr.
Henry Carlson Building
1108 W. Bailey
Sioux Falls, SD 57104

Re: TM Rural Water District

Dear Harold:

Enclosed please find a Notice in the above-referenced matter as you and I discussed earlier. Because of the potential perception of a conflict of interest, I will not be involved in this matter. Please contact John Hatch if you need additional information.

Thank you.

Sincerely.

A handwritten signature in dark ink, appearing to read "John E. Haak".

John E. Haak
Assistant Attorney General

JEH:bn

Enclosure

cc: John Hatch ✓
Larry N. Ernster



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

No. 5072-3

October 18, 1985

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

TM Rural Water
PO Box 445
Parker, SD 57053

Dear Sir:

You are hereby notified that your Application No. 5072-3 for a permit to

appropriate water for rural water use, has been examined and
found to comply with the South Dakota Water Laws and applicable rules. A notice
of your intent to appropriate water has been sent to the Publisher of the

Argus Leader printed at Sioux Falls
Miner County Pioneer printed at Howard,

South Dakota. For your information, a copy of this notice and the recommendation
of the Chief Engineer is enclosed. Please review and contact this office, if you
have any questions.

Be sure to contact the above newspaper to authorize publication of your notice of
intent to appropriate water and to arrange for payment. Early contact with the paper
can eliminate delays. The publisher has been instructed to publish your notice
once each week for two consecutive weeks with the last publication to occur at least
thirty days before the board meeting. We must receive Proof of Publication before
the application can be considered by the Water Management Board.

Very truly yours,

KEVIN C LARSON
Natural Resources Engineer

Encl. Forms 6&7



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

No. 5072-3

October 17, 1985

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

Robert Milbauer, Chairman
TM Rural Water District
PO Box 445
Parker SD 57053

Dear Mr. Milbauer:

You are hereby notified that your Application No. 5072-3 for a permit to appropriate water for rural water system use, has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the

COURIER, Freeman SD, NEW ERA, Parker SD and
BRIDGEWATER TRIBUNE, Bridgewater SD printed at XXXXXXXXXXXX,

South Dakota. For your information, a copy of this notice and the recommendation of the Chief Engineer is enclosed. Please review and contact this office, if you have any questions.

Be sure to contact the above newspaper to authorize publication of your notice of intent to appropriate water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur at least thirty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Very truly yours,

KEVIN C LARSON
Natural Resources Engineer

Encl. Forms 6&7

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, }
COUNTY OF MINNEHAHA } ss.

Mary J. Devish, being duly sworn, says: That The Sioux Falls Argus-Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota by Sioux Falls Newspapers Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

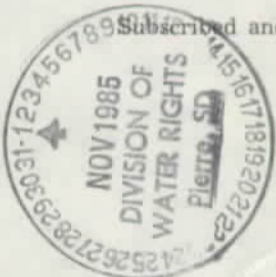
Thursday, the 24 day of October, 1985,
Thursday, the 31 day of October, 1985,
the day of 19,
the day of 19,
the day of 19,
the day of 19,
the day of 19,
the day of 19,

and that \$ 81.63 was charged for publishing the same.

Mary J. Devish

Subscribed and sworn to before me October 31, 1985,

Nancy A. Buckley
Notary Public, South Dakota



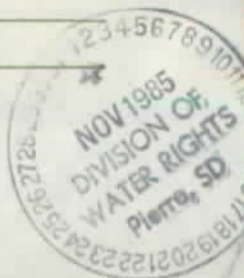
Miscellaneous

NOTICE OF HEARING
On Application No. 5073-3
to Appropriate Water
Rights to the Applicant
Notice is hereby given that the
Rural Water District of Minnehaha
County, South Dakota, has made
an application for a permit to ap-
propriate for future use 3.34
cubic feet per second from
groundwater (wells will be less
than 155 feet deep). The area
where the water will be reserved
for future use is the SW 1/4 Section
35, T101N, R55W. The water will
be reserved for the purpose of
providing future water supplies
for the TM Rural Water District.
This application is not for con-
struction of works or to put the
water to beneficial use.
Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
approval of the application.
The applicant is advised that
the application will be consid-
ered by the Water Management
Board at the Howard Johnson's
Ballroom, Room 211, LaCrosse,
Rapid City, December 4, 1985 at
10:00 a.m.
The recommendation of the
Chief Engineer is not final or
binding upon the Board and the
Board is authorized to make a
determination on this application
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 be-
fore the Board and present evi-
dence or cross-examine wit-
nesses according to SDCL 17-2,
must file a written petition with
BOTH the applicant and the
Chief Engineer by November 22,
1985.

1985. The petition may be inter-
med, but it must include a state-
ment describing the petitioner's
interest in the application, the
reason for the petitioner's oppo-
sition to or support of the applica-
tion, and the signature and mail-
ing address of the petitioner or
his legal counsel (if legal counsel
is obtained). The applicant need
not file a petition.
This application is made pur-
suant to the provisions of SDCL
46-1 thru 46-19, 46-21 thru 46-
13, 46-23, 46-29, 46-31, 46-32, 46-
33, 46-34, 46-35, 46-36, 46-37,
46-38, 46-39, 46-40, 46-41, 46-42,
46-43, 46-44, 46-45, 46-46, 46-47,
46-48, 46-49, 46-50, 46-51, 46-52,
46-53, 46-54, 46-55, 46-56, 46-57,
46-58, 46-59, 46-60, 46-61, 46-62,
46-63, 46-64, 46-65, 46-66, 46-67,
46-68, 46-69, 46-70, 46-71, 46-72,
46-73, 46-74, 46-75, 46-76, 46-77,
46-78, 46-79, 46-80, 46-81, 46-82,
46-83, 46-84, 46-85, 46-86, 46-87,
46-88, 46-89, 46-90, 46-91, 46-92,
46-93, 46-94, 46-95, 46-96, 46-97,
46-98, 46-99, 46-100, 46-101, 46-102,
46-103, 46-104, 46-105, 46-106, 46-107,
46-108, 46-109, 46-110, 46-111, 46-112,
46-113, 46-114, 46-115, 46-116, 46-117,
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46-123, 46-124, 46-125, 46-126, 46-127,
46-128, 46-129, 46-130, 46-131, 46-132,
46-133, 46-134, 46-135, 46-136, 46-137,
46-138, 46-139, 46-140, 46-141, 46-142,
46-143, 46-144, 46-145, 46-146, 46-147,
46-148, 46-149, 46-150, 46-151, 46-152,
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46-168, 46-169, 46-170, 46-171, 46-172,
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46-188, 46-189, 46-190, 46-191, 46-192,
46-193, 46-194, 46-195, 46-196, 46-197,
46-198, 46-199, 46-200, 46-201, 46-202,
46-203, 46-204, 46-205, 46-206, 46-207,
46-208, 46-209, 46-210, 46-211, 46-212,
46-213, 46-214, 46-215, 46-216, 46-217,
46-218, 46-219, 46-220, 46-221, 46-222,
46-223, 46-224, 46-225, 46-226, 46-227,
46-228, 46-229, 46-230, 46-231, 46-232,
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STATE OF SOUTH DAKOTA)
) ss.
County of TURNER)

Any person wishing a copy of the Chief Engineer's recommendation, further infor-



Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Miner) ss.

I, Paul C. Mungen hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Miner County Pioneer

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 Howard

County of Miner and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

October 24, 1985

October 31, 1985

Paul C. Mungen
(Signature)

Publisher
(Title)

10-30-1985
(Date Signed)

Cost of Printing: \$ 42.19

NOTICE OF HEARING ON
APPLICATION NO. 5072-3
TO APPROPRIATE WATER

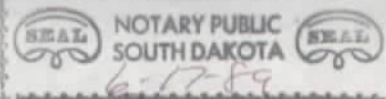
Notice is hereby given that TM Rural Water District whose mailing address is PO Box 445, Parker, South Dakota has made an application for a permit to appropriate for future use 3.34 cubic feet per second from groundwater (wells will be less than 155 feet deep). The area where the water will be reserved for future use is the SW 1/4 Section 25, T101N, R55W. The water will be reserved for the purpose of providing future water supplies for the TM Rural Water District. This application is not for construction of works or to put the water to beneficial use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 5072-3 to allow the evaluation of additional test drilling data and water level data that has been obtained since Permit No. 1988-3 was approved.

This application will be considered by the Water Management Board at the Howard Johnson's Badlands Room, 2211 LaCrosse, Rapid City, December 4, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application 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 Applicant and the Chief Engineer by November 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

DAVID R. DAWSON



David Dawson
10-30-85



Public Notice

NOTICE OF HEARING ON APPLICATION NO. 5072-3 to APPROPRIATE WATER

Notice is hereby given that TM Rural Water District whose mailing address is PO box 445, Parker, South Dakota has made an application for a permit to appropriate for future use 3.34 cubic feet per second from ground water (wells will be less than 155 feet deep). The area where the water will be reserved for future use is the SW 1/4 Section 25, T101N, R55W. The water will be reserved for the purpose of providing future water supplies for the TM Rural Water District. This application is not for construction of works or to put the water to beneficial use.

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This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30 2, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25;

This hearing is an adversary proceeding. The applicant 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 the State Supreme Court as provided by law.

Any person wishing a copy of the

Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF McCOOK)

DANNY SCHWANS, of said County and State, being first duly sworn on his oath, says THE BRIDGEWATER TRIBUNE is a weekly newspaper of general circulation, printed and published in Bridgewater, in McCook County, and State of South Dakota, by himself, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at the said place of publication; and that I, the undersigned, am publisher or an employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit; that the advertisement headed

Public Notice

a printed copy of which is hereto attached, was printed & published in the newspaper for 2 weeks; that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication being made on

October 24, 1985

the second publication on October 31, 1985

the third publication on , 19

the fourth publication on , 19

the fifth publication on , 19

the sixth publication on , 19

and the last publication on , 19

that 23.29 being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whomsoever.

Dorcas Kaelin

Subscribed and sworn to before me this 22nd day of November, 1985

Dana M. Prescher
Notary Public, McCook County



Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg. Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 22, 1985.

AFFIDAVIT OF PUBLICATION

COUNTY OF HUTCHINSON }
STATE OF SOUTH DAKOTA } SS

Tim Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Tim Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Tim Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Notice of Hearing on Application
No. 5072-3 to Appropriate
Water

a printed copy of which is hereto attached, was printed and published in the said newspaper for two successive issues, to-wit: The first publication being on the 23rd
day of October, 1985
and the last publication on October 30, 1985.
That the full amount of the fees charged for publishing the same to-wit: The sum of \$ 41.60 insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$ 41.60 is the rate for publishing legal notices.

Subscribed and sworn to before me this 25th day of

November, 1985

Linda Wiley
Notary Public

Publication fee . . . \$ _____
Notary fee . . . \$ _____
Total . . . \$ _____



Notice of Hearing on Application No. 5072-3 to Appropriate Water

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This application will be considered by the Water Management Board at the Howard Johnson's Badlands Room, 2211 LaCrosse, Rapid City, December 4, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application 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 Applicant and the Chief Engineer by November 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25.

This hearing is an adversary proceeding. The applicant 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 the State Supreme Court as provided by law.

Instruction to Newspaper - Publish first publication of the following Notice on or before _____ with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5072-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that TM Rural Water District whose mailing address is
PO Box 445, Parker, South Dakota has made an application for a permit

to appropriate for future use 3.34 cubic feet per second from groundwater (wells will be less than 155 feet deep). The area where the water will be reserved for future use is the SW 1/4 Section 25, T101N, R55W. The water will be reserved for the purpose of providing future water supplies for the TM Rural Water District. This application is not for construction of works or to put the water to beneficial use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 5072-3 to allow the evaluation of additional test drilling data and water level data that has been obtained since Permit No. 1988-3 was approved.

This application will be considered by the Water Management Board at the Howard Johnson's
Badlands Room, 2211 LaCrosse, Rapid City, December 4 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application 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 Applicant and the Chief Engineer by November 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05~~

This hearing is an adversary proceeding. The applicant 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 the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 22, 1985.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 1996

Ken Pedersen
TM Rural Water District
P.O. Box 445
Parker, SD 57053

Dear Mr. Pederson:

I am writing regarding deferred Future Use Permit Application No. 5072-3 and the seven year review of Future Use Permit No. 4979-3 for TM Rural Water District (TM RWD).

Application No. 5072-3 proposes to appropriate and reserve 3.34 cubic feet of water per second (cfs) for future use from the Dolton Aquifer. The Water Management Board deferred this application in 1985 based on the need for additional aquifer information. As you are aware, concern over the Dolton Aquifer's declining head pressure has been an issue for several years.

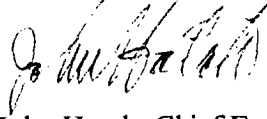
Since the deferral of Application No. 5072-3, the District obtained Future Use Permit No. 5358-3 for 1,500 acre feet from the basal aquifer (Upper Vermillion Missouri Aquifer). The District then obtained Water Permit No. 5608-3 to construct and place to beneficial use 970 acre feet of the water reserved by TM RWD Future Use Permit No. 5358-3. It is my understanding that TM RWD entered into an agreement to allow Hanson Rural Water System (RWS) to construct and place to beneficial use twenty-five percent of the water reserved by Future Use Permit No. 5358-3.

Future Use Permit No. 4979-3 has 0.66 cfs remaining in reserve from the Dolton Aquifer. The permit is subject to review by the Water Management Board every seven years to determine if a reasonable need exists for retaining the permit. The seven year review was to take place in 1990, however, it was delayed while the District investigated alternative water supplies.

Subject to future supporting hydrologic data, does the District still have an interest in developing further water supplies from the Dolton Aquifer? If development of the Dolton Aquifer remains a part of your future water supply, then the Water Management Board will need to consider Application No. 5072-3 and conduct a seven year review of Permit No. 4979-3. If the District is not looking toward future development from the Dolton Aquifer, the deferred application may be withdrawn. The existing Future Use Permit No. 4979-3 may also be relinquished.

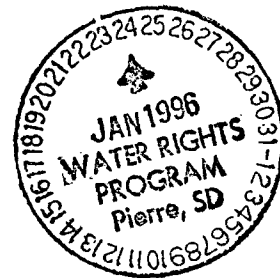
Please let us know your intentions regarding deferred Application No. 5072-3 and the seven year review of Future Use Permit No. 4979-3. If you have questions regarding these issues, you may contact Eric Gronlund at (605) 773-3352.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

TM Rural Water District



P.O. Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334

January 22, 1996

Department of Environment and Natural Resources
Mr. John Hatch, Chief Engineer
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD, 57501-3181

Dear Mr. Hatch:

I received your letter concerning Future Use Permit Application No. 5072-3 and Future Use Permit No. 4979-3. Actions on these were previously deferred because of concerns for the water level in the Dolton aquifer.

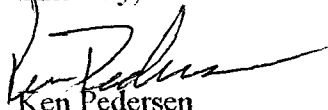
TM Rural Water District did develop a new well in the UVM or basal aquifer in 1992 as part of the effort to help determine what would happen in the Dolton aquifer if the demand was reduced. TM also paid for the investigation of the possibility and feasibility of a connection to B-Y water. These actions and others indicate the concern TM has over the Dolton aquifer and the need for it in the future.

The Dolton aquifer has and still does figure in the future of TM. The water in the UVM aquifer is very hard and only usable in our system when blended with soft water. The water that TM will be able to get through the B-Y connection is being considered as a supplemental supply. B-Y does not have capacity to meet everybody's peak day demand, and even if they could, the total cost of the purchased water and the existing base would be prohibitive. The Dolton aquifer is still considered by TM to be the primary source of water and, as hydrologic data allows and demands require, TM will continue to use and increase use from the Dolton aquifer.

For now, I would request that the application 5072-3 and Permit 4979-3 be approved; or, if approval is not likely at the present stage of the data acquisition, deferred.

Please contact me with any questions you may have. Also please let me know if there is anything else that TM needs to do to obtain approval of the permit and application.

Sincerely,


Ken Pedersen
Manager

Summary of Hanson Rural Water System Permits

Number	Aquifer	Type	Amount	Comment
4349-3	Dolton	FU	0.78 cfs	No volume remains
4432-3	Dolton	PE	1.22 cfs	for a total volume of 435.5 ac-ft
4432A-3	Dolton	PE	add volume	Adds to volume of No. 4432-2 from 435.5 ac-ft to 567 ac-ft -- no div. rate increase
5195-3	Dolton	PE	no add'l	authorize connection of Town of Ethan
5459-3	Basal	DEF	1,200 ac-ft	to allow study of basal aquifer
5358-3	Basal	FU	25% of 1,500 ac-ft	this is T-M's FU permit in which Hanson has an agreement for 25% with limitations

Summary of T-M Rural Water District Permits

Number	Aquifer	Type	Amount	Comment
4979-3	Dolton	FU	0.66 cfs remaining	was to have 7-yr review in 1990
4988-3	Dolton	PE	3.34 cfs/ 610 ac-ft -- 6% increase	required T-M to seek supplemental or alternative source
5072-3	Dolton???	DEF/FU	3.34 cfs	evaluate add'l data obtained since Permit No. 4988-3
5358-3	Basal/UVM	FU	1,500 ac-ft	25% of this is provided to Hanson RWS by agreement
5608-3	Basal/UVM	PE	1.34 cfs / 970 ac-ft	from FU Permit No. 5358-3
5608A-3	Basal/UVM	PE	no add'l	



**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 23, 2003

Ken Pedersen, Manager
TM Rural Water District
PO Box 445
Parker SD 57053

Dear Mr. Pedersen:

Last spring we had a telephone discussion about water rights issues involving the Dolton Aquifer and TM's future plans. We agreed to talk again after you returned from vacation and I had a chance to talk with other staff about the Dalton Aquifer. That follow-up conversation never materialized. Seeing the file on my desk reminded me that we have some unfinished business and prompted me to write this letter.

I believe our conversation boiled down to the question of whether the Water Right Program would look favorably on new appropriations from the Dolton Aquifer. TM asked these questions because Hanson RWS no longer pumps from the Dolton Aquifer. Also, because of water quality issues in the basal aquifer TM prefers to meet future needs from the Dolton Aquifer. In the following I have tried to address pending and future water right issues.

Water Right No. 4988-3 (copy enclosed)

This water right appropriates 3.34 cubic feet of water per second (cfs) from three wells. The Water Management Board placed an acre-foot limitation on the permit in 1989 which allowed pumping of 610 acre feet of water and a 6 % increase in pumping for five years. This appears to now limit the water right to 815 acre feet of water annually. I am uncertain what TM actually pumps annually. However, TM can make a request to have this condition on the water right revisited.

Future Use Permit No. 4979-3 (copy enclosed)

This is an existing future use permit which our records show currently reserves 287 acre feet of water to meet future water needs. A standard water permit will need to be obtained when TM decides to construct and place to beneficial use water reserved by this future use permit.

State law directs that future use permits be reviewed every seven years to determine whether the permit holder has a reasonable need for the future use permit. The last review of this permit was conducted in 1990, so it is necessary to conduct a 7 year review of the future use permit. Please

respond in writing regarding TM's intention for the future use permit. Assuming TM plans to retain the permit, the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 4979-3 will then be public noticed at TM's expense in all the counties the system serves and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1.

Deferred Future Use Permit No. 5072-3

Application No. 5072-3 proposed to appropriate and reserve 3.34 cfs from the Dolton Aquifer for future use. The Water Management Board deferred this application in 1985 based on the need for additional aquifer information.

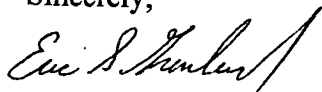
I discussed this application with staff and believe that we can proceed bringing the application back for Board consideration. Please let me know if TM desires to proceed with reconsideration of this future use permit application. I ask that you indicate an annual volume requested since we now quantify future use reservation on an acre-foot basis instead of a diversion rate.

You also inquired about the Water Rights Program's position on new appropriation of water from the Dolton Aquifer. We are certainly willing to discuss water availability from the Dolton Aquifer. I am not sure to what extent the existing future use permit (No. 4979-3) and deferred future use permit (No. 5072-3), if approved, will meet TM future development. There are Board rules which require that the permit holder show a reasonable need for the water. In addition, future use permits may be limited to two times the annual amount actually put to beneficial use.

Finally, I recall you were pursuing getting the old town well for Davis plugged. What is the status of this effort?

Ken, hopefully I touched on the issues that we discussed. Please feel free to contact me at your convenience if you have any questions.

Sincerely,



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

enclosures

Eric

T_M Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3310

January 26, 2004

DENR
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

RECEIVED

JAN 29 2004

WATER RIGHTS
PROGRAM

Attention: Eric Gronlund

RE: Permits 4988-3, 4979-3, and 5072-3

Dear Mr. Gronlund:

I discussed our water rights permits with the Board of Directors at their regular Board meeting. The Board approved pursuit of keeping/applying for water rights, which I will summarize here.

We want to keep the Permit 4988-3 for 815 acre-feet of water and the Future Use Permit 4979-3 for 287 acre-feet of water. Additionally, we want to apply for 463 acre-feet of water in the deferred Future Use Permit 5072-3.

The total of this request in the future use permits is 750 acre-feet of water. We used about 600 acre-feet from the Dolton aquifer this year, but expect to use 750 acre-feet or more of water per year once we have installed a new filter plant. Our existing plant is limited on production and is near the end of its useful life. A new plant is being designed and is presently in one stage of the environmental review.

Also, I would mention that we have an engineering study that considers future water needs. In that study and with the new filter, we could be looking at a total need of about 1600 acre-feet of water by the year 2020. Some of this demand would be met with purchased water and water from the UVM (basal) aquifer, but the main source would still be the Dolton aquifer.

Please advise what we must do next for the review and consideration of these permits.

Do we need to review/update other items in regards to the permits, like cities served, once this process is opened?

Sincerely,



Ken Pedersen
Manager



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 6, 2004

Ken Pederson, Manager
TM Rural Water District
PO Box 445
Parker SD 57053

Dear Mr. Pederson:

I had an opportunity to review TM's water rights and formulate a plan for bringing matters that need action before the Water Management Board at their October 6 – 7, 2004 meeting in Pierre. My thoughts are very similar to what I outlined in my letter last December and you responded to in January.

Water Right No. 4988-3

This water right is for the existing three wells that divert water from the Dolton Aquifer. There is a condition on this water right dating back to the 1980's which provided 610 acre feet of water annually from the Dolton Aquifer with a 6% increase in pumping for five years. By my calculation, the current annual volume limit from the Dolton Aquifer is 815 acre feet of water annually. I intend to schedule amending this condition to quantify the water right to allow an annual volume of 815 acre feet of water annually for the October meeting.

Future Use Permit No. 4979-3

This future use permit reserved 287 acre feet of water from the Dolton Aquifer. Based on your letter, I intend to schedule the 7 year review of this future use permit for the October meeting. This will need to be public noticed in each county served by TM. My records indicate the counties with TM service hook-ups are: Turner, McCook, Minnehaha, Miner and Hutchinson. Are there other counties?

Deferred Future Use Permit No. 5072-3

This application proposed to appropriate and reserve 3.34 cfs from the Dolton Aquifer for future use. The application was deferred in 1985. I plan to give this application to Gale Selken for him to prepare a report, then present to the Chief Engineer for him to revise his recommendation. Assuming, the Chief Engineer revises his recommendation for approval, I anticipate scheduling this for Board consideration also at the October meeting.

Based on your January letter, am I correct in assuming that you want Future Use Permit No. 5072-3 approved for 463 acre feet of water? It is my understanding that this 463 acre feet of water combined with the 287 acre feet of water held under Future Use Permit No. 4979-3 will provide for 750 acre feet of water in reserve.

Please keep in mind that the future use permit reserves water for future development. At such time that TM wants to construct and place water to beneficial use, a water permit application will need to be filed.

Finally, based on pumping records, what is TM's current annual volume of water diverted?

I hope this outlines what is necessary to get TM's water rights in order. Please let me know if I have misinterpreted the water rights and TM's intentions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

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

T_M Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3310

July 7, 2004

RECEIVED
JUL - 9 2004
WATER RIGHTS
PROGRAM

DENR
Water Rights Program
Attention: Eric Gronlund
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Dear Mr. Gronlund:

This letter is in response to your letter requesting some additional information.

First, the counties where we have connections are as you listed; Turner, McCook, Minnehaha, one hookup each in Miner and Hutchinson County.

Our 2003 usage from the Dolton aquifer was about 195.2 million gallons or, if I calculate it right, about 600 acre feet. Additionally, we used some 5.6 million (17.2 acre feet) from the basal aquifer, and 92 million gallons (282 acre feet) from BY Water District. This year, as of the end of June, we have used about 123.5 million gallons or 379 acre feet from the Dolton aquifer, and a total of all sources of 143 MG or 439 acre feet.

Last year our Dolton aquifer usage was down due to some well troubles. This year's usage is higher due to the wells' return to service. If the trend continues this year, which I expect it will, we should be using some 700-800 acre feet from the Dolton aquifer. Would this justify asking for more reserve?

I believe you have a good understanding of my (January) request for 750 acre feet of water in reserve from the Dolton aquifer. We would, of course, like to have additional water in reserve also, but as I understand the "rules" the 750 is about as high as we could go at the time I wrote in January. Would the higher Dolton aquifer usage this year make it permissible to go for a higher reserve?

I hope I have answered your questions, and I do appreciate your input on the best ways to handle our water rights issues.

Sincerely,



Ken Pedersen
Manager
tmrwd@iw.net



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 20, 2004

NOTICE

TO: Ken Pedersen
TM Rural Water District
Box 445
Parker SD 57053

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Amendment to Conditions on Water Permit No. 4988-3 and Consideration of
Deferred Future Use Permit Application No. 5072-3, TM Rural Water District

Water Right No. 4988-3 appropriates 3.34 cubic feet of water per second from three wells completed in the Dolton Aquifer. The Water Management Board in 1989 added conditions to the water right limiting the annual withdrawal to 610 acre feet of water with an increase of up 6% per year. The Water Rights Programs interpretation was that this increase was for a five year period while alternate sources were investigated. The District was further required to report annual water use. The permit was also subject to annual review and the District was to diligently seek an alternate source of water. A copy of the Board 1989 decision is attached.

Based on a 6% increase over a five year period, the annual volume of water now authorized increased to 816 acre feet of water. I am recommending that the conditions to Water Right No. 4988-3 be amended to reflect an annual withdrawal limitation of 816 acre feet of water. A copy of the proposed amended conditions is attached.

Future Use Permit Application No. 5072-3 proposed to reserve 3.34 cfs from the Dolton Aquifer for future use. The Water Management Board deferred this application in 1985 based on the need for additional aquifer information. Enclosed is the staff report and Chief Engineer's recommendation prepared in order to bring this application for reconsideration before the Board.

The Water Management Board will consider amendment to the conditions on Water Right No. 4988-3 and reconsider deferred Future Use Permit Application No. 5072-3 at 1:30 PM on October 6, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD. The agenda time is an estimate. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) amend the conditions, 2) defer, or 3) or take no action based on the facts presented at the public hearing.

These hearings will be held in conjunction with the seven year review of Future Use Permit No. 4979-3. Separate notification will be provided to the District on the review of Future Use Permit No. 4979-3.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

enclosure

c: Diane Best, Assistant Attorney General

Report on Future Use Application 5072-3
TM Rural Water District
July 19, 2004

History:

Future Use Application 5072-3 for Turner McCook Rural Water District requests 3.34 cubic feet per second (cfs) of water from the Dolton aquifer. The application has been in deferred status since 1985. The deferral was the result of water level concerns in the Dolton aquifer and the increasing water consumption from that Aquifer.

The Dolton aquifer was utilized by Hanson Rural Water System and TM Rural Water District and domestic water users. At the time of the deferral of Future Use Application 5072-3 there were nine permits from the Dolton aquifer for the two rural water systems. In 1995 Hanson Rural Water System changed their water source to B-Y Rural Water system and abandoned the Dolton aquifer as a water source. Hanson Rural Water System permits 4349-3, 4432-3, 4432A-3 and 5195-3 have been cancelled by Water Management Board action.

Present permits and applications utilizing the Dolton aquifer for a water source are as follows:

- 4979-3 TM future use permit approved for 4 cfs. TM permit 4988-3 used 3.34 cfs leaving 0.66 cfs. It is recommended that this permit be quantified to 287 acre-feet at its upcoming 7 year review.
- 4988-3 TM permit authorized construction and placement to beneficial use of 3.34 cfs reserved by 4979-3. This permit included an annual volume limitation of 610 acre feet of water annually beginning in 1989 with a 6% increase annually for 5 years unless determined otherwise by the Water Management Board. Communities of Canistota, Davis and Viborg were authorized to be served under 4988-3. Applying the 6% volume increase for the 5 year period would limit this permit to 816 acre feet.
- 5072-3 TM future use application to reserve 3.34 cfs from the Dolton aquifer. Application deferred since 1985.
- 5358-3 TM future use permit which reserved 1500 acre feet per year from the basal aquifer which underlies the Dolton aquifer.
- 5608-3 TM permit which authorized construction and placement to beneficial use of 1.34 cfs (970 acre feet annually) from future use permit 5358-3.
- 5608A-3 TM permit authorizing the delivery of water to Hurley, Town of Dolton and Swan Lake bulk service. There was no additional water authorized under this permit.

Dolton Aquifer:

The Dolton Aquifer is a glacial outwash aquifer under artesian conditions. The aquifer underlies approximately 82 square miles, is up to 50 feet thick, and is from 100 to 150 feet below land surface. The aquifer contains an estimated 165,000 acre feet of water (South Dakota Geological Survey). The Dolton Aquifer has been utilized as a water source by Hanson Rural Water System starting in 1982 and TM Rural Water District starting in 1985. The water levels in observation wells indicated declining head pressure as the two rural water systems increased their pumping. The peak use from the Dolton by the two rural water systems was 1,169 acre feet in 1991. After that time the usage remained essential constant until 1996 when Hanson switched to B-Y for a water source. From the time of the peak usage the water levels in water rights observation wells started to recover. After Hanson switched to B-Y for a water source the head pressure has recovered approximately 30 feet with TM pumping approximately 600 acre feet per year.

Available water for Future Use Application 5072-3

The water levels in observation wells started recovering in 1991 with the water usage at a peak. This would indicate that the recharge to the Dolton Aquifer was exceeding the total use and that that the Dolton can sustain the withdrawal of at least 1,169 acre feet.

Present withdrawals and future use permits are:

4979-3 has 287 acre feet reserved

4988-3 has 816 acre feet permitted

Total 1,103 acre feet reserved and developable

There is (at least) 66 acre feet of water available (1,169 acre feet minus 1,103 acre feet) for Future Use Application 5072-3. With the available data this amount would fully appropriate the available water from the Dolton Aquifer.

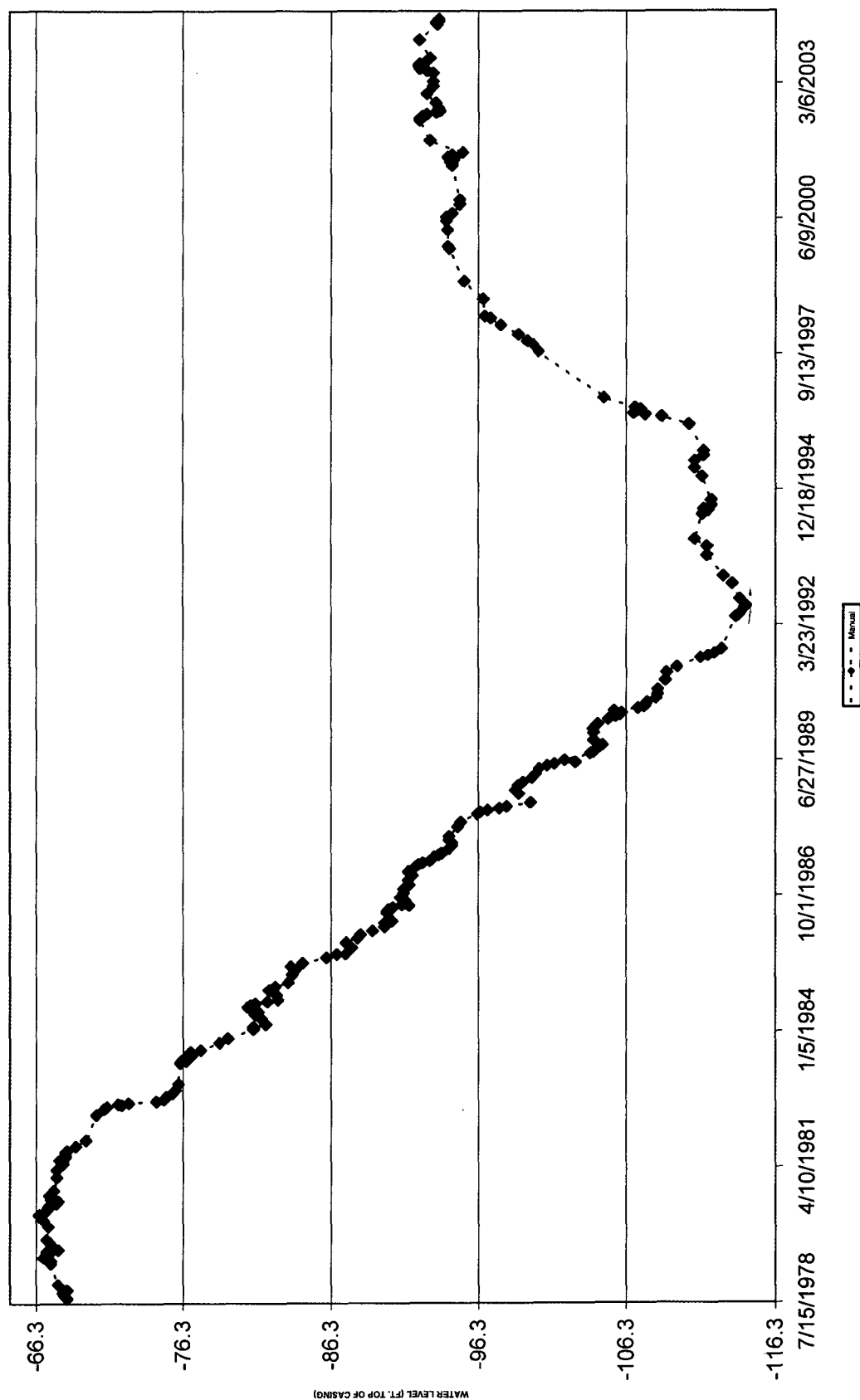
Conclusions:

1. Water Permit 4988-3 has 816 acre feet available for withdrawal.
2. Peak water usage from the Dolton Aquifer has been 1,169 acre feet.
3. TM Rural Water District Future Use Application 5072-3 should be approved for 66 acre feet of water.
4. With the available information the Dolton Aquifer will be fully appropriated if Future Use Application 5072-3 for TM Rural Water District is approved for 66 acre feet of water.

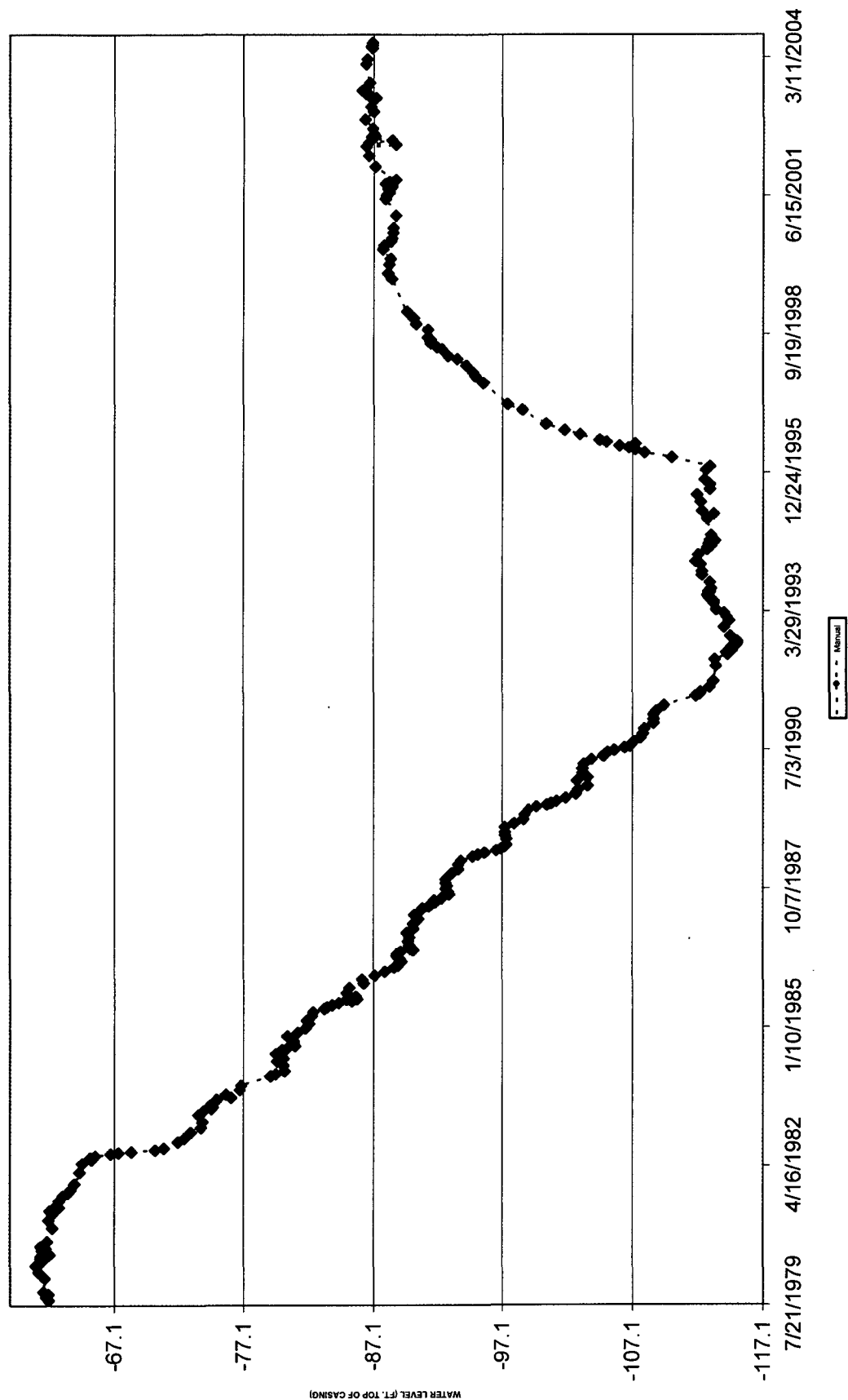


Gale N. Selken P.E.
Natural Resources Engineer Director
Water Rights Program
Dept. of Environment and Natural Resources

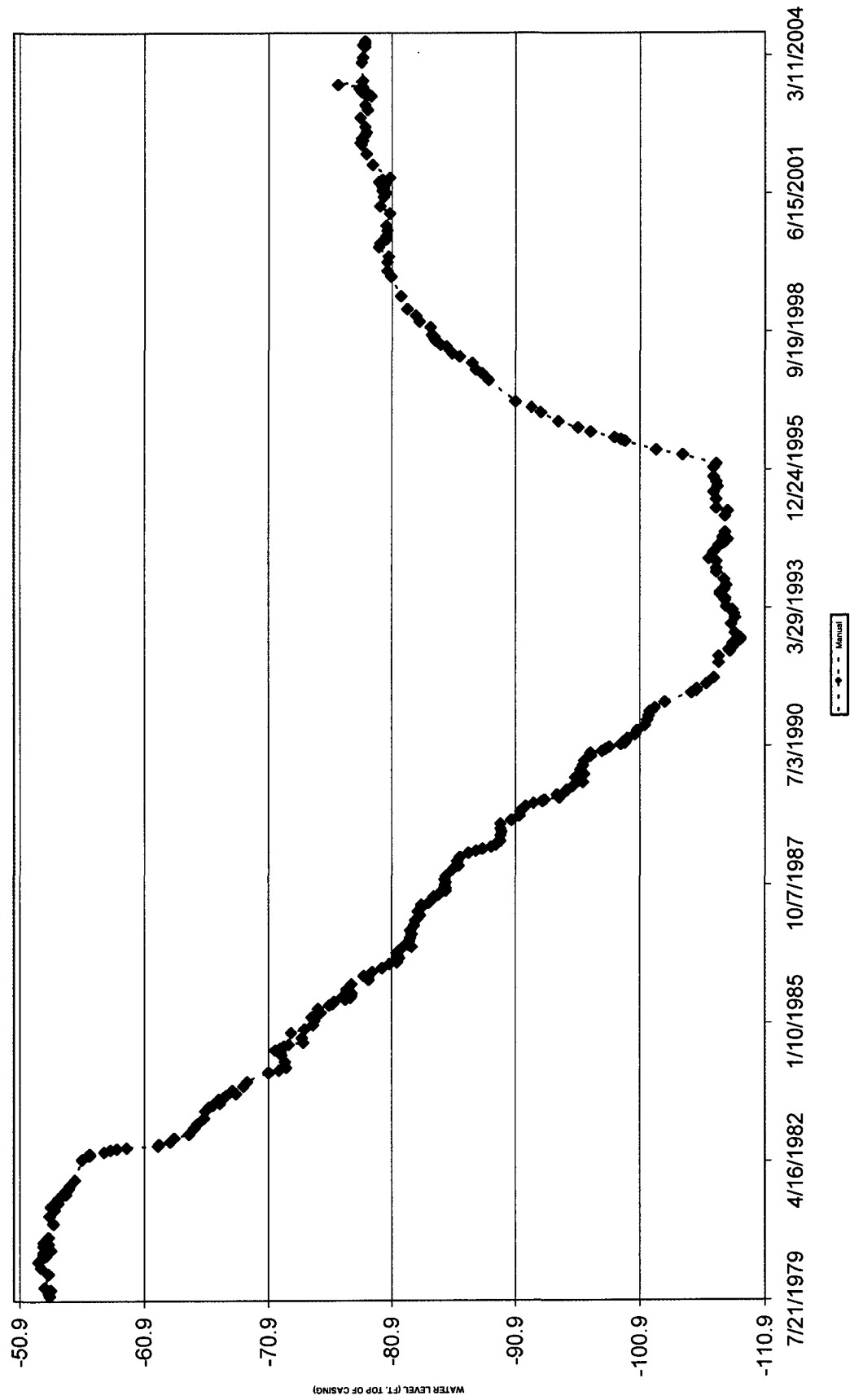
WATER RIGHTS' OBSERVATION WELL
MC-77A



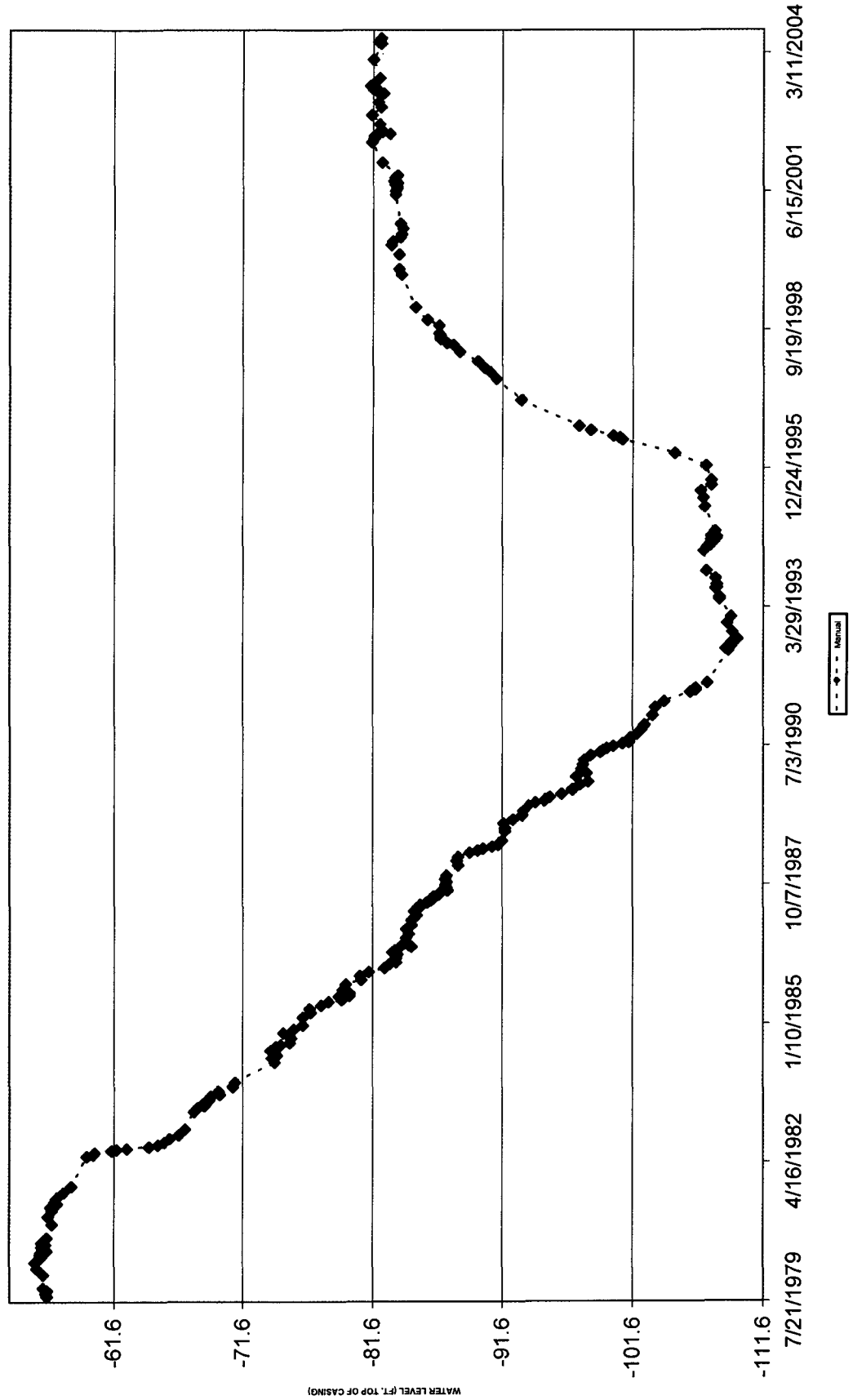
WATER RIGHTS' OBSERVATION WELL
MC-79A



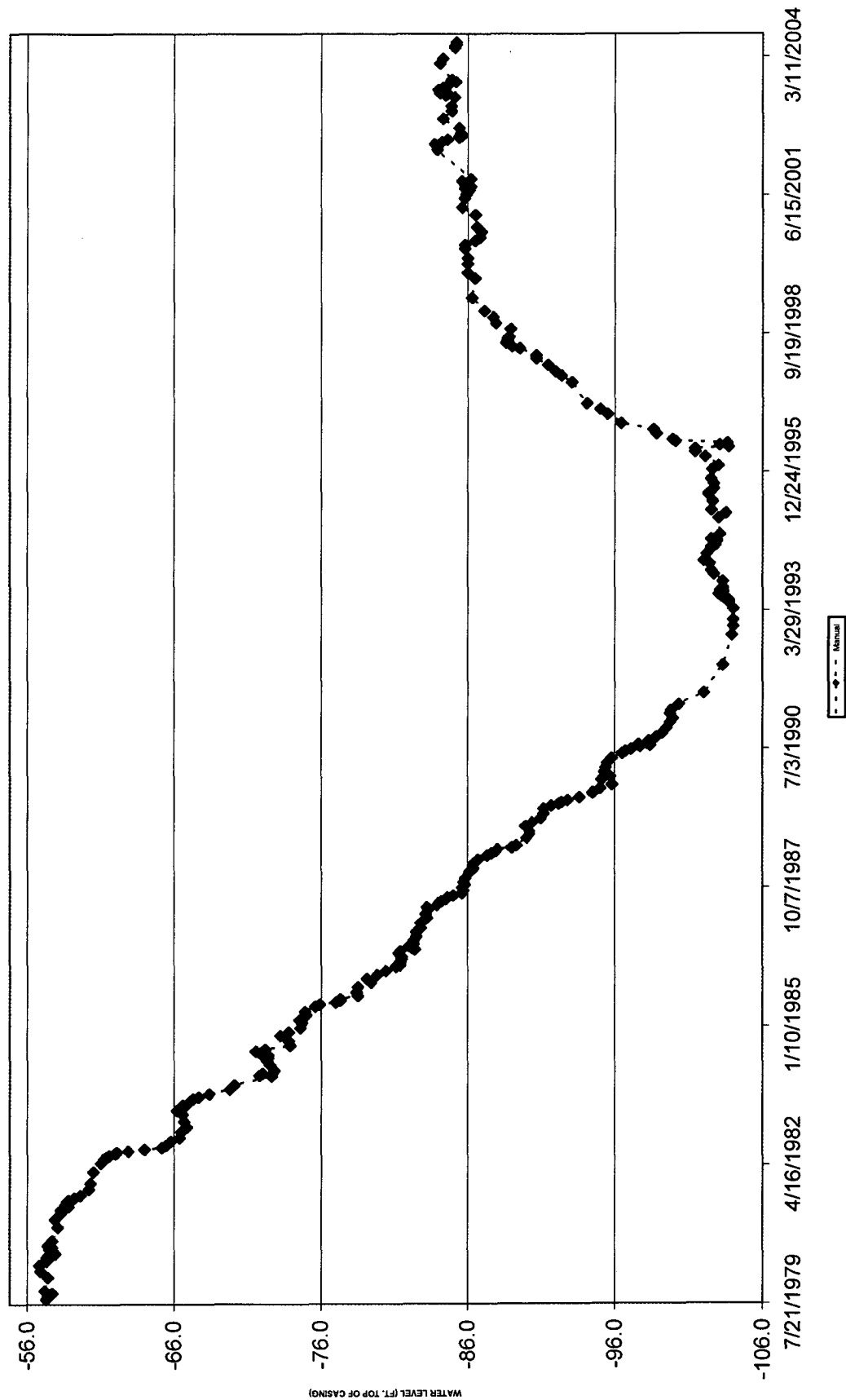
WATER RIGHTS' OBSERVATION WELL
MC-79B



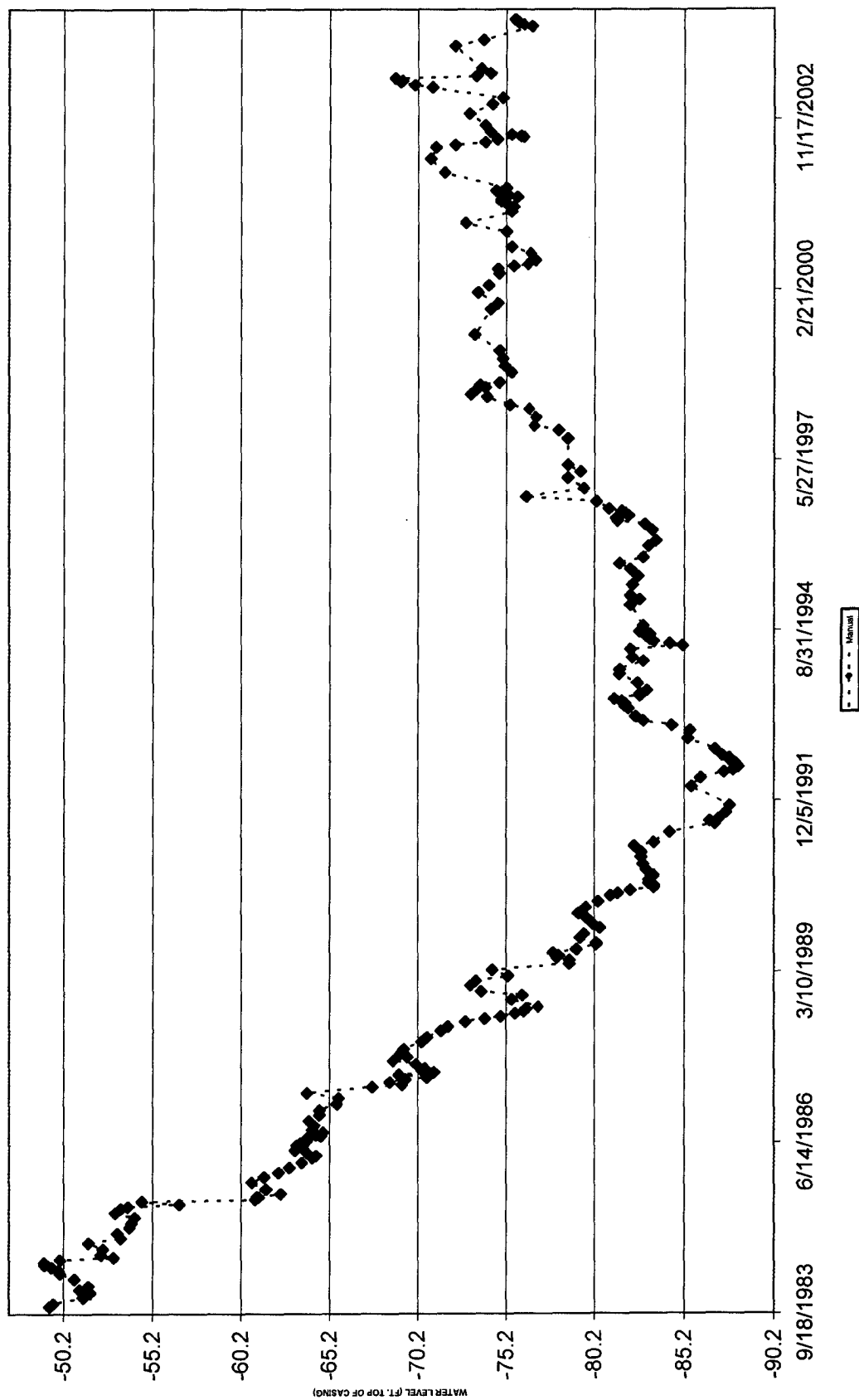
**WATER RIGHTS' OBSERVATION WELL
MC-79C**



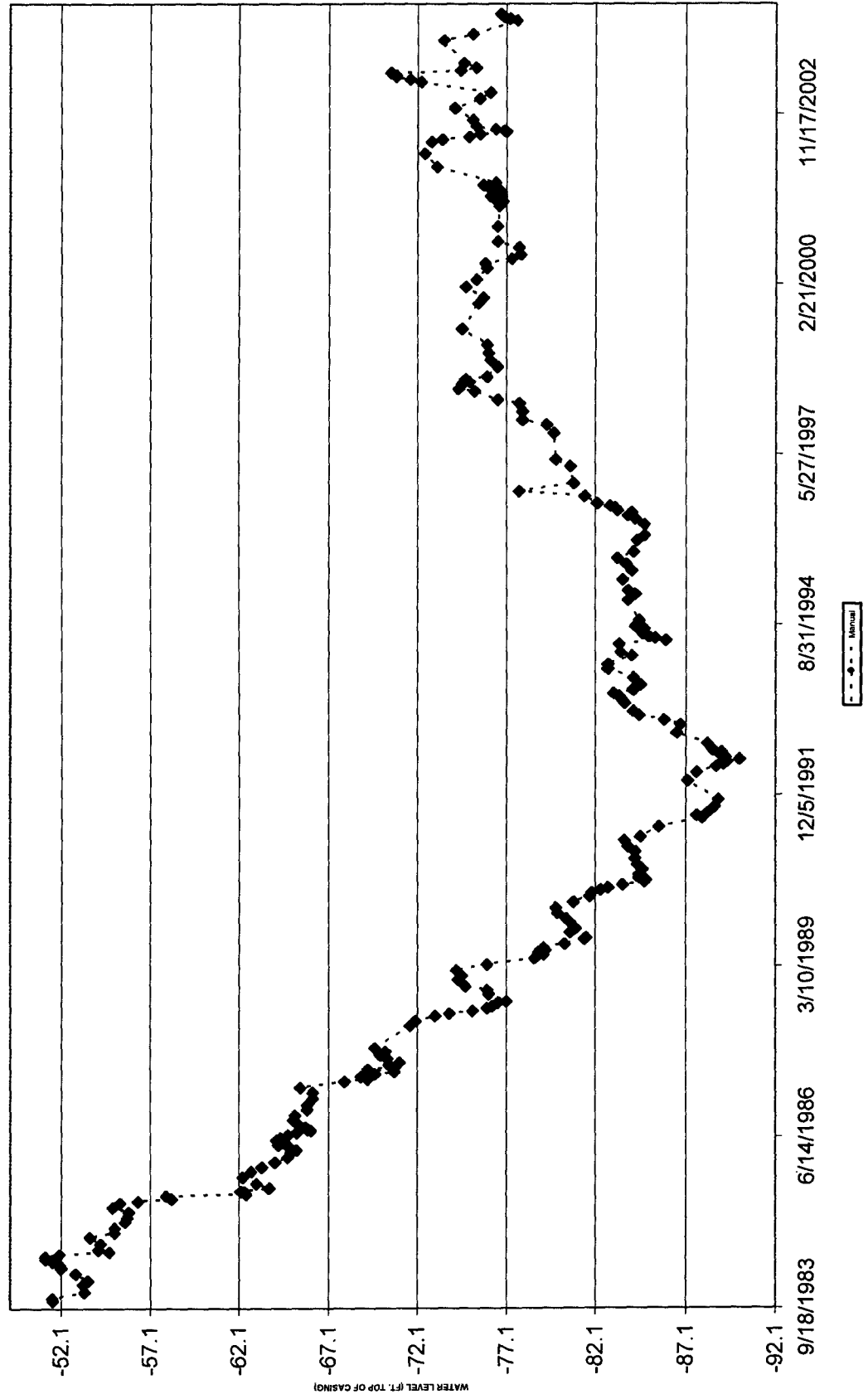
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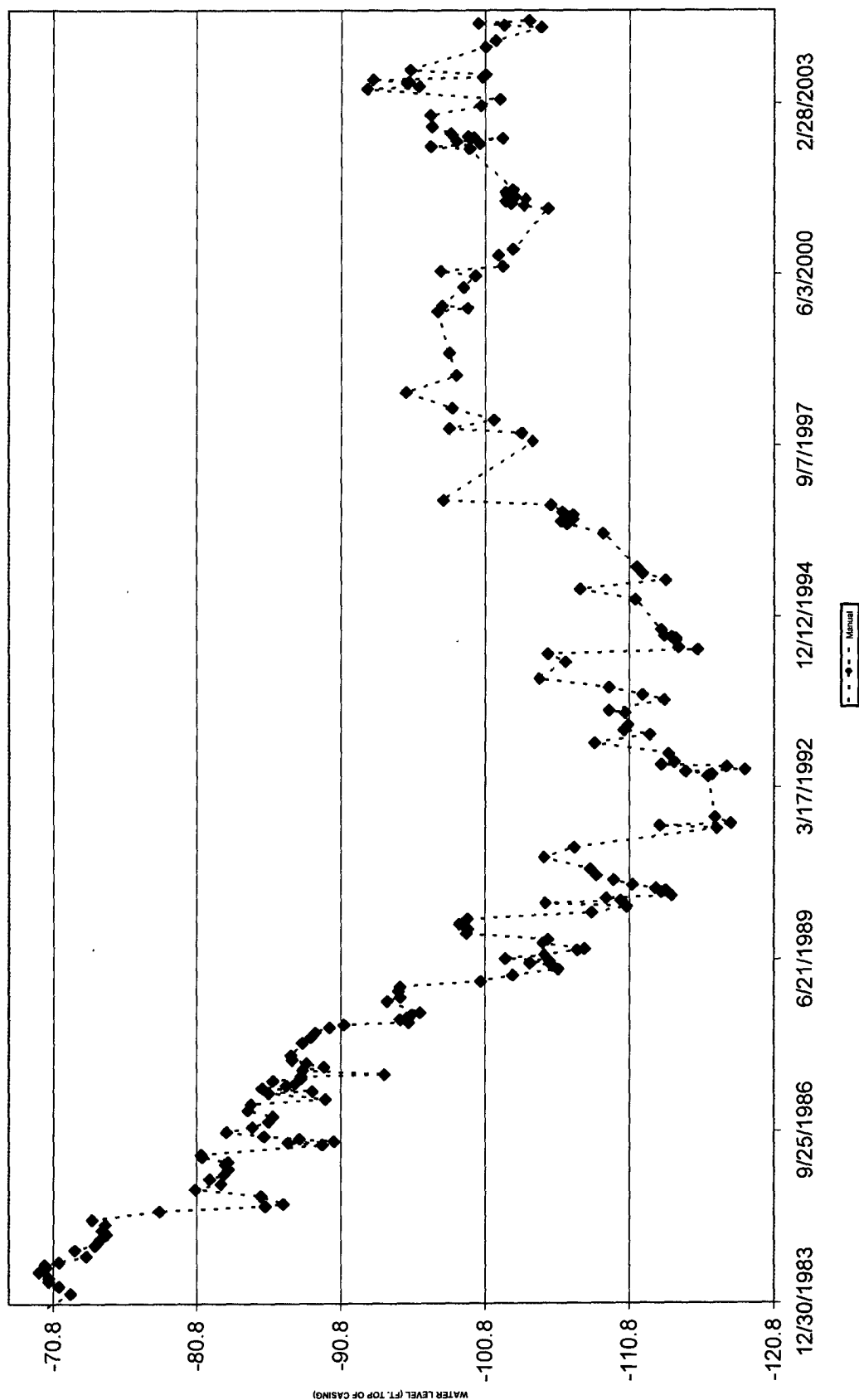
**WATER RIGHTS' OBSERVATION WELL
MC-83A**



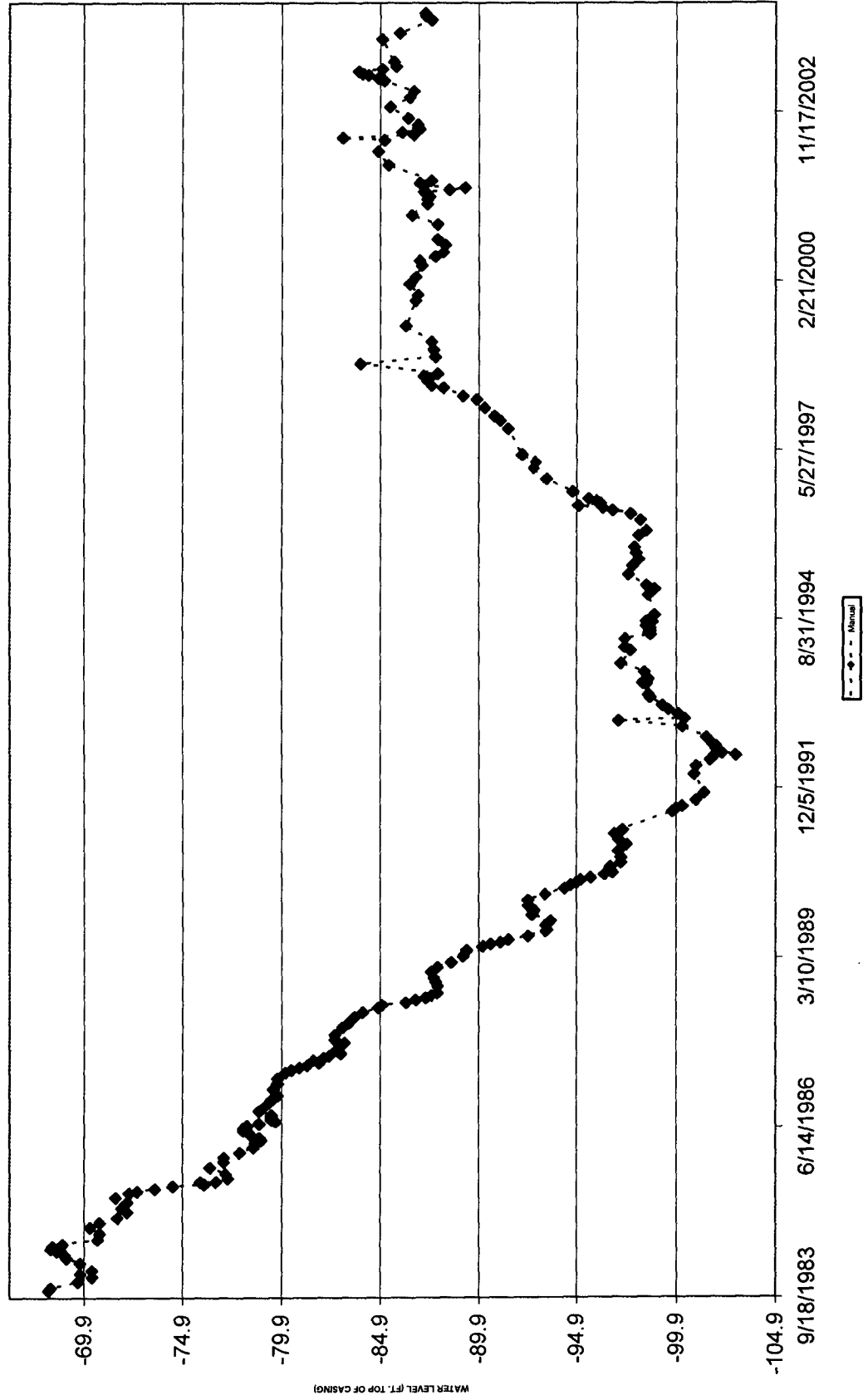
**WATER RIGHTS' OBSERVATION WELL
MC-83B**



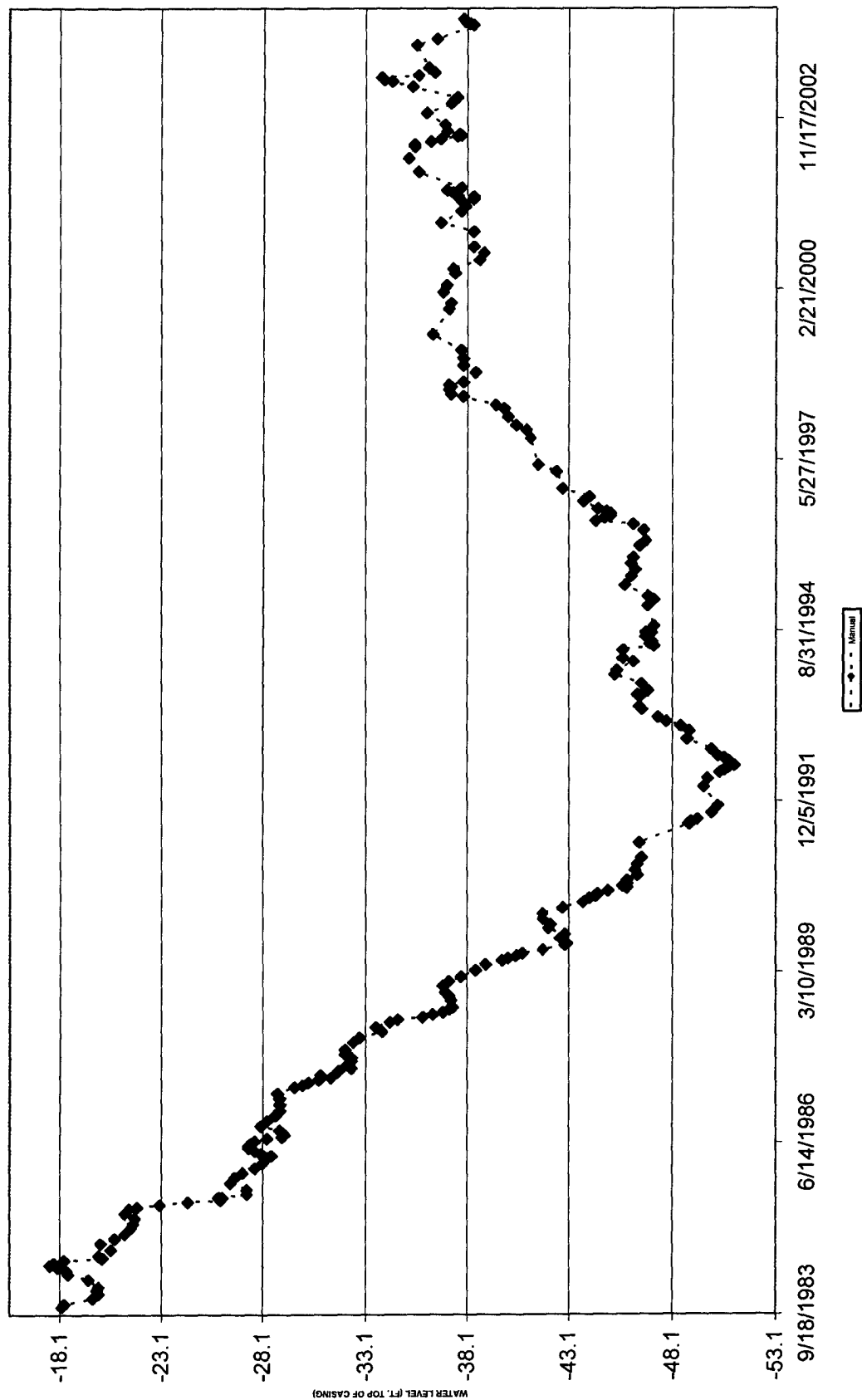
WATER RIGHTS' OBSERVATION WELL
MC-83C



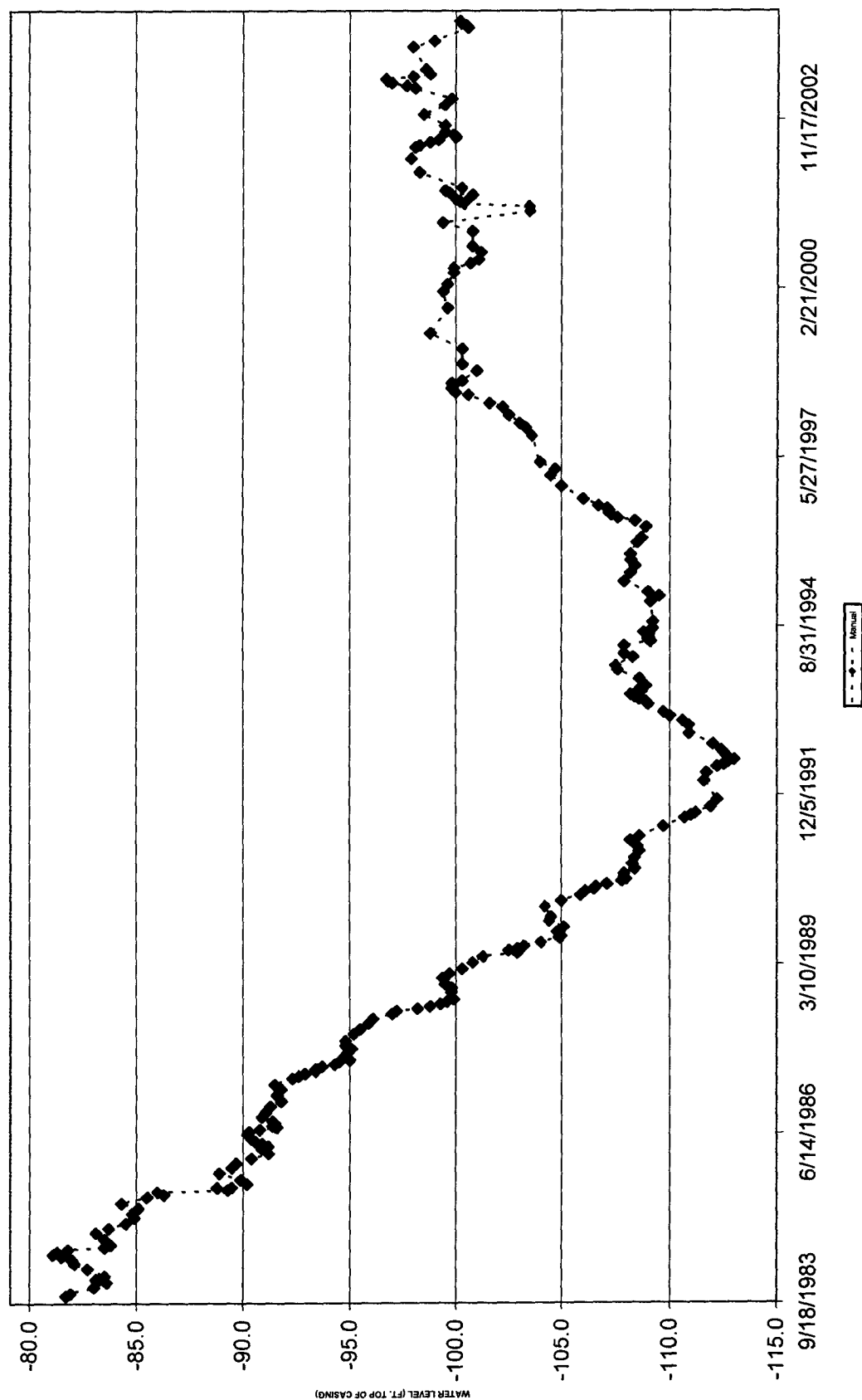
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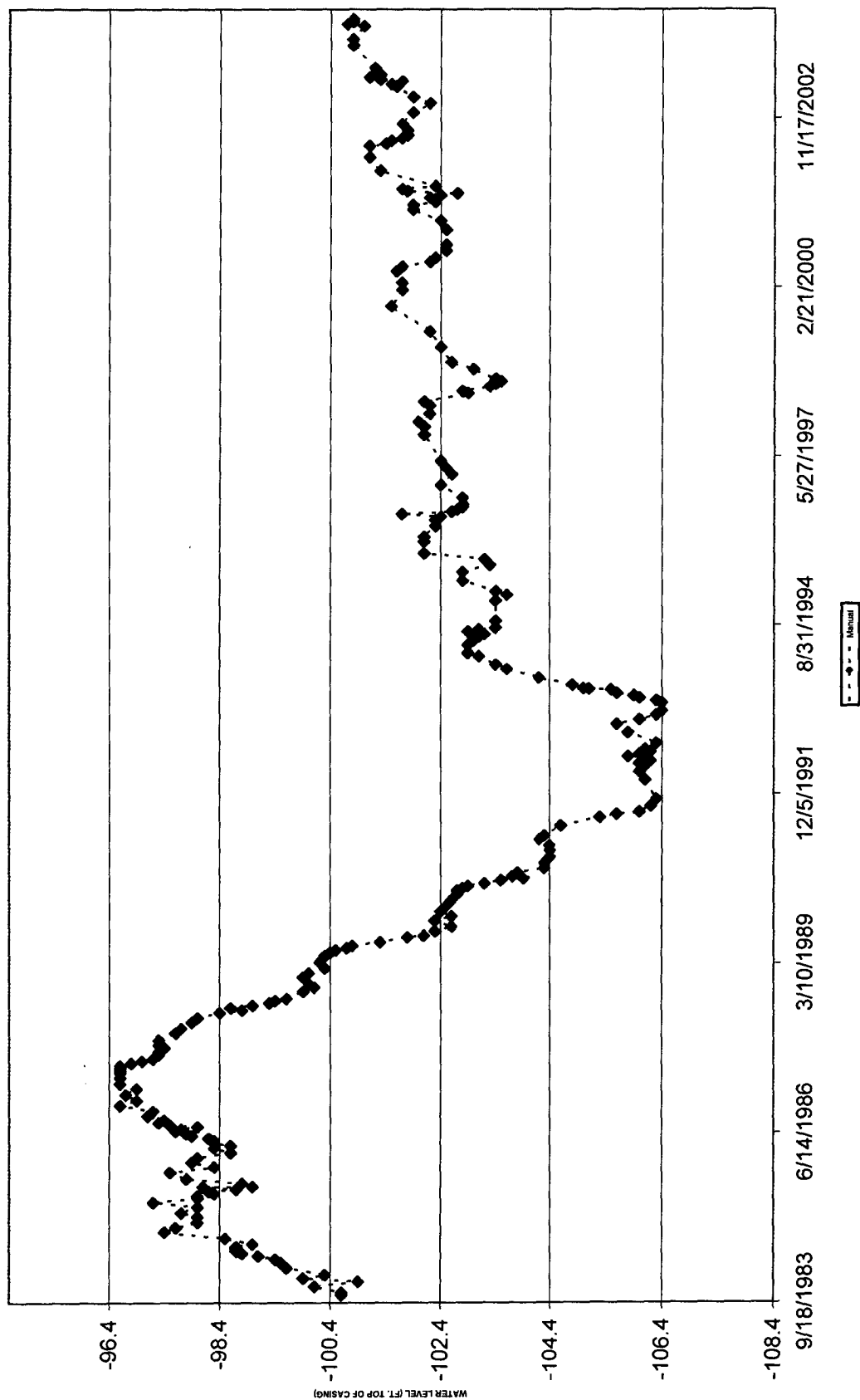
WATER RIGHTS' OBSERVATION WELL
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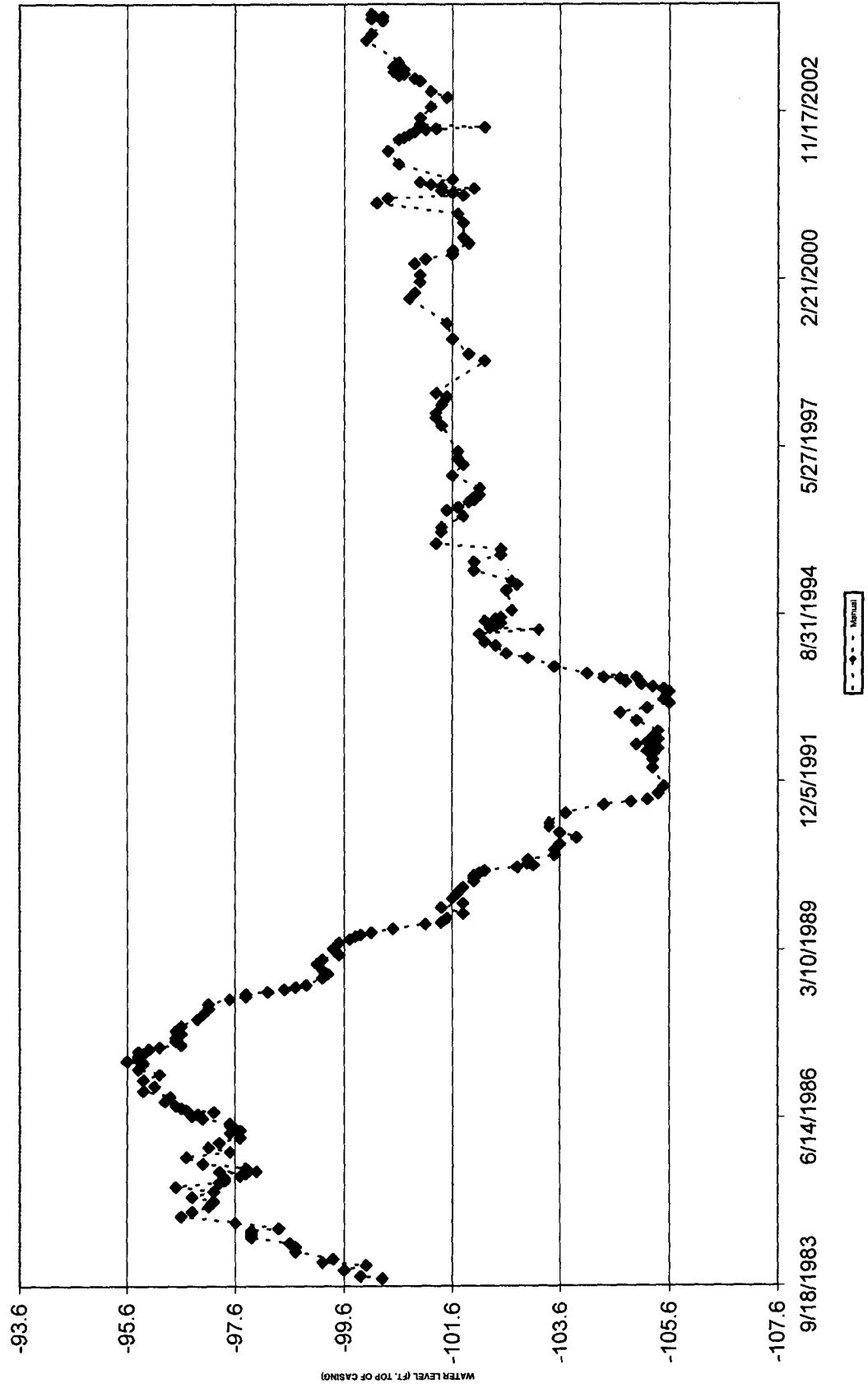
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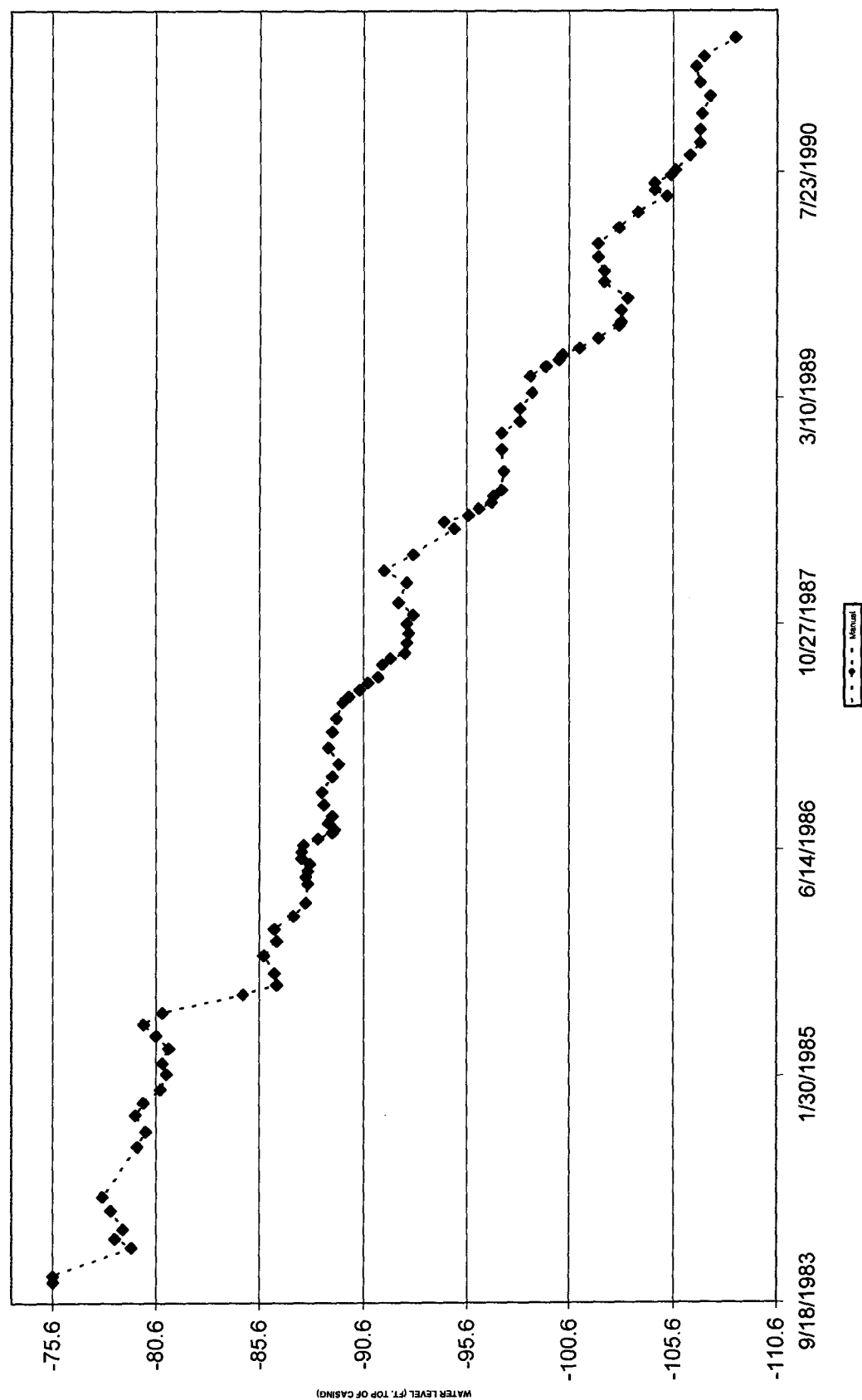
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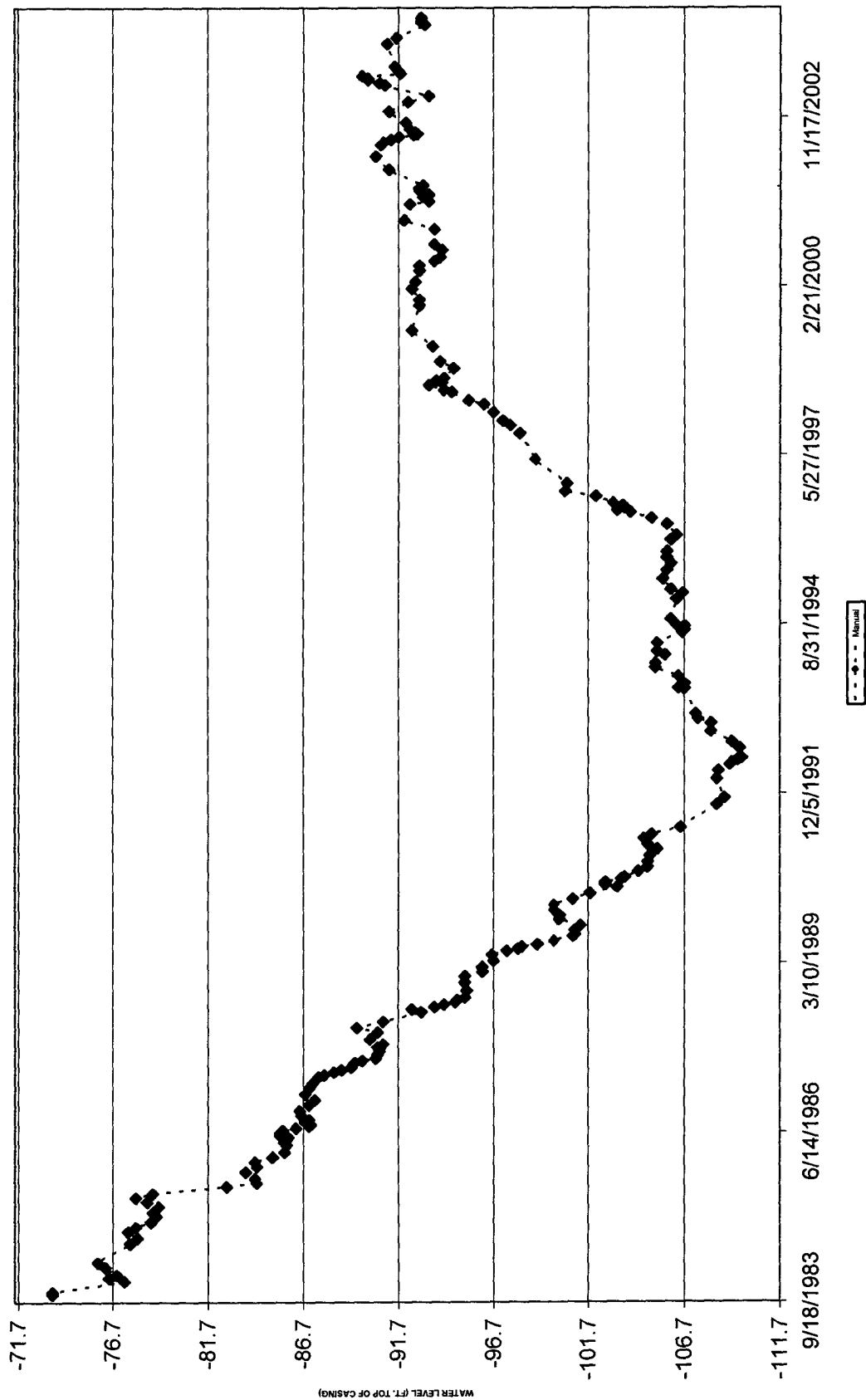
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MC-83H**



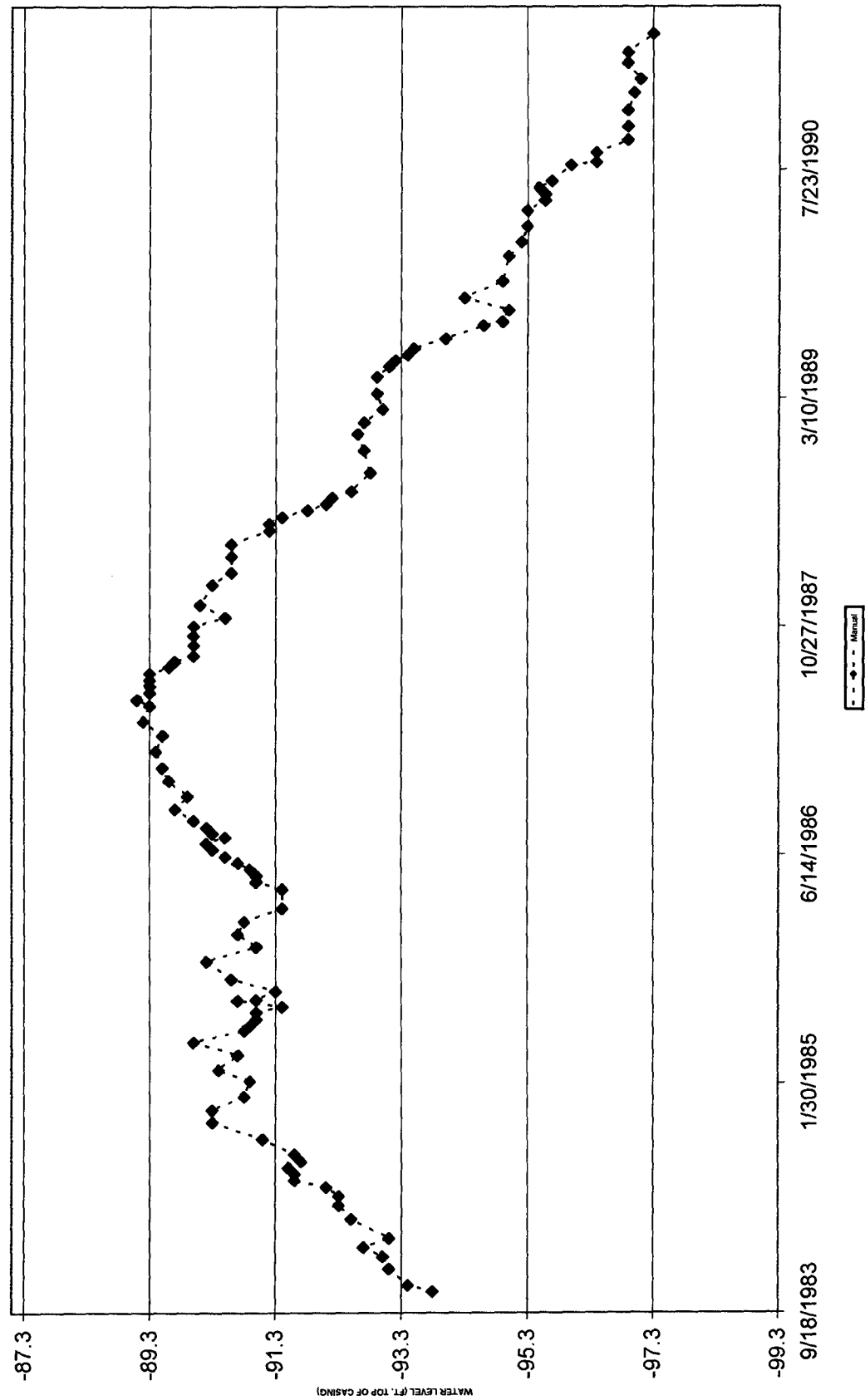
**WATER RIGHTS' OBSERVATION WELL
MC-83I**



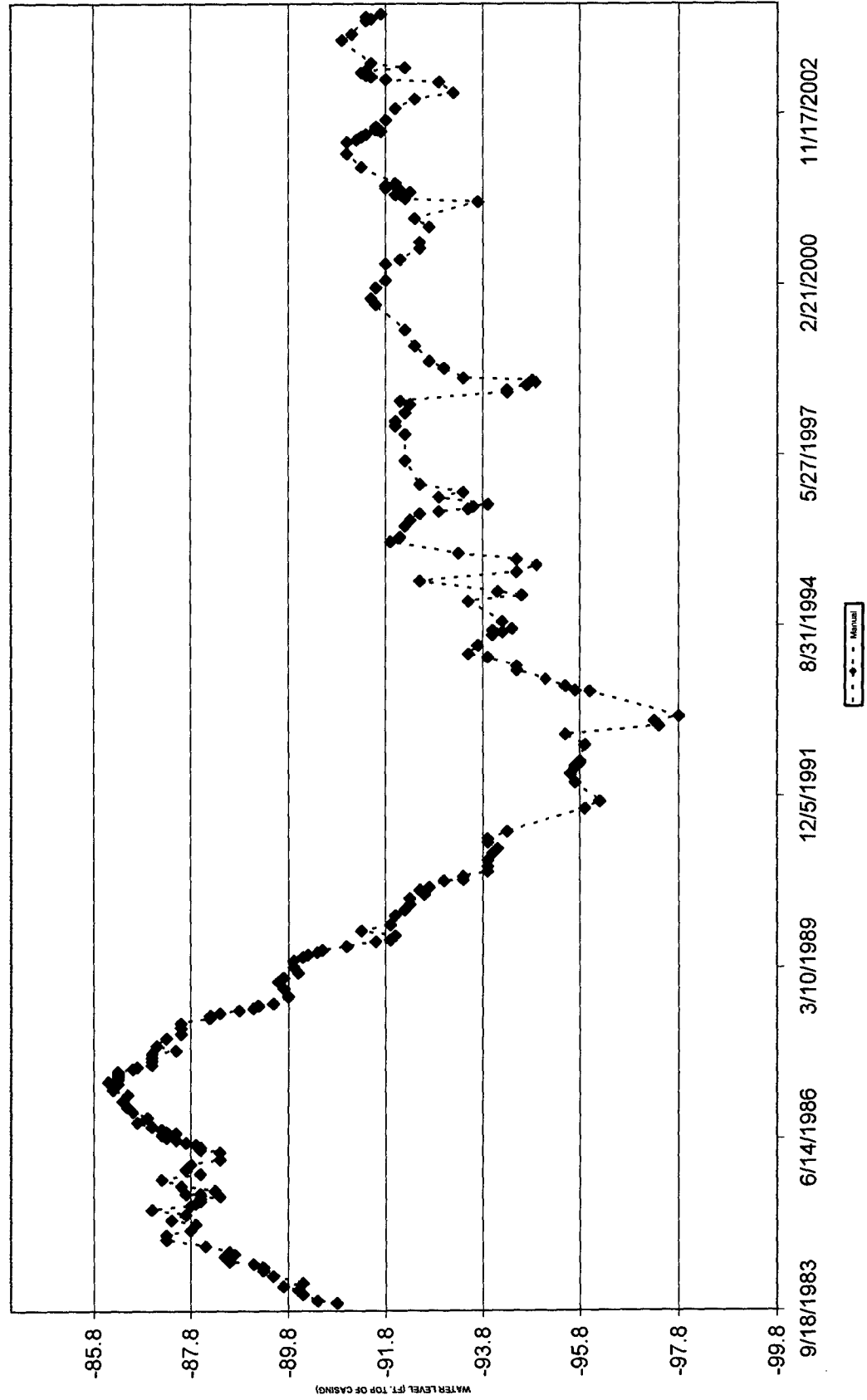
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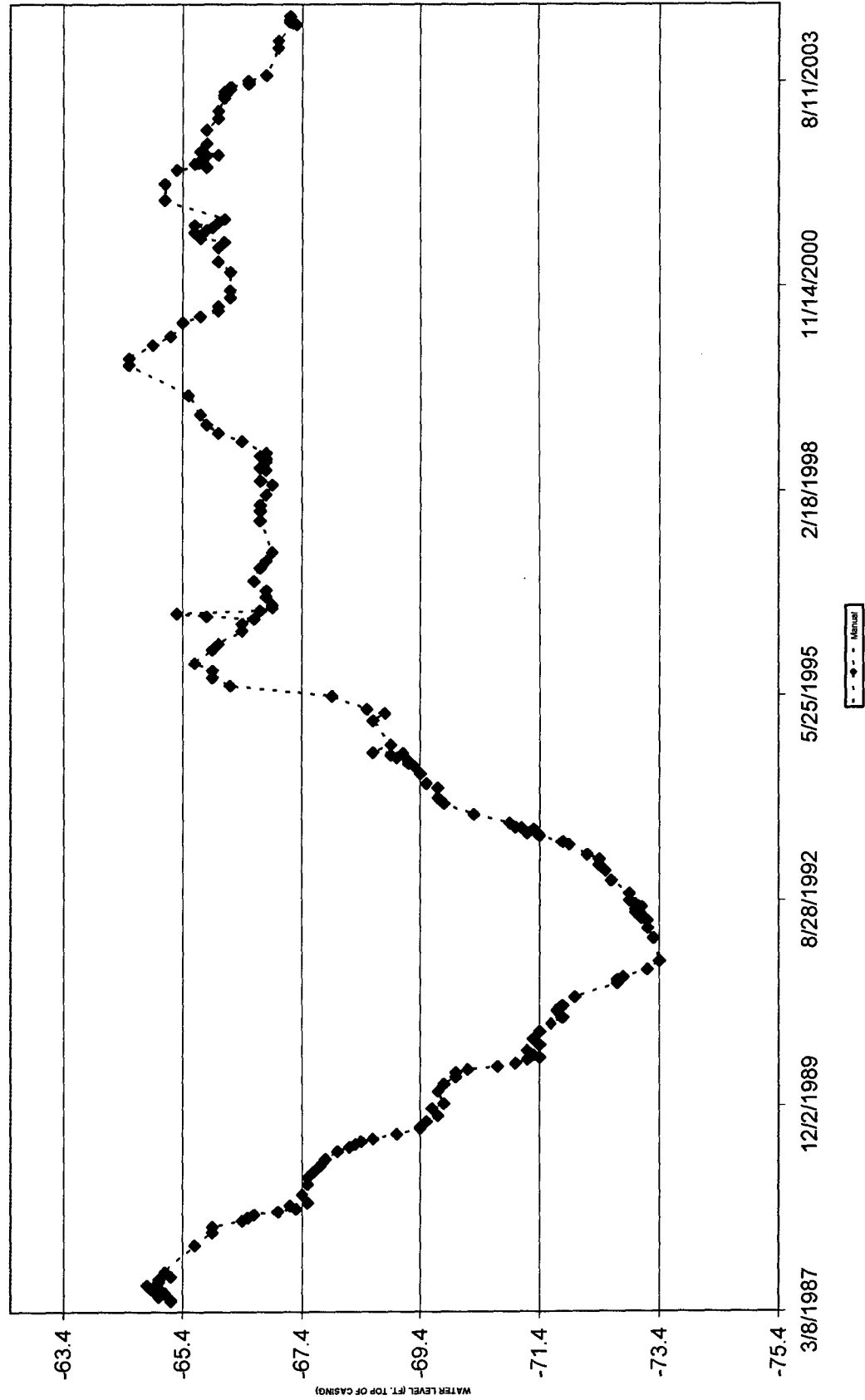
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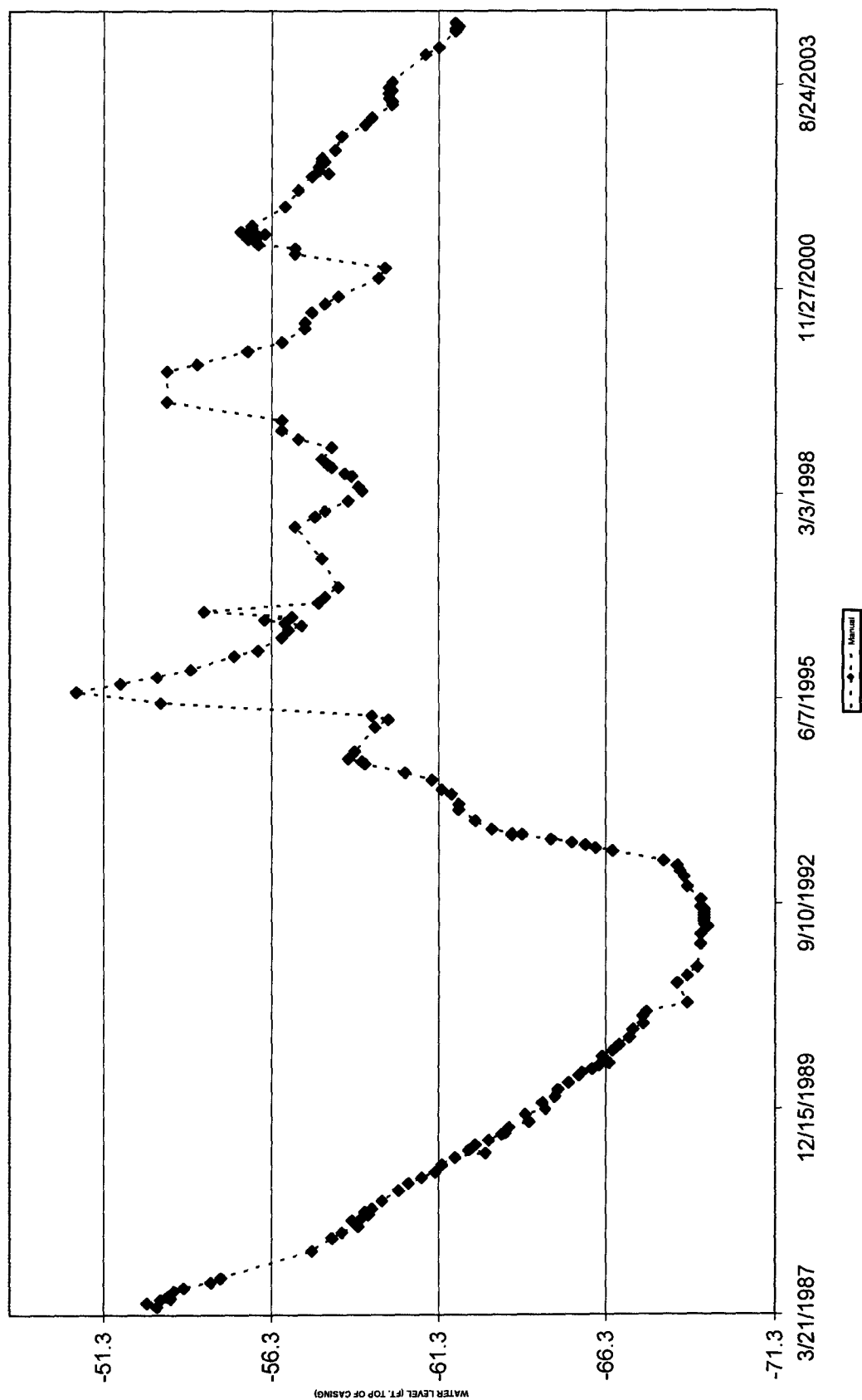
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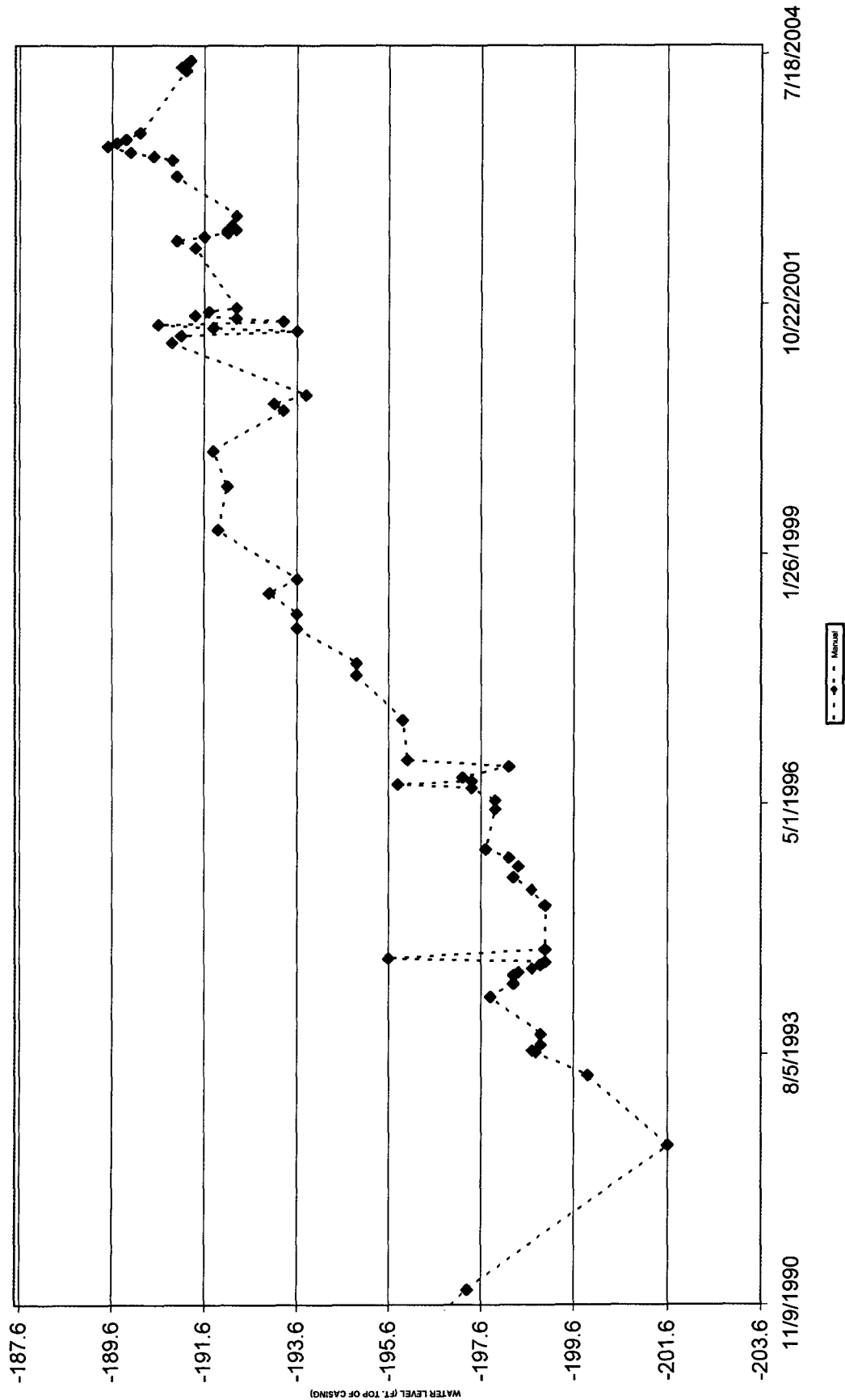
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MC-87A



**WATER RIGHTS' OBSERVATION WELL
MC-87B**



WATER RIGHTS' OBSERVATION WELL MC-93A



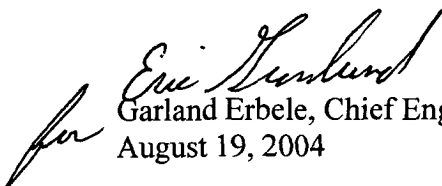
**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
APPLICATION NO. 5072-3, TM Rural Water District**

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 Application No. 5072-3, TM Rural Water District, c/o Ken Pedersen, Manager, TM Rural Water District, PO Box 445, Parker SD 57053

The Chief Engineer is recommending APPROVAL of Application No. 5072-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Madison has demonstrated a reasonable need for the water reserved, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Permit No. 5072-3 reserves 66 acre feet of water annually.
2. That Future Use Permit No. 5072-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.
4. This Permit is approved for groundwater from the Dolton Aquifer. Wells will be approximately 100 - 150 feet deep.

See report on application for additional information.


Garland Erbele, Chief Engineer
August 19, 2004



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 14 2004

Ken Pedersen, Manager
TM Rural Water District
PO Box 445
Parker SD 57053

Dear Mr. Pedersen:

Enclosed is Future Use Permit No. 5072-3 as approved by the Water Management Board on October 6, 2004.

When plans for facilities are prepared to put any portion of the water granted in Future Use Permit No. 5072-3 to beneficial use, an application covering such facilities and water use should be submitted to this office before construction is initiated.

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

Sincerely,

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

enclosure

5072-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 20, 2011

TM Rural Water District
c/o Jay Jorgensen, Manager
PO Box 445
Parker SD 57053

Dear Mr. Jorgensen:

I am writing in regard to the seven year review of Future Use Water Permit Nos. 4979-3 and 5072-3 from groundwater (Dolton Aquifer) held by TM Rural Water District. 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. These permits reserve water for future water supply needs for the district. Currently, our records show that 287 acre-feet remain in reserve under Future Use Permit No. 4979-3 issued in 1983 last reviewed in 2004. Also, 66 acre-feet remain in reserve under Future Use Permit No. 5072-3 issued in 2004.

Please respond in writing by August 31, 2011 regarding the district's intention for the future use permits. If the district plans to retain the permits, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit Nos. 4979-3 and 5072-3 will then be public noticed at the district'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 after the hearing, if the Board allows the permits to remain in effect. If the total reservation on both permits is allowed, the total fee will be \$135.00.

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

RECEIVED

AUG 30 2011

WATER RIGHTS
PROGRAM

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3310

August 26, 2011

Karen Schlaak
Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

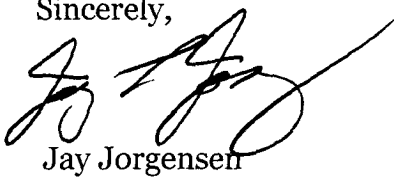
Karen,

Please accept this letter as TM Rural Water District's official reply regarding future use permits 4979-3 and 5072-3. TM Rural Water District wishes to retain these permits and included with this cover letter is our reasonable need and estimate of future needs.

In 2010 which was a very wet year in our part of the state TM Rural Water District utilized 99.8% of the water on current permit # 4988-3. The District will be requesting additional usage on this aquifer before the end of the year in order to stay within our permitted withdrawal.

If you have any questions please contact the TM office at 297-3334.

Sincerely,



Jay Jorgensen
Manager, TM Rural Water District
TM Rural Water District

2.2. SUMMARY OF EXISTING AND FUTURE DEMANDS

2.2.1 Summary of Existing Demands and Pumping Records: The pumping records and the water billing records provided by the District were used as a basis for the water demand projections for the T-M Rural Water System. The water pumping records used represent data for 1998 and 2010. According to this data, the average daily flow in 2010 was 1.740 MGD.

Table 2.3: Summary of Pumping Records

Year	Annual Average Water Demand* (MGD)	Maximum Monthly Water Demand* (MGD)	Maximum Daily Water Demand* (MGD)
1998	0.650	0.770	1.160
1999	0.670	0.810	1.040
2000	0.687	0.827	1.161
2001	0.687	0.821	1.036
2002	0.727	0.945	1.143
2003	0.782	0.965	1.255
2004	0.679	0.822	1.171
2005	0.716	1.000	1.261
2006	0.825	1.140	1.396
2007	0.710	1.030	1.360
2008	1.620	2.218	2.373
2009	1.394	2.190	2.462
2010	1.740	2.072	2.664

NOTE - * This water demand is supplied by T-M Rural Water and by B-Y Rural Water.

Historically the maximum daily demands have been approximately 1.5 times the maximum month demand; however, from Table 2.3 it can be seen that the ratio between Maximum daily and Maximum monthly values have come down since 2008. This is due to the sale of water to the ethanol plant. The ethanol plant takes a fairly constant flow rate of approximately 1,000 gpm regardless of time of year. If the sale of water to the Ethanol plant is

excluded from the water sales data, it can be seen that the ratio of maximum daily flow to maximum monthly flow is still right at 1.5.

T-M Rural Water maintains records of the amount of water produced at the water treatment plant and the amount of water actually sold to customers. The difference between the two is the amount of “Unsold” water. Most water that is not sold is still accounted for: flushing new pipe, flushing hydrants, and miscellaneous uses. The amount of water sold versus the amount of water produced for the years 1995-2010 are summarized in Table 2.4: Summary of Water Records in 1995-2010.

Table 2.4: Summary of Water Records in 1995-2007

Year	Total Water Pumped* (gal/yr)	Water Sold (gal/yr)	“Unsold” Water (%)
1995	226,780,000	202,719,000	11
1996	231,758,000	196,292,000	15
1997	248,075,000	200,078,000	19
1998	237,743,000	205,947,000	13
1999	245,735,000	206,581,000	16
2000	250,990,000	223,671,000	11
2001	250,721,000	225,985,000	9
2002	265,389,000	228,351,000	13
2003	292,805,000	239,478,000	18
2004	289,190,000	244,508,000	15
2005	298,413,000	257,642,000	13
2006	305,364,000	269,420,000	12
2007	290,792,482	256,324,000	12
2008	591,286,657	542,535,104	8.3
2009	508,971,256	476,745,625	6.4
2010	635,134,162	602,981,725	5.1

2.1.2 Projections of Future Water Demands: Water demand projections for T-M Rural Water were made based on the number of rural connections, pasture connections, and city connections. Projections of future rural water

demands can be made based on the number of new services in the service area. The District has added an average of 33 service connections per year for the past five years, therefore; this number will be used as the number of connections added per year for the next 20 years. In the year 2000, T-M Rural Water District added approximately 100 service connections in a new user construction project. These connections were added to that year and then the trend of 35 connections per year was continued. Table 2.5: Service Connection Projections shows the growth of the T-M Rural Water System.

Table 2.5: Service Connection Projection

Year	Connection Projection
1996	943
1997	958
1998	980
1999	998
2000	1,016
2001	1,105
2002	1,139
2003	1,197
2004	1,232
2005	1,260
2006	1,368
2007	1,386
2008	1,392
2009	1,406
2010	1,424
2020	1,780
2030	2,120

The water system presently serves 1,424 rural residences/farms, 24 pasture taps, and 7 cities. The cities that the District serves are: Canistota, Davis, Dolton, Hurley, Monroe, Viborg, and Marion. The existing and projected average water use for cities is presented in Table 2.6: Projected Average

Day City Water Use. The projected demands for the cities were made using the water demand records for the past five years and projecting them for the next twenty years.

Table 2.6: Existing and Projected Average Day Bulk Water Use

Year	Average Use in 2008 (gpd)	Average Use in 2009 (gpd)	Average Use in 2010 (gpd)	Average Use in 2020 (gpd)	Average Use in 2030 (gpd)
Canistota	49,532	49,471	46,236	60,300	61,500
Davis ¹					
Dolton	2,696	3,156	1,937	3,200	3,500
Hurley	21,058	22,934	24,252	34,000	34,000
Monroe ¹					
Viborg	66,307	64,000	60,222	73,000	74,000
Marion	63,797	58,636	55,532	78,300	80,400
Ethanol Plant	831,488	647,726	1,016,753	1,000,000	1,000,000
Hanson RWS	5,340	22,564	15,068	250,000 ²	250,000 ²
TOTAL	1,040,216	868,488	1,220,000	1,248,800	1,253,400

¹. Customers in Monroe and Davis are individually metered. TM sells water to each community but not as a bulk user.

². It is anticipated that Hanson Rural water will only use T-M water to help supplement their existing capacity. It is anticipated that this demand will not be part of an average day demand or the peak day demand. Peak water demands for Hanson Rural Water will be met by selling BY-water to them thru an interconnection constructed in 2008.

Probable future water demands were evaluated on the basis of population projections and an allowance for growth in the number of connections made to the water system. The projected water production rates required to meet the needs are based on the current water production rates required to meet the needs of the District. For projected water production rates, a peaking factor for the past 5 years between the average day demand and

the maximum day demand was determined. Historically, the maximum peaking factor determined was 2.00 in the year 1995; therefore, a peaking factor of 2.0 was used for projected water production rates. A summary of the projections is provided in Table 2.7: Projections of Future Water Demands.

Table 2.7: Projections of Future Water Demands

	2008	2009	2010	2020	2030
Number of Connections	1,392	1,406	1,424	1,780	2,120
Average City Demand (MGD)	1.035	0.846	1.205	1.249	1.253
Average Rural Demand (MGD)	0.585	0.548	0.535	0.704	0.838
Total Average Water Demand (MGD)	1.62	1.39	1.74	1.95	2.09
"Unsold Water"	0.13	0.09	0.09	0.14	0.15
Total Average Production (MGD)*	1.75	1.48	1.83	2.09	2.24
Peaking Factor	1.46	1.77	1.53	2.0 ¹	2.0 ¹
Maximum Day Production (MGD)	2.57	2.62	2.80	3.29	3.58

¹. A peaking factor of 2.0 was only used for the existing rural customers.

It should be noted that both the ethanol plant demand and the Hanson Rural water demand was not multiplied by 2.0 to obtain the maximum day demand.

Historical trends of the data provided indicate water demands for the T-M Rural Water District are likely to increase over the next twenty years. The existing water treatment plant capacity of 4.0 MGD would allow for a growth of approximately 50 rural water connections per year and a modest growth rate within the communities that T-M Rural Water serves.



**DEPARTMENT of ENVIRONMENT
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**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5072-3, TM Rural Water District**

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. 5072-3, TM Rural Water District, PO Box 445, Parker SD 57053.

The Chief Engineer is recommending that Future Use Permit No. 5072-3 REMAIN in EFFECT for 66 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5072-3, 2) the district has demonstrated a reasonable need for the water reserved by Permit No. 5072-3, 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. 5072-3 is subject to payment of the \$50.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the district after the Board hearing.

Garland Erbele, Chief Engineer
August 31, 2011



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 31, 2011

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

TM Rural Water District
Jay Jorgensen, Manager
Box 445
Parker SD 57053

Dear Mr. Jorgensen:

Future Use Permit Nos. 4979-3 and 5072-3 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 following Publishers:

The New Era, Parker SD 605 258-2604
Argus Leader, Sioux Falls SD 605 331-2200
Freeman Courier, Freeman SD 605 925-0950

Salem Special, Salem SD 605 425-2361
Miner County Pioneer, Howard SD 605 772-5644

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 NEWSPAPERS 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 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 reviews 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. 4979-3 and 5072-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3 .

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW 1/4 Section 32, Section 31 except W 1/2 SE 1/4 both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No. 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 am, October 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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 September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Bldg, 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. 4979-3 and 5072-3 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 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 September 26, 2011. 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 September 26, 2011. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 31, 2011

The New Era
PO Box 579
Parker SD 57053

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 to be published twice. Please publish the first notice on September 8, 2011 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 TM Rural Water System, c/o Jay Jorgensen, Box 445, Parker SD 57053 (phone 605 297-3334).

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 August 31, 2011 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 31, 2011

Salem Special
PO Box 220
Salem SD 57058

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 to be published twice. Please publish the first notice on September 8, 2011 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 TM Rural Water System, c/o Jay Jorgensen, Box 445, Parker SD 57053 (phone 605 297-3334).

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 August 31, 2011 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 31, 2011

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

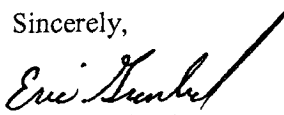
Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 to be published twice. Please publish the first notice on September 8, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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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 August 31, 2011 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 31, 2011

Miner County Pioneer
PO Box 220
Howard SD 57349

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 to be published twice. Please publish the first notice on September 8, 2011 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 TM Rural Water System, c/o Jay Jorgensen, Box 445, Parker SD 57053 (phone 605 297-3334).

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 August 31, 2011 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 31, 2011

Freeman Courier
PO Box 950
Freeman SD 57029

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 to be published twice. Please publish the first notice on September 7, 2011 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

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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 August 31, 2011 enclosing Notice of Hearing to Review Future Use Water Permit Nos. 4979-3 and 5072-3 which was first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

RECEIVED

SEP 29 2011

WATER RIGHTS
PROGRAM

Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF McCOOK)

TROY SCHWANS of said County and State, being first duly sworn on his oath, says THE SALEM SPECIAL is a weekly newspaper of general circulation, printed and published in Salem, McCook County and State of South Dakota, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at said place of publication; and that I, the undersigned, am publisher or employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit;

that the advertisement headed.

T.M. Rural Water

a printed copy of which is hereto attached, was printed and published in the newspaper for 2 weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication being made on

..... *Sept. 8* 20 *11* ..

the second publication on. *Sept. 15* 20 *11* ..

the third publication on. 20

the fourth publication on. 20

the fifth publication on. 20

the sixth publication on. 20

and the last publication on. 20

that \$ 75.79 being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whosoever.

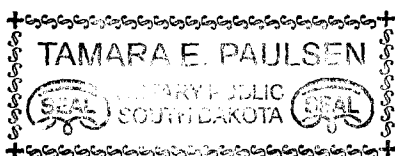
..... *[Signature]*
Subscribed and sworn to before me this. *28th* ..

day of. *September* 20 *11* ..

..... *Tamara E. Paulsen* ..

Notary Public, *McCook* County

My commission expires. *08-09-14* ..



Public Notice

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 4979-3 and 5072-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3.

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW 1/4 Section 32, Section 31 except W 1/2 SE 1/4 both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No. 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 am, October 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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 September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Bldg, 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. 4979-3 and 5072-3 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 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 September 26, 2011. 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 September 26, 2011. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of \$75.79.

9-8,15

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF TURNER

RECEIVED

SEP 26 2011

WATER RIGHTS
PROGRAM

I, Robin Schneider of the City of Parker, County of Turner, State of South Dakota

being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, The affiant, is the Office Manager of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

5215 Notice of hearing to review future use water permit Nos. 4949-3 and 5072-3
printed copy of hereto attached, is printed and published in the said newspaper for two successive weeks, one each week and on the same day of the week, on the following dates, to wit:

On Thursday, the 8th day of Sept., 2011

On Thursday, the 15th day of Sept., 2011

On Thursday, the day of , 2011

On Thursday, the day of , 2011

On Thursday, the day of , 2011

That \$ 107.10 being the full amount of the fees for publication of the attached notices insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

See attached

Robin Schneider

Subscribed and sworn to before me this 22nd

Day of September 2011

Paul R. Harms

Notary Public, Turner County, South Dakota

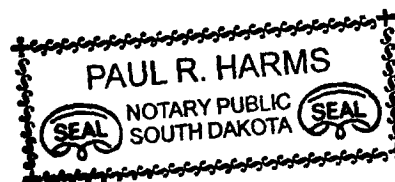
Publication Fee....\$

Notary Fees.....\$

Total.....\$ 107.10

Received Payment Date

My Commission
Expires:
February 10, 2012



**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NOS.**

4979-3 and 5072-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3.

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW 1/4 Section 32, Section 31 except W 1/2 SE 1/4 both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Doton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No. 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 am, Oct. 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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 Sept. 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Bldg, 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. 4979-3 and 5072-3 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 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 Sept. 26, 2011. 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 Sept. 26, 2011.

Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources.

Published twice at the total
approximate cost of \$
(\$5215, 09/08/11, 09/15/11,
The New Era)

RECEIVED
SEP 26 2011
WATER RIGHTS
PROGRAM

CUSTOMER NUMBER:	078340	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	1350746	
RUN DATES	9/8, 9/15, 2011	
		AMOUNT DUE: \$179.23

Dept of Environment & Natural Resources
Water Rights Program
Attn: Karen Schlaak
523 E Capitol Avenue, Joe Foss Building
Pierre, SD 57501

RECEIVED
SEP 19 2011
WATER RIGHTS
PROGRAM

paid by
TM Rural Water
Systems

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

Water Permit No. 4979-3 and 5072-3 (TM Rural Water)

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340
Invoice Number: 1350746

Dept of Environment & Natural Resources

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

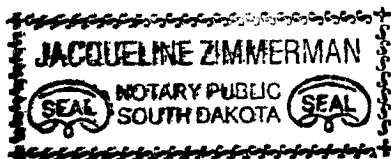
Thursday, the 8 day of September 2011,
Thursday, the 15 day of September 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,

and that \$179.23 was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 9/16/2011

J. Zimmerman
Notary Public, South Dakota

My Commission expires December 22, 2015



**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NOS.
4979-3 and 5072-3**

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3.

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW 1/4 Section 32, Section 31 except W 1/2 SE 1/4 both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Dotton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No. 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 am, October 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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

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The hearing to review Future Use Permit Nos. 4979-3 and 5072-3 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.

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Published twice at the total approximate cost of \$179.23. 1350746 Sept. 8 & 15, 2011

RECEIVED

SEP 16 2011

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says:
That the Miner County Pioneer is a legal newspaper of general circulation,
printed and published in Howard, said County and State, by Carla Poulson, and
has been such newspaper during the time hereinafter mentioned: and that I,
Carla Poulson the undersigned, am publisher of said newspaper, in charge of
the advertising department thereof, and have personal knowledge of all the
facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing to Review Future
Use Water Permits Nos 4979-3 and 5072-3

A printed copy of which is hereunto attached, was printed and published in the
regular and entire issue of said newspaper and not in a supplement, once each
week for 2 successive weeks, the first publication being made on the
15th day of Sept. 2011...

And the last publication on the 15th day of Sept. 2011...

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

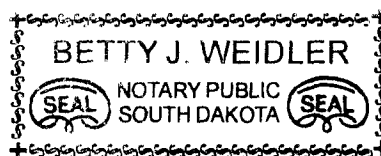
The fifth publication being made on the day of 20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of
more than two hundred copies weekly, and has been published within the
County of Miner, for more than fifty-two successive weeks next prior to the
first publication of said notice, and is printed in on office maintained in
Howard, South Dakota, the place of publication of said newspaper. That the
full amount of fees for publication of the annexed notice is \$ 64.87 and
insures solely to the benefit of said publisher; that no agreement or understand-
ing for a division thereof has been made with any person and that no part
thereof has been agreed to be paid to any person whomever.

Subscribed and sworn to me this 15th day of Sept. 2011...

Betty J. Weidler

My commission expires the 15th day of April 2016...



**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NOS. ~~4979-3~~ and 5072-3**

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker, SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3.

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW ¼ Section 32, Section 31 except W 1/2 SE ¼ both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW ¼ Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 a.m., October 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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 September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Bldg, 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 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. 4979-3 and 5072-3 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 Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendations, 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 September 26, 2011. 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 September 26, 2011. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

~~Permitted twice at the total approximate cost of \$6,007.~~
(Sept. 8 & 15)

SEP 15 2011

WATER RIGHTS
PROGRAM**AFFIDAVIT OF PUBLICATION**

County of Hutchinson)

) ss.

State of South Dakota)

Tim L. Waltner, of said county and state, being sworn, on his oath, deposes and says: That the Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county by Tim L. Waltner, and has been such during the time hereinafter mentioned: That I, Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all things stated in this affidavit, and that the advertiser headed **Notice of Hearing**

a printed copy of which is hereto attached, was and published in the said newspaper for two issues to-wit:

The first publication on:
September 7, 2011

the second publication on:
September 14, 2011

and the third publication on:

That the full amount of the fees charged for publication the same to-wit: The sum of **\$76.33** insures no benefit of the publisher of the Freeman Courier agreement or understanding for any division that has been made with any other person whomsoever the amount of **\$76.33** is the rate for publishing notices.

Subscribed and sworn to before me this 14th day of September, 2011.

Notary Public
Commission expires: 10/9/12

Publication fee: **\$76.33**
Notary fee:
Total: **\$76.33**

NOTICE OF HEARING to Review Future Use Water Permit Nos. 4979-3 and 5072-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 4979-3 and 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 for progress made in the development of the water reserved by the Permits and future plans for development of the water reserved by Permit Nos. 4979-3 and 5072-3.

Permit No. 4979-3 was approved 1983 and currently reserves 287 acre-feet from wells less than 155 feet deep located in the SW 1/4 Section 32, Section 31 except W 1/2 SE 1/4 both in T101N-R54W; Section 8-T100N-R55W; Lot 2 except 0.51 acres and Lot 3 less Lot A of 2 and 3 and Lot 4 of Section 12-T100N-R56W for rural water system use.

Permit No. 5072-3 was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 4979-3 REMAIN in EFFECT for 287 acre-feet and Permit No. 5072-3 REMAIN in EFFECT for 66 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. 4979-3 and 5072-3 at 10:00 am, October 5, 2011 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendations of the Chief Engineer are 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 September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Bldg, 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. 4979-3 and 5072-3 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 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 September 26, 2011. 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 September 26, 2011. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of \$76.33



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 11, 2011

NOTICE

TM Rural Water District
Jay Jorgensen, Manager
Box 445
Parker SD 57053

Dear Mr. Jorgensen:

I am writing in response to action taken by the Water Management Board at the hearing on October 5, 2011 to review Future Use Permit Nos. 4979-3 and 5072-3. The Board allowed the permits to remain in effect for 287 acre-feet of water annually and 66 acre-feet of water annually. Future Use Permit Nos. 4979-3 and 5072-3 are subject to another review in seven years.

Pursuant to SDCL 46-2-13(1), the fee for maintaining the effectiveness of Future Use Permit No. 4979-3 is \$85.00 and the fee for Future Use Permit No. 5072-3 is \$50.00 (\$135.00 total). Please remit the fee 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 October 11, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 11, 2011 regarding Future Use Permits addressed as stated below:

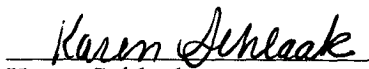
City of Valley Springs, PO Box 118, Valley Springs SD 57068 5444-3
TM Rural Water, PO Box 445, Parker SD 7053 4979-3 & 5072-3



Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of October, 20 11.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/27, 20 11

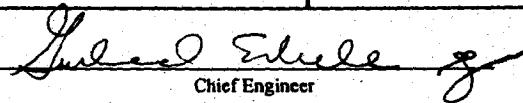
RECEIVED OF TM Rural Water PO Box 455 Parker SD 57053

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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>5072-3</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	50 00

No. **05055**

By


Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 1, 2018

TM Rural Water District
c/o Jay Jorgensen
PO Box 445
Parker SD 57053

Dear Mr. Jorgensen:

I am writing in regard to the seven year review of Future Use Water Permit No. 5072-3 from the Dolton Aquifer held by the TM Rural Water District. 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 district. Currently, our records show that 66 acre-feet remain in reserve under this future use permit that was issued in 2004 and last reviewed in 2011.

Please respond in writing by August 31, 2018 regarding the district's intention for the future use permit. If the district 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 No. 5072-3 will then be public noticed at the district'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 permit. A fee will be charged if the Board allows the permit 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 66 acre-feet remain in reserve, the fee will be \$50.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Karen Schlaak'.

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

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3332

August 22, 2018

Karen Schlaak
Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Karen,

Please accept this letter as TM Rural Water District's official reply regarding future use permit 5072-3 for groundwater reserved in the Dolton Aquifer. TM Rural Water District wishes to retain this permit and included with this cover letter is our reasonable need and estimate of future needs.

If you have any questions please contact the TM office at 297-3334.

Sincerely,



Jay Jorgensen
Manager, TM Rural Water District
TM Rural Water District

Summary Of Existing And Future Demands

The pumping records and the water billing records provided by the District were used as a basis for the water demand projections for the TM Rural Water District System. The water pumping records used represent data for 1998 thru 2017. According to this data, the average daily flow in 2017 was 2.089 MGD and a single day peak of 3.381 MGD in 2018 so far this year.

Summary of Pumping Records

Year	Annual Average Water Demand (MGD)	Maximum Monthly Water Demand (MGD)	Maximum Daily Water Demand (MGD)
1998	0.650	0.770	1.160
1999	0.670	0.810	1.040
2000	0.687	0.827	1.161
2001	0.687	0.821	1.036
2002	0.727	0.945	1.143
2003	0.782	0.965	1.255
2004	0.679	0.822	1.171
2005	0.716	1.000	1.261
2006	0.825	1.140	1.396
2007	0.710	1.030	1.360
2008	1.620	2.218	2.373
2009	1.394	2.190	2.462
2010	1.740	2.072	2.664
2011	1.658	2.039	2.624
2012	1.931	2.585	2.869
2013	1.831	2.265	2.749
2014	1.826	2.092	2.597
2015	1.847	2.227	2.909
2016	1.973	2.378	2.697
2017	2.089	2.605	2.697

The District's water loss hovers between 5 and 8% and we work diligently to reduce this percentage.

Projections of Future Water Demands

Since 2010 the District has added 171 rural users making a grand total of 1595 metered connections. Although new users have been added to the system at an average of 25 new connections per year, much of the increase in water consumption has been and continues to be attributed to both the NuGen Ethanol Plant and the agricultural sector for use in spraying crops during the growing season and livestock production.

TM predicts that the existing agricultural sector will continue to grow with regards to water usage.

TM continues to see requests coming in for large CAFOs wanting to set up inside the District's boundaries which include dairies, cattle feed lots, egg laying facilities and swine facilities and we are hesitant to forfeit any Future Use Permits that we currently hold. Just one of these large CAFO facilities would require TM to utilize existing Future Use Permits.

Projected future demands based on the increases that we have seen over the last 10 years would look as follows.

Projected Future Demands			
2027	2.558	2.992	3.472
2037	3.027	3.379	4.035
2047	3.496	3.766	4.598



**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. 5072-3, TM Rural Water District**

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. 5072-3, TM Rural Water District, Box 445, Parker SD 57053.

The Chief Engineer is recommending that Future Use Permit No. 5072-3 REMAIN in EFFECT for 66 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5072-3, 2) the district has demonstrated a reasonable need for the water reserved by Permit No. 5072-3, 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. 5072-3 is subject to payment of the \$50.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the district after the Board hearing.

Jeanne Goodman, Chief Engineer
August 27, 2018



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 27, 2018

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

TM Rural Water District
c/o Jay Jorgensen
Box 445
Parker SD 57053

Dear Mr. Jorgensen:

Future Use Permit No. 5072-3 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 counties where water will be diverted or used. Notice of this review has been sent to the following papers.

- ✓The New Era, Parker SD 605 297-4419
- ✓Salem Special, Salem SD 605 425-2361
- ✓Argus Leader, Sioux Falls SD 605 331-2200
- ✓Miner County Pioneer, Howard SD 605 772-5644
- ✓Freeman Courier, Freeman SD 605 925-7033

For your information, a copy of the 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 September 5 or 6, 2018. 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

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:33 PM
To: courier@gwtc.net
Subject: FW: 5072-3, TM Rural Water District
Attachments: 5072-3notice.doc; FORM8.FRM.doc

Attached is a notice to be published on September 6, 2018.

TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 (605 297-3334) 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



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:32 PM
To: allegals@argusleader.com
Subject: FW: 5072-3, TM Rural Water District
Attachments: 5072-3notice.doc; FORM8.FRM.doc

Attached is a notice to be published on September 6, 2018.

TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 (605 297-3334) 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



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:31 PM
To: Salem Special / Troy Schwans (tschwans@triotel.net)
Subject: FW: 5072-3, TM Rural Water District
Attachments: 5072-3notice.doc; FORM8.FRM.doc

Attached is a notice to be published on September 5, 2018.

TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 (605 297-3334) 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



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:30 PM
To: sebeling@ncppub.com
Subject: 5072-3, TM Rural Water District
Attachments: 5072-3notice.doc; FORM8.FRM.doc

Attached is a notice to be published on September 6, 2018.

TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 (605 297-3334) 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



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:33 PM
To: Miner County Pioneer News (news@minercountypioneer.com)
Subject: FW: 5072-3, TM Rural Water District
Attachments: 5072-3notice.doc; FORM8.FRM.doc

Attached is a notice to be published on September 6, 2018.

TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 (605 297-3334) 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



Instruction to Newspaper - Publish the following Notice on September 5 or 6, 2018. TM Rural Water District is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 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. 5072-3. This permit was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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. 5072-3 at 1:00 pm on October 4,~~ 2018 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 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 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 September 24, 2018. 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 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 No. 5072-3 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 September 24, 2018. 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 September 24, 2018.

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 September 17, 2018. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.

CUSTOMER NUMBER:	078111	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	3126015	
RUN DATES:	9/6, 2018	
		AMOUNT DUE: \$99.49

RECEIVED
SEP 10 2018
WATER RIGHTS PROGRAM

T M RURAL WATER
 c/o Jay Jorgensen
 Box 445
 Parker, SD 57053-0445

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

Water Permit 5072-3

AFFIDAVIT OF PUBLICATION-

Customer Number: 078111
 Invoice Number: 3126015

T M RURAL WATER

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Sara Kruse being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-2.1, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Thursday	, the	6	day of	September	2018
_____	, the	_____	day of	_____	2018
_____	, the	_____	day of	_____	2018
_____	, the	_____	day of	_____	2018
_____	, the	_____	day of	_____	2018
_____	, the	_____	day of	_____	2018
_____	, the	_____	day of	_____	2018

and that \$99.49 was charged for publishing the same.

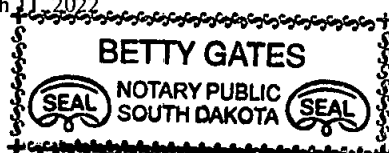
Sara Kruse

Subscribed and sworn to before me 9/6/18

Betty Gates

Notary Public, South Dakota

My Commission expires March 11, 2022



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 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 September 24, 2018. 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 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 No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules served by the Permit and 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 September 24, 2018. 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 September 24, 2018. 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 September 17, 2018. Steven M. Plmer, Secretary, Department of Environment and Natural Resources. Published once at the approximate cost of \$99.49. 3126015 Sept. 6, 2018

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules served by the Permit and 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 September 24, 2018. 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 September 24, 2018. 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 September 17, 2018. Steven M. Plmer, Secretary, Department of Environment and Natural Resources. Published once at the approximate cost of \$99.49. 3126015 Sept. 6, 2018

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 10 2018

WATER RIGHTS
PROGRAM

County of Hutchinson)

) ss.

State of South Dakota)

Jeremy Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Jeremy Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Jeremy Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Water Permit Hearing

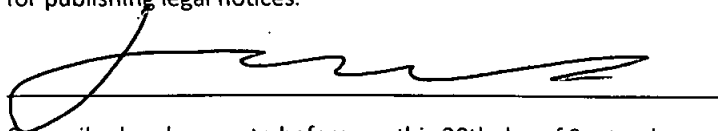
a printed copy of which is hereto attached, was printed and published in the said newspaper for one successive issues to-wit:

The first publication on:
September 6, 2018

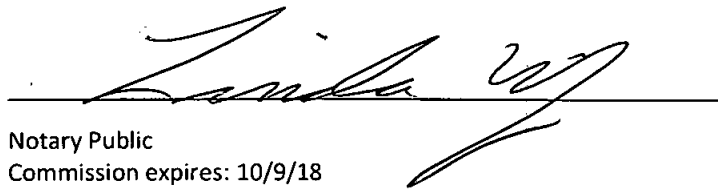
the second publication on:

and the third publication on:

That the full amount of the fees charged for publishing the same to-wit: The sum of \$41.58 insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$41.58 is the rate for publishing legal notices.



Subscribed and sworn to before me this 30th day of September 2018.



Notary Public
Commission expires: 10/9/18

Publication fee:	\$41.58
Notary fee:	
Total:	\$41.58

NOTICES

Notice of Hearing to Review Future Use Water Permit No. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 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. 5072-3. This permit was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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. 5072-3 at 1:00 p.m. on October 4, 2018 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 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 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 September 24, 2018. 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 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 No. 5072-3 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.

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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 September 24, 2018. 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 September 24, 2018.

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 September 17, 2018. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was taken

from the Salem Special

printed and published in Salem

County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following date:

Sept. 6, 2018

Cost of Printing \$ 47.12

Troy Schwans
(Signature)

Owner
(Title)

Sept 6, 2018
(Date Signed)

RECEIVED
SEP 10 2018
WATER RIGHTS
PROGRAM

Public Notice

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 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. 5072-3. This permit was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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. 5072-3 at 1:00 pm on October 4, 2018 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 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.

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Published once at the total approximate cost of \$47.12.

9-6

RECEIVED

SEP 10 2018

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

I, Dawn Rye, of the City of Parker, County of Turner, State of South Dakota being first duly sworn on oath, deposes and says: The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, New Century Press, publishers, and has been such legal newspaper during the times here in after mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice here unto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, The affiant, is the Office Manager of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

N0906-2 Notice of hearing to review water permit No. 5072-3

once printed copy of hereto attached, is printed and published in the said newspaper for one successive week, one each week and on the same day of the week, on the following dates, to wit:

On Thursday, the 6th day of September 2018

That \$54.61 being the full amount of the fees for publication of the attached notices insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this

6th

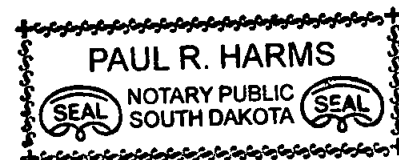
Day of

September 2018

Notary Public, Turner County, South Dakota

My Commission Expires: April 24, 2024

Publication Fee \$54.61
Notary Fees \$
Total \$54.61



RECEIVED

SEP 10 2018

WATER RIGHTS
PROGRAM

served 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. 5072-3 at 1:00 pm on October 4, 2018 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 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.

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Any person wishing a copy of the Chief Engineer's recommendation, further information of this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Errol Gronlund, Water Rights Program (605 773-3352) by September 24, 2018. 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 delay must be filed with the Chief Engineer by September 24, 2018.

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Published once at the approximate cost of \$54.61 (N0906-2)

**Notice of hearing to review
future use water permit No.
5072-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 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. 5072-3. This permit was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the re-

RECEIVED

SEP 17 2018

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says:
That the Miner County Pioneer is a legal newspaper of general circulation,
printed and published in Howard, said County and State, by Carla Poulson, and
has been such newspaper during the time hereinafter mentioned: and that I,
Carla Poulson the undersigned, am publisher of said newspaper, in charge of
the advertising department thereof, and have personal knowledge of all the
facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing to Review Future
Use Water

A printed copy of which is hereunto attached, was printed and published in the
regular and entire issue of said newspaper and not in a supplement, once each
week for successive weeks, the first publication being made on the
..... day of 20.....
6 day of Sept 2018

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

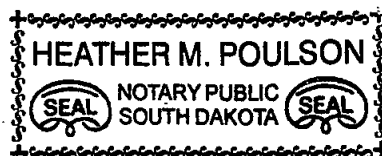
The fifth publication being made on the day of 20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of
more than two hundred copies weekly, and has been published within the
County of Miner, for more than fifty-two successive weeks next prior to the
first publication of said notice, and is printed in an office maintained in
Howard, South Dakota, the place of publication of said newspaper. That the
full amount of fees for publication of the annexed notice is \$ 40.00 and
insures solely to the benefit of said publisher; that no agreement or understand-
ing for a division thereof has been made with any person and that no part
thereof has been agreed to be paid to any person whomever

C.R.

Subscribed and sworn to me this day of 20.....
11 day of Sept 2018

My commission expires the day of 20.....
10 day of Oct 2019



LEGAL NOTICES

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, Box 445, Parker SD 57053 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. 5072-3. This permit was approved in 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use.

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Published once at the approximate total cost of \$40.06. (September 6)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

October 9, 2018

NOTICE OF ENTRY OF ORDER

TM Rural Water District
c/o Jay Jorgensen
PO Box 445
Parker SD 57053

Dear Mr. Jorgensen:

I am writing in response to action taken by the Water Management Board at the hearing on October 4, 2018 to review Future Use Permit No. 5072-3. The Board allowed the permit to remain in effect for 66 acre-feet of water annually. Future Use Permit No. 5072-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5072-3 is \$50.00 pursuant to SDCL 46-2-13(2). Please remit the fee 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 October 9, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 9, 2018 regarding Notice of 5444-3 and 5072-3 addressed as stated below:

City of Valley Springs, Ryan Nussbaum, Public Works Director, PO Box 118, Valley Springs, SD 57068

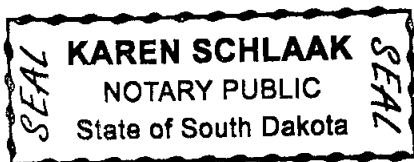
TM Rural Water District, Jay Jorgensen, PO Box 445, Parker, SD 57053

Vickie Maberry
Vickie Maberry
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of October, 2018.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 1, 2018

RECEIVED OF TM Rural Water District c/o Jay Jorgensen PO Box 445 Parker SD 57053

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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Future Use Permit 5072-3		
Fee for _____ for C.Y. _____	50	00
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	50 00

No. 08789

By

Sharon Goodmar

Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 18, 2025

Jay Jorgensen, Mgr
TM Rural Water District
PO Box 445
Parker SD 57053-0445

Dear Mr. Jorgensen,

I am writing in regard to the seven-year review of Future Use Water Permit No. 5072-3 from the Dolton Aquifer held by TM Rural Water District. 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 district. Currently, our records show that 66 acre-feet remain in reserve under this future use permit that was issued in 2004 and last reviewed in 2018.

Please respond in writing by August 29, 2025, regarding the district's intention for the future use permit. If the district 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 No. 5072-3 will then be public noticed at the district'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 permit. A fee will be charged if the Board allows the permit 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 66 acre-feet remain in reserve, the fee will be \$50.00.

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

Rodriguez, Rachel

From: jay.jorgensen tmruralwater.com <jay.jorgensen@tmruralwater.com>
Sent: Friday, July 25, 2025 4:04 PM
To: Rodriguez, Rachel
Subject: [EXT] Seven-Year Review of Future Use Water Permit No. 5072-3 from the Dolton Aquifer
Attachments: Future Use Permit 5072-3 Request to Retain Permit 07-25-25.pdf; Summary Of Existing And Future Demands FUP 5072-3 07-25-25.pdf
Importance: High

Rachel,
TM Rural Water District plans to retain this permit and attached is our formal letter and outline for a reasonable need for retaining the future use permit, including an estimate of future needs.
Please let me know if you require any additional information.
Have a great weekend.
Jay

Jay Jorgensen
Manager
TM Rural Water District
110 North Main Street
PO Box 445
Parker, SD 57053
Ph: 605-297-3334
Fax: 605-297-3332
Email: jay.jorgensen@tmruralwater.com

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3332

July 25, 2025

Rachel Rodriguez
Department of Agriculture and Natural Resources
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Rachel,

Please accept this letter as TM Rural Water District's official reply regarding future use permit 5072-3 for groundwater reserved in the Dolton Aquifer. TM Rural Water District wishes to retain this permit and included with this cover letter is our reasonable need and estimate of future needs.

If you have any questions, please contact the TM office at 297-3334.

Sincerely,



Jay Jorgensen
Manager, TM Rural Water District
TM Rural Water District

Summary Of Existing and Future Demands

The pumping records and the water billing records provided by the District were used as a basis for the water demand projections for the TM Rural Water District System. The water pumping records used represent data for 1998 thru 2024. According to this data, the average daily flow in 2024 was 1.79 MGD and a single day peak of 2.86 MGD in 2025 so far this year.

Summary of Pumping Records

Year	Annual Average Water Demand (MGD)		Maximum Daily Water Demand (MGD)
1998	0.65		1.16
1999	0.67		1.04
2000	0.69		1.16
2001	0.69		1.03
2002	0.73		1.14
2003	0.78		1.25
2004	0.68		1.17
2005	0.72		1.26
2006	0.82		1.39
2007	0.71		1.36
2008	1.62		2.37
2009	1.39		2.46
2010	1.73		2.88
2011	1.74		2.89
2012	1.93		3.20
2013	1.83		3.04
2014	1.83		3.03
2015	1.85		3.06
2016	1.98		3.28
2017	2.09		3.50
2018	2.01		3.33
2019	1.58		2.62
2020	1.69		2.81
2021	2.10		3.50
2022	1.90		3.15
2023	1.90		3.15

2024	1.79		2.97
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The District's water loss hovers between 5 and 8% and we work diligently to reduce this percentage.

Projections of Future Water Demands

Since 2018 the District has added 130 rural users making a grand total of 1725 metered connections. Although new users have been added to the system at an average of 19 new connections per year, much of the increase in water consumption has been and continues to be attributed to both the NuGen Ethanol Plant and the agricultural sector for use in spraying crops during the growing season and livestock production.

TM predicts that the existing agricultural sector will continue to grow with regards to water usage.

TM continues to see requests coming in for large CAFOs wanting to set up inside the District's boundaries which include dairies, cattle feed lots, egg laying facilities and swine facilities and we are hesitant to forfeit any Future Use Permits that we currently hold. Just one of these large CAFO facilities would require TM to utilize existing Future Use Permits.

Projected future demands based on the increases that we have seen over the last 10 years would look as follows.

Projected Future Demands			
2030	2.35		3.91
2040	2.57		4.27
2050	2.80		4.64



**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. 5072-3, TM Rural Water District**

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. 5072-3, TM Rural Water District, PO Box 445, Parker SD 57053.

The Acting Chief Engineer is recommending that Future Use Permit No. 5072-3 REMAIN in EFFECT for 66 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5072-3, 2) the district has demonstrated a reasonable need for the water reserved by Permit No. 5072-3, 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. 5072-3 is subject to payment of the \$ 50.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the district after the Board hearing.

Mark Mayer, PE
Director of Office of Water

AUG 07 2025



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 7, 2025

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

TM Rural Water District
c/o Jay Jorgenson, Manager
PO Box 445
Parker SD 57053

Dear Mr. Jorgenson:

Future Use Permit No. 5072-3 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 following newspapers:

•New Era, Parker SD	605 297-4419
•The Special, Salem SD	605 425-2361
•Argus Leader, Sioux Falls SD	(see contact information)
Miner County Pioneer, Howard SD	605 772-5644
•Freeman Courier, Freeman SD	605 925-7033

For your information, a copy of the 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 August 14, 2025. 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 August 14, 2025. TM Rural Water District is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker SD 57053 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. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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 Ron Duvall 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. 5072-3 on October 1, 2025, 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 August 25, 2025.

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. 5072-3 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 August 25, 2025.

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 August 25, 2025.

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 August 25, 2025. 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_____.



Order Confirmation

Not an Invoice

Account Number:	1248655
Customer Name:	Tm Rural Water
Customer Address:	Tm Rural Water Po Box 445 Parker SD 57053-0445
Contact Name:	TM RURAL WATER
Contact Phone:	
Contact Email:	
PO Number:	

Date:	08/07/2025
Order Number:	11564668
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	264.0000
Height in Inches:	29.1200

Print

Product	#Insertions	Start - End	Category
SFA Sioux Falls Argus Leader	1	08/14/2025 - 08/14/2025	Public Notices
SFA argusleader.com	1	08/14/2025 - 08/14/2025	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	\$89.20
Tax Amount	\$0.00
Service Fee 3.99%	\$3.56
Cash/Check/ACH Discount	-\$3.56
Payment Amount by Cash/Check/ACH	\$89.20
Payment Amount by Credit Card	\$92.76

Order Confirmation Amount	\$89.20
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Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Thursday, August 7, 2025 2:15 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 11564668 5072-3 TM Rural Water District - Public Notice
Attachments: 11564668.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on August 14. The order cost is \$89.20 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



Office: 844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Thursday, August 7, 2025 1:50 PM
To: SFA-Legals mbx <allegals@gannett.com>
Subject: 11564668 5072-3 TM Rural Water District - Public Notice

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334, Jay.Jorgensen@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:53 PM
To: courier@gwtc.net
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334, Jay.Jorgensen@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:52 PM
To: minercountypioneer@alliancecom.net
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334, Jay.Jorgensen@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:50 PM
To: legals@argusleader.com
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334, Jay.Jorgenson@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:50 PM
To: The Special / Troy Schwans
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334, Jay.Jorgensen@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:39 PM
To: New Century Press
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on August 14, 2025.

TM Rural Water District, c/o Jay Jorgenson, Mgr., PO Box 445, Parker SD 57053, 605 297-3334,
Jay.Jorgensen@tmruralwater.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 3:49 PM
To: Jay.Jorgensen@tmruralwater.com
Subject: 5072-3 TM Rural Water District - Public Notice
Attachments: 5072-3 Rec.pdf; 5072-3 Ltr.pdf; 5072-3 PubNotice.pdf; Argus Leader Info.pdf

Attached is a copy of the acting chief engineer's recommendation, and information regarding the public notice for your Future Use Water Permit. 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 acknowledge receipt of this email.

Thank you,

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



RECEIVED

SEP 02 2025

OFFICE OF
WATER

AFFIDAVIT OF PUBLICATION

County of Hutchinson)

) ss.

State of South Dakota)

Jeremy Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That The Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Jeremy Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Jeremy Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Water Permit No. 5072-3

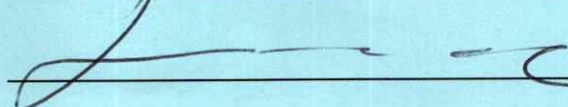
a printed copy of which is hereto attached, was printed and published in the said newspaper for one successive issues to-wit:

The first publication on:
August 13, 2025

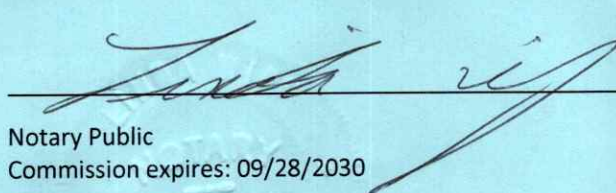
the second publication on:

and the third publication on:

That the full amount of the fees charged for publishing the same to-wit: The sum of \$66.83 insures solely to the benefit of the publisher of The Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$66.83 is the rate for publishing legal notices.



Subscribed and sworn to before me this 31st day of August 2025.



Notary Public
Commission expires: 09/28/2030

Publication fee: \$66.83
Notary fee:
Total: \$66.83

WATER MANAGEMENT BOARD

Notice of hearing to review future use water permit No. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker SD 57053 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. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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 Ron Duvall 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. 5072-3 on October 1, 2025, at 9:30 AM (Central Time), Floyd Matthews 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

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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 August 25, 2025.

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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 August 25, 2025. 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 \$66.83

RECEIVED

SEP 17 2025

OFFICE OF
WATER**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 5072-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker, SD 57053 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. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018.

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The Water Management Board will conduct the hearing to review Future Use Permit No. 5072-3 on October 1, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

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AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Carla Poulson, and has been such newspaper during the time hereinafter mentioned: and that I, Carla Poulson the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing

A printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in a supplement, once each week for1..... successive weeks, the first publication being made on the14..... day of Aug 2025..

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

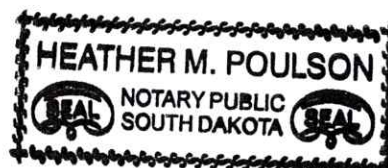
The fifth publication being made on the day of 20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$ ~~87.60~~ and insures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Subscribed and sworn to me this10..... day of Sept 2025.

C.R.

My commission expires the10..... day of Oct 2025.



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 August 25, 2025.

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. 5072-3 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 August 25, 2025.

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 August 25, 2025.

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 August 25, 2025. 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 one time at the approximate total cost of \$89.60 and can be viewed free of charge at www.sdpublicnotices.com.
(August 14, 2025)

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

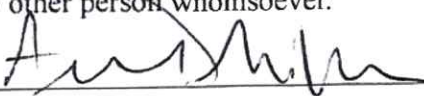
I, Amber Miller of New Century Press, publisher of The New Era, which is a weekly newspaper of general circulation, Printed and published in the City of Parker, in said County of Turner., and has been such legal newspaper during the times here in after mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice here unto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Office Assistant of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

N0814-10 Notice of Hearing

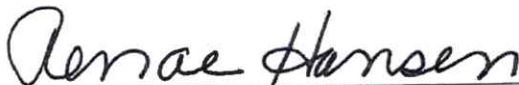
Once printed copy of hereto attached, is printed and published in the said newspaper for one week, to wit:

On Thursday, the 14th day of August, 2025

That \$70.23 being the full amount of the fees for publication of the attached notices insure solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid To any other person whomsoever.



Subscribed and sworn to before me this 18th day of August, 2025



Notary Public, State of South Dakota
My Commission Expires June 6, 2031



Publication Fee...\$70.23
Notary Fee...\$
Total \$70.23

**NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT
NO. 5072-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker SD 57053 for progress made in the develop-

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 August 25, 2025.

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. 5072-3 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 August 25, 2025.

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 August 25, 2025.

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ment of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Doltan Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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 Ron Duvall 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. 5072-3 on October 1, 2025, 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.

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 August 25, 2025. 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 \$70.23 and may be viewed free of charge at www.sdpublicnotices.com.

(N0814-10)

RECEIVED

AUG 22 2025

OFFICE OF
WATER

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was taken

from The Special

printed and published in Salem

County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following date:

August 14, 2025

Cost of Printing \$70.04


(Signature)

Managing Editor
(Title)

August 14, 2025
(Date Signed)

PUBLIC NOTICE NOTICE OF HEARING TO REVIEW FUTURE USE

WATER PERMIT NO. 5072-3

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker SD 57053 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. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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 Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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Published once at the total approximate cost of \$70.04 and may be viewed free of charge at www.sdpublicnotices.com.

8-14
347355

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WATER

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OFFICE OF
WATER



South Dakota
GANNETT

PO Box 630567 Cincinnati, OH 45263-0567

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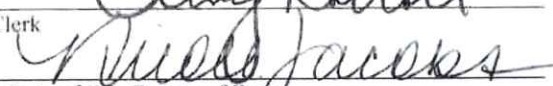
TM RURAL WATER
Tm Rural Water
Po Box 445
Parker SD 57053-0445

STATE OF WISCONSIN, COUNTY OF BROWN

The Argus Leader, a daily newspaper published in the city of Sioux Falls, Minnehaha County, State of South Dakota, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

08/14/2025

and that the fees charged are legal.
Sworn to and subscribed before on 08/14/2025


Legal Clerk

Notary, State of WI, County of Brown

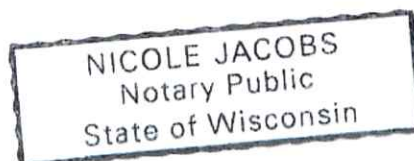
8-21-26

My commission expires

Publication Cost:	\$89.20	
Tax Amount:	\$0.00	
Payment Cost:	\$89.20	
Order No:	11564668	# of Copies:
Customer No:	1248655	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.
5072-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5072-3 held by the TM Rural Water District, PO Box 445, Parker SD 57053 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. 5072-3. This permit was approved 2004 and currently reserves 66 acre-feet from the Dolton Aquifer located in the SW 1/4 Section 25-T101N-R55W for rural water system use. The permit was last reviewed in 2018. Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5072-3 REMAIN in EFFECT for 66 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 Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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Published Aug 14, 2025, at the total approximate cost of \$89.20 and may be viewed free of charge at www.sdpublicnotices.com



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 17, 2025

NOTICE OF ENTRY OF ORDER

TM Rural Water District
c/o Jay Jorgensen, Manager
PO Box 445
Parker SD 57053

Dear Mr. Jorgensen,

I am writing in response to action taken by the Water Management Board at the hearing on October 1, 2025, to review Future Use Permit No. 5072-3. The Board allowed the permit to remain in effect for 66 acre-feet of water annually. Future Use Permit No. 5072-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5072-3 is \$50.00 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 (605 773-3352).

Sincerely,

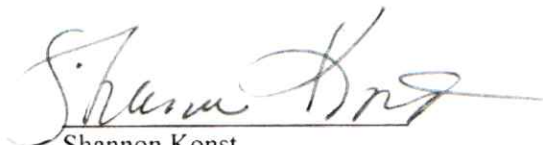
Mark Mayer, PE
Director of Office of Water

CERTIFICATION

I hereby certify that on October 17th 2025, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class envelope containing a "NOTICE OF ENTRY OF ORDER" dated October 17th, 2025 involving action taken by the Water Management Board hearing on October 1st, 2025:

TM Rural Water District
c/o Jay Jorgensen, Manager
PO Box 445
Parker, SD 57053

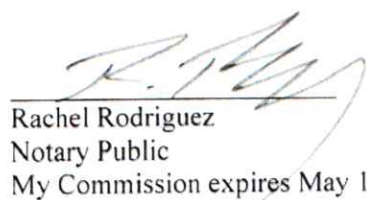
City of Valley Springs
c/o Donna Vanhout
401 Broadway Avenue
Valley Springs, SD 57068



Shannon Konst
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 17th day of October, 20 25.



Rachel Rodriguez
Notary Public
My Commission expires May 16, 2029





**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.: 5072-3

Name of Applicant: TM Rural Water District, Jay Jorgenson

Date of Posting: 8/11/2025

Date of Removal: 10/17/2025

Ron Duvall, Engineer III

10/17/2025

Date

Subscribed and sworn to before me, a notary public, this 17th day of October, 2025.

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

(SEAL)





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

PAID

OCT 27 2025

ck# 3403

Permit# _____

October 17, 2025

NOTICE OF ENTRY OF ORDER

TM Rural Water District
c/o Jay Jorgensen, Manager
PO Box 445
Parker SD 57053

Dear Mr. Jorgensen,

I am writing in response to action taken by the Water Management Board at the hearing on October 1, 2025, to review Future Use Permit No. 5072-3. The Board allowed the permit to remain in effect for 66 acre-feet of water annually. Future Use Permit No. 5072-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5072-3 is \$50.00 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 (605 773-3352).

Sincerely,

Mark Mayer, PE
Director of Office of Water

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date October 27th, 2025

RECEIVED OF TM Rural Water District PO Box 445 Parker SD 57053

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	\$ <u>50.00</u>
Fee to retain Future Use Permit No. <u>5072-3</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. _____	\$ _____
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>50.00</u>

By Mark Maehl
Chief Engineer