

Considered: _____

Future Use
WATER PERMIT NO. 5094-3

MAP No. Same

Name of Applicant Sioux Rural Water System, Inc.

Post Office Address RR4, Box 162, Watertown, SD 57201

Amount of Water Claimed 2.00 (1,440 ac-ft annually) Total Acres NA

Source of Water Supply groundwater - Big Sioux Aquifer

Water to be used for rural water system County Hamlin, Codington, Deuel, Clark

About 1 miles W of Castlewood

PROOF OF PUBLICATION: Received 8/15/86 Not Received _____

APPLICATION: Approved Sept. 3, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received 6/2/86 Fee \$47.50 Remarks _____

6/2/86 Future Use Permit Application

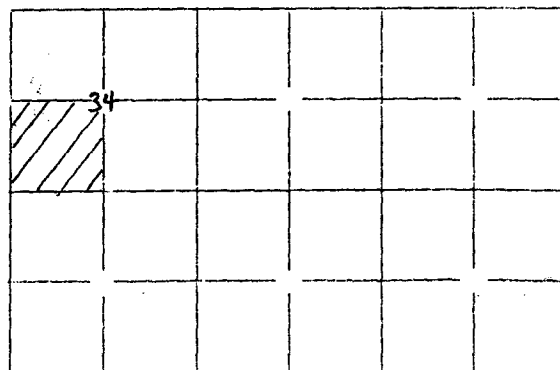
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point SW 1/4, sec 34 - T115N-R52W

Land to be Irrigated NA



Well Log: Driller Not needed Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map plat PREPARED BY Bruce Jennings Reviewed and the Number

assigned on June 11, 1986 By Ron Durrall

No. 5094-3	Hydrologic Unit 10170202
Map No. 5094-3	Basin Big Sioux River
Newspaper Hamlin Co Herald Enterprise,	

Watertown Public Opinion, Clear Lake Courier, Clark Co. Courier

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 retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant Sioux Rural Water System, Inc. Phone No. 882-1321Post Office Address R.R. 4, Box 162 Watertown State SD 57201
(Street, R.R. or Box) Zip Code2. Amount of water claimed (c.f.s) 2.03. Source of water supply Groundwater - Big Sioux Aquifer4. Location of point of diversion SW 1/4, Sec. 34, T115N, R52WCounty Hamlin5. Counties where water will be used Hamlin, Codington, Deuel, Clark6. Annual period during which water is to be used January 1 - December 31

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)

Sioux Rural Water System provides domestic water for rural residents in portions of Hamlin, Codington, Deuel and Clark counties, and to the towns of Kranzburg, Bryant, Hazel and Hayti. This application is to reserve capacity for future system expansion.

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

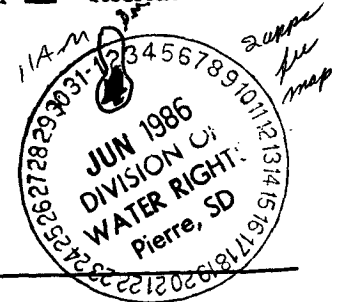
STATE OF SOUTH DAKOTA)
County of _____) ss

I, Ronald D Timmons chm Sioux Rural Water 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 Ronald D Timmons

Subscribed and sworn to before me this 27th day of MAY 19 86

[Signature]
Notary Public (or other qualified officer)



WATER PERMIT

The Water Management Board hereby approves ^{Future Use} Water Permit Application No. 5094-3
 Sioux Rural Water System, Inc. RR 4, Box 162, Watertown

 South Dakota (Applicant) 57201 (Post Office Address)

 (State) (Zip Code) With the following qualifications.

1. That Future Use Permit No. 5094-3 is approved with the stipulation that the Permit to appropriate water is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven years.
2. 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 the facilities pursuant to SDCL 46-5-38.1.
3. This permit is approved for groundwater from the Big Sioux-Brookings Aquifer.

Date of first receipt of application _____ June 2 _____, 19 86.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved September 3 _____, 19 86.

The Water Management Board hereby approves this ^{Future Use} Water Permit No. 5094-3 ~~authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:~~

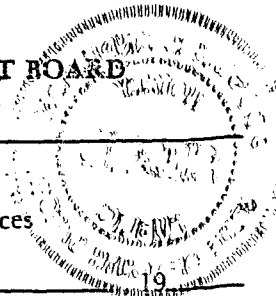
1. The date from which applicant may claim right is _____ June 2 _____, 19 86.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before _____ N.A. _____, 19____.
3. The whole of said work is to be completed on or before _____ N.A. _____, 19____.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____ N.A. _____, 19____.
5. The water appropriated shall be ~~used~~ for the purpose of supplying the Sioux Rural Water System (future use)
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the ^{Future Use reserved} ~~appropriation~~ herein granted shall not exceed 1440 acre-feet annually ~~_____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for~~ on or before _____, 19____; said water to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John H. Smith
 Chief Engineer

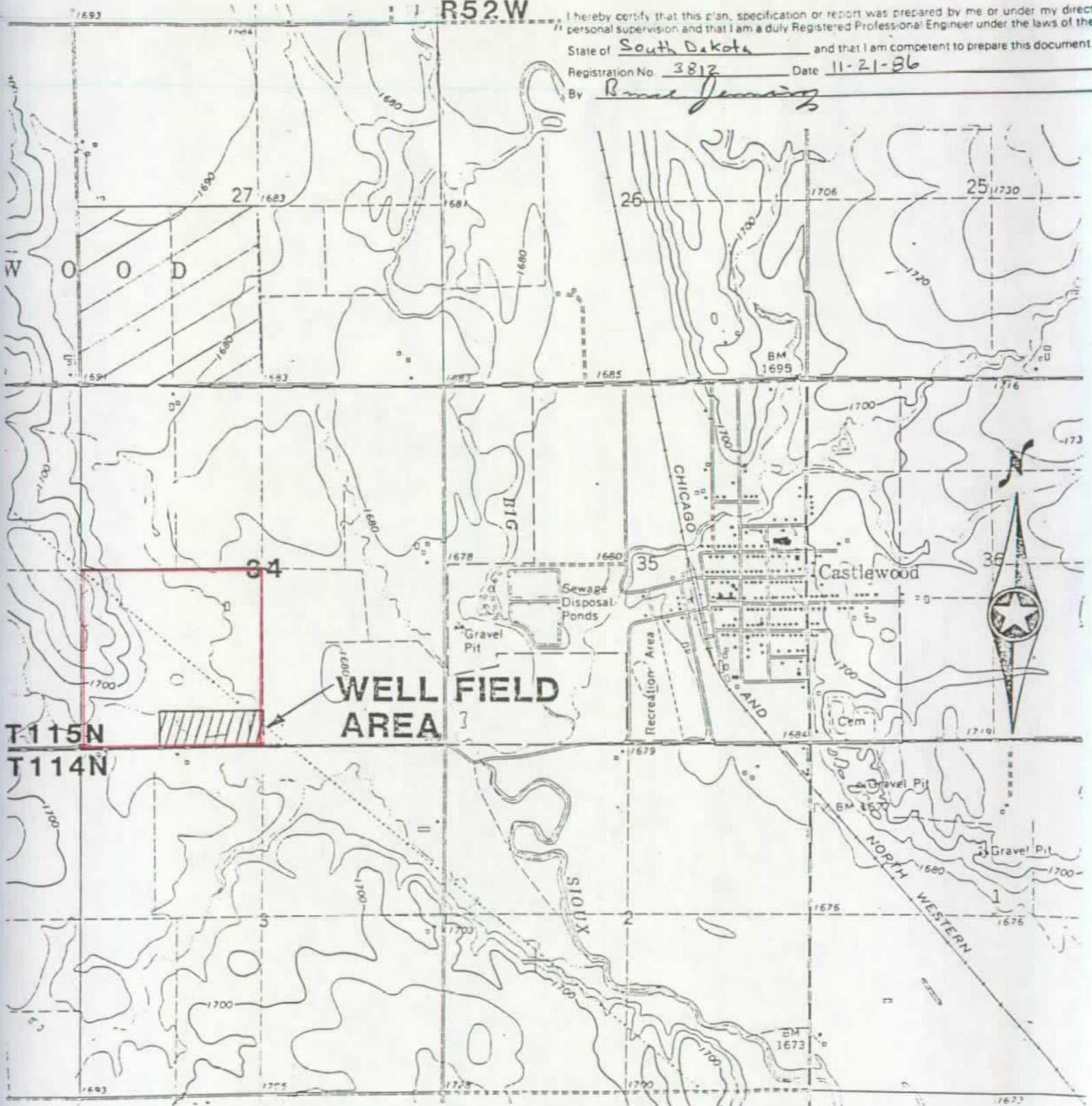
Division of Water Rights
 Dept. of Water and Natural Resources

NOV 17 1986



R52.W

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. 3812 Date 11-21-36
 By B. J. Jennings



GENERAL LOCATION PLAN CASTLEWOOD WELL FIELD



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

Date
 Drawn By
 Approved
 Signed

SIoux RURAL WATER SYSTEM
 WATERTOWN, SOUTH DAKOTA

D1 Fixture Use Appl. No. 5094-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410457

Pierre, June 2, 19 86

RECEIVED OF Sioux Rural Water System, RR#4, Box 162, Watertown, SD 57201

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

Fee for Application for Permit No. <u>5094-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	47	50
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	47 50

By John Hatch
Chief Engineer JOHN HATCH/mis

REPORT ON APPLICATION NO. 5094-3
SIOUX RURAL WATER SYSTEM
June 30, 1986

This application proposes to appropriate for future use 1440 acre feet of water annually from the Big Sioux-Brookings Aquifer. The land description of the area reserved for future use is the SW 1/4 of Section 34, T115N, R52W Hamlin County. The water will be reserved for the purpose of providing future water supplies for rural water systems and municipal use in Hamlin, Codington, Deuel and Clark Counties. This application is not for construction of works or to put the water to beneficial use.

Aquifer - Big Sioux-Brookings (BS:B)

Geology and Aquifer Characteristics

Big Sioux-Brookings aquifer is a Pliocene (sand and gravel) age aquifer under water table conditions in this area. The aquifer is recharged by rainfall and snowmelt and is hydraulically connected to the Big Sioux River. The aquifer ranges in saturated thickness from 10-35 feet (Holly, 1983) in this area and a specific capacity of about 22 gpm/ft of drawdown (see Lacey's log submitted with Application No. 4990-3). The SDGS estimated the amount of recoverable water in the BS:B in Hamlin County to be 331,880 acre feet of water (Hedges, 1982). The SDGS estimated average annual recharge rates for the Big Sioux Aquifer (in its entirety) to range from 1.0 to 6.9 inches per year and probably near an average between 3-5 inches per year. It is difficult to ascertain an average recharge estimate because of the nature of the aquifer and the variability of precipitation events. The aquifer will recharge immediately, if water is available and will decline slowly until the next recharge event. The Water Rights Division maintains observation wells in this area and two well hydrographs (HN-57A, HN-76B) are included with this report. The aquifer in this area fluctuates 2-3 feet seasonally and presently is 1-3 feet above the norm. There are no noticeable effects caused by pumping high capacity wells in this area. The most obvious effects shown on the hydrographs are the low levels resulting from the 1975, 1976 drought and the present high levels from 1983 to the present.

Review of Existing Water Permits

The rural water system presently has Permit No. 4990-3 for 1.0 cfs from either the SW 1/4 Section 34 or SW 1/4 Section 27, T115N, R52W. The future use application is in the same quarter section as the diversion point requested under No. 4990-3. This will not cause an interference problem. Drawdowns due to pumping in the Big Sioux Aquifer are minimal at a distance 660 feet from the production well. Also, there is one irrigation Permit No. 2792-3 located in the NW 1/4 Section 34, T115N, R52W. This reservation of water should not impair this existing rights. When the application is made to put water to use spacing may be required to minimize the effects of pumping.

Conclusions

1. Water is available from the Big Sioux Brookings Aquifer. This application is located on the mapped management boundary line for the Big Sioux Brookings and the Big Sioux North Management Unites. Other reports included with Permit No. 4990-3 (Smith, 1983) and (Holly, 1983) refer to this as the Big Sioux North Aquifer. Sufficient aquifer thickness is available to install production wells.
2. Water quality date (Holly, 1983) suggests the area being reserved by this application is the most favorable option available.
3. Interference should not be a problem. Aquifer test results for the Big Sioux Aquifer system indicate minimal (less than 1 foot) drawdown at 660 feet from the production well at comparable pumping rates.

James A. Goodman /ks
JAMES A GOODMAN
Hydrologist

Bibliography

Hedges, L.S., S.L.Burch, D.L. Iles, R.A.Barari, R.A. Schoon, 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Holly, D., 1983, Preliminary Report on Hayti-Sioux RWS Groundwater Study, DWNR, SDSG, Vermillion SD 57069.

Smith, F., 1983, Report on Water Permit NO. 4990-3 For Sioux Rural Water System, Water Rights Division, Joe Foss Building, Pierre SD 57501.

16:43 MONDAY, JUNE 30, 1986 4

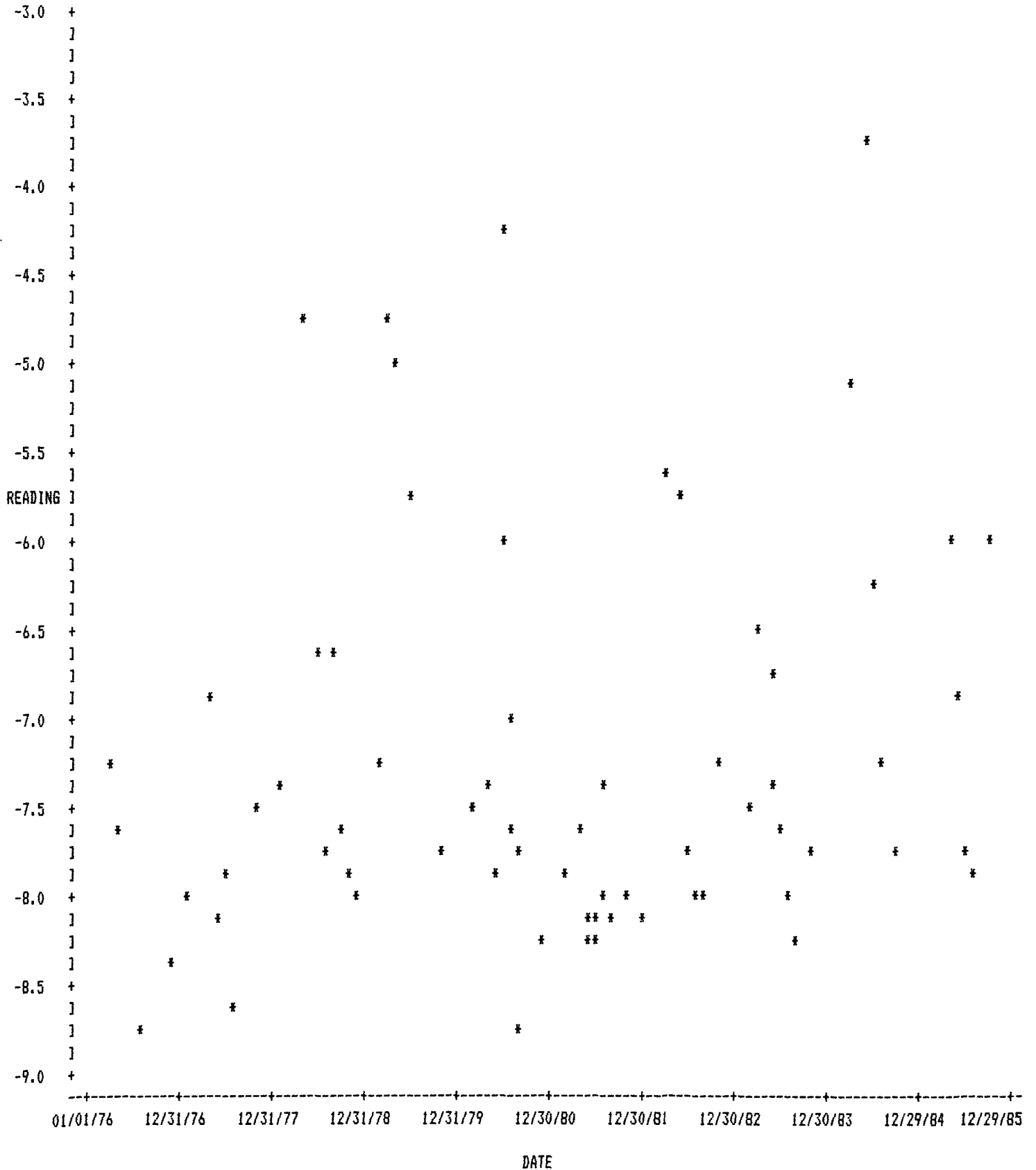
READING 1



OBSERVATION WELL WATER LEVELS
OBS_WELL=HN-76B

16:57 MONDAY, JUNE 30, 1986 3

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 2 OBS HAD MISSING VALUES OR WERE OUT OF RANGE

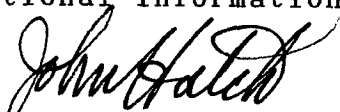
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5094-3, Sioux Rural Water System

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 Water Permit Application No. 5094-3, Sioux Rural Water System, RR 4, Box 162, Watertown SD.

The Chief Engineer is recommending APPROVAL of Application No. 5094-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the quantity of water reserved will be needed by the Sioux Rural Water System, 3) the proposed use is a beneficial use of water and 4) in the public interest with the following qualifications:

1. That Future Use Permit No. 5094-3 is approved with the stipulation that the Permit to appropriate water is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven years.
2. 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.
3. This permit is approved for groundwater from the Big Sioux-Brookings Aquifer.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
July 11, 1986



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

July 16, 1986

NOTE:

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

Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown, South Dakota 57201

Dear Sir:

Your Application No. 5094-3 for a permit to appropriate water for

sural 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
Hamlin County Herald-Enterprise printed at Hayti; Watertown Public Opinion
printed at Watertown; Clear Lake Courier printed at Clear Lake;

Clark County Courier printed at Clark,
South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

Be sure to contact the above newspaper 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.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures

No. 5094-3

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. 5094-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Sioux Rural Water System, Inc. whose mailing address is RR 4, Box 162, Watertown, South Dakota has made an application for a permit to appropriate for future use 1,440 acre feet of water annually from the Big Sioux-Brookings Aquifer. The land description of the area to be reserved for future use is the SW $\frac{1}{4}$ of Section 34-T115N-R52W. The water will be reserved for the purpose of providing future water supplies for rural water systems and municipal use in Hamlin, Codington, Deuel and Clark counties. 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 APPROVAL of Application No. 5094-3 because 1) unappropriated water is available for the applicant's proposed use. 2) the quantity of water reserved will be needed by the Sioux Rural Water System. 3) the proposed use will be a beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 3 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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 46-5-30.4, 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 August 22, 1986.

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

No. 5094-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Gary DeJong hereby

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

Water was taken from the Clear Lake Courier

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 Clear Lake, SD

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

July 24, 1986

July 31, 1986

Gary DeJong
(Signature)

Publisher
(Title)

7-24, 1986
(Date Signed)

Cost of Printing: 49.29

NOTICE OF HEARING
ON APPLICATION NO. 5094-3
TO APPROPRIATE WATER

Notice is hereby given that Sioux Rural Water System, Inc. whose mailing address is RR 4, Box 162, Watertown, South Dakota has made an application for a permit to appropriate for future use 1,440 acre feet of water annually from the Big Sioux-Brookings Aquifer. The land description of the area to be reserved for future use is the SW $\frac{1}{4}$ of Section 34-T115N-R52W. The water will be reserved for the purpose of providing future water supplies for rural water systems and municipal use in Hamlin, Codington, Deuel and Clark counties. 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 APPROVAL of Application No. 5094-3 because 1) unappropriated water is available for the applicant's proposed use. 2) the quantity of water reserved will be needed by the Sioux Rural Water System. 3) the proposed use will be a beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 3, 1986 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 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested persons 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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 46-1-4 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, 46-5-30.4, 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; 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 Chief Engineer's recommendation, further information on the 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 August 22, 1986.
July 24 & 31

No. 5094

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hamlin) ss.

I, Louis Latt hereby

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

Water was taken from the Herald Enterprise

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Town of Hart

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

July 24, 1986

July 31, 1986

Louis K. Latt
(Signature)

Publisher
(Title)

July 31, 1986
(Date Signed)

Cost of Printing: \$46.55

Notice of Hearing

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5094-3 because 1) unappropriated water is available for the applicant's proposed use. 2) the quantity of water reserved will be needed by the Sioux Rural Water System. 3) the proposed use will be a beneficial use of water and 4) is in the public interest.

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mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

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WATERTOWN

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APPLICATION NO. 5094-3
TO APPROPRIATE WATER**

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5094-3 because 1) unappropriated water is available for the applicant's proposed use. 2) the quantity of water reserved will be needed by the Sioux Rural Water System. 3) the proposed use will be a beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 3, 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized, to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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, 46-5-30.4, 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; 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 Chief Engineer's recommen-

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Codington) ss.

I, Monica K. Saathoff hereby

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

Water was taken from the Watertown Public Opinion

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 _____ Watertown

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

July 24th, 1986

July 31st, 1986

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

July 31st, 1986

(Date Signed)

Cost of Printing: \$76.50

dition, 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 August 22, 1986.

(July 24, 31, 1986)

11/4 @ 3.40X25 = 76.50



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, David Moritz hereby

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

Water was taken from the Clark County Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

State South Dakota of _____

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

July 23, 1986

July 30, 1986

David Moritz
(Signature)

Publsh
(Title)

8-13-86
(Date Signed)

Subscribed and sworn to before me this 13th day
of August, 1986.

Jeanne W. Binger
Notary Public - South Dakota
Clark County

Jeanne W. Binger

My Commission Expires July 9, 1988

Cost of Printing: \$39.74

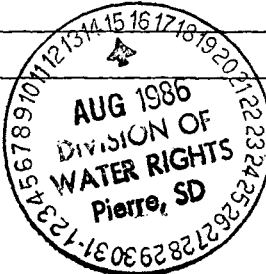
96 lines

2 times

Notice of Hearing on Application
No. 5094-3 to Appropriate Water
Notice is hereby given that Sioux
Rural Water System, Inc. whose mail-
ing address is R.R. 4 Box 162, Water-
town, South Dakota has made an ap-
plication for a permit to appropriate for
future use 1,440 acre feet of water an-
nually from the Big Sioux-Brookings
Aquifer. The land description of the
area to be reserved for future use is the
SW 1/4 of Section 34-T115N-R52W. The
water will be reserved for the purpose
of providing future water supplies for
rural water systems and municipal use
in Hamlin, Codington, Deuel and Clark
counties. 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 Applica-
tion No. 5094-3 because 1) unap-
propriated water is available for the ap-
plicant's proposed use. 2) the quantity
of water reserved will be needed by the
Sioux Rural Water System. 3) the pro-
posed use will be a beneficial use of
water and 4) is in the public interest.

This application will be considered by
the Water Management Board at room
216, Joe Foss Building, 523 E. Capitol,
Pierre, South Dakota, September 3,
1986 at 10:00 a.m. The recommendation
of the Chief Engineer is not final or bin-
ding upon the Board and the Board is
authorized to 1) approve, 2) approve
with qualifications, 3) defer, or 4) deny
this application after it reaches a con-
clusion based upon facts presented at
the public hearing. Any interested per-
son who may be affected by a Board
decision and who intends to participate
in the hearing before the Board and pre-
sent evidence or cross-examine
witnesses according to SDCL 1-26, must
file a written petition with BOTH the
applicant and the Chief Engineer by
August 22, 1986. The petition may be in-
formal, but it must include a statement
describing the petitioner's interest in



the application, the reasons 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, 46-5-30.4, 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 30 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 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 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 August 22, 1986.

WATER RIGHTS DIVISION
(605) 773-3352

September 8, 1986

Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown, South Dakota 57201

Dear Sir:

We are returning a check in the amount of \$47.50 we received from you on September 2, 1986.

In checking our records we find a check in the amount of \$47.50 was received from Sioux Rural Water on June 2, 1986, and was receipted with Receipt No. 410457. Perhaps someone confused the Receipt as a bill. The check received on September 2nd did not indicate what it was to pay.

The address for Sioux Rural Water System, Inc., has been updated on our records.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

5094-3

NOV 17 1986

Ronald D. Timmons
Sioux Rural Water System
RR 4, Box 162
Watertown, South Dakota 57201

Dear Mr. Timmons:

Enclosed is your Future Use Withdrawal Permit No. 5094-3, as approved by the Water Management Board.

When plans for facilities are prepared to put any portion of the water granted in this future use permit to beneficial use, an application covering such facilities and water use must be submitted to this office and approved by the Water Management Board before construction.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms
Enc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 1993

Sioux Rural Water System
RR 4, Box 162
Watertown SD 57201

Dear Sir:

I am writing in regard to the seven year review of Future Use Water Permit No. 5094-3 from groundwater (Big Sioux Aquifer) which is held by Sioux Rural Water System. Currently, our records show that 1,440 acre feet remain in reserve under this future use permit which was issued in 1986.

Permit No. 5094-3 will be scheduled for review by the Water Management Board on September 1 & 2, 1993 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 on Permit No. 5094-3.

Please respond in writing by July 15, 1993, regarding the Sioux Rural Water System's intention for the future use permit. If the rural water system does plan to retain the permit, then your 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.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Natural Resources Analyst
605 773-3352



SIOUX RURAL WATER SYSTEM, INC.
RR 4, Box 162 • Watertown, SD 57201
(605) 882-1321



June 24, 1993

John Hatch, Chief Engineer
Water Rights Division
Joe Foss Building 523 East Capitol
Pierre, SD 57501-3181



RE: Future Use of Permit No. 5094-3

Dear John Hatch,

This letter is in response to the review of future use permit no. 5094-3. Sioux Rural Water System made this application in May of 1986 and at that time we only had one well in the area. In June of 1986 we put in a second well both wells are in operation (No. 5098-3).

Since 1986 we have built a 1200 gpm Water Treatment Plant on this site & now provide 2/3 of all the water for our rural users. We also have added the Town of Castlewood on standby as is the Town of Hayti. Both of towns have a population of over 500 and when they start using water we will need more capacity.

Our rural users continue to grow along with there usage, each year more water is used. In 1991 Sioux Rural Water System added 120 new users to the system because of poor water quality or insufficient amounts of water. Each year our system adds 15 to 25 new rural users.

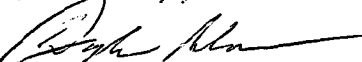
In 1990 Sioux Rural Water System did a major main line project along with the construction of two water treatment plants. The main line construction was to change the source of water in a couple of areas and to tie together both Division I and Division II. The purpose of this was so if there was trouble at one of the plants the water could come from the other plant and nobody would be out of water. Also with our Division I plant being only one mile from a major dump and only four miles from the City of Watertown our system could at any time have contaminated water and need to pump more from Division II. Our water system has already lost two wells to contamination and are very concerned about water quality in the Big Sioux Aquifer.

The Sioux Rural Water System would like to keep the future use permit no. 5094-3 for the reasons that are outlined in this letter.

I will try to predict our future needs the best I can. If you look at our pumping records you can see the increase from 1990 to 1991 when we added the 120 new users. Not all the new users are in Division II but about 80 of them are. You can also see that our increased usage from 1991 to 1992 is over 12,000,000 gallons this is the trend over the last few years. When the Towns of Castlewood and Hayti come on line we will see around another 30,000,000 gallons a year.

The Sioux Rural Water System would like the help from the Water Management Board to keep this permit in place.

Sincerely,


Douglas Anderson, Manager

STOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 12/10/90 10 01/10/91

WEST EAST TOTAL PRODUCED

GALLONS PUMPED: 7,388,400 5,620,600 0

TOTAL PUMPED: 12,997,000

ACCOUNTABLE WATER LOSS

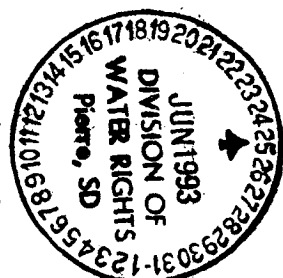
Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 386 51,239

TOTAL: 51,625

Number of Leaks: 0

Number of Freeze-Ups 0



TOTAL FOR 1991 DIVISION II

148,576,000

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION-11

DATE OF READING: 01/10/91 TO 02/10/91

WEST EAST TOTAL PRODUCED

GALLONS PUMPED: (100,505,500) 3,764,500 0

After Turner over

TOTAL PUMPED: ~~11,266,000~~ 11,266,000

[Signature]

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 631 0

TOTAL: 631

Number of Leaks: 1

Number of Freeze-Ups 0

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 02/10/91 TO 03/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	5,937,800	4,747,200	24,442,100
TOTAL PUMPED:	10,000,000		

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	2,258	(14)
TOTAL:		2,244	
Number of Leaks:	0		
Number of Freeze-Ups	0		

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 03/10/91 TO 04/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	6,987,100	5,486,900	12,514,000
TOTAL PUMPED:	~~12,514,000~~		

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	396	(4)
TOTAL:	44,792		
Number of Leaks:	0		
Number of Freeze-Ups	0		

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 04/10/91 TO 05/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	6,593,800	4,790,200	11,371,900
TOTAL PUMPED:	11,384,000		

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	280	0
TOTAL:	165,330		
Number of Leaks:	0		
Number of Freeze-Ups	0		

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 05/10/91 TO 06/10/91

	WEST	EAST	TOTAL PRODUCED
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GALLONS PUMPED:	6,955,900	5,746,100	12,768,200
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TOTAL PUMPED:	12,702,000		
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ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
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TOTAL:	0	620	9,810
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TOTAL:	193,930		
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Number of Leaks:	0		
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Number of Freeze-Ups	0		
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SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 06/10/91 TO 07/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	6,646,000	7,015,000	13,737,900
TOTAL PUMPED:	13,661,000		

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	1,500,000	380	39,730
TOTAL:	1,735,290		
Number of Leaks:	0		
Number of Freeze-Ups	0		

STIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 07/10/91 TO 08/10/91

WEST	EAST	TOTAL PRODUCED
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GALLONS PUMPED:	7,264,700	5,344,300	12,582,500
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TOTAL PUMPED:	12,582,500
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ACCOUNTABLE WATER LOSS

Leaks & Flush	In-Plant	Fan-Coil
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TOTAL:	500,000	2,890	0
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TOTAL:	694,330
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Number of Leaks:	0
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Number of Freeze-Ubs	0
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SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 08/10/91 TO 09/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	7,253.800	5,351.200	12,521.400
TOTAL PUMPED:	~~12,605.000~~	7	

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	273	2
TOTAL:	181.795		
Number of Leaks:	3		
Number of Freeze-Ups	0		

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 09/10/91 TO 10/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	6,539,900	4,996,100	9,106,000
TOTAL PUMPED:	\$11,936,000		

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	687	0
TOTAL:	173,175		
Number of Leaks:	0		
Number of Freeze-Ups	0		

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 10/10/91 TO 11/10/91

	WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	7,494,400	5,711,600	6,370,200
TOTAL PUMPED:	~~13,206,000~~	~~487~~	

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	310	0
TOTAL:	208,302		
Number of Leaks:	0		
Number of Freeze-Ups	0		

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 11/10/90 TO 12/10/90

	WEST	EAST	TOTAL PRODUCED
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GALLONS PUMPED:	6,852,700	5,766,300	10,908,200
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TOTAL PUMPED:	12,619,000		
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ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
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TOTAL:	0	275	0
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TOTAL:	197,121		
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Number of Leaks:	0		
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Number of Freeze-Ups	0		
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STIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 12/10/89 TO 01/10/90

C EAST WEST D EAST PRV GALLONS

BALLONS PUMPED: 787,300 6,219,300 2,264,900 2,202,400

TOTAL:

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 243 0

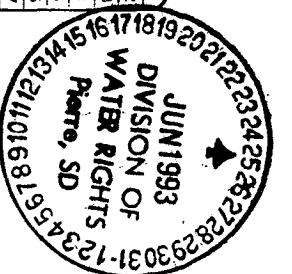
TOTAL: 243

Number of Leaks: 0

Number of Freeze-U 0

TOTAL For 1990 Division II

114, 934,000



STOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 01/10/90 TO 02/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 699,000 5,993,300 2,193,900 2,124,700

TOTAL: 9,997,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 10,000 306 0

TOTAL: 10,306

Number of Leaks: 1

Number of Freeze-U 0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 02/10/90 TO 03/10/90

C EAST WEST D EAST FRY GALLONS

BALLONS PURPED: 622,800 3,386,100 1,962,600 1,872,100

TOTAL: 7,981,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 160 0

TOTAL: 160

Number of Leaks: 0

Number of Freeze-U 0

Number of Freeze-U 0

PRINTED IN U.S.A.

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 03/10/90 TO 04/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 668,000 6,434,000 2,303,400 2,344,000

TOTAL: 9,749,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 203 1,243

TOTAL: 1,446

Number of Leaks: 1

Number of Freeze-U 0

STOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 04/10/90 to 05/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 786,600 6,933,200 2,557,600 2,440,200

TOTAL: 10,800,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 271 0

TOTAL: 271

Number of Leaks: 0

Number of Freeze-U 0

STUDY RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 05/10/90 TO 06/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 729,700 6,876,400 2,260,700 2,106,700

TOTAL: 11,973,500

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 50,000 83 0

TOTAL: 50,083

Number of Leaks: 0

Number of Freeze-U 0

PRINTED IN U.S.A.

SIDUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 06/10/90 10 07/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 760,000 6,411,100 2,427,600 2,172,900

TOTAL: 9,349,600

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 697 23,743

TOTAL: 26,440

Number of Leaks: 1

Number of Freeze-U 0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 07/10/90 TO 08/10/90

	C	EAST	WEST	D	EAST	PKV	GALLONS
GALLONS PUMPED:	718,800	6,992,900	2,499,100	2,159,300			
TOTAL:	9,821,000						

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	3,605	220,164
TOTAL:	223,769		
Number of Leaks:	0		
Number of Freeze-U	0		

3100A RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 08/10/90 TO 09/10/90

C EAST WEST D EAST PRV GALLONS

GALLONS PUMPED: 835,900 6,790,700 2,659,900 2,322,400

TOTAL: 9,999,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 58,000 1,223 145,157

TOTAL: 202,380

Number of Leaks: 3

Number of Freeze-U 0

STOCK RUGAL WATER - MONTHLY OPERA NG REPORT

DIVISION II

DATE OF READING: 09/10/90 TO 10/10/90

	C	EAST	WEST	D	EAST	PRV	GALLONS	F	GALLONS
GALLONS PUMPED:	906,200	5,996,400	2,164,300	2,023,400	0				
TOTAL:	906,200								

ACCOUNTABLE WATER LOSS

	Leaks & Flush	In-Plant	Fan-Coil
TOTAL:	0	1,736	105,328
TOTAL:	107,264		
Number of Leaks:	0		
Number of Freeze-Ups	0		

STIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 10/10/90 TO 11/10/90

C EAST WEST D EAST PRV GALLONS F GALLONS

GALLONS PUMPED: 731,200 7,543,700 3,482,300 2,119,100 99000

TOTAL: 10,394,900 67

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 260,600 1,272 108,649

TOTAL: 370,521

Number of Leaks: 0

Number of Freeze-Ups 0

STIOX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 11/10/90 TO 12/10/90

C EAST WEST D EAST PRV GALLONS F GALLONS

GALLONS PUMPED: 31,753,000 2,378,900 60,276,300 53,969,100 3,463,800

TOTAL:

11,222,000

METER TURNED OVER

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 29,539 1,968,449

TOTAL: 1,997,988

Number of Leaks:

0

Number of Freeze-Ups

0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 12/10/91 TO 1/10/92

WEST EAST TOTAL PRODUCED

GALLONS PUMPED: 7,837,600 5,673,400 13,569,200

TOTAL PUMPED: 13,511,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 335 0

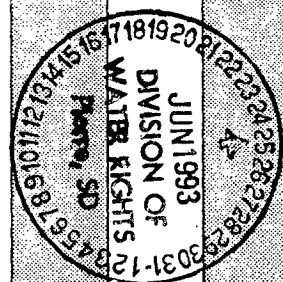
TOTAL: 11,538,081

Number of Leaks: 0

Number of Freeze-Ups: 0

Total For 1992 Division II

161,053,000



SIDUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 1/10/92 TO 2/10/92

METER TURNED OVER

WEST EAST TOTAL PRODUCED

GALLONS PUMPED: 107,056,700 (94,297,700) 13,118,900

TOTAL PUMPED: 107,056,700

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 775 0

TOTAL: 214,536

Number of Leaks: 1

Number of Freeze-Ups: 0

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 2/10/92 TO 3/10/92

WEST	EAST	TOTAL PRODUCED
6,638,600	5,533,400	12,292,800
TOTAL PUMPED: 12,292,800		
ACCOUNTABLE WATER LOSS		
Leak & Flush In-Plant Fan-Coil		
TOTAL: 235,338		
Number of Leaks: 0		
Number of Freeze-Ups: 0		

TOTAL: 30,000 719 0

TOTAL: 235,338

Number of Leaks: 0

Number of Freeze-Ups: 0

SIDUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 3/10/92 TO 4/10/92

WEST	EAST	TOTAL PRODUCED
GALLONS PUMPED:	7,795,300	6,318,700
		14,369,900
TOTAL PUMPED:	24,114,000	
ACCOUNTABLE WATER LOSS		
Leak & Flush In-Plant Fan-Coil		
TOTAL:	0	456
TOTAL:	239,036	
Number of Leaks:	0	
Number of Freeze-Ups	0	

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 4/10/92 TO 5/10/92

WEST

EAST

TOTAL PRODUCED

GALLONS PUMPED:

8,333,400

6,317,600

(84,902,100)

TOTAL PUMPED:

14,651,000

ACCOUNTABLE WATER LOSS

Leaks & Flush

In-Plant

Fan-Coil

TOTAL:

7,000

480

0

TOTAL:

261,300

Number of Leaks:

0

Number of Freeze-Ups

0

METEL TURNED OVER

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 5/10/92 TO 6/10/92

WEST	EAST	TOTAL PRODUCED
10,734,700	6,657,300	18,455,100
TOTAL PUMPED: 18,455,100		
ACCOUNTABLE WATER LOSS		
Leak & Flush In-Plant Fan-Coil		
TOTAL: 309,987		
Number of Leaks: 0		
Number of Freeze-Ups: 0		

SIoux RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 6/10/92 TO 7/10/92

WEST EAST TOTAL PRODUCED

BALLONS PUMPED: 7,659,100 5,597,900 (85,722,700)

TOTAL PUMPED: 13,257,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 833 0

TOTAL: 233,853

Number of Leaks: 0

Number of Freeze-Ups 0

DIVISION 11

DATE OF READING: 7/10/92 TO 8/10/92

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WEST EAST TOTAL PRODUCED

GALLONS PUMPED: 7,033,700 5,463,300 12,996,100

TOTAL PUMPED: 12,497,000

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 390 0

TOTAL: 226,770

Number of Leaks: 0

Number of Freeze-ups: 0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 9/10/92 TO 10/10/92

WEST	EAST	TOTAL PRODUCED
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BALLONS PUMPED: 170,660,700 83,752,700 66,633,100

TOTAL PUMPED: 254,413,400

ACCOUNTABLE WATER LOSS

Leaks & Flush	In-Plant	Fan-Coil
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TOTAL: 0 44,064 2,069,212

TOTAL: 2,331,242

Number of Leaks: 0

Number of Freeze-Ups: 0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION II

DATE OF READING: 10/10/92 TO 11/10/92

WEST EAST TOTAL PRODUCED

GALLONS PUMPED: 6,840,500 6,578,500 14,034,900

TOTAL PUMPED:

ACCOUNTABLE WATER LOSS

Leaks & Flush In-Plant Fan-Coil

TOTAL: 0 338 0

TOTAL: 227,968

Number of Leaks: 0

Number of Freeze-Ups: 0

SIOUX RURAL WATER - MONTHLY OPERATIONS REPORT

DIVISION 11

DATE OF READING: 11/10/92 TO 12/10/92

WEST	EAST	TOTAL PRODUCED
6,294,300	6,101,700	13,174,500

BALLONS PUMPED: 6,294,300 6,101,700 13,174,500

TOTAL PUMPED: 12,396,000

ACCOUNTABLE WATER LOSS

Leaks & Flush	In-Plant	Fan-Coil
94,000	188	0

TOTAL: 94,000 188 0

TOTAL: 302,678

Number of Leaks: 0

Number of Freeze-Ups: 0



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 14, 1993

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown SD 57201

Dear Mr. Anderson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5094-3 from groundwater which is held by the Sioux Rural Water System, Inc. We have received your June 24, 1993 letter requesting the retention of this permit. A copy of the **draft recommendation** is enclosed for your review.

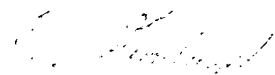
Our recommendation reflects Water Management Board Rule 74:02:01:24.01. This rule states that future use permits may be limited to two times the amount actually put to beneficial use.

If you believe the recommended amount to remain in reserve does not adequately meet your system's future development needs, please provide additional justification for a greater amount. This draft recommendation is to provide you the opportunity to comment on our recommendation prior to publishing the notice of hearing.

If we do not receive comments from you by July 26, 1993, we will schedule the publication of the notice of hearing with the recommendation as enclosed. The review of this permit will then be scheduled for the September 1 & 2, 1993 Water Management Board meeting.

Please contact me, if you have any questions.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 4, 1993

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown SD 57201

Dear Mr. Anderson:

The review of Future Use Permit No. 5094-3 was originally to be scheduled for the September 1 & 2, 1993 Water Management Board meeting. The hearing will now be scheduled for December 1 & 2, 1993 meeting. You will receive a copy of the Notice of Hearing to be published sometime during the middle of October.

If you have questions, please contact this office.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 13, 1993

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

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown SD 57201

Dear Mr. Anderson:

Future Use Permit No. 5094-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the following Publishers: Hamlin Co. Herald-Enterprise, Hayti SD (phone 783-3636), Public Opinion, Watertown (886-6901), Clear Lake Courier, Clear Lake (874-2499) and Clark Co. Courier, Clark (532-3654). For your information, a copy of the recommendation of the Chief Engineer 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 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 review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper-Publish first publication of the following Notice on October 20, 1993 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, RR 4, Box 162, Watertown SD 57201 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. 5094-3. This permit was approved September 3, 1986 for 1,440 acre feet of water from the (Big Sioux-Brookings Aquifer) located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 5094-3 REMAIN in EFFECT for 990 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. 5094-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre SD on December 1, 1993 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 November 22, 1993. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5094-3 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 Division, DENR, Joe Foss Building, Pierre SD 605 773-3352 by November 22, 1993. 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 November 22, 1993. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) ss

I, Jeannette Easter

certify that the attached printed Notice was

taken from the Herahl Entgren

printed and published in Wegle

County of Hamlin and State of

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

10-21-93

10-22-93

Cost of Printing: 48.67

[Signature]
(Signature)

[Signature]
(Title)

10-28-93

(Date Signed)

10/21/28/2x

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, RR4, Box 162, Watertown, SD 57201 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. 5094-3. This permit was approved September 3, 1986 for 1,440 acre feet of water from the (Big Sioux-Brookings Aquifer) located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 5094-3 REMAIN IN EFFECT for 990 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. 5094-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD on December 1, 1993 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 November 22, 1993. 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. 5094-3 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 Division, DENR, Joe Foss Building, Pierre SD 605-773-3352 by November 22, 1993. 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 November 22, 1993. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was

taken from the _____

Watertown Public Opinion

printed and published in Watertown

County of Codington and State of

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

October 20th, 1993

October 27th, 1993

Cost of Printing: \$104.18

Monica K. Saathoff
 (Signature)

Bookkeeper
 (Title)

October 27th, 1993
 (Date Signed)

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 Division, DENR, Joe Foss Building, Pierre, SD 605-773-3352 by November 22, 1993. 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 November 22, 1993. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.
 (October 20, 27, 1993)

11/4 @ 46312 = \$104.18

WATERTOWN

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, RR 4, Box 162, Watertown, SD 57201 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. 5094-3. This permit was approved September 3, 1986 for 1,440 acre feet of water from the (Big Sioux-Brookings Aquifer) located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 5094-3 REMAIN in EFFECT for 990 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. 5094-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD on December 1, 1993 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 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 November 22, 1993. 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. 5094-3 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.

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA)
 County of Deuel) ss

I, Gary DeJong

certify that the attached printed Notice was

taken from the _____

Clear Lake Courier

printed and published in Clear Lake, SD

County of Deuel and State of

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

Wednesday, October 20

Wednesday, October 27

Cost of Printing: \$61.11

Gary DeJong
 (Signature)

Publisher
 (Title)

Oct 27, 1993
 (Date Signed)

Michael L. Brown

My Commission Expires
 January 29, 1998

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, RR 4, Box 162, Watertown, SD 57201 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. 5094-3. This permit was approved September 3, 1986 for 1,440 acre feet of water from the (Big Sioux-Brookings Aquifer) located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 5094-3 REMAIN IN EFFECT for 990 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. 5094-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre SD on December 1, 1993 at 10:00 a.m.

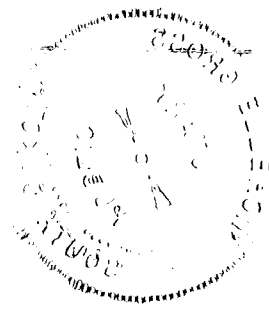
The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it 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 November 22, 1993. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5094-3 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.

(over)

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 Division, DENR, Joe Foss Building, Pierre, SD 605 773-3352 by November 22, 1993. 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 November 22, 1993. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.
Oct. 20 & 27



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Clark)

I, Bert Moritz

certify that the attached printed Notice was

taken from the _____

Clark County Courier

printed and published in Clark, SD

County of Clark and State of

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

October 20, 1993

October 27, 1993

Cost of Printing: \$51.10

104 lines, 2 times

Bert Moritz
 (Signature)

Publisher
 (Title)

10/27/93
 (Date Signed)

**Notice of Hearing
 to Review Future Use
 Water Permit No. 5094-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, RR 4, Box 162, Watertown, SD 57201 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. 5094-3. This permit was approved September 3, 1986 for 1,440 acre feet of water from the (Big Sioux -Brookings Aquifer) located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 5094-3 REMAIN IN EFFECT for 990 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. 5094-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre SD on December 1, 1993 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 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 peti-

tion with BOTH the permit owner and the Chief Engineer by November 22, 1993. 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. 5094-3 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 Division, DENR, Joe Foss Building, Pierre, SD, 605-773-3352 by November 22, 1993. 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 November 22, 1993. Robert E. Roberts, Secretary, Department of Environment and Natural Resources. 10-20-93



RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5094-3, Sioux Rural Water System

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Water Permit No. 5094-3, Sioux Rural Water System, RR 4, Box 162, Watertown SD 57201.

The Chief Engineer is recommending that Future Use Permit No. 5094-3 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5094-3, 2) the Sioux Rural Water System has demonstrated a reasonable need for the water reserved by Permit No. 5094-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

That Permit No. 5094-3 reserve for future use a total of 990 acre-feet annually.

And that maintaining the effectiveness of Future Use Permit No. 5094-3 is subject to payment of the \$40.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the Sioux Rural Water System.



JOHN HATCH, Chief Engineer
October 12, 1993

NOTE: The maximum annual water usage of record by the Sioux Rural Water System was 495 acre-feet in 1992. Board General Rule 74:02:01:24.01 states that future use permits may be limited to two times the amount actually put to beneficial use. Therefore, Permit No. 5094-3 should be allowed to remain in effect for 990 acre-feet as outlined in the above qualification.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 3, 1993

NOTICE

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown SD 57201

Dear Mr. Anderson:

I am writing in response to action taken by the Water Management Board at the hearing on December 1, 1993 to review Future Use Permit No. 5094-3. The Board allowed the permit to remain in effect and amended Permit No. 5094-3 by adding the qualification on the enclosed "Amendment". The "Amendment" should be placed with the permit. Future Use Permit No. 5094-3 is again subject to review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5094-3 is \$40.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Very truly yours,

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

enclosure

AMENDMENT TO FUTURE USE PERMIT NO. 5094-3

SIOUX RURAL WATER SYSTEM

Pursuant to the December 1, 1993 Water Management Board hearing, Future Use Permit No. 5094-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 5094-3 reserves for future use a total of 990 acre-feet annually.

CERTIFICATION

I hereby certify that on December 3, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated December 3, 1993, regarding action taken by the Water Management Board at the hearing on December 1, 1993, to review Future Use Permit No. 5094-3, along with a copy of Amendment to Future Use Permit No. 5094-3, Sioux Rural Water System, addressed as stated below:

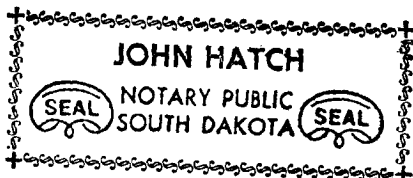
Douglas Anderson, Manager, Sioux Rural Water System, Inc., RR 4,
Box 162, Watertown, SD 57201.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6th day of December, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 25, 1994

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
RR 4, Box 162
Watertown SD 57201

Dear Mr. Anderson:

On December 3, 1993 we requested the fee for maintaining the effectiveness of Future Use Permit No. 5094-3. To date, we have not received this payment.

Please submit the \$40.00 fee as soon as possible to avoid jeopardizing the rural water system's permit. If you have any questions, please contact this office.

Sincerely

Karen Schlaak
Environmental Scientist
Water Rights Division
605 773-3352

RECEIPT

414162

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 3 _____, 19 94

RECEIVED OF Sioux Rural Water System, Inc., RR 4 Box 162, Watertown, SD 57201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. <u>5094-3</u> after period of seven years.	40	00
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 _____		

(Any Other Work Provided by Law)	Total	40 00

By *[Signature]*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

October 24, 2000

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201

Dear Mr. Anderson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5094-3 from the Big Sioux-Brookings Aquifer which is held by Sioux Rural Water System, Inc. By law, all future use permits are to be reviewed by the Water Management Board every seven years. The permit reserves water for future water supply needs for the rural water system. Currently, our records show that 390 acre-feet remain in reserve under this future use permit that was issued in 1986 and last reviewed in 1993.

Please respond in writing by December 1, 2000, regarding the system's intention for the future use permit. If Sioux Rural Water System, Inc. 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. 5094-3 will then be scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the 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.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 4, 2001

Douglas Anderson, Manager
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201

Dear Mr. Anderson:

On October 24, 2000, we notified you that Future Use Water Permit No. 5094-3 held by the Sioux Rural Water System, Inc., was to be scheduled for review by the Water Management Board. To date, we have not received a response from you.

The future use permit was obtained in 1986 to reserve water for future development. By state law, these permits are subject to review every seven years. Enclosed is a copy of the October 24, 2000 letter that was sent to you. If the rural water system plans to retain the permit, it will be necessary to outline a reasonable need for retaining the permit.

Permit No. 5094-3 will not be scheduled for review by the Water Management Board until the above information has been submitted.

Please contact Eric Gronlund or me, if you have any questions.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352

enclosure



SIoux RURAL WATER SYSTEM, INC.

phone (605) 882-1321
fax (605) 882-4990

45703 176th ST. WATERTOWN, SOUTH DAKOTA 57201-7186

January 8, 2001

CHAIRMAN
Harvey Goens

VICE-CHAIRMAN
Greg Wellhouse

TREASURER
Mitch Pratt

SECRETARY
Melvin Ries

DIRECTORS
Jim Thyen

Rodney Klatt

Scott Smith

Tracy Fritz

David Stark

MANAGER
Douglas Anderson

Karen Schlaak
Environmental Scientist
Water Rights Program

Dear Karen:

This letter is regarding our Future Use Permit No. 5094-3 in the Big Sioux-Brookings Aquifer.

Last year we underwent a major expansion project that added 150 new users. Included in these users were a major Trailer Park that has over 50 homes also we hooked up a colony that will be using over 12 million gallons a year. The town of Estelline was also in this project and could be expected to use around 12 to 15 million annually.

The City of Castlewood is a standby user and much like Estelline they to could be expected to use around 12 to 15 million annually. We have been approached by the Glacial Lakes Corn Producing project that would like us to serve them with around 400 to 600 GPM.

For these reasons and the fact that our existing user are continually increasing there usage year after year so we would like to keep our Future Use permit at its current level. If I can be of any more assistance please feel free to give me a call at (605) 882-1321.

Thank you,


Douglas Anderson





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2001

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

Douglas Anderson
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201-7186

Dear Mr. Anderson:

Future Use Permit No. 5094-3 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 publishers of the following papers:

Hamlin Co. Herald-Enterprise, Hayti (605 783-3636)
Public Opinion, Watertown (605 886-6901)
Clear Lake Courier, Clear Lake (605 874-2499)
Clark Co. Courier, Clark (605 532-3654)

For your information, a copy of the recommendation of the Chief Engineer 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 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 review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

**NOTICE OF HEARING TO
REVIEW FUTURE USE OF
WATER PERMIT NO. 5094-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, Inc., 45703 176th St., Watertown, S.D. 57201 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. 5094-3. This permit was approved in 1986 and currently reserves 390 acre feet of water from the Big Sioux-Brookings Aquifer located in the SW1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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. 5094-3 at 10:00 a.m., March 7, 2001, Joe Foss Bldg., Floyd Mathew Training Center, 523 E. Capitol, Pierre, S.D.

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 Feb. 23, 2001. 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 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. 5094-3 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 Feb. 23, 2001. 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 Feb. 23, 2001.

Steven M. Pirner, Secretary
Dept. of Environ. and Natural
Resources
1-31-2t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

**Dept. Environment & Natural Resources
Notice of Hearing
Sioux Rural Water System**

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

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

**Jan. 31
Feb. 7**

that the full amount of the fees for the publication of the annexed notice is

\$60.60

William J. Krikac

Subscribed and sworn to before me this

7th day of February, 2001

Harley Tharby

Notary Public

My commission expires
7-9-2005

Clark County, South Dakota

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 31st, 2001

February 7th, 2001

Cost of Printing 128.38

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

February 7th, 2001

(Date Signed)



The Water Management Board will conduct the hearing to review Future Use Permit No. 5094-3 at 10:00 a.m., March 7, 2001, Joe Foss Bldg., Floyd Mathew Training Center, 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 February 23, 2001. 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 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. 5094-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25:01 thru 74:02:01:25:03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, 605-773-3352 by February 23, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 23, 2001. Steven M. Pimer, secretary Department of Environment and Natural Resources (January 31; February 7, 2001)

PIERRE

NOTICE OF HEARING

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water system, Inc., 45703 176th St., Watertown, SD 57201 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. 5094-3. This permit was approved in 1986 and currently reserves 390 acre feet of water from the Big Sioux-Brookings Aquifer located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hamlin) SS

I, LeAnne Aiche

certify that the attached printed Notice was taken

from the Hamlin Co.

Herald Enterprise

printed and published in Hayti

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Jan. 31, 2001

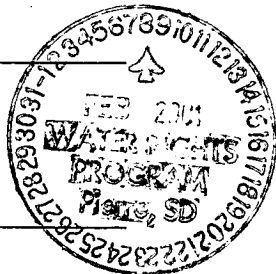
Feb. 7, 2001

Cost of Printing \$ 66 93

LeAnne Aiche
 (Signature)

Owner
 (Title)

Feb. 7, 2001
 (Date Signed)



**NOTICE OF HEARING TO
 REVIEW FUTURE USE
 WATER PERMIT NO. 5094-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, Inc., 45703 176th St., Watertown, SD 57201, 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. 5094-3. This permit was approved in 1986 and currently reserves 390 acre feet of water from the Big Sioux-Brookings Aquifer located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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. 5094-3 at 10:00 a.m., March 7, 2001. Joe Foss Bldg. Floyd Mathew Training Center, 523 E. Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or bind-

ing 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 February 23, 2001. 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 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. 5094-3 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 74:02:01:2001 through 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605-773-3352) by February 23, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 23, 2001.

Steven M. Pirner, Secretary
 Department of Environment
 and Natural Resources
 (publish Jan. 31 and Feb. 7, 2001)

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

The undersigned Gary DeJong being first duly sworn, on oath deposes and says:
That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Gary DeJong; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication, that the

Sioux Rural Water System

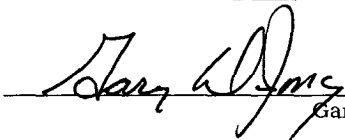
Notice

a printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made a part of the Affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

On Wednesday, January 31, 2001

On Wednesday, February 7, 2001

that the full amount of the fees for the publication of the annexed notice is 64.66


Gary DeJong

Subscribed and sworn to before me this 9 day

of February, 2001


Notary Public, South Dakota
Shirley Denekamp

My Commission Expires: January 16, 2007

**NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NO. 5094-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, Inc., 45703 176th St. Watertown, SD 57201 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. 5094-3. This permit was approved in 1986 and currently reserves 390 acre feet of water from the Big Sioux-Brookings Aquifer located in the SW 1/4 Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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. 5094-3 at 10:00 a.m., March 7, 2001, Joe Foss Bldg. Floyd Mathew Training Center, 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 February 23, 2001. 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 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. 5094-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605-773-3352) by February 23, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 23, 2001. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Jan. 31 & Feb. 7





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5094-3, Sioux Rural Water System, Inc.**

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. 5094-3, Sioux Rural Water System, Inc., 45703 176th St, Watertown SD 57201.

The Chief Engineer is recommending that Future Use Permit No. 5094-3 REMAIN in EFFECT for 390 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5094-3, 2) the rural water system has demonstrated a reasonable need for the water reserved by Permit No. 5094-3, 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. 5094-3 is subject to payment of the \$27.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the rural water system after the Board hearing.

Garland Erbele, Chief Engineer
January 22, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 8, 2001

NOTICE

Douglas Anderson
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201-7186

Dear Mr. Anderson:

I am writing in response to action taken by the Water Management Board at the hearing on March 7, 2001 to review Future Use Permit No. 5094-3. The Board allowed the permit to remain in effect for 390 acre-feet of water annually. Future Use Permit No. 5094-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5094-3 is \$27.50 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,

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

CERTIFICATION

I hereby certify that on March 8, 2001 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2001 regarding Future Use Permit No. 5094-3 addressed as stated below:

Douglas Anderson
Sioux Rural Water System Inc.
45703 176th St.
Watertown, SD 57201-7186

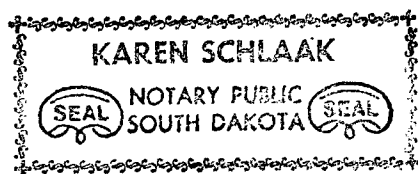


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 2001.


Karen Schlaak
Notary Public



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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416811

Pierre, March 26, 20 01

RECEIVED OF Sioux Rural Water System, Inc., 45703 176th St., Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. 5094-3 after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

27 50

27 50

By

Dwain S. Ebele

Chief Engineer

gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 19, 2007

Douglas Anderson
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201-7186

Dear Mr. Anderson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5094-3 from groundwater (Big Sioux-Brookings Aquifer) which is held by Sioux Rural Water System Inc. 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 rural water system use. Currently, our records show that 390 acre-feet remain in reserve under this future use permit that was issued in 1986 and last reviewed in 2001.

Please respond in writing by December 31, 2007, regarding the system's intention for the future use permit. If the system 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. 5094-3 will then be public noticed at the system'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.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

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



SIoux RURAL WATER SYSTEM, INC.

Phone (605) 882-1321
Fax (605) 882-4990

45703 176th Street - Watertown, South Dakota 57201-7186

RECEIVED

DEC 27 2007

WATER RIGHTS
PROGRAM

CHAIRMAN
Mitch Pratt

December 26, 2007

VICE-CHAIRMAN
Greg Wellhouse

Karen Schlaak, Environmental Scientist
Water Rights Program
Joe Foss Building 523 East Capitol
Pierre, SD 57501-3182

TREASURER
Brad Jongeling

RE: Future Use of Permit No. 5094-3

SECRETARY
David Stark

Dear Karen,

This letter is in response to the review of the future use permit held by Sioux Rural Water System that was last reviewed in 2001.

DIRECTORS
Alvin Kangas

Since 2001 our usage and consumers have increased steadily each year as shown in the attached sheets. Our history shows that we grow each year and we can't see that any thing will change.

Tracy Fritz

In 1990 the City of Castlewood was added to our system but still remains as a standby customer. The system needs to make sure that we will have an adequate supply for the time that they need us for a permanent supply.

Robert Mack

Darwin Mack

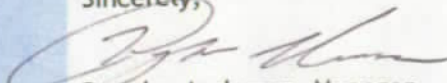
Also in 2000 we added 150 new users and the City of Estelline that uses our water for 12 connections in town as they are unable to supply them with adequate pressure. In the last several months we have been contacted by the city to see if we would be able to serve the whole town. The city has a need for more water and after working with the state and other sources it has been suggested that they look into the use of our water.

Jon Hegge

MANAGER
Douglas Anderson

The possible use of these two cities along with the growth of our system each year shows that we will need more water. That is why we are asking the state to consider our needs for this permit.

Sincerely,

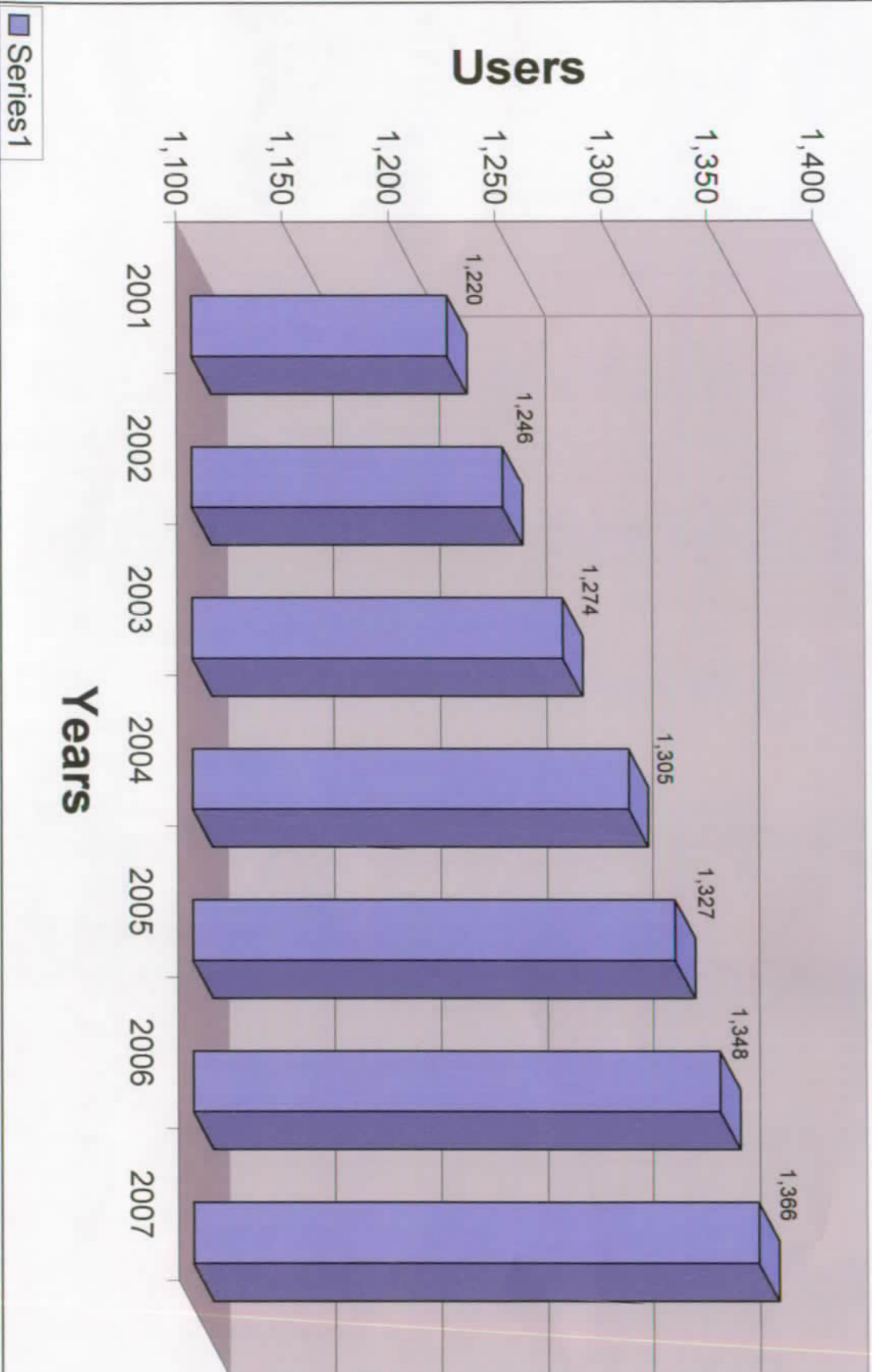


Douglas Anderson, Manager

"This institution is an equal opportunity provider"

Sioux Rural Water System, Inc.

Number of Users 2001-2007



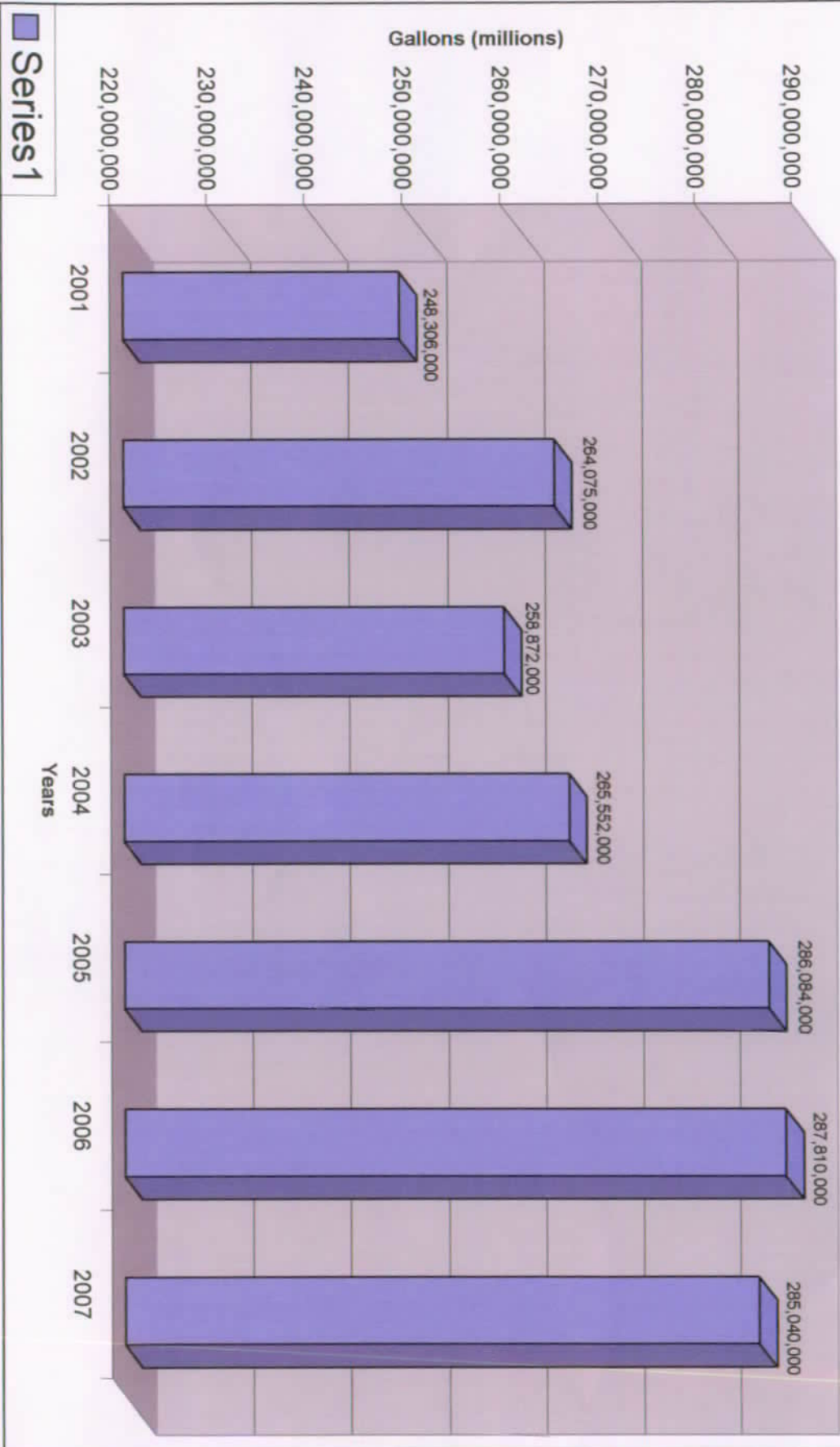
Sioux Rural Water System, Inc.

Gallons Produced 2001-2007



Sioux Rural Water System, Inc.

Gallons Sold 2001-2007



Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2001**

No. of Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,103	(4)	1,099
Small Towns & Lake Homes	86	(2)	84
Seasonal	32	1	33
Bulk Purchasers &	4	0	4
TOTAL	1,225	(5)	1,220

	Current - Period Source	Ave/Tap	Year to Date Gal.	Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	28,061,000	23,001	311,480,833	23,538	24,700
Water Sold:					
Rural Sales	17,425,000	15,855	203,390,000	17,000	16,790
Small Town & Lake	433,000	5,155	5,175,000	5,565	5,729
Seasonal	245,000	7,424	1,118,000	3,176	1,160
Bulk Purchasers	2,920,000	730,000	38,623,000	877,795	1,069,750
TOTAL	21,023,000		248,306,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	28,061,000	311,480,833	304,746,000
Total Water Sold	21,023,000	248,306,000	240,673,000
Water Loss	7,038,000	63,174,833	64,073,000
Adjustment	1,838,000	22,933,277	22,545,740
Water Loss (Unaccountable)	5,200,000	40,241,556	41,527,260

19% 13% 14%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$297,020.46	\$273,568.85
Cash Receipts This Period	\$98,668.55	\$83,773.87
Less Expenditures	\$97,830.77	\$70,093.77
TOTAL Cash & Savings End of Period	\$297,858.24	\$287,248.95

	This Period	Year to Date
Number of Water Line Breaks	2	30
Number of Freeze-ups	0	6
Number of Delinquent Accts	108	\$3,591.45

Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2002**

No. Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,125	(2)	1,123
Small Towns & Lake Homes	83	1	84
Seasonal	35	0	35
Bulk Purchasers &	4	0	4
TOTAL	1,247	(1)	1,246

	Current - Period		Year to Date		Last Yr. to
	Source	Ave/Tap	Gal.	Per Tap	Date Ave/Tap
Gallons Produced	27,609,000	22,158	329,322,000	24,188	23,538
Water Sold:					
Rural Sales	17,208,000	15,323	218,702,000	17,786	17,000
Small Town & Lake	392,000	4,667	5,373,000	5,790	5,565
Seasonal	1,149,000	32,829	2,281,000	5,909	3,176
Bulk Purchasers	2,960,000	740,000	37,719,000	857,250	877,795
TO	21,709,000		264,075,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	27,609,000	329,322,000	311,480,833
Total Water Sold	21,709,000	264,075,000	248,306,000
Water Loss	5,900,000	65,247,000	63,174,833
Adjustment	2,221,000	19,654,560	22,933,277
Water Loss (Unaccountable)	3,679,000	45,592,440	40,241,556
	13%	14%	13%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$298,584.95	\$297,020.46
Cash Receipts This Period	\$107,510.17	\$98,668.55
Less Expenditures	\$97,189.83	\$97,830.77
TOTAL Cash & Savings End of Period	\$308,905.29	\$297,858.24

	This Period	Year to Date
Number of Water Line Breaks	1	23
Number of Freeze-ups	1	1
Number of Delinquent Accts	73	\$2,425.55

Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2003**

No. Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,151	0	1,151
Small Towns & Lake Homes	84	(1)	83
Seasonal	36	0	36
Bulk Purchasers &	4	0	4
TOTAL	1,275	(1)	1,274

	Current - Period Source	Ave/Tap	Year to Date Gal.	Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	31,565,000	24,776	341,571,000	24,700	24,188
Water Sold:					
Rural Sales	19,304,000	16,772	216,815,000	17,269	17,786
Small Town & Lake	557,000	6,711	4,852,000	5,367	5,790
Seasonal	220,000	6,111	1,537,000	3,931	5,909
Bulk Purchasers	3,278,000	819,500	35,668,000	810,636	857,250
TOTAL	23,359,000		258,872,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	31,565,000	341,571,000	329,322,000
Total Water Sold	23,359,000	258,872,000	264,075,000
Water Loss	8,206,000	82,699,000	65,247,000
Adjustment	3,821,000	30,172,000	19,654,560
Water Loss (Unaccountable)	4,385,000	52,527,000	45,592,440
	14%	15%	14%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$307,503.75	\$298,584.95
Cash Receipts This Period	\$107,340.78	\$107,510.17
Less Expenditures	\$94,815.99	\$97,189.83
TOTAL Cash & Savings End of Period	\$320,028.54	\$308,905.29

	This Period	Year to Date
Number of Water Line Breaks	0	23
Number of Freeze-ups	0	22
Number of Delinquent Accts	80	\$10,599.74

Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2004**

No. Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,176	(3)	1,173
Small Towns & Lake Homes	89	(1)	88
Seasonal	39	0	39
Bulk Purchasers &	5	0	5
TOTAL	1,309	(4)	1,305

	Current - Period Source	Ave/Tap	Year to Date Gal.	Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	26,839,000	20,566	331,969,000	23,278	24,700
Water Sold:					
Rural Sales	17,715,000	15,102	224,278,000	17,417	17,269
Small Town & Lake	407,000	4,625	4,686,000	4,927	5,367
Seasonal	960,000	24,615	1,901,000	4,505	3,931
Bulk Purchasers	2,527,000	505,400	34,687,000	667,058	810,636
TOTAL	21,609,000		265,552,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	26,839,000	331,969,000	341,571,000
Total Water Sold	21,609,000	265,552,000	258,872,000
Water Loss	5,230,000	66,417,000	82,699,000
Adjustment	1,631,000	21,874,720	30,172,000
Water Loss (Unaccountable)	3,599,000	44,542,280	52,527,000
	13%	13%	15%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$368,202.22	\$307,503.75
Cash Receipts This Period	\$95,263.77	\$107,340.78
Less Expenditures	\$91,630.99	\$94,815.99
TOTAL Cash & Savings End of Period	\$371,835.00	\$320,028.54

	This Period	Year to Date
Number of Water Line Breaks	2	22
Number of Freeze-ups	0	0
Number of Delinquent Accts	54	\$4,825.49

Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2005**

No. of Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,191	1	1,192
Small Towns & Lake Homes	89	(1)	88
Seasonal	42	0	42
Bulk Purchasers &	5	0	5
TOTAL	1,327	0	1,327

	Current Source	Period Ave/Tap	Year Gal.	to Date Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	28,933,000	21,803	364,967,000	25,228	23,278
Water Sold:					
Rural Sales	18,564,000	15,574	241,605,000	18,554	17,417
Small Town & Lake	427,000	4,852	5,224,000	5,352	4,927
Seasonal	1,906,000	45,381	3,516,000	7,711	4,505
Bulk Purchasers	3,157,000	631,400	35,739,000	649,800	667,058
TOTAL	24,054,000		286,084,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	28,933,000	364,967,000	331,969,000
Total Water Sold	24,054,000	286,084,000	265,552,000
Water Loss	4,879,000	78,883,000	66,417,000
Adjustment	1,425,000	26,963,900	21,874,720
Water Loss (Unaccountable)	3,454,000	51,919,100	44,542,280
	12%	14%	13%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$424,183.75	\$368,202.22
Cash Receipts This Period	\$118,643.45	\$95,263.77
Less Expenditures	\$105,436.83	\$91,630.99
TOTAL Cash & Savings End of Period	\$437,390.37	\$371,835.00

	This Period	Year to Date
Number of Water Line Breaks	0	17
Number of Freeze-ups	0	0
Number of Delinquent Accts	60	\$12,267.49

Sioux Rural Water System, Inc.

For the 11 Months Ending **November 30, 2006**

Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,208	6	1,214
Small Towns & Lake Homes	88	(1)	87
Seasonal	41	1	42
Bulk Purchasers &	5	0	5
TOTAL	1,342	6	1,348

	Current Source	Period Ave/Tap	Year to Gal.	to Date Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	28,188,000	20,911	362,324,000	24,685	25,228
Water Sold:					
Rural Sales	20,362,000	16,773	244,284,000	18,417	18,554
Small Town & Lake	431,000	4,954	5,550,000	5,848	5,352
Seasonal	1,126,000	26,810	2,675,000	5,879	7,711
Bulk Purchasers	2,318,000	463,600	35,301,000	641,836	649,800
TOTAL	24,237,000		287,810,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	28,188,000	362,324,000	364,967,000
Total Water Sold	24,237,000	287,810,000	286,084,000
Water Loss	3,951,000	74,514,000	78,883,000
Adjustment	1,270,000	19,031,409	26,963,900
Water Loss (Unaccountable)	2,681,000	55,482,591	51,919,100
	10%	15%	14%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$445,081.92	\$424,183.75
Cash Receipts This Period	\$122,492.05	\$118,643.45
Less Expenditures	\$102,961.98	\$105,436.83
TOTAL Cash & Savings End of Period	\$464,611.99	\$437,390.37

	This Period	Year to Date
Number of Water Line Breaks	3	21
Number of Freeze-ups	0	0
Number of Delinquent Accts	61	\$1,889.37

Sioux Rural Water System, Inc.

For the 11 Months Ending November 30, 2007

No. Users	Start of Period	Gain or Loss	End of Period
Rural Sales	1,230	1	1,231
Small Towns & Lake Homes	89	(2)	87
Seasonal	42	1	43
Bulk Purchasers &	5	0	5
TOTAL	1,366	0	1,366

	Current Source	Period Ave/Tap	Year to Gal.	to Date Per Tap	Last Yr. to Date Ave/Tap
Gallons Produced	27,426,000	20,078	358,898,000	24,089	24,685
Water Sold:					
Rural Sales	20,160,000	16,377	244,041,000	18,135	18,417
Small Town & Lake	438,000	5,034	5,496,000	5,731	5,848
Seasonal	1,925,000	44,767	2,821,000	6,015	5,879
Bulk Purchasers	2,873,000	574,600	32,682,000	594,218	641,836
TOTAL	25,396,000		285,040,000		

	Current Period	Year to Date	Last Year to Date
Total Water Produced	27,426,000	358,898,000	362,324,000
Total Water Sold	25,396,000	285,040,000	287,810,000
Water Loss	2,030,000	73,858,000	74,514,000
Adjustment	656,000	26,626,500	19,031,409
Water Loss (Unaccountable)	1,374,000	47,231,500	55,482,591
	5%	13%	15%

	Current Period	Last Year to Date
Cash & Savings on Hand Beginning of Period	\$493,815.66	\$445,081.92
Cash Receipts This Period	\$155,326.40	\$122,492.05
Less Expenditures	\$95,588.91	\$102,961.98
TOTAL Cash & Savings End of Period	\$553,553.15	\$464,611.99

	This Period	Year to Date
Number of Water Line Breaks	2	27
Number of Freeze-ups	0	5
Number of Delinquent Accts	51	\$5,021.17



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5094-3, Sioux Rural Water System, Inc**

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. 5094-3, Sioux Rural Water System, Inc., 45703 176th St, Watertown SD 57201-7186.

The Chief Engineer is recommending that Future Use Permit No. 5094-3 REMAIN in EFFECT for 390 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5094-3, 2) the rural water system has demonstrated a reasonable need for the water reserved by Permit No. 5094-3, 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. 5094-3 is subject to payment of the \$27.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the rural water system after the Board hearing.

Garland Erbele, Chief Engineer
January 8, 2008



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 9, 2008

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

Sioux Rural Water System, Inc.
Douglas Anderson, Mgr
45703 176th St
Watertown SD 57201-7186

Dear Mr. Anderson:

Future Use Permit No. 5094-3 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 Publishers of the following papers:

Hamlin Co. Herald-Enterprise, Hayti (605 783-3636)
Public Opinion, Watertown (605 886-6901) - 107
Clear Lake Courier, Clear Lake (605 874-2499)
Clark Co. Courier, Clark (605 532-3654)

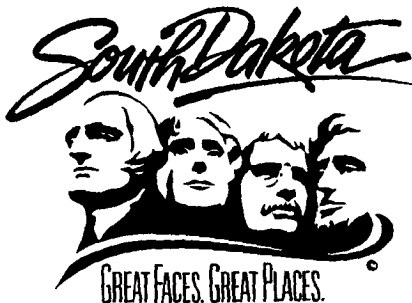
For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE 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 review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 9, 2008

Public Opinion
PO Box 10
Watertown SD 57201-0010

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5094-3 to be published twice. Please publish the first notice on January 16, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Sioux Rural Water System, Inc., c/o Douglas Anderson, Mgr, 45703 176th St, Watertown SD 57201-7186.

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

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

We are in receipt of your letter of January 9, 2008 enclosing Notice of Hearing to Review Future Use Water Permit No. 5094-3 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

January 9, 2008

Clear Lake Courier
PO Box 830
Clear Lake SD 57226-0830

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5094-3 to be published twice. Please publish the first notice on January 16, 2008 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.

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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 January 9, 2008 enclosing Notice of Hearing to Review Future Use Water Permit No. 5094-3 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

January 9, 2008

Clark County Courier
119 1st Ave E
Clark SD 57225

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5094-3 to be published twice. Please publish the first notice on January 16, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Sioux Rural Water System, Inc., c/o Douglas Anderson, Mgr, 45703 176th St, Watertown SD 57201-7186.

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

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Newspaper



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and NATURAL RESOURCES

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

January 9, 2008

Hamlin County Herald Enterprise
PO Box 207
Hayti SD 57241-0207

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enclosures

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Name

Newspaper

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NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

Notice is given that the Water Management Board will review Future Use Permit No. 5094-3 held by Sioux Rural Water System, Inc., c/o Douglas Anderson, 45703 176th St, Watertown SD 57201-7186 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. 5094-3. This permit was approved 1986 currently reserves 390 acre feet of water from the Big Sioux-Brookings Aquifer located in the SW ¼ Section 34-T115N-R52W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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. 5094-3 at 10:00 am, March 12, 2008 at the Floyd Mathew Training Center, 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 February 29, 2008. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

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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 February 29, 2008. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 29, 2008. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 5094-3**

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RECEIVED

FEB - 4 2008

WATER RIGHTS
PROGRAM

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

SIOUX RURAL WATER SYSTEM

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

TWO

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

JANUARY 16, 2008

JANUARY 23, 2008

that the full amount of the fees for the publication of the annexed notice is

99.65

William J. Krikac

Subscribed and sworn to before me this

31ST DAY OF JANUARY, 2008

Anne D. Helke

Notary Public

Clark County, South Dakota

My commission expires: 06/04/2013

The hearing to review Future Use Permit No. 5094-3 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 through 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

1-16-2t



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

The undersigned Ken Reiste being first duly sworn, on oath deposes and says: That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Ken Reiste; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication, that the

Sioux Rural Water System

Notice

a printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made part of the Affidavit, was published in said newspaper at least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

On Wednesday, January 16, 2008

On Wednesday, January 23, 2008

that the full amount of the fees for the publication of the annexed notice is \$68.29.



Ken Reiste

Subscribed and sworn to before me

this 29 day of January, 2008.



Notary Public, South Dakota
Anna Baumliller

My Commission Expires: May 21, 2010

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5094-3 REMAIN in EFFECT for 390 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. 5094-3 at 10:00 a.m., March 11, 2008 at the Floyd Mathew Training Center, 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 February 29, 2008. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre, SD 57501 (605-773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

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Jan. 16 & 23

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WATER RIGHTS
PROGRAM



RECEIVED

JAN 28 2008

WATER RIGHTS
PROGRAM

Form 8

DENR

NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO. 5094-3

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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of CODINGTON) SS

I, MONICA K. SAATHOFF

certify that the attached printed Notice was taken

from the WATERTOWN PUBLIC OPINION

printed and published in WATERTOWN

County of CODINGTON and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

JANUARY 16th, 2008

JANUARY 23rd, 2008

Cost of Printing \$135.96

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.

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(January 16 & 23, 2008)

(Signature)

BOOKKEEPER

(Title)

JANUARY 23rd 2008

(Date Signed)

Form 8

RECEIVED

FEB - 4 2008

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, LeeAnne Archer

certify that the attached printed Notice was
taken

from the Hamlin County
Herald Enterprise

printed and published in Hayti

County of Hamlin and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Jan. 16, 2008

Jan. 23, 2008

Cost of Printing 64.15

LeeAnne Archer
(Signature)

Publisher
(Title)

1-23-08
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5094-3

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 2008

NOTICE

Douglas Anderson
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201-7186

Dear Mr. Anderson:

I am writing in response to action taken by the Water Management Board at the hearing on March 11, 2008 to review Future Use Permit No. 5094-3. The Board allowed the permit to remain in effect for 390 acre-feet of water annually. Future Use Permit No. 5094-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5094-3 is \$27.50 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,

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

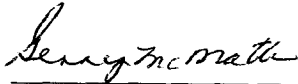
CERTIFICATION

I hereby certify that on March 12, 2008 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2008 regarding future use reviews addressed as stated below:

Cheryl Van Zee, Manager
South Central Water Development District
PO Box 43
Armour SD 57313-0043

Douglas Anderson
Sioux Rural Water System, Inc.
45703 176th St
Watertown SD 57201-7186

City of Vermillion
Harold Holoch, Utilities Engineer
25 Center St
Vermillion SD 57069



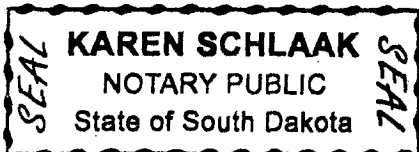
Genny McMath
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 12th day of March, 2008.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/31, 20 08

RECEIVED OF Sioux Rural Water System Inc 45703 176th St Watertown SD 57201

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	27	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>5094-3</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	27 50

No.

03605

By

Michael E. Eide
Chief Engineer