

Considered: _____

WATER PERMIT NO. 5444-3

Phone: 757-6555

Name of Applicant: City of Valley Springs

Post Office Address: P.O. Box 118, Valley Springs, SD 57068

Amount of Water Claimed: 0.66 cfs (188 ac-ft) Total Acres: N/A

Source of Water Supply: Well

Water to be used for: Municipal (future use) County: ~~Deuel~~ - *Mitchell*

About _____ miles _____ of Valley Springs

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 5/2/90 Fee: \$22.50 Remarks Proposed future use for the City of Valley Springs to increase capacity as demand grows

Corrected Application Received _____ Period of Annual Use _____

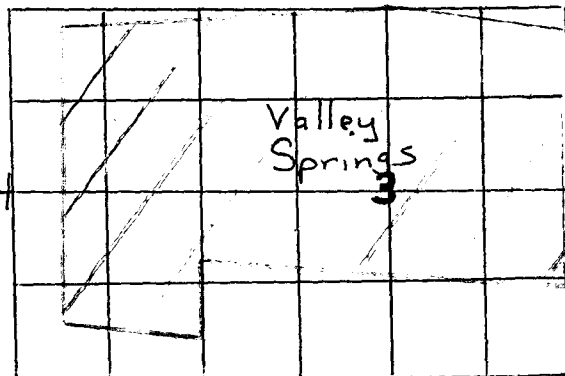
WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: within city limits of Valley

Springs (E1/2 Sect.4, Section ³~~8~~; T101N-R47W

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: up to 500' REMARKS Split Rock Creek Aquifer

Type of Map: Plat PREPARED BY: Kim Buell Reviewed and the Number

Assigned on 5/10/90 By Eric Gronlund

523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 5444-3 Hydrologic Unit 10170203
Map No. _____ Basin Big Sioux
Newspaper Argus Leader Box 5034 57117**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 City of Valley Springs Phone No. 757-6555Post Office Address P. O. Box 118 Valley Springs SD State 57068
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 0.66 cfs (188 acre feet annually)3. Source of water supply Well4. Location of point of diversion within the City Limits of Valley Springs, generally in the
West 1/2 of Section 3-101-47, E 1/2 Section 4, Section 3, all in T101N-R47W.Minnehaha County South Dakota.5. Counties where water will be used Minnehaha6. Annual period during which water is to be used January 1 to 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)

Proposed future use for the City of Valley Springs to increase capacity
as demand grows.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 Minnehaha) ssI, Paul A. Edmundson the applicant, certify that I have read
this application, have examined the attached map and that the matters stated are true and that I intend, and am able to
complete the necessary construction.Signed Paul A. EdmundsonSubscribed and sworn to before me this 13th day of March 19 90Betty J. Muecke
Notary Public
My Commission Expires Apr. 7, 1995

**SOUTH DAKOTA
FUTURE USE WATER PERMIT No. 5444-3**

Date of first receipt of application May 2, 1990.

Date of return to applicant for corrections, amendments or changes
May 7, 1990.

Date of receipt of corrected application May 9, 1990.

The Water Management Board approved Future Use Water Permit Application No. 5444-3 on October 3, 1990 for the City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068 subject to the following limitations, conditions and qualifications:

1. Future Use Water Permit No. 5444-3 appropriates for future use 188 acre-feet of water annually from the Split Rock Creek Aquifer with future well to be approximately 500 feet deep. The area reserved for future water use, is to be located within the city limits of Valley Springs in Section 3, E1/2 Section 4; all in T101N-R47W. This Permit is not for construction of works or to put the water to beneficial use.
2. The water appropriated shall be used for the purpose of providing future water supplies for the city and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The date from which applicant may claim right is May 2, 1990.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. That Future Use Permit No. 5444-3 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 (7) 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 Split Rock Creek Aquifer. Wells will be approximately 500 feet deep.
4. Approval of this permit reserves 188 acre feet annually.

WATER MANAGEMENT BOARD

By: _____

John Hatfield
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 19 1990

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth up to 500 ft.
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material Top of Splitrock Creek Aquifer
- f) Depth to Water (ground surface to water level) 51 ft. Observation well MA 87 G
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others Unknown

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

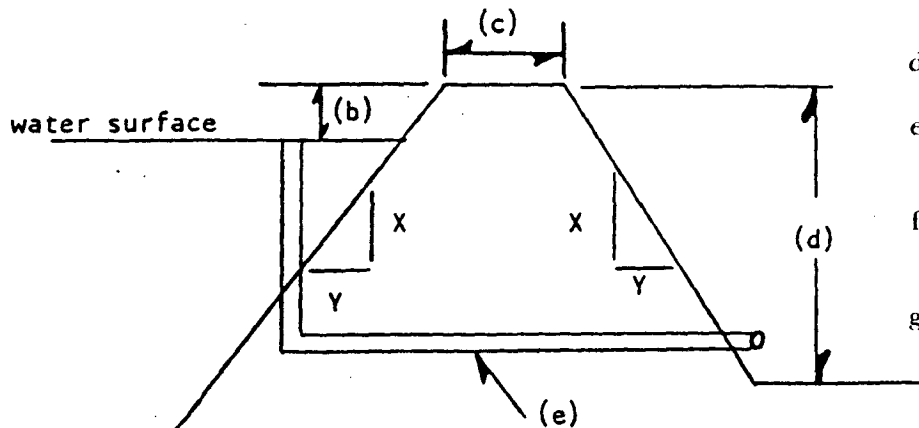
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

City of Valley Springs

P.O. BOX 118
VALLEY SPRINGS, SD 57068
(605) 757-6555

May 7, 1990

Water Rights Division, DWR
Joe Foss Building
Pierre, South Dakota 57501



Erick Gronlund:

The enclosed copy of the map of the City of Valley Springs shows the corporate limits of the City outlined in red.

The Well sites are also shown in red.

North site: Beaver Park East in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ 3-101-47

South site: All of Sunnyside Avenue west of Jackson Street
in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ 3-101-47.

Please attach to our water permit application.

Sincerely,


Betty J. Mattke
Municipal Finance Officer

Conversation or File Documentation

NAME OF PERSON OR FILE: Gene Swanson, City of Valley Springs

ADDRESS: _____ COUNTY _____

DATE: May 7, 1990 TELEPHONE _____RE: Application for future use permit

COMMENTS:

Gene Swanson indicated via phone that Valley Springs used 30,700,000 gallons of water in 1989. Therefore, 2 times the actual amount of use is approximately 188 acre-feet. Mr. Swanson stated this number of acre-feet would be placed on the future use application.

1989 - 30,700,000 gallons

1988 - 29,849,000

1987 - 26,225,000

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Don Duvall

RECEIPT

412222

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 3, 19 90RECEIVED OF City of Valley Springs, Box 118, Valley Springs, SD 57068-0118

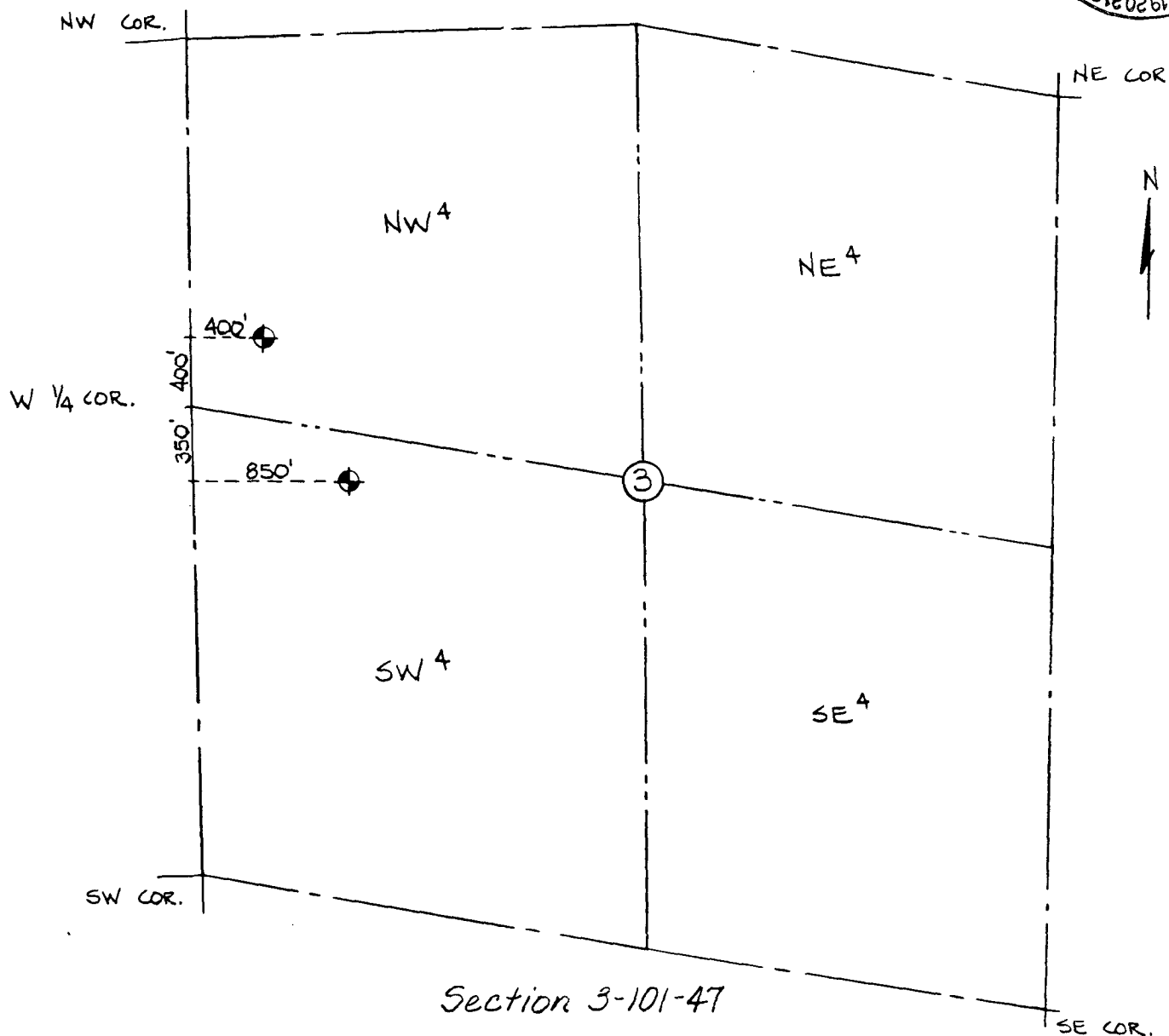
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. <u>5444-3</u> to Appropriate Water for Future Use _____	27	50
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	27 50

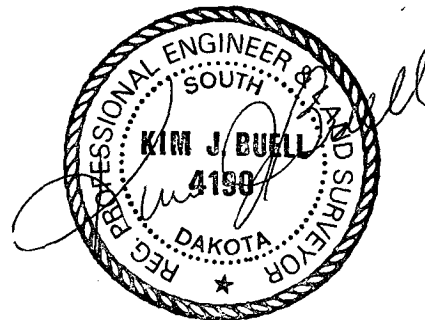
By

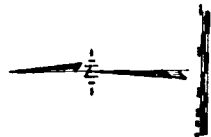
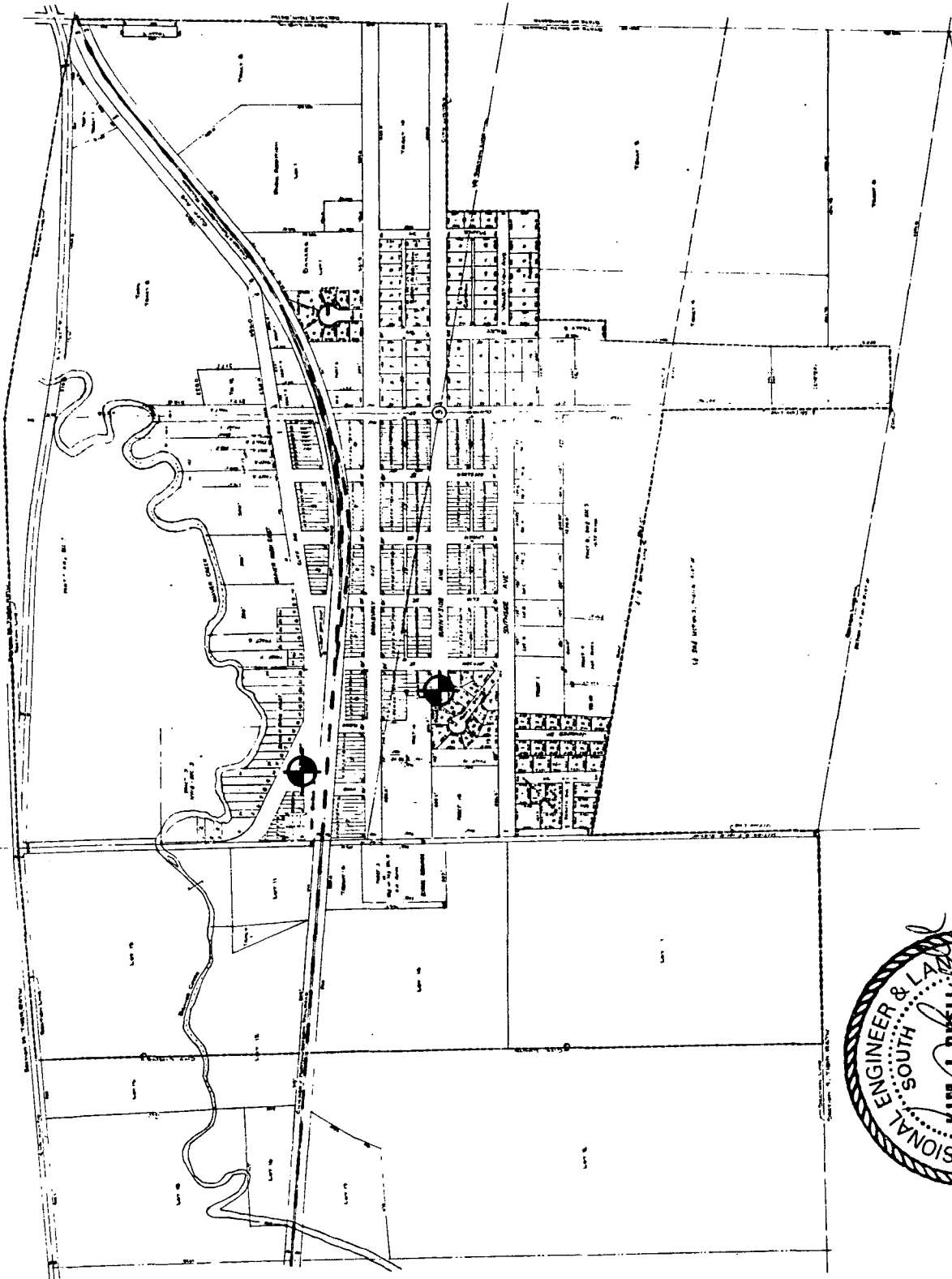
John Hatch (ma)
Chief Engineer

SHEET NO. 1 OF 1
JOB NO. 90023



Proposed Future Well Site

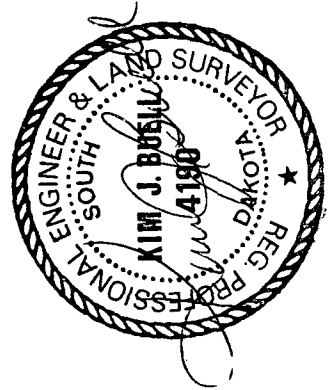




Proposed
Future Well



MAP OF
VALLEY SPRINGS, SOUTH DAKOTA



SOUTH DAKOTA STATE DEPARTMENT OF HEALTH

Division of Sanitary Engineering

PIERRE, SOUTH DAKOTA

MINERAL WATER ANALYSIS REPORT

TOWN Valley Springs DATE December 31, 196
OWNER OF SUPPLY Town LAB. NO. 1387
COLLECTOR'S NAME Grimshaw Drilling Co., Sioux Falls MINERAL NO.
DATE COLLECTED 10/4/64 DATE RECEIVED 11/1
REPORT TO: Thomas Long, President cc: L. A. Mattke, Cler
and Members of Town Board McWayne & McLaughl
Valley Springs, South Dakota Grimshaw Drilling

FIELD DATA

State Geological S

City or Town Valley Springs
Source of supply well Date source installed 1964
(For well sources only) Well number 1 Depth 160' Diameter 24"
(Lake, River, Spring, Gallery sources and water treatment plants) 71' well #2
Name
Raw or Treated sample Raw Additional Information
Water treatment processes, Remarks
Date of Collection 10/4/64
Source pumped Hours at GP
Was sample free of turbidity when collected? No
Temp. °C Alkalinity—P T
pH Iron

LABORATORY ANALYSIS

(Parts Per Million)

Specific Conductance K @ ²⁴25°C 730 x 10⁻⁶ Turbidity
Insoluble Matter Fe₂O₃+Al₂O₃+Mn₂O₃ (R₂O₃)
Total Solids 511 Dissolved Solids Total Iron (Fe) 0.7
Alkalinity P 0 Total 300 pH 7.3

Potassium as K	6.26	Nitrate as N	0.55
Sodium as Na	30.36	Fluoride as F	0.35
Calcium as Ca	89.71	Chloride as Cl	4.00
Magnesium as Mg	27.70	Sulfate as SO ₄	105.00
Manganese as Mn	0.37	Bicarbonate as HCO ₃	366.00

Calculated Hardness as CaCO₃ 340 ppm 20 gpg
analyst Fliginger

Title

NICHOLS WELL & PUMP CO.

4104 FLOYD BLVD.
SIOUX CITY, IOWA 51108
PH: 712-239-1212

TEST HOLE # 2 VALLEY SPRING, SOUTH DAKOTA

0-5'	↑	yellow clay
5-10'		yellow clay
10-15'		gray-yellow clay
20-25'		blue clay
25-30'		blue clay
30-35'		sandy blue clay
35-40'		sandy blue clay
40-45'		blue clay
45-50'		blue clay
50-55'		blue clay with sand
55-60'		blue clay
60-65'		blue clay with very little sand
65-70'		blue clay with very little sand
70-75'		sandy blue clay
75-80'		gray clay
80-85'		gray clay
85-90'		sandy gray clay
90-95'		gray shale
95-100'		black shale
100-105'		sandy black shale with some sand
105-110'		black shale with gravel
110-115'		sandy black shale
115-120'		sandy gray clay
120-125'		yellow shale
125-130'	↑	yellow shale
130-135'	8" casing	sandy yellow and black shale
135-140'		sandy gray shale
140-145'	↑	sandy gray clay
145-150'		yellow with gravel
150-155'		grey sandy black shale
155-156'	SS, 8"	course to medium sand
156-158'		medium sand
158-159'		sand stone
159-160'		sand stone
160-162'	SS Pipe	sand stone some shale
162-169'		shale and clay
169-172'		sand with shale
172-176'	SS, 8"	sand and sandstone
176-177'		shale and clay
177-184'		green shale and some clay
184-188'		boulders

REPORT ON APPLICATION NO. 5444-3
FOR THE CITY OF VALLEY SPRINGS
June 20, 1990

This application proposes to appropriate for Future Use 188 acre feet of ground water annually from the Split Rock Aquifer from wells approximately 500 feet deep. The area specified for development is located within the city limits of Valley Springs and includes the E 1/2 of section 4 and most of section 3; all in T101N R47W in Minnehaha County. The water will be used for future water supplies for the city. This application does not authorize construction of works or putting water to beneficial use.

AQUIFER - SPLIT ROCK CREEK (SRKC)

The Split Rock Creek aquifer consists of sandstones, claystones, cherts and sands with a total known thickness of over 300 feet (Hedges, 1982). The formation is variable and thins or pinches out against the Sioux Quartzite in the subsurface. The Split Rock Creek Formation underlies 69 square miles and contains approximately 99,400 acre feet of recoverable water in Minnehaha County (Hedges, 1982). These are conservative estimates and recent drilling and testing for the Minnehaha County Study and for the City of Sioux Falls better define the thickness and areal extent of the aquifer (Goodman, 1989). The aquifer is under artesian conditions and may be hydraulically connected to a buried glacial outwash which overlies the formation in some areas.

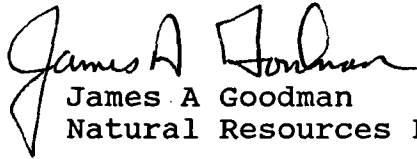
The Division of Water Rights monitors 11 observation wells completed into the Split Rock Creek aquifer in the area east of Sioux Falls. Records for these wells show some response to climatic conditions but in general fluctuate very little (Water Rights, 1990).

REVIEW OF EXISTING WATER RIGHTS/PERMITS

There are two permits/rights for the City of Valley Springs in this area (Nos. 1138-3 and 2113-3). These appear to be completed into a glacial outwash lying on top of the Split Rock Creek aquifer. Observation well MA-87G is located on the north edge of this application and records for this well indicate approximately 360 feet of Split Rock Creek was penetrated with a static water level of 54 feet below land surface. There are no other water permits in the area and interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Split Rock Creek Formation.
2. The aquifer is under artesian conditions and fluctuations due to pumping are expected.
3. This is a future use application and does not authorize construction of works or putting water to beneficial use.
4. Records submitted by the City of Valley indicate that 188 acre feet is approximately twice the water used in 1989.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Goodman, J.A., 1989, REPORT ON APPLICATION NO. 5296-3 FOR CITY OF BRANDON, SD DWR, Div. of Water Rights, Pierre, SD, 57501.
- Hedges, L.S., 1982, EVALUATION OF GROUND WATER RESOURCES EASTERN SD AND UPPER BIG SIOUX RIVER SD AND IOWA, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1990, RECORDS FOR OBSERVATION WELLS COMPLETED INTO THE SPLIT ROCK CREEK AQUIFER IN MINNEHAHA COUNTY, SD DWR, Div. of Water Rights, Pierre, SD, 57501.

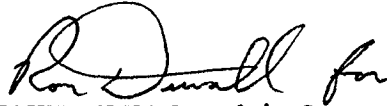
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5444-3, City of Valley Springs

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Future Use Water Permit Application No. 5444-3, City of Valley Springs, PO Box 118, Valley Springs SD.

The Chief Engineer is recommending APPROVAL of Future Use Application No. 5444-3 because 1) there is reasonable probability that there is unappropriated water available for the appropriation, 2) the quantity of water reserved will be needed by the City of Valley Springs, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. That Future Use Permit No. 5444-3 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 (7) 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 Split Rock Creek Aquifer. Wells will be approximately 500 feet deep.
4. Approval of this permit reserves 188 acre feet annually.

See the report on the Application for additional information.


JOHN HATCH, Chief Engineer
June 22, 1990



Department of Water & Natural Resources

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

August 6, 1990

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

Paul A. Edmundson
City of Valley Springs
Box 118
Valley Springs, SD 57068-0118

Dear Mr. Edmundson:

Water Permit Application No. 5444-3 for future use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Argus Leader printed at Sioux Falls SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above 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 twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script, reading "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

SOUTH Dakota Department of
Water & Natural Resources

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

August 6, 1990

Argus Leader
Box 5034
Sioux Falls, SD 57117

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5444-3 to be published twice. Please publish the first notice on or before August 16, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is City of Valley Springs, Box 118, Valley Springs, SD 57068-0118.

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

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

Sincerely,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before August 16, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5444-3 to Appropriate Water
for Future Use

Notice is given that City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068-0118 has filed an application for a water permit to appropriate for future use 188 acre feet of water annually from the Split Rock Creek Aquifer with future wells to be approximately 500 feet deep. The area reserved for future water use, is to be located within the city limits of Valley Springs in the E1/2 Section 4, Section 3; all in T101N-R47W. The water is to be reserved for the purpose of providing future water supplies for the city of Valley Springs. 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 Future Use Application No. 5444-3 because 1) unappropriated water is available, 2) the quantity of water reserved will be needed by the City of Valley Springs, 3) the proposed use will be a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on October 3, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to 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.

AFFIDAVIT OF PUBLICATION

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

M. Devish

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

Tuesday, the 14 day of August, 19 90,

Tuesday, the 21 day of August, 19 90,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

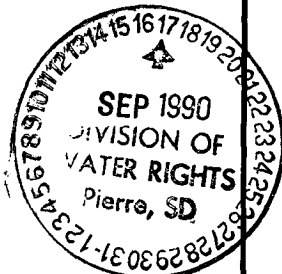
_____, the _____ day of _____, 19____,

and that 87.42 was charged for publishing the same including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me August 21, 19 90

Nancy A. Buckley
Notary Public, South Dakota



NOTICE OF HEARING on Application No. 5444-3 to Appropriate Water for Future Use

Notice is given that City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068-0118 has filed an application for a water permit to appropriate for future use 188 acre feet of water annually from the Split Rock Creek Aquifer with future wells to be approximately 500 feet deep. The area reserved for future water use, is to be located within the city limits of Valley Springs in the E1/2 Section 4, Section 3; all in T14N-R47W. The water is to be reserved for the purpose of providing future water supplies for the city of Valley Springs. 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 Future Use Application No. 5444-3 because 1) unappropriated water is available, 2) the quantity of water reserved will be needed by the City of Valley Springs, 3) the proposed use will be a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 Capitol, Pierre, SD on October 3, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to 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.

9633 August 14, 21, 1990

Karen: Here is the affidavit and clipping
sent to the City confirming the publication
of the notice of hearing on application
No. 5444-3 to appropriate water for
future use.

I am sorry the Argus Leader didnt follow
through .


Betty J. Mattke
Municipal Finance Officer
City of Valley Springs, S. D.



Department of Water & Natural Resources

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

August 23, 1990

NOTICE

TO: Paul Edmundson
City of Valley Springs
P.O. Box 118
Valley Springs, SD 57068

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

A handwritten signature in black ink, appearing to read "John Hatch".

SUBJECT: Change in Location of the Hearing by the Water Management Board
on Future Use Water Permit Application No. 5444-3

The location of the hearing by the Water Management Board to consider Future Use Water Permit Application No. 5444-3 has been changed. This application will now be considered by the Water Management Board in the Brule County Courthouse, Community Room, 300 South Courtland, Chamberlain, SD on October 3, 1990 at 10:00 am. Any parties filing a petition regarding this application will also be notified of this change in location.

The agenda time is an estimate. The actual time of hearing may be later than 10:00 am due to prior agenda items. Applicable provisions of the published Notice of Hearing will still apply at this hearing.

CERTIFICATION

I hereby certify that on August 23, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice on Change in Location of Hearing on Water Permit Application No. 5444-3 addressed as stated on the notice.

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of August, 1990.



John C. [Signature]
Notary Public



Department of Water & Natural Resources

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

DEC 19 1990

Paul A. Edmundson
City of Valley Springs
P.O. Box 118
Valley Springs, South Dakota 57068

Dear Mr. Edmundson:

Enclosed is Future Use Withdrawal Permit No. 5444-3, 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 should be submitted to this office before construction is initiated.

Very truly yours

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

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

enclosures

132' row



land surface elevation: approx. 1420'

WELL # 1

MINNEHAHA WATERS, INC

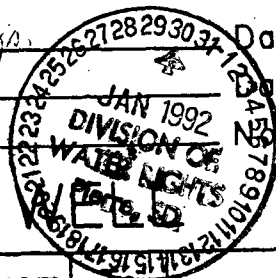
MAR 25 1991

FIELD REPORT OF COMPLETED WELL

S.F. Regional Office
Dept. of Water & Natural Res.

Name of Job City of Valley Springs Date started Oct. 13-64
 Address Valley Springs, S. Dakota Date completed Oct. 17-64
 of days _____

LOG OF



From	To	Material	From	To	Material
0	4	Top Soil	153	161	Sand Coarse & Rocky
4	5	Sand	161	175	Clay - Hard
5	130	Clay, Sandy & Rocky			
130	140	Sand - Fine			
140	145	Struck with Clay, Sandy			
145	153	Clay			

Kind of plug in well Steel Static water level 64'
 Depth of well - ground level to top of plug 159'

MATERIAL LEFT IN WELL

	Opening	Length - feet	Diameter - inches	Material
Screen	$\frac{1}{16}$	10'	12"	S. Steel
Inner casing		149'	12"	RLB (21) Pipe - $\frac{3}{4}$ thick
Outer casing		15'	30"	Heavy Piled

Was outer casing cemented Yes Amount 7 1/2 Yards
 Size of gravel used 1/8 in. to 1/4 in. Amount 5 Yards + per gravel
20 Yards

TEST OF WELL

Hours Pumped		Yield	Water Level	Remarks
From	To	gal. per min.	ft. below surface	
12	1:45	2 gpm	124'	

Did well clear up YES Time to clear 3 Hrs
 Date Oct. 18 - 1964 Driller L. Peterson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 17, 1997

Judy Monford, Finance Officer
City of Valley Springs
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Monford:

I am writing regarding the seven year review of Future Use Water Permit No. 5444-3 from groundwater (Split Rock Creek Aquifer) which is held by the City of Valley Springs. The permit reserves water for future water supply needs for the city. Currently, our records show that 188 acre-feet remain in reserve under this future use permit which was issued in 1990.

Please respond in writing by August 15, 1997, regarding the City's intention for the future use permit. If the City does plan to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 5444-3 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
Environmental Scientist
Water Rights Program
605 773-3352

August 11, 1997



Karen Schlaak
Water Rights Program
Department of Environment and Natural Resources
523 East Capitol
Joe Foss Building
Pierre, SD 57501-3181

Re: Future Use Water Permit No. 5444-3

Dear Ms. Schlaak:

This letter is in response to your letter to the City of Valley Springs dated July 17, 1997. Please be advised that the City of Valley Springs intends to retain the permit to reserve water for future water supply needs for the city.

The need for retained the future use permit is the projected population growth of the city and the corresponding growth in the water demand. SECOG has projected that the city will grow by 60% over the next 20 years. The city currently has two wells which supply all our water needs. However, it is anticipated that additional water supply will be needed as the city grows.

Enclosed, for your information, are copies of the annual pumping records for the past three years. If there are any questions, please give me a call.

Sincerely,

Judy Morford
Finance Officer
City of Valley Springs

Well Pumpage

	#1	#2	Total
1994	10,241,810	16,803,630	= 27,045,440
1995	7,298,660	17,402,361	= 24,701,021
1996	10,320,980	21,543,905	= 31,864,885

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5444-3, City of Valley Springs SD

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 5444-3, City of Valley Springs, PO Box 118, Valley Springs SD 57068-0118.

The Chief Engineer is recommending that Future Use Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5444-3, 2) the City of Valley Springs has demonstrated a reasonable need for the water reserved by Permit No. 5444-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

And that maintaining the effectiveness of Future Use Permit No. 5444-3 is subject to payment of the \$22.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City of Valley Springs.

A handwritten signature in black ink, appearing to read "John Hatch", is positioned above the typed name.

JOHN HATCH, Chief Engineer
Water Rights Program
August 29, 1997



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 29, 1997

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

Judy Monfore, Finance Officer
City of Valley Springs
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Monfore:

Future Use Permit No. 5444-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publisher of the Argus Leader printed at Sioux Falls (Phone #605 331-2200). 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 NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



August 29, 1997

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5444-3 to be published twice. Please publish the first notice on September 4, 1997 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the City of Valley Springs, Judy Monford, Finance Officer, PO Box 118, Valley Springs SD 57068-0118.

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. 5444-3

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

Date _____

We are in receipt of your letter of August 29, 1997 enclosing Notice of Hearing to Review Future Use Water Permit No. 5444-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on September 4, 1997 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, PO Box 118, Valley Springs SD 57068-0118 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. 5444-3. This permit was approved October 3, 1990 to reserve 188 acre-feet of water from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 9:00 am, October 1, 1997, Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 22, 1997. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

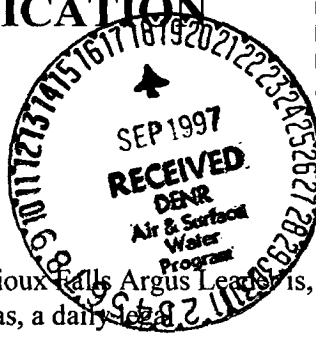
Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 22, 1997. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 22, 1997. Nettie H Myers, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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



THUR , the 4 day of SEPTEMBER 1997,

THUR , the 11 day of SEPTEMBER 1997,

, the day of 1997,

, the day of 1997,

, the day of 1997,

, the day of 1997,

, the day of 1997,

and that \$120.28 was charged for publishing the same including a \$5.00 affidavit fee.

Mary Boysen

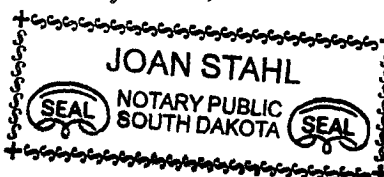
Subscribed and sworn to before me SEPTEMBER 12 1997,



My Commission expires June 30, 2005

Joan Stahl

Notary Public, South Dakota



NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068-0118 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. 5444-3. This permit was approved October 3, 1990 to reserve 188 acre-feet of water from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E1/2 Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 9:00 a.m., October 1, 1997, Floyd Mathew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 22, 1997. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501, (605) 773-3352, and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 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.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605) 773-3352 by

September 22, 1997. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 22, 1997.

Nettie H. Myers, Secretary
Department of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 27, 1997

NOTICE

Judy Monfore, Finance Officer
City of Valley Springs
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Monfore:

I am writing in response to action taken by the Water Management Board at the hearing on October 1, 1997 to review Future Use Permit No. 5444-3. The Board allowed the permit to remain in effect for 188 acre-feet annually. Future Use Permit No. 5444-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5444-3 is \$22.50 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.

Very truly yours,

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

CERTIFICATION

I hereby certify that on October 27, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 27, 1997, regarding action taken by the Water Management Board at the hearing on October 1, 1997, to review Future Use Permit No. 5444-3, addressed as stated below:

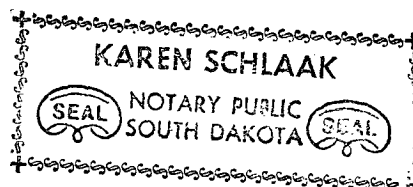
Judy Monfore, Finance Officer, City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068-0118.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 28th day of October, 1997


Notary Public





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 1998

Judy Monfore, Finance Officer
City of Valley Springs
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Monfore:

On October 27, 1997 we requested the fee for maintaining the effectiveness of Future Use Permit No. 5444-3. To date, we have not received this payment.

Please submit the \$22.50 fee as soon as possible to avoid jeopardizing the City's future use permit. If you have questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

10 415646

Pierre, February 18, 19 98

RECEIVED OF City of Valley Springs, P.O. Box 118, Valley Springs, SD 57068-0118
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. 5444-3 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

22 50

By _____
Chief Engineer

John Hatch 



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 12, 2004

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Severtson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5444-3 from groundwater (Split Rock Creek Aquifer) which is held by the City of Valley Springs. 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 city. Currently, our records show that 118 acre-feet remain in reserve under this future use permit that was issued in 1990 and last reviewed in 1997. 188

Please respond in writing by August 31, 2004, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 5444-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the 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

Well #1	Water	Well #2	2000
000 Jan	530,800	#2 1,718,904	
Feb	722,900	1,324,708	
Mar	1,197,900	937,244	
April	945,200	1,519,188	
May	914,300	1,611,192	
June	1,503,300	1,253,648	
July	1,672,600	1,080,112	
Aug	484,400	2,383,128	
Sept	654,400	2,024,008	
Oct	1,713,200	433,840	
Nov	1,555,900	492,184	
Dec	1,680,800	379,984	

2001			2001
Jan	969,300	#2 1,356,124	
Feb	603,000	1,274,592	
Mar	922,400	1,240,932	
April	811,100	1,253,648	
May	1,333,400	1,726,384	
June	899,600	2,122,076	
July	1,357,000	1,498,244	
Aug	694,700	2,048,024	
Sept	534,500	1,164,636	
Oct	307,000	1,446,632	
Nov	484,100	1,397,224	

WELL # 1MONTH JanYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	136373		9620.2					
1	136574	2000	9622.1	1.9		7PM		50.8
2	136645	7100	9622.8	.7		10:15		34.1
3	136779	13400	9624.1	1.3		8:10		50.7
4	137212	43300	9628.1	4.0		11:20		38.1
5	137964	75200	9635.2	7.1		5:15		25.8
6	138346	48200	9638.8	3.6		9:00		33.4
7	138534	18800	9640.6	1.8		8:25		51.0
8	138830	29600	9643.4	2.8		8:05		34.5
9	138967	13700	9644.7	1.3		8:05		52.8
10	139105	13800	9645.9	1.2		8:40		30.5
11	139270	16500	9647.5	1.6		3:20		36.3
12	139433	16300	9649.0	1.5		6:15		32.6
13	139502	6900	9649.7	.7		8:10		29.9
14	139630	12800	9650.9	1.2		8:15		29.3
15	140147	51700	9655.9	5.0		8:30		49.0
16	140369	22200	9657.9	2.0		8:45		50.1
17	140671	30200	9660.8	2.9		8:50		28.8
18	141056	38500	9664.4	3.6		1:35		23.8
19	141475	41900	9668.3	3.9		2:45		49.0
20	142211	73600	9675.3	7.0		5:45		22.9
21	142555	34400	9678.5	3.2		8:20		28.0
22	143020	46500	9682.9	4.4		9:10		28.9
23	143586	56600	9688.2	5.3		8:50		28.2
24	143722	13600	9689.5	1.3		8:15		29.4
25	143851	12900	9690.7	1.2		10:25		30.0
26	144012	16100	9692.2	1.5		2:05		34.5
27	144116	10400	9693.2	1.0		8:40		30.2
28	144254	13800	9694.4	1.2		8:45		41.9
29	144520	26600	9696.9	2.5		8:15		30.5
30	145082	56200	9700.2	5.3		8:05		32.5
31	145637	55500	9707.4	5.2		8:00		57.7

87.2

177 gpm

Total Gallons

926,400Total
15,908,800

WELL # 1MONTH FebYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
PREV.	145637		9707.4					
1	145967	33000	9710.5	3.1		8:40		32.3
2	146111	14400	9711.8	1.3		11:10		10.9
3	146429	31800	9714.8	3.0		7:55		33.9
4	146562	13300	9716.1	1.3		8:10		29.1
5	146701	13900	9717.3	1.2		9:00		31.4
6	147014	31300	9720.3	3.0		9:20		29.4
7	147554	54000	9725.3	5.0		8:15		28.5
8	148373	81900	9733.0	7.7		11:15		26.8
9	149118	24500	9740.0	7.0		4:20		51.9
10	149219	10100	9741.0	1.0		8:35		28.1
11	149351	13200	9742.2	1.2		8:30		31.0
12	149485	13400	9743.4	1.2		8:45		29.2
13	149781	29600	9746.2	2.8		8:05		29.8
14								
15	151025	124400	9757.9	11.7		4:30 AM		39.6
16	151468	44300	9762.0	4.1		11:40		43.4
17	152125	65700	9768.2	6.2		8:10		22.2
18	152284	15900	9769.7	1.5		8:05		31.7
19	152420	13600	9770.9	1.2		9:05		32.1
20	152554	13400	9772.2	1.3		8:35		37.1
21	152691	13700	9773.5	1.3		7:50		33.3
22	152826	13500	9774.7	1.2		7:30		30.7
23	152995	16800	9776.3	1.6		12:30		30.2
24	153098	10300	9777.3	1.0		8:05		29.0
25	153234	13600	9778.5	1.2		8:05		28.9
26	153631	39700	9780.3	3.8		7:50		28.5
27	153770	13900	9783.6	1.3		10:40		58.1
28	154242	47200	9788.0	4.4		8:20		30.9
29	154792		9793.1			7:55		69.7
30								
31				80.6				

Total Gallons

860500

178 gpm

WELL # 1MONTH MarchYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pred.	154242		9788.0					
1	154792	5500	9793.1	5.1	-	2.55		69.7
2	155788	99600	9802.5	9.4		6.05		111.3
3	156198	41000	9806.4	3.9		8.00		23.8
4	156750	55200	9811.6	5.2		8.00		29.6
5	156885	13500	9812.8	1.2		8.45		36.5
6	157021	13600	9814.1	1.3		8.05		68.5
7	157159	13800	9815.4	1.3		8.50		30.6
8	157289	13000	9816.6	1.2		8.50		72.0
9	157429	13000	9817.9	1.3		11.40		71.2
10	157776	34700	9821.1	3.2		8.55		52.8
11	157776	—	9821.1	—		9.10		47.7
12	157918	14200	9822.4	1.3		8.00		62.9
13	158242	32400	9825.5	3.1		8.15		40.6
14	158549	30700	9828.3	2.8		9.38		47.4
15	158686	13700	9829.6	1.3		8.10		33.1
16	158963	27700	9832.2	2.6		9.25		No ch.
17	159822	85900	9840.2	8.0		9.45		50.1
18	160488	66600	9846.5	6.3		8.30		31.9
19	160622	13400	9847.7	1.2		8.15		33.0
20	160764	13200	9849.0	1.3		8.05		32.9
21	161064	30000	9851.8	2.8		8.00		24.3
22	161242	17800	9853.5	1.7		1.45		37.5
23	161772	53000	9858.4	4.9		3.00		49.1
24	161878	10600	9859.4	1.0		8.35		50.6
25	162029	15100	9860.8	1.4		7.55		50.9
26	162164	13500	9862.0	1.2		9.15		51.5
27	162326	16200	9863.5	1.5		7.55		50.7
28	162476	15000	9864.9	1.4		8.20		48.4
29	162889	38300	9868.4	3.5		9.45		50.5
30	163633	77400	9875.6	7.2		11.40		38.4
31	164230	59700	9881.2	5.6		7.55		34.8

Total Gallons

998,800

93.2

178.6 gpm

WELL # 1MONTH AprilYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
PREV.	164230		9881.2					
1	164597	36700	9884.7	3.5		8:35		51.4
2	164733	13600	9885.9	1.2		7:55		50.9
3	165057	32400	9888.9	3.0		8:10		49.9
4	165224	16700	9890.5	1.6		8:05		51.8
5	165494	27000	9892.9	2.4		7:35		36.2
6	165947	45300	9897.1	4.2		1:10		38.3
7	166442	59500	9901.8	4.7		10:30		53.0
8	166769	32700	9904.8	3.0		9:15		54.5
9	168914	14500	9906.2	1.4		8:05		49.5
10	167150	23600	9908.4	2.2		8:35		53.1
11	167502	35200	9911.6	3.2		8:00		51.4
12	167645	14300	9912.9	1.3		10:40		51.5
13	167814	16900	9914.5	1.6		3:25		51.3
14	167919	10500	9915.5	1.0		8:00		50.4
15	168057	13800	9916.8	1.3		7:50		49.8
16	168600	54300	9921.8	5.0		8:50		49.4
17	169174	57400	9927.2	5.4		9:00		32.5
18	169803	62900	9933.0	5.8		7:55		50.2
19	170351	54800	9938.2	5.2		8:55		54.0
20	171621	27000	9950.2	2.0		7:20		42.5
21	171621	—	9950.2	—		8:30		53.3
22	171757	13500	9951.4	1.2		7:50		51.2
23	171897	14000	9952.8	1.4		8:10		49.5
24	172034	13700	9954.0	1.2		7:50		50.0
25	172173	13900	9955.3	1.3		7:40		49.8
26	172802	22900	9961.2	5.9		9:10		50.4
27	173945	114300	9971.9	10.7		3:25		36.5
28	174503	55800	9977.1	5.2		8:00		49.1
29	174842	33900	9980.3	3.2		8:15		49.9
30	174980	13800	9981.6	1.3		7:50		49.9
31								

Total Gallons

100.4
1,075,000

178 gpm

WELL # 1MONTH MayYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Prev.	174980			9881.6				
1	175120	14000		9982.9	1.3	7:55		49.9
2	175416	29600		9985.4	2.7	4:50		50.9
3	176226	81000	9993.2	7.2		8:50		49.9
4	177376	115000	3.9	10.7		6:45 am		35.1
5	177520	14400	5.2	1.3		7:50		49.9
6	177921	40100	9.0	3.8		8:00		50.0
7	178065	14400	10.3	1.3		8:20		34.5
8	178202	13700	11.6	1.3		7:50		32.8
9	178653	45100	15.8	4.2		8:40		33.3
10								
11	179606	95300	24.2	8.9		8:35 PM		38.4
12	180231	62500	30.5	5.8		6:55		34.0
13	180338	30700	31.5	1.0		8:40		33.0
14	180827	48900	36.0	4.5		7:30		33.4
15	181691	86400	44.0	8.0		4:55		33.7
16	182011	32000	47.0	3.0		8:35		33.1
17	182653	64200	53.0	6.0		9:45		34.5
18	183186	53300	58.0	5.0		10:20		34.2
19	183236	45000	62.1	4.1		8:10		26.2
20	184284	64800	68.2	6.1		8:40		24.3
21	184455	17100	69.8	1.6		7:35		31.8
22	184597	14200	71.1	1.3		7:40		32.6
23	184738	14100	72.4	1.3		8:45		33.0
24	184976	13800	73.7	1.3		8:30		33.6
25	185046	17000	75.3	1.4		2:45		34.4
26	185343	29700	78.0	2.2		10:25		34.7
27	185930	58700	83.5	5.5		7:40		31.7
28	186285	35500	82.0	2.5		7:50		49.4
29	187192	90700	95.4	9.4		8:10		37.8
30	187192	—	95.4	—		8:05		50.5
31	187192	—	95.4	—		8:15		50.7

Total Gallons

113.8

1,221,200

179 gpm

WELL # 1MONTH JuneYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Press.	187192							
1	187192	—	95.4	—		12:10		50.7
2	187192	—	95.4	—		10:55		51.2
3	187192	—	95.4	—		7:50		50.7
4	187192	—	95.4	—		8:10		50.9
5	187192	—	95.4	—		7:35		50.2
6	187300	10800	96.5	1.1		7:55		49.9
7	187454	15400	97.9	1.4		7:35		49.1
8	187952	49800	102.6	4.2		2:30		52.1
9	188476	52400	107.5	4.9		7:50		36.7
10	188699	22300	109.7	2.2		8:10		50.4
11	189103	40400	113.5	3.8		8:00		49.9
12	189511	40800	117.2	3.7		12:45		51.5
13	189825	31400	120.2	3.0		8:10		25.5
14	190208	38300	123.7	3.5		7:25		39.3
15	190372	16400	125.3	1.6		1:25		51.2
16	190508	13200	126.6	1.3		9:05		34.2
17	191121	61300	132.3	5.7		8:45		25.1
18	191885	76400	139.5	7.2		8:05		35.9
19	192240	35500	142.8	3.3		8:05		59.8
20	192750	51000	147.6	4.8		8:10		68.1
21	192886	13600	148.9	1.3		8:10		70.2
22	193619	73300	155.8	6.9		5:45		35.4
23	194005	40600	159.4	4.6		8:00		67.2
24	194764	75900	166.5	7.1		9:00		62.5
25	195297	53300	171.5	5.0		8:00		28.3
26	195996	69900	178.0	6.5		7:45		29.4
27	196863	86700	182.1	8.1		10:45		34.8
28	197001	13800	187.4	1.3		9:20		34.6
29	197220	21900	189.5	2.1		1:15		35.6
30	197357	13700	190.8	1.3		8:00		33.9
31								

95.4

177.5 gpm

Total Gallons

1016500

WELL # 1MONTH JulyYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
PREV.	197357		190.8					
1	197492	13500	192.0	1.2		7:55		32.6
2	197627	13500	193.3	1.3		8:25		34.8
3	198349	72200	200.1	6.8		7:40		60.2
4	198627	27800	202.7	2.6		7:55		68.1
5	199346	71900	209.4	6.7		10:00		25.8
6	20036	79000	216.8	7.4		1:50		38.9
7	200773	63700	220.8	6.0		7:40		51.3
8	201419	64600	228.9	6.1		8:05		71.9
9	201919	50800	233.7	4.8		7:45		50.6
10	202458	53900	238.8	5.1		7:45	flushed mains	71.5
11	203205	74700	245.8	7.0		8:00		50.3
12	203624	41900	249.7	3.9		9:10		34.4
13	204079	45500	254.0	4.3		3:15		26.3
14	204706	62700	260.0	6.0		7:55		50.6
15	205491	78500	267.4	7.4		7:25		52.9
16	205842	35100	270.7	3.3		7:50		66.4
17	206504	26200	277.0	2.3		8:15		63.4
18	206914	41000	280.9	3.9		7:50		63.6
19	207664	75000	288.0	7.1		8:50		48.2
20	208173	50900	292.8	4.8		2:35		60.4
21	208688	51500	297.7	4.9		7:50		50.0
22	209624	93600	306.6	8.9		7:55		49.9
23	210369	74500	313.7	7.1		7:20		50.2
24	211147	77800	321.0	7.3		7:40		68.9
25	211884	73700	328.0	7.0		7:45		63.2
26	212048	16400	329.6	1.6		1:50		46.0
27	212163	11500	330.7	1.1		10:30		72.4
28	212661	49800	335.4	4.7		7:50		62.5
29	212796	13500	336.7	1.3		7:35		63.6
30	212932	13600	338.0	1.3		7:45		71.2
31	213166	23400	340.2	2.2		7:50		54.7

149.4

176.3 gpm

Total Gallons

1580,900

WELL # 1MONTH AugYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	213126		340.2					
1	213656	49000	344.8	4.6		7:05		72.2
2	214563	90700	353.3	8.5		8:45		54.4
3	215069	50600	358.1	4.8		11:35		42.3
4	215417	34800	361.4	3.3		7:45		70.5
5	215747	33000	364.5	3.1		7:50		70.9
6	216181	43400	368.6	4.1		7:45		49.7
7	216900	71900	375.4	6.8		7:50		49.6
8	217606	70600	382.1	6.7		7:30		67.6
9								
10	219122	151600	396.4	14.3		11:40		35.4
11	219915	79300	403.9	7.5		8:00		43.5
12	220293	37800	407.5	3.6		7:55		58.2
13	220564	27100	410.0	2.5		8:05		44.5
14	220700	13600	411.3	1.3		8:15		44.8
15	220837	13700	412.6	1.3		8:05		71.8
16	221115	27800	415.2	2.6		8:10		71.7
17	222059	94400	424.2	9.0		6:50 PM		35.0
18	222162	10300	425.2	1.0		8:00		42.6
19	222896	73400	432.2	7.0		8:15		52.4
20	223638	74200	439.2	7.0		7:45		35.1
21	224353	71500	446.0	6.8		7:50		52.0
22	224980	863300	451.9	5.9		7:55		62.8
23	225118	13800	453.2	1.3		11:15		35.1
24	225254	13600	454.5	1.3		11:15		35.5
25	225465	21100	456.5	2.0		8:30		60.5
26	225604	~~222600~~	457.8	1.3		8:25		49.9
27	226403	79900	465.4	7.6		8:05		49.5
28	226403	—	465.4	—		7:55		69.4
29	226403	—	465.4	—		8:05		46.2
30	226403	—	465.4	—		8:40		33.3
31	226953	55000	470.5	5.1		2:05		33.4

Total Gallons

130.3

1,378,700

176 gpm

WELL # 1MONTH SeptYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Prev.	226953		470.5					
1								
2	227881	92800	479.3	8.8		8:10		71.1
3	228125	24400	481.6	2.3		11:05		33.9
4	228263	13800	482.9	1.3		8:00		71.3
5	228708	44500	487.1	4.2		9:05		33.5
6	229185	47700	491.5	4.4		7:50		42.0
7	229424	23900	493.8	2.3		11:15		50.5
8	229888	46400	498.2	4.4		8:05		69.5
9	230024	13600	499.5	1.3		8:10		69.4
10	230665	64100	505.6	6.1		10:20		35.1
11	231100	43500	509.6	4.0		9:05		34.9
12	231667	56700	515.0	5.4		8:10		32.2
13	232037	37000	518.4	3.4		10:50		32.7
14	232239	20200	520.4	2.0		8:00 PM		49.4
15	232313	74000	521.0	0.6		8:10		49.5
16	232748	43500	525.1	4.1		8:00		49.5
17	233415	66700	531.4	6.3		8:15		36.7
18	233979	56400	536.8	5.4		8:10		32.4
19	234437	44800	541.1	4.3		8:30		25.8
20	235171	73400	548.0	6.9		10:30		33.4
21	235863	69200	554.6	6.6		12:25		33.2
22	236077	21400	556.6	2.0		8:10		33.0
23	236581	50400	561.4	4.8		8:10		32.8
24	237188	60700	567.1	6.7		8:00		32.1
25	237951	76300	573.6	7.3		8:00		22.1
26	238364	41500	578.3	5.2		7:30		32.5
27	238823	48700	582.6	4.3		7:30		25.7
28	239562	69900	589.6	7.0		7:30		31.6
29	240364	80200	597.2	3.9		7:30		27.0
30	240805	44100	601.4	4.2		8:00		34.1
31	241498	69300	607.9	6.5		1:00		39.2

241498

241498 - 241498

Total Gallons

1454500

WELL # 1MONTH OctYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.								
1	241498	0	607.9	6.8		1.00		22.2
2	242065	56700	613.3	5.7		9.00		44.1
3	242566	50100	617.2	4.0		8:00		25.2
4	243207/243241	69500	623.9	6.6		7:20		31.3
5	244014/244044	75300	631.5	7.6		2:00		34.10
6	244411/244441	39700	635.5	4.2		8:00		31.8
7	245130	71900	642.0	6.7		7:30		36.1
8	245596/245540	46600	646.4	4.4		9:00		33.0
9	246352	45600	652.5	7.1		8:00		33.3
10	246921/246921	56900	658.9	5.4		8:00		25.1
11	247391/247391	47000	663.3	4.1		8:00		33.2
12	247910/247910	51900	668.2	4.9		9:00		34.7
13	248648/248648	73800	675.2	7.0		8:00		32.2
14	249045/249045	39700	678.9	3.7		8:00		32.1
15	249435/249435	39800	682.6	3.1		8:00		33.6
16	249973/249973	83800	682.7	5.7		7:25		34.1
17	250465/250465	49200	692.3			7:30		29.0
18								
19								
20	252678/252678	221300	713.1			8:00		31.2
21	253453/253453	77500	720.3	7.4		7:30		31.9
22	254154/254154	70100	727.6	6.7		8:00		24.6
23	254798/254798	64400	733.1	5.5		8:00		31.2
24	255950	1152	740.6	7.4		8:40		32.1
25								
26	Down							
27	257829	1879	10761.7	21.1				49.8
28	258485	65600	10767.9	16.2				47.3
29	259055	57000	10773.3	5.4				50.4
30	259624	56900	10778.7	5.4				51.9
31	260203	57900	10784.1	5.4				52.0

260203 - 241498 =

110ns

1870500

WEST WELL

November 2003

GALLONS
X 100

N/AUGE W/AUGE FLOOR

DATE	Meter Reading	Gallons Pumped	Hour Reading	Hours Run	Fluoride Pumped	Cl2 Scale Reading	# Cl2	Tower Pressure
1	260542		107872			150		36.5
2			108000					37.5
3	261916	1374	10800.2	13.0		142	8	38.5
4	262497	581	10805.7	5.5		138	4	47.9
5			10807.8	2.2		137	1	36.9
6	263942							53.9
7	263942	1445	10819.2	11.4		130	7	53.9
8								
9								
10	265911	1969	10837	17.8		118	12	
11								
12	266967	1056	10847.7	10.7		117	1	53.0
13	267690	723	10854.5	6.8		111	6	54.0
14	268440	750	10861.7	7.2		104	7	56
15								
16								
17	269953	1513	10875.9	14.2		88	16	54
18								
19								
20								
21	272152	2199	10896.4	20.5		69	19	59.0
22								
23								
24	274387	2235	10917.2	20.8		49	20	53
25	275420	1033	10932	15				
26	275511	91	10933.1	1.1		48.5	.5	56
27	276121	610	10938.7	5.6		41.5	7	54
28	276539	418	10942.6	3.9		36	5.5	52
29	277103	567	10947.8	5.2		31	5.0	50
30	277103	0	10947.8	0		26	5.0	50
31								

60.1
31.4
58.6

49

58.6

24.3

47

31.2

45

AVG GALLONS / DAY = 55203.3 GAL.

TOTAL GALLONS = 1,656,100 GAL

AVG HRS RUN / DAY = 5.36 HRS / DAY

1,656,100

Flood

WEST WELL

December 2003

FLUORIDE SETTING
CYLINDER
CLZ

7PM

DATE	Meter Reading	Gallons Pumped	Hour Reading	Hours Run	Fluoride Pumped	Cl2 Scale Reading	# Cl2 (USG)	Tower Pressure
1	278205	1102	10958.1	10.3		21	~~5.0~~ 5.0	50
2	278447	242	10960.3	2.2		18	3	50
3	279293	846	10968.2	7.9		—	—	—
4	279876	583	10973.6	5.4	NEW CLZ CYLINDER	148	—	54
5	280473	597	10979.1	5.5		144	4	50
6	280927	454	10983.3	4.2				
7	281583	656	10989.4	6.1				
8	282188	605	10995.0	5.6		128	5.3	51
9	282898	710	11001.6	6.6		120	8.0	50
10	283298	400	11005.3	3.7		115	5.0	52
11	283713	475	11009.7	4.4		110	5.0	52
12	284271	498	11014.4	4.7		104	6.0	52
13	284737	466	11018.7	4.3				52
14	285196	459	11023.0	4.3		94	5.0	52
15	285745	549	11028.1	5.1		88	6.0	52
16	286613	868	11036.2	8.1		77	11.0	52
17	287151	538	11041.2	5.0		70	7.0	52
18	287601	450	11045.4	4.2		64	6.0	52
19	288325	724	11052.1	6.7		53	11.0	52
20	288838	513	11056.9	4.8		45	8.0	52
21	289592	744	11063.9	7.0		34	11.0	52
22	289592	0	11063.9	0		34	0	52
23	290763	1171	11074.7	10.8	NEW CLZ	171	9	52
24	291218	455	11078.9	4.2		164	7	52
25								
26	292340	1122	11089.4	10.5		145	19	52
27	293210	870	11097.4	8.0		133	12	
28	293765	555	11102.5	5.1		125	8	
29	294413	~~555~~ 845	11108.5	6.0		116	9	
30	295258	845	11116.3	7.8		101	15	52
31	295800	542	11121.3	5		93	8	52

42

BALL MIDDLE
- 32

38

38
45
45
45
45
45

38

41

41.5

39.5

295800
- 277103
1869,700

AVG. GALLONS/DAY = 60,280.6 GAL.
TOTAL GALLONS = 1,868,700 GAL.
AVG HRS RUN/DAY = 6.0 HRS/DAY

NORMS 60°F
PRESS @ PUMP = 54 PSI
FLUORIDE SPEED 11 GTS/SEC
STROKE 32
≈ 7000 GPD
≈ 5-7 HRS/DAY

06400

WELL # 2

Comment
 to Super
 from Water
 Tank Level
 Limit by
 MONTH Jan
 YEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	562024		9714.7					
1	562126	76296	9721.7	6.4		7:05P		68
2	562165	32912	9723.6	2.5		10:20		68
3	562228	47124	9727.5	3.9		8:15		38
4	562251	17204	9728.9	1.4		11:20		68
5	562251	—	9728.9	—		5:20		68
6	562251	—	9728.9	—		9:05		68
7	562330	59092	9733.8	4.9		8:30		68
8	562388	43384	9737.4	3.6		8:05		67
9	562442	40392	9740.8	3.4		8:05		40
10	562515	54604	9745.3	4.8		8:45		67
11	562622	80036	9752.0	6.2		3:25		65
12	562703	60588	9757.2	5.0		6:20		60
13	562746	32164	9759.8	2.8		8:15		68
14	562827	60588	9764.8	5.0		8:20		68
15	562827	—	9764.8	—		8:30		62
16	562865	28424	9767.2	2.4		3:50		42
17	562913	35904	9770.1	2.9		8:55		68
18	562965	38876	9774.0	3.9		1:40		40
19	563001	26928	9775.6	1.6		2:45		68
20	563001	—	9775.6	—		5:50		68
21	563001	—	9775.6	—		3:25		67
22	563001	—	9775.6	—		9:10		68
23	563001	—	9775.6	—		8:55		68
24	563089	65824	9781.1	5.5		8:20		67
25	563168	59092	9786.0	4.9		10:30		36
26	563295	94996	9793.9	7.9		2:10		62
27	563334	29172	9796.3	2.4		8:45		68
28	563414	59840	9801.3	5.0		8:50		38
29	563441	20196	9803.0	1.2		8:20		68
30	563441	—	9803.0	—		8:10		68
31	563441	—	9803.0	—		8:05		68

Total Gallons

88.3

1,059,916

200 gpm

10534,832

WELL # 2MONTH FebYEAR .03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Prev.	563441		9803.0					
1	563492	38148	9806.2	3.0		8:40		68
2	563593	75548	9812.5	6.3		11:15		36
3	563616	17204	9813.9	1.4		8:55		68
4	563709	69564	9819.7	5.8		8:15		67
5	563786	57596	9824.5	4.8		9:05		37
6	563807	15708	9825.8	1.3		9:25		68
7	563807	—	9825.8	—		8:15		68
8	563807	—	9825.8	—		11:15		67
9	563807	—	9825.8	—		4:25		67
10	563872	48620	9829.8	4.0		8:40		66
11	563936	47872	9833.8	4.0		8:35		42
12	564008	53856	9838.3	4.5		8:45		40
13	564029	15708	9839.7	1.4		8:10		68
14								
15	564063	25432	9841.7	2.0		4:35		68
16	564063	—	9841.7	—		11:40		68
17	564063	—	9841.7	—		8:15		68
18	564132	51612	9846.1	4.4		8:10		68
19	564209	57596	9850.8	4.7		9:10		40
20	564273	47872	9854.8	4.0		8:40		68
21	564342	~~56~~ 51612	9859.1	4.3		7:55		68
22	564406	47872	9863.1	4.0		7:30		68
23	564524	88264	9870.4	7.3		12:35		60
24	564592	50864	9874.7	4.3		3:10		36
25	564647	41140	9878.1	3.4		8:10		63
26	564694	35156	9881.0	2.9		7:50		36
27	564755	45628	9884.8	3.8		10:40		68
28	564755	—	9884.8	—		8:25		68
29								
30								
31				81.8				

Total Gallons

982872

200 gpm

WELL # 2MONTH MarchYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
PREV.	564755		9884.8					
1	564755	—	9884.8	—		8:00		63
2	564755	—	9884.8	—		8:05		68
3	564755	—	9884.8	—		8:05		68
4	564755	—	9884.8	—		8:00		68
5	564836	60588	9837.8	5.0		8:50		68
6	564927	68068	9895.5	5.7		8:10		64
7	565001	55352	9900.1	4.6		8:55		37
8	565071	52360	9904.5	4.4		8:55		67
9	565195	92752	9912.3	7.8		11:40		60
10	565195	—	9912.3	—		9:00		67
11	565325	97240	9920.3	8.0		9:15		38
12	565371	34408	9923.2	2.9		8:08		38
13	565403	23936	9925.2	2.0		8:20		68
14	565462	45628	9928.9	3.7		9:35		68
15	565523	7557896	9932.7	3.8		8:15		40
16	565600	57596	9937.5	4.8		9:30		68
17	565600	—	9937.5	—		9:50		66
18	565600	—	9937.5	—		8:35		66
19	565684	62832	9942.8	5.3		8:20		65
20	565769	63580	9948.1	5.3		8:10		66
21	565809	29920	9950.6	2.5		8:20		67
22	565930	90508	9958.1	7.5		1:50		64
23	565930	—	9958.1	—		3:00		67
24	566003	54104	9962.6	4.5		8:30		38
25	566077	55352	9967.2	4.6		7:55		68
26	566171	70312	9973.1	5.9		9:20		68
27	566237	49368	9977.2	4.1		7:55		67
28	566304	50116	9981.4	4.2		8:20		40
29	566355	38140	9984.6	3.2		9:45		66
30	566355	—	9984.6	—		1:45		66
31	566355	—	9984.6	—		8:00		68

99.1

Total Gallons

1,196,800

201 gpm

WELL # 2MONTH AprilYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Prod.	566355		9987.6					
1	566405	37400	9987.7	3.1		8:40	X	68
2	566462	42636	9991.2	3.5		8:00		68
3	566522	44880	9995.0	3.8		8:15		66
4	566583	45628	9998.8	3.8		8:10		68
5	566642	44132	10002.5	3.7		7:40		68
6	566694	38896	10005.7	3.2		1:10		68
7	566722	20944	7.4	1.7		10:35		38
8	566765	32164	10.2	2.8		7:20		64
9	566832	56116	14.3	4.1		8:15		68
10	566912	59840	17.3	5.0		8:30		38
11	566944	23936	21.3	2.0		8:00		60
12	567042	73304	27.4	6.1		10:40		36
13	567147	78540	34.0	6.6		3:25		64
14	567213	49368	38.1	4.1		8:05		66
15	567331	88264	45.5	7.4		7:55		66
16	567331	—	45.5	—		8:55		66
17	567331	—	45.5	—		9:00		64
18	567331	—	45.5	—		7:55		64
19	567331	—	45.5	—		8:00		64
20	567331	—	45.5	—		2:40		60
21	567377	34408	48.4	2.9		8:30		36
22	567480	77044	54.8	5.4		7:55		40
23	567567	65096	60.2	5.4		8:10		36
24	567641	55352	64.8	4.6		7:50		38
25	567722	60588	69.9	5.1		7:45		52
26	567722	—	69.9	—		9:15		58
27	567722	—	69.9	—		3:30		60
28	567722	—	69.9	—		8:05		58
29	567807	63580	75.2	5.3		8:15		60
30	567899	68816	81.0	5.8		7:55		54
31								

96.4

Total Gallons

1154,912

199.6 gpm

WELL # 2MONTH MayYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
PREV.	567899			81.0				
1	567985	64328		86.3	5.3	7:55		62
2	567985	—		86.3	—	8:50		64
3	567985	—	86.3			8:55		66
4	567985	—	86.3	—		8:55 PM		58
5	567985	—	86.3	—		7:55		64
6	568068	62084	91.5	5.2		8:00		60
7	568149	60588	96.6	5.1		8:20		60
8	568230	60588	102.2	5.6		7:55		66
9	568230	—	102.2	—		8:45		66
10								
11	568361	97988	109.7	7.5		8:40 PM		55
12	568435	55352	114.3	4.6		6:00		32
13	568460	18700	115.9	1.6		8:45		62
14	568460	—	115.9	—		7:35		62
15	568460	—	115.9	—		5:00		62
16	568460	—	115.9	—		8:40		60
17	568460	—	115.9	—		9:50		60
18	568538	58344	120.8	4.9		10:25		56
19	568538	—	120.8	—		8:15		54
20	568538	—	120.8	—		8:45		62
21	568652	85272	127.9	7.1		7:40		62
22	568734	61336	133.0	5.1		7:45		36
23	568829	71060	138.9	5.9		8:50		50
24	568895	51212	143.0	4.1		8:30		56
25	569012	87516	150.3	7.3		2:15		55
26	569012	—	150.3	—		10:25		58
27	569111	74052	156.5	6.2		8:55		62
28	569173	46376	160.4	3.9		7:55		55
29	569173	—	160.4	—		8:15		50
30	569329	116688	170.1	9.2		8:10		62
31	569461		178.4			8:20		40

Total Gallons

97.4

1,168,376

200 gpm

WELL # 2MONTH JuneYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	569461		178.4	12.7				
1	569626	123420	188.6	188.6		12:15		35
2	569724	73304	194.8	6.2		11:00		42
3	569836	83776	201.7	6.9		7:55		55
4	569953	87516	209.0	7.3		8:10		56
5	570108	115940	218.7	9.7		7:35		62
6	570222	85272	225.8	7.1		8:00		62
7	570294	53856	230.3	4.5		8:50		35
8	570340	34408	233.2	2.9		2:35		45
9	570340	—	233.2	—		7:55		52
10	570431	68068	238.9	5.7		8:10		55
11	570468	27676	241.1	2.2		8:05		35
12	570523	41140	244.6	3.5		17:45		56
13	570598	56100	249.3	4.7		8:10		62
14	570657	44132	253.0	3.7		7:30		62
15	570797	104720	261.7	8.7		11:30		35
16	570916	89012	269.1	7.4		9:10		35
17	570984	50864	273.4	4.3		8:50		52
18	570984	—	273.4	—		8:10		64
19	571079	71060	279.3	5.9		8:10		56
20	571185	79288	285.9	6.6		8:15		54
21	571297	83776	292.8	6.9		8:10		60
22	571297	—	292.8	—		5:55		45
23	571297	—	292.8	—		8:05		52
24	571297	—	292.8	—		9:00		52
25	571297	—	292.8	—		8:05		54
26	571297	—	292.8	—		7:45		38
27	571297	—	292.8	—		10:50		56
28	571399	76296	299.2	6.4		9:20		50
29	571525	94248	307.1	7.9		1:20		34
30	571612	65076	312.5	5.4		8:00		35
31								

134.1 200gpm

Total Gallons 11608948

WELL # 2MONTH JulyYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	571612		312.9					
1	571786	130152	323.4	10.9		8:10		56
2	571910	92252	331.1	7.7		8:30		65
3	571910	—	331.1	~~7.7~~		7:45		50
4	572009	74052	337.3	6.2		7:55		52
5	572009	—	337.3	—		10:00		54
6	572009	—	337.3	—		11:55		52
7	572009	—	337.3	—		7:45		52
8	572077	50864	341.6	4.3		8:05		50
9	572077	—	341.6	—		7:50		55
10	572210	99484	349.4	8.3		7:50	blushed material	52
11	572210	—	349.4	—		8:00		52
12	572298	65824	355.4	5.5		9:05		58
13	572439	105468	364.3	8.9		3:20		50
14	572439	—	364.3	—		8:00		56
15	572445	4488	364.6	2.3		7:30		40
16	572619	130152	375.5	10.9		7:55		52
17	572619	—	375.5	—		8:20		54
18	572732	84524	382.6	7.1		7:55		50
19	572732	—	382.6	—		9:05		56
20	572819	65076	388.0	5.4		2:40		52
21	572819	—	388.0	—		7:55		52
22	572819	—	388.0	—		8:00		60
23	572819	—	388.0	—		7:25		50
24	572819	—	388.0	—		7:45		60
25	572819	—	388.0	—		7:45		58
26	573023	152592	400.7	12.7		1:50		32
27	573090	50116	405.0	4.3		10:35		56
28	573199	81532	411.8	6.8		7:55		52
29	573320	90508	419.4	7.6		7:40		52
30	573410	67320	425.0	5.6		7:45		42
31	573502	68816	430.7	5.7		8:00		50

Total Gallons

118.2
1,413,720

199.3 gpm

WELL # 2MONTH AugYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.	573502		430.7					
1	573502	—	430.7	—		7:10		54.
2	573502	—	430.7	—		8:50		52
3	573605	77044	437.1	6.4		1:35		52
4	573698	67564	443.0	5.9		7:45		64
5	573789	68068	448.8	5.8		7:50		50
6	573789	—	448.8	—		7:50		48
7	573789	—	448.8	—		7:55		48
8	573789	—	448.8	—		7:35		50
9	573789	—	448.8	—				
10	573789	—	448.8	—		11:40		55
11	573789	—	448.8	—		8:05		50
12	573874	63582	453.9	5.1		8:00		50
13	573954	59840	458.9	5.0		8:05		50
14	574065	83028	465.9	7.0		8:15		46
15	574189	92752	473.6	7.7		8:10		46
16	574274	63580	478.9	5.3		8:15		50
17	574362	68816	484.7	5.8		8:50 PM		30
18	574378	8776	485.5	.8		8:05		44
19	574378	—	485.5	—		8:15		45
20	574378	—	485.5	—		8:50		46
21	574378	—	485.5	—		7:50		46
22	574378	—	485.5	—		9:00		34
23	574491	84524	492.5	7.0		11:15		35
24	574585	70312	498.4	5.9		11:20		45
25	574678	69564	504.3	5.9		8:30		48
26	574766	65824	509.8	5.5		8:45		50
27	574766	—	509.8	—		8:10		58
28	574920	115192	519.4	9.6		7:55		50
29	575020	74800	525.8	6.4		8:10		44
30	575151	77988	533.9	8.1		8:50		34
31	575226	56100	538.7	4.8		2:10		46

108

Total Gallons

12,89,552

199 gpm

WELL # ^{EAST} 2MONTH Sept
YEAR 03WEST
AVG. 5700 GALL
5.3 LBS/WT

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Prev.	575226		538.7					
1								
2	575320	70312	544.5	5.8		8:10		42
3	575400	59840	549.5	5.0		11:05		44
4	575512	83776	556.5	7.0		8:05		42
5	575512	—	556.5	—		9:05		46
6	575578	49368	560.5	4.0		7:52		46
7	575692	85272	567.8	7.3		11:15		45
8	575793	75548	574.1	6.3		8:10		45
9	575908	86020	581.3	7.2		8:15		46
10	575908	—	581.3	—		10:20		46
11	575908	—	581.3	—		9:10		44
12	575908	—	581.3	—		8:10		48
13	575990	61336	586.4	5.1		10:50		30
14	576108	88264	593.7	7.3		8:05 AM		44
15	576108	—	593.7	—		8:10		42
16	576108	—	593.7	—		8:00		40
17	576108	—	593.7	—		8:15		44
18	576108	—	593.7	—		8:10		38
19	576108	—	593.7	—		8:30		44
20	576108	—	593.7	—		10:35		48
21	576108	—	593.7	—		12:30		45
22	576108	Meter stuck	598.3	4.6		8:15		44
23			598.3	—		8:10		40
24	576108	—	598.3	—		8:05		38
25			598.3			8:10		32
26	576108		598.3			8:11		32
27			598.3					
28								
29								
30								
31								

Total Gallons 659,736Total
105,348.32

WELL # 2MONTH OctYEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.								
1								
2			178			5:00		
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								

Total Gallons

0

WELL # 2

MONTH Nov
YEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pres.								
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								

Total Gallons 0

WELL # 2

MONTH Dec
YEAR 03

DATE	METER READING	GALLONS	Hour METER	METER TIME	GPM	TIME	Chlorine READING	COMMENTS
Pred.								
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								

Total Gallons 0



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 17, 2004

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

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Severtson:

Future Use Permit No. 5444-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Argus Leader printed at Sioux Falls (Phone #605 331-2200). 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 NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 17, 2004

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5444-3 to be published twice. Please publish the first notice on August 25, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Valley Springs, PO Box 118, Valley Springs SD 57068-0118.

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

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

We are in receipt of your letter of August 17, 2004 enclosing Notice of Hearing to Review Future Use Water Permit No. 5444-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on August 25, 2004 with 2nd publication 7 days later. The City of Valley Springs is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, PO Box 118, Valley Springs SD 57068 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. 5444-3. This permit approved in 1990 currently reserves 188 acre feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E ½ Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 10:00 am on October 6, 2004, at Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 24, 2004. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 24, 2004. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 24, 2004. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED

SEP - 9 2004

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340

Invoice Number: 749280

City of Valley Springs

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

Wednesday, the 25 day of August 2004,

Wednesday, the 1 day of September 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

_____, the _____ day of _____ 2004,

and that \$147.06 was charged for publishing the same including a \$5.00 affidavit fee.

[Signature]
Subscribed and sworn to before 9/2/2004

JOAN STAHL

SEAL NOTARY PUBLIC
SOUTH DAKOTA

[Signature]
Notary Public, South Dakota

My Commission expires June 30, 2005

NOTICE OF HEARING TO

REVIEW FUTURE USE

WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, PO Box 118, Valley Springs SD 57068 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. 5444-3. This permit approved in 1990 currently reserves 188 acre-foot from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 10:00 am on October 6, 2004, at Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 24, 2004. The Chief Engineer's address is: "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing may be an adversarial proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 24, 2004. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 24, 2004. Steven M. Pinner, Secretary, Department of Environment and Natural Resources.

Aug. 25
749280 Sep. 1, 2004



**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. 5444-3, City of Valley Springs SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 5444-3, City of Valley Springs, PO Box 118, Valley Springs SD 57068.

The Chief Engineer is recommending that Future Use Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5444-3, 2) the City has demonstrated a reasonable need for the water reserved by Permit No. 5444-3, 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. 5444-3 is subject to payment of the \$22.50 fee pursuant to SDCL 46-2-13(2). This fee was submitted by the City on August 16, 2004.

Garland Erbele, Chief Engineer
August 17, 2004

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 16, 20 04

RECEIVED OF City of Valley Springs, 308 Broadway Ave, PO Box 118, Valley Springs 57068

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	22	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>5444-3</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. _____	22.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	22.50

No. 004444

By Darlene Eide
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

October 8, 2004

NOTICE

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Severtson:

I am writing in response to action taken by the Water Management Board at the hearing on October 6, 2004 to review Future Use Permit No. 5444-3. The Board allowed the permit to remain in effect for 188 acre-feet of water annually. Future Use Permit No. 5444-3 is subject to another review in seven years.

Enclosed is the receipt for payment of the fee for maintaining the effectiveness of Future Use Permit No. 5444-3.

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

Sincerely,

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

enclosure

CERTIFICATION

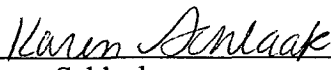
I hereby certify that on October 8, 2004 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 8, 2004 regarding Notice of Future Use Permit No. 5444-3 permit to remain in effect addressed as stated below:

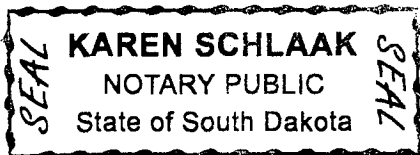
City of Valley Springs
Sand Severtson Finance Officer
PO Box 118
Valley Springs SD 57068-0118


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 12th day of October, 2004.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 20, 2011

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068-0118

Dear Ms. Severtson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5444-3 from groundwater (Split Rock Creek Aquifer) which is held by the City. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 188 acre-feet remain in reserve under this future use permit that was issued in 1990 and last reviewed in 2004.

Please respond in writing by August 31, 2011, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 5444-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 188 acre-feet remain in reserve, the fee will be \$ 75.00.

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

RECEIVED

AUG 15 2011

WATER RIGHTS
PROGRAM

August 11, 2011

Eric Gronlund:

I am writing to retain the future water use permit No. 5444-3 for the City of Valley Springs. The City would like to renew the permit for the reasons of possible future residential and/or economical growth. Total pumping records for the last 3 years are as follows:

2010: 21,056,545 gal.

2009: 21,466,500 gal.

2008: 23,385,200 gal.

Thank You,

Ryan Nussbaum
City Of Valley Springs
605 757-6553



**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. 5444-3, City of Valley Springs**

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. 5444-3, City of Valley Springs, PO Box 118, Valley Springs SD 57068.

The Chief Engineer is recommending that Future Use Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5444-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 5444-3, 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. 5444-3 is subject to payment of the \$75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City after the Board hearing.

Garland Erbele, Chief Engineer
August 30, 2011

CUSTOMER NUMBER:	078340	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	1350744	
RUN DATES	9/7, 9/14, 2011	AMOUNT DUE: \$162.97

RECEIVED

SEP 19 2011

WATER RIGHTS PROGRAM

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

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

*pd by
City of Valley Springs
OK*

Water Permit No. 5444-3 (Valley Springs)

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340
Invoice Number: 1350744

Dept of Environment & Natural Resources

Argus Leader
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

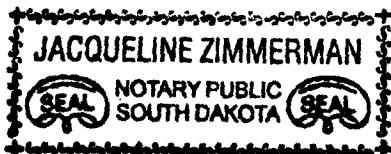
Wednesday, the 7 day of September 2011,
Wednesday, the 14 day of September 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,
_____, the _____ day of _____ 2011,

and that \$162.97 was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 9/14/2011

J. Zimmerman
Notary Public, South Dakota

My Commission expires December 22, 2015



NOTICE OF HEARING TO REVIEW FUTURE USE

WATER PERMIT NO. 5444-3
Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by City of Valley Springs, PO Box 118, Valley Springs SD 57088 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. 5444-3. This permit was approved 1990 currently reserves 188 acre feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use.
Pursuant to SDCL 46-2A-2

the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 10:00 am, October 5, 2011 at Floyd Mathew Training Center, Joe Foss Bldg., 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the

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

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 26, 2011. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 26, 2011. Steven M. Pirmer, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of \$162.97.
1350744 Sept. 7 & 14, 2011



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 30, 2011

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

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068

Dear Ms. Severtson:

Future Use Permit No. 5444-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Argus Leader printed at Sioux Falls SD (Phone #605 331-2200). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper-Publish first publication of the following Notice on September 7, 2011 with 2nd publication 7 days later. The permit owner is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444- held by City of Valley Springs, PO Box 118, Valley Springs SD 57068 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. 5444-3. This permit was approved 1990 currently reserves 188 acre feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E ½ Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 10:00 am, October 5, 2011 at Floyd Mathew Training Center, Joe Foss Bldg., 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 26, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 26, 2011. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 26, 2011. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 30, 2011

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5444-3 to be published twice. Please publish the first notice on September 7, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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 City of Valley Springs, PO Box 118, Valley Springs SD 57068 (phone 605 757-6553).

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

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

We are in receipt of your letter of August 29, 2011 enclosing Notice of Hearing to Review Future Use Water Permit No. 5444-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

CERTIFICATION

I hereby certify that on October 11, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 11, 2011 regarding Future Use Permits addressed as stated below:

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



Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



Karen Schlaak
Notary Public
My Commission expires April 1, 2013



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 11, 2011

NOTICE

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068

Dear Ms. Severtson:

I am writing in response to action taken by the Water Management Board at the hearing on October 5, 2011 to review Future Use Permit No. 5444-3. The Board allowed the permit to remain in effect for 188 acre-feet of water annually. Future Use Permit No. 5444-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5444 is \$75.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/16, 20 12

RECEIVED OF City of Valley Springs PO Box 118 Valley Springs SD 57068

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	75	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>5444-3</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	
	75	00

No. 05358

By


Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 1, 2018

City of Valley Springs
Sandy Severtson, Finance Officer
PO Box 118
Valley Springs SD 57068

Dear Ms. Severtson:

I am writing in regard to the seven year review of Future Use Water Permit No. 5444-3 from the Split Rock Creek Aquifer held by the City of Valley Springs. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 188 acre-feet remain in reserve under this future use permit that was issued in 1990 and last reviewed in 2011.

Please respond in writing by August 31, 2018 regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 5444-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 188 acre-feet remain in reserve, the fee will be \$75.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

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

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

August 13, 2018

RECEIVED

AUG 20 2018

**WATER RIGHTS
PROGRAM**

Eric Gronlund:

The City of Valley Springs would like to renew the water future use permit No. 5444-3. The reasons for renewing would be to serve the City of Valley Springs, any future growth, and for fire protection. Total pumping records for the last 3 year are as follows:

2015: 26,752,700 gallons

2016: 27,121,500 gallons

2017: 25,269,900 gallons

Ryan Nussbaum
City of Valley Springs
605-757-6553



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5444-3, City of Valley Springs**

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. 5444-3, City of Valley Springs, PO Box 118, Valley Springs SD 57068.

The Chief Engineer is recommending that Future Use Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5444-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 5444-3, 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. 5444-3 is subject to payment of the \$75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.


Jeanne Goodman, Chief Engineer
August 27, 2018



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 27, 2018

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

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

Dear Mr. Nussbaum:

Future Use Permit No. 5444-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. Notice of this review has been sent to the Argus Leader (605 331-2200). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish this notice on September 6, 2018. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, August 27, 2018 1:25 PM
To: allegals@argusleader.com
Subject: 5444-3, City of Valley Springs
Attachments: 5444-3notice.doc; FORM8.FRM.doc

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

City of Valley Springs, c/o Ryan Nussbaum, Public Works Director, PO Box 118, Valley Springs SD 57068 (605 757-6553) has been notified to contact you to authorize publication and arrange for payment.

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

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

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



Instruction to Newspaper - Publish the following Notice on September 6, 2018. The City of Valley Springs is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, PO Box 118, Valley Springs SD 57068 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. 5444-3. This permit was approved in 1990 and currently reserves 188 acre-feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 1:00 pm on October 4, 2018 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 24, 2018. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by September 24, 2018. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 24, 2018.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by September 17, 2018. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.

CUSTOMER NUMBER:	127015	Argus Leader PO Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	3125945	
RUN DATES:	9/6, 2018	
		AMOUNT DUE: \$101.76

RECEIVED
SEP 10 2018
WATER RIGHTS PROGRAM

CITY OF VALLEY SPRINGS
C/O RYAN NUSSBAUM
PO BOX 118
VALLEY SPRINGS, SD 57068

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

Water Permit 5444-3

AFFIDAVIT OF PUBLICATION-

Customer Number: 127015
Invoice Number: 3125945

CITY OF VALLEY SPRINGS

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

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

and that \$101.76 was charged for publishing the same.

Sara Kruse

Subscribed and sworn to before me

9/6/18

Betty Gates

Notary Public, South Dakota

My Commission expires March 11, 2022



and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by September 24, 2018. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition. The hearing to review Future Use Permit No. 5444-3 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. 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 Granlund, Water Rights Program, (605 773-3352) by September 24, 2018. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by September 24, 2018. According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E Capitol Ave, Pierre SD) by September 17, 2018. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the approximate cost of \$101.76. 3125945 Sept. 6, 2018

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, PO Box 118, Valley Springs SD 57068 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. 5444-3. This permit was approved in 1990 and currently reserves 188 acre-feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T10N-R47W for municipal use. Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 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. 5444-3 at 1:00 pm on October 4, 2018 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD. The recommendation of the Chief Engineer is not final or binding upon the Board



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

October 9, 2018

NOTICE OF ENTRY OF ORDER

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

Dear Mr. Nussbaum:

I am writing in response to action taken by the Water Management Board at the hearing on October 4, 2018 to review Future Use Permit No. 5444-3. The Board allowed the permit to remain in effect for 188 acre-feet of water annually. Future Use Permit No. 5444-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5444-3 is \$75.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Sincerely,

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

CERTIFICATION

I hereby certify that on October 9, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 9, 2018 regarding Notice of 5444-3 and 5072-3 addressed as stated below:

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

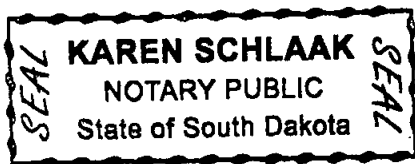
TM Rural Water District, Jay Jorgensen, PO Box 445, Parker, SD 57053

Vickie Maberry
Vickie Maberry
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of October, 20 18.

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



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 156, 20 18

RECEIVED OF City of Valley Springs PO Box 118 Valley Springs SD 57068

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	75	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Future Use Permit 5444-3		
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	75 00

No. **08811**

By Jeanne Goodman
Chief Engineer
79m



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 18, 2025

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

Dear Ms. Vanhout,

I am writing in regard to the seven-year review of Future Use Water Permit No. 5444-3 from the Split Rock Creek held by City of Valley Springs. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 188 acre-feet remain in reserve under this future use permit that was issued in 1990 and last reviewed in 2018.

Please respond in writing by August 29, 2025, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 5444-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 188 acre-feet remain in reserve, the fee will be \$75.00.

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

Sincerely,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
605 773-3352#

rd@danr.sd.gov or [605 773-3352](tel:6057733352)

Rodriguez, Rachel

From: vspw@alliancecom.net
Sent: Friday, July 25, 2025 8:58 AM
To: Rodriguez, Rachel
Subject: [EXT] future use water permit

Rachel Rodriguez,

The City of valley Springs would like to renew the future water use permit No. 5444-3. The reasons for renewing would be to serve the City of Valley Springs, any future growth, and for fire protection. The total pumping records for the the last three years are as follows:

2024: 23,536,222 gallons

2023: 24,877,241 gallons

2022: 23,914,429 gallons

Ryan Nussbaum
Public Works
City Of Valley Springs, SD
vspw@alliancecom.net
605-757-6553
605-770-9796



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 5444-3, City of Valley Springs**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit No. 5444-3, City of Valley Springs, 401 Broadway Avenue, Valley Springs SD 57068.

The Acting Chief Engineer is recommending that Future Use Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5444-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 5444-3, 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. 5444-3 is subject to payment of the \$ 75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Mark Mayer, PE
Director of Office of Water

AUG 07 2025



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 8, 2025

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

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

Dear Ms. Vanhout:

Future Use Permit No. 5444-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. Notice of this review has been sent to the Argus Leader (see contact information). For your information, a copy of the Acting Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER(S) IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on August 14, 2025. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Rachel Rodriguez

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

enclosures

Instruction to Newspaper - Publish the following Notice on August 14, 2025. The City of Valley Springs is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5444-3

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, 401 Broadway Avenue, Valley Springs SD 57068 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. 5444-3. This permit was approved 1990 and currently reserves 188 acre-feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 5444-3 on October 1, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

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

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by August 25, 2025.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by August 25, 2025.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 25, 2025.

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

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is August 25, 2025. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the approximate cost of _____.



Order Confirmation

Not an Invoice

Account Number:	1248719
Customer Name:	Valley Springs, City Of
Customer Address:	Valley Springs, City Of Po Box 118 Sandy Severtson Valley Springs SD 57068-0118
Contact Name:	OF VALLEY SPRINGS, CITY
Contact Phone:	
Contact Email:	
PO Number:	

Date:	08/07/2025
Order Number:	11564584
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	267.0000
Height in Inches:	29.4700

Print

Product	#Insertions	Start - End	Category
SFA Sioux Falls Argus Leader	1	08/14/2025 - 08/14/2025	Public Notices
SFA argusleader.com	1	08/14/2025 - 08/14/2025	Public Notices

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

Total Cash Order Confirmation Amount Due	\$90.10
Tax Amount	\$0.00
Service Fee 3.99%	\$3.59
Cash/Check/ACH Discount	-\$3.59
Payment Amount by Cash/Check/ACH	\$90.10
Payment Amount by Credit Card	\$93.69

Order Confirmation Amount	\$90.10
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Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Thursday, August 7, 2025 1:42 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] 11564584 5444-3 City of Valley Springs - Public Notice
Attachments: 11564584.pdf

Good Afternoon,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on August 14. The order cost is \$90.10 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing.

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

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

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

Thank you!

Brittany Grady
Public Notice Representative



Office: 844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Thursday, August 7, 2025 1:14 PM
To: SFA-Legals mbx <allegals@gannett.com>
Subject: 11564584 5444-3 City of Valley Springs - Public Notice

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

City of Valley Springs, 401 Broadway Avenue, Valley Springs SD 57068, 605 757-6555,
vspringscity@alliancecom.net has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

Rachel Rodriguez

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, August 7, 2025 1:14 PM
To: legals@argusleader.com
Subject: 5444-3 City of Valley Springs - Public Notice
Attachments: 5444-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

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

City of Valley Springs, 401 Broadway Avenue, Valley Springs SD 57068, 605 757-6555,
vspringscity@alliancecom.net has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, August 8, 2025 7:56 AM
To: vspringscity@alliancecom.net
Subject: 5444-3 City of Valley Springs - Public Notice
Attachments: 5444-3 Rec.pdf; 5444-3 Ltr.pdf; 5444-3 PubNotice.pdf; ArgusLeader Info.pdf

Good morning,

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

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

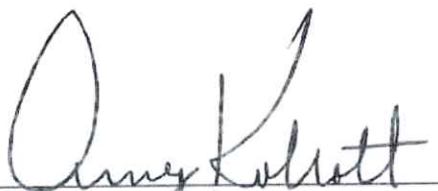
Sandy Severtson
Valley Springs, City Of
Po Box 118
Valley Springs SD 57068-0118

STATE OF WISCONSIN, COUNTY OF BROWN

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

08/14/2025

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


Legal Clerk

Notary, State of WI, County of Brown
8-21-26

My commission expires

Publication Cost:	\$90.10	
Tax Amount:	\$0.00	
Payment Cost:	\$90.10	
Order No:	11564584	# of Copies:
Customer No:	1248719	0
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO.
5444-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5444-3 held by the City of Valley Springs, 401 Broadway Avenue, Valley Springs SD 57068 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. 5444-3. This permit was approved 1990 and currently reserves 188 acre-feet from the Split Rock Creek Aquifer (approximately 500 feet deep) located within the city limits of Valley Springs in Section 3, E 1/2 Section 4; all in T101N-R47W for municipal use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 5444-3 REMAIN in EFFECT for 188 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 5444-3 on October 1, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

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

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by

SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by August 25, 2025. The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 5444-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by August 25, 2025. Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not

make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by August 25, 2025.

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as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is August 25, 2025. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published Aug 14, 2025 at the total approximate cost of \$90.10 and may be viewed free of charge at www.sdpublicnotices.com.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 17, 2025

NOTICE OF ENTRY OF ORDER

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

Dear Ms. Vanhout,

I am writing in response to action taken by the Water Management Board at the hearing on October 1, 2025, to review Future Use Permit No. 5444-3. The Board allowed the permit to remain in effect for 188 acre-feet of water annually. Future Use Permit No. 5444-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5444-3 is \$75.00 pursuant to SDCL 46-2-13(2). Please make the check payable to the Water Rights Program and remit the fee within 60 days.

Please contact Rachel Rodriguez if you have any questions (605 773-3352).

Sincerely,

Mark Mayer, PE
Director of Office of Water

CERTIFICATION

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

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

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



Shannon Konst
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



Rachel Rodriguez
Notary Public
My Commission expires May 16, 2029





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
Posting on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 5444-3

Name of Applicant: City of Valley Springs, Donna Vanhout

Date of Posting: 8/11/2025

Date of Removal: 10/17/2025



Ron Duvall, Engineer III

10/17/2025

Date

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



Notary Public - South Dakota
My commission expires:
**Rachel Rodriguez
My Commission Expires
May 18, 2029**

(SEAL)



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date October 28th, 2025

RECEIVED OF City of Valley Springs 401 Broadway Avenue Valley Springs SD 57068

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ <u>75.00</u>
Fee to retain Future Use Permit No. <u>5444-3</u> after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	\$ <u>75.00</u>

By Mark Mayle
Chief Engineer