

558A-3

DIVISION OF WATER PERMIT NO. 558-3, CITY OF CASTLEWOOD
INTO NOS. 558A-3, 558B-3 & 558C-3

Date of first receipt of application November 27, 1958.

Water Permit No. 558-3, for the City of Castlewood, PO Box 17, Castlewood, SD 57223-0017, was approved by the former Water Resources Commission on February 4, 1959, authorizing the following:

Water Permit No. 558-3 reserved 2.11 cubic feet of water per second (cfs) for future use from groundwater in Section 35, T115N, R52W; appropriated 0.56 cfs from one new well located in the SE 1/4 Section 35, T115N, R52W and also recognized a vested right claim for 0.33 cfs from one well located in the SE 1/4 Section 35, T115N, R52W.

Water Permit No. 558-3 is being divided and reissued as follows:

Future Use Permit No. 558A-3 reserving 123 acre-feet annually from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35, T115N, R52W. (On May 1, 1991, the Water Management Board amended the future use portion of No. 558-3 to reserve an acre foot limitation and delete the diversion rate of 2.11 cfs).

Water Right No. 558B-3 (licensed in 1970) authorizing diversion of 0.56 cfs from one well (Big Sioux-Brookings) located in the SE 1/4 Section 35, T115N, R52W; and

Vested Water Right No. 558C-3 (validated by the Water Management Board April 26, 1991) appropriating 0.33 cfs from one well, approximately 24 feet deep, located in the SE 1/4 Section 35, T115N, R52W, with a priority date of January 1, 1929.

Specific qualifications for each are addressed within the reissued permits and/or licences.

**SOUTH DAKOTA
FUTURE USE PERMIT NO. 558A-3**

Future Use Permit No. 558A-3, for the City of Castlewood, PO Box 17, Castlewood, SD 57223-0017 was originally approved under No. 558-3, by the former Water Resources Commission on February 4, 1959.

The date the applicant may claim right November 22, 1958.

Future Use Permit No. 558A-3 reserves 123 acre feet of water annually from the Big Sioux Aquifer - Brookings Management Unit located within the SE 1/4 Section 35, T115N, R52W

The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use for the City of Castlewood.

The water is to be used during the following described annual period: January 1 - December 31.

QUALIFICATIONS

1. Future Use Permit No. 558A-3 is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
2. At such times as definite plans are made, specific applications for all or any part of the water granted under this withdrawal must be submitted and approved prior to construction of the facilities.
3. This permit is approved for groundwater from the Big Sioux Aquifer - Brookings Management Unit.
4. This permit reserves for future use 123 acre-feet annually. The diversion rate of 2.11 cfs has been deleted.

WATER MANAGEMENT BOARD

By: John Hated APR 1 1992
 Chief Engineer, Water Rights Division date
 Dept of Environment and Natural Resources



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 11, 1990

Shane Mack, Mayor
City of Castlewood
PO Box 17
Castlewood SD 57223

Dear Mayor Mack:

I am writing in regard to the seven year review of Future Use Water Permit No. 558-3 which is held by the City of Castlewood. Currently, our records show that 2.11 cubic feet of water per second remain in reserve under this future use permit which was issued in 1959.

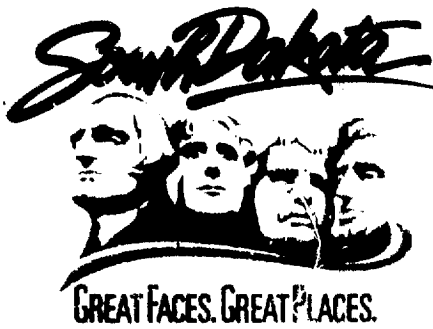
Permit No. 558-3 will be scheduled for review by the Water Management Board on February 27 & 28, 1991 pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve on Permit No. 558-3. The fee could be as much as \$50.00 if the Board allows the total amount of appropriated water remaining to remain in reserve.

Please respond in writing by January 11, 1991, regarding the City's intention for the future use permit. If the City does plan to retain the permit, then your response should outline a reasonable need for retaining the future use permit, any annual pumping records for the past three years and an estimate of future needs.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

KAREN SCHLAACK
Natural Resources Analyst
605 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 16, 1991

Shane Mack, Mayor
City of Castlewood
PO Box 17
Castlewood SD 57223

Dear Mayor Mack:

On December 11, 1990, we notified you that Future Use Water Permit No. 558-3 held by the City of Castlewood was to be scheduled for review by the Water Management Board. To date, we have not received a response from you.

As stated in the December 11, 1990 letter, if the City does plan to retain this future use permit, it will be necessary to outline a reasonable need for retaining the permit, submit annual pumping records for the past three years and give an estimate of the City's future needs.

Permit No. 558-3 will not be scheduled for review by the Water Management Board until the above information has been submitted.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Natural Resources Analyst
605 773-3352

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 28, 1991

Sheila Gerhold, Finance Officer
City of Castlewood
P.O. Box 17
Castlewood, SD 57223

Dear Ms. Gerhold:

Enclosed is a copy of Permit No. 558-3 for the City of Castlewood as per your request. This permit reserved 2.11 cubic feet of water per second for future use.

If you have any question about the process of reviewing future use permits, please feel free to contact me.

Sincerely,

Eric Gronlund

Eric Gronlund
Water Rights Division
605 773-3352

City of Castlewood

P.O. Box 17
CASTLEWOOD, SD 57223-0017

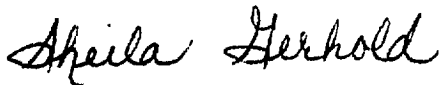
February 4, 1991

Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S. D. 57501-3181

Dear Mr. Gronlund:

First of all, I would like to apologize for taking so long to respond to your letter. I wasn't quite sure what I needed to do. The City of Castlewood would like to retain the future use permit. We have estimated the City using 20,000,000 gallons of water annually. We foresee no increase in water usage for the coming years. We had to estimate water usage because the city's water pumps are not metered. The City is considering and getting prices on meters for its pumps so hopefully in the future we may be more accurate. If you have any questions, please feel free to call me and I will do my best to assist you and again I am sorry for any inconvenience I may have caused you.

Sincerely,



Sheila Gerhold
Finance Officer



RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 558-3, City of Castlewood

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Future Use Water Permit No. 558-3, City of Castlewood SD.

The Chief Engineer is recommending that Future Use Permit No. 558-3 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558-3, 2) the City of Castlewood has demonstrated a reasonable need for the water reserved by Permit No. 558-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

1. That Permit No. 558-3 reserves for future use 123 acre-feet annually. The diversion rate of 2.11 cfs is deleted from Permit No. 558-3.

And that maintaining the effectiveness of Future Use Permit No. 558-3 is subject to payment of the \$15.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City of Castlewood.



JOHN HATCH, Chief Engineer
March 22, 1991

NOTE: The maximum annual acre-feet of full-time pumping represented by 2.11 cubic feet of water per second (cfs) reserved by No. 558-3 is 1,528 acre-feet. Assuming that the total amount pumped annually would equal 60% of 1,528 acre-feet, then expected developed pumping of water reserved under Permit No. 558-3 would be about 917 acre-feet per year.

The water usage in 1990 by the City of Castlewood was 64 acre-feet. Doubling this annual use (123 acre-feet) to estimate the volume that may be reserved is less than that expected to be developed by pumping 60% of 2.11 cfs (917 acre-feet) under Permit No. 558-3. Board General rules 74:02:01:24.01 states that future use permits may be limited to two times the amount actually put to beneficial use. Therefore, Permit No. 558-3 should be allowed to remain in effect for 123 acre-feet as outlined in the above qualification.



March 22, 1991

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

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

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 17
Castlewood SD 57223-0017

Dear Ms. Gerhold:

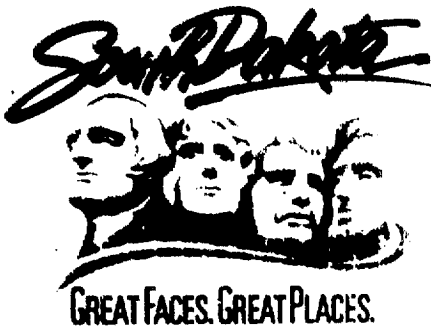
Future Use Permit No. 558-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publisher of the Hamlin Co. Republican printed at Castlewood SD. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 22, 1991

Hamlin Co. Republican
Box 50
Castlewood SD 57223

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 558-3 to be published twice. Please publish the first notice on or before March 28, 1991 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 Castlewood, PO Box 17, Castlewood SD 57223-0017.

A copy of BCTH 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 Lund

Eric Lund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. _____

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

Date _____

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

Name _____

Newspaper _____

Instruction to Newspaper-Publish first publication of the following Notice on or before March 28, 1991 with 2nd publication 1 week later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558-3

Notice is given that the Water Management Board will review Future Use Permit No. 558-3 held by the City of Castlewood, PO Box 17, Castlewood SD 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. 558-3. This permit was approved February 4, 1959 to reserve 2.11 cfs from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 558-3 REMAIN in EFFECT for 123 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. 558-3 at Chef Louie's, Meeting Room, 601 E Havens, Mitchell SD on May 1, 1991 at 9:15 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 22, 1991. 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. 558-3 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 or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by April 22, 1991.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Hamlin) ss.I, Jonna Holmancertify that the attached printed Notice was taken
from the Hamlin County RepublicanA newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the __________ City of CassCounty of Hamlin and I
that the said notice was published in
following two dates:March 28, 1991April 4, 1991

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD 605-773-3362 for assistance prior to the hearing date. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by April 22, 1991. (published march 28 & april 4, 1991)

Jonna Holman
(Signature)Owner
(Title)4/4/91
(Date Signed)Cost of Printing: 96 @ .44 = \$42.24

NOTICE OF HEARING

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558-3

Notice is given that the Water Management Board will review Future Use Permit No. 558-3 held by the City of Castlewood, PO Box 17, Castlewood SD for progress made in the development of the water reserved by Permit No. 558-3. This permit was approved February 4, 1959 to reserve 2.11 cfs from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 558-3 REMAIN in EFFECT for 123 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 beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 558-3 at Chief Louie's Meeting Room, 601 E. Hanson, Mitchell SD on May 1, 1991 at 9:15 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 22, 1991. The petition may be withdrawn, 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. 558-3 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 74:02:01:25.09; 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.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

May 6, 1991

NOTICE

Shane Mack, Mayor
City of Castlewood
PO Box 17
Castlewood, SD 57223

Dear Mayor Mack:

I am writing in response to action taken by the Water Management Board At the hearing of May 1, 1991 to review Future Use Permit No. 558-3. The Board allowed the permit to remain in effect and amended Permit No. 558-3 by adding the qualification on the enclosed "Amendment". The "Amendment" should be placed with the permit. Future Use Permit No. 558-3 is again subject to review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 558-3 is \$22.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Very Truly yours,


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

cc: Sheila Gerhold, Finance Officer

enclosure

CERTIFICATION

certify that on May 6, 1991 I have personally deposited with
mail postage prepaid envelopes containing a Notice ~~of Notice~~
Use Permit No. 558-3 addressed Shan Mack, Mayor, City of
P.O. Box 17, Castlewood, SD 57223, with a copy to: Sheila
Finance Officer, City of Castlewood, P.O. Box 17, Castlewood,

Cheryl F. Frost

Cheryl F. Frost
Secretary

SOUTH DAKOTA)
) SS
P. HUGHES)

, before me, this 10th day of May, 1991.

John Hatch
Notary Public



AMENDMENT TO FUTURE USE PERMIT NO. 558-3

CITY OF CASTLEWOOD

Pursuant to the May 1, 1991 Water Management Board hearing, Future Use Permit No. 558-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 558-3 reserves for future use 123 acre-feet annually. The diversion rate of 2.11 cfs is deleted from Permit No. 558-3.

South Dakota

2005

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 1991

Shane Mack, Mayor
City of Castlewood
PO Box 17
Castlewood SD 57223

Dear Mayor Mack:

On May 6, 1991 we requested the fee for maintaining the effectiveness of Future Use Permit No. 558-3. 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
Natural Resources Analyst
605 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

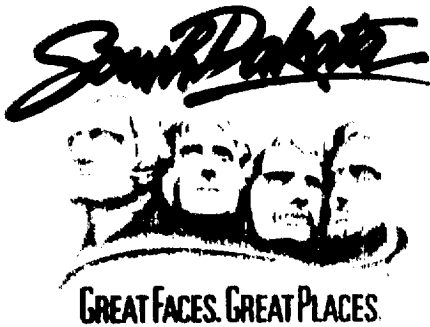
Pierre, October 11, 19 91

RECEIVED OF City of Castlewood, Hamlin County, SD 57223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. <u>558-3</u> after period of seven years.	22	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	22	50

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 5, 1991

Shane Mack, Mayor
City of Castlewood
PO Box 17
Castlewood SD 57223

Dear Mayor Mack:

On May 6, 1991 an "Amendment" was sent to you regarding the review of Castlewood's Future Use Permit No. 558-3. A error was found on this "Amendment" stating that the amendment is for the City of Hurley. Enclosed is a corrected copy which should replace the one previously sent.

If you have any questions, please contact this office.

Very truly yours,

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

enclosure

AMENDMENT TO FUTURE USE PERMIT NO. 558-3

City of Hurley

Pursuant to the May 1, 1991 Water Management Board hearing, Future Use Permit No. 558-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 558-3 reserves for future use 124 acre-feet annually. The diversion rate of 2.11 cfs is deleted from Permit No. 558-3.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 1 1992

558A-3
558B-3
558C-3

Shane Mack, Mayor
City of Castlewood
PO Box 25
Castlewood, SD 57223

Dear Mayor Mack:

Enclosed are Future Use Permit No. 558A-3, Water Right No. 558B-3, and Vested Water Right No. 558C-3. Water Permit No. 558-3 was divided and reissued to separate the future use, regular and the vested right portions into different numbers.

Water Permit No. 558-3 was divided and reissued as follows:

Future Use Permit No. 558A-3 reserving 123 acre-feet annually from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35, T115N, R52W. (On May 1, 1991, the Water Management Board amended the future use portion of No. 558-3 to reserve an acre foot limitation and delete the diversion rate of 2.11 cfs).

Water Right No. 558B-3 (licensed in 1970) authorizing diversion of 0.56 cfs from one well (Big Sioux-Brookings) located in the SE 1/4 Section 35, T115N, R52W; and

Vested Water Right No. 558C-3 (validated by the Water Management Board April 26, 1991) appropriating 0.33 cfs from one well, approximately 24 feet deep, located in the SE 1/4 Section 35, T115N, R52W, with a priority date of January 1, 1929.

The reissuance of No. 558-3 into 558A-3, 558B-3 and 558C-3 does not reduce or alter the original permit.

If you have any questions, please contact me.

Very truly yours,

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

enclosures

1945

This is a detailed topographic map of the Castlewood, Illinois area. The map features contour lines indicating elevation, with labels such as 1680, 1700, 1720, and 1730 feet. A grid system is overlaid on the map, with section numbers (e.g., 23, 24, 25, 26, 35, 36) and township/range coordinates (e.g., T. 115 N., R. 52 W.). Key landmarks and features include:

- Castlewood**: The central town area, showing a street grid and building footprints.
- Chicago and Rock Island Rivers**: The Chicago River flows through the town, and the Rock Island River is visible to the south.
- North Western**: A road or boundary line running diagonally across the lower portion of the map.
- Gravel Pits**: Several areas labeled as "Gravel Pit" are scattered throughout the landscape.
- Sewage Disposal Ponds**: Located to the west of the town.
- Recreation Area**: A designated area to the west of the town.
- BM (Benchmark) points**: Various points are marked with elevations, such as BM 1720, BM 1693, BM 1673, and BM 1676.
- Topographic Features**: Contour lines show the terrain's shape, with higher elevations to the north and south.

The map is oriented with North at the top, as indicated by the "N" symbol. The scale is given as 1 inch = 1 mile. The map is part of a larger series, as indicated by the "2770000 FEET" label at the top.



March 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 22
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in regard to the seven year review of Future Use Water Permit No. 558A-3 from groundwater (Big Sioux Aquifer-Brookings Management Unit) which is held by the City of Castlewood. The permit reserves water for future water supply needs for the city. Currently, our records show that 123 acre-feet of water remain in reserve under this future use permit which was issued in 1959.

Please respond in writing by March 30, 1998, 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. 558A-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



City of Castlewood
P.O. Box 17
Castlewood, SD 57223

March 19, 1998

Karen Schlaak
Environmental Specialist
Water Rights Program

Dear Karen:

The City of Castlewood would like to retain the Future Use Permit No. 558A-3. Up to date the City does not have any pumping records of gallons used. The City has hired a new water superintendent, Donald Seeklander and he is in the process of having meters installed at our pumping station. The meter should be installed within the next 3 weeks and he will have pumping records of the amount of gallons of water used by the City. We would like to retain this permit for new homes and businesses, etc. If you have any questions, feel free to call Don Seeklander at 793-9161 or myself at 793-2220.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Gerhold".

Sheila Gerhold
Finance Officer

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 558A-3, City of Castlewood

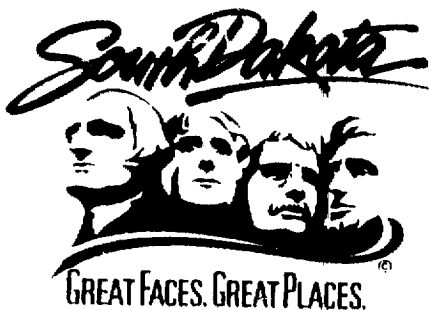
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Future Use Water Permit No. 558A-3, City of Castlewood, PO Box 22, Castlewood SD 57223.

The Chief Engineer is recommending that Future Use Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558A-3, 2) the City of Castlewood has demonstrated a reasonable need for the water reserved by Permit No. 558A-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. 558A-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 Castlewood.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
March 24, 1998



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 30, 1998

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

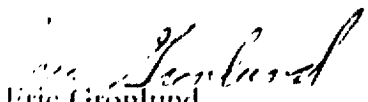
Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 22
Castlewood SD 57223

Dear Ms. Gerhold:

Future Use Permit No. 558A-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 Hamlin County Republican printed at Castlewood SD (Phone #605 793-2293). 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 30, 1998

Hamlin County Republican
Box 50
Castlewood SD 57223-0050

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 558A-3 to be published twice. Please publish the first notice on April 8, 1998 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Castlewood, PO Box 17, Castlewood SD 57223.

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-----

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

Date

We are in receipt of your letter of March 30, 1998 enclosing Notice of Hearing to Review Future Use Water Permit No. 558A-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 April 8, 1998 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by City of Castlewood, PO Box 22, Castlewood SD 57223 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. 558A-3. This permit was approved February 4, 1959 to reserve 2.11 cubic feet of water per second from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for municipal use. A review of the Water Permit/Rights indicates 123 acre-feet of water remains in serve by Permit No. 558A-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD on May 6, 1998 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 April 27, 1998. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 558A-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 April 27, 1998. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by April 27, 1998. Nettie H Myers, Secretary, Department of Environment and Natural Resources



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hamlin) SS

1. Lee Anne Archer

certify that the attached printed Notice was taken

from the Hamlin County
Republican

printed and published in Castwood

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 8, 1998

April 15, 1998

Cost of Printing 63.71

Lee Anne Archer
(Signature)

Owner
(Title)

April 15, 1998
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by City of Castwood, S.D., PO Box 22, Castwood, S.D. 57223 for progress made in the development of the water plans for development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 558A-3. This permit was approved February 4, 1998 to reserve 2.11 cubic feet of water per second from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for Municipal use. A review of the Water Permit/Rights indicates 123 acre-feet of water remains in reserve by Permit No. 558A-3.

Pursuant to SDCL 46-2A-2 the Chief of Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 cubic feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 558A-3 at the Floyd Matthew Training Center, Joe Foss Building 523 East Capitol, Pierre, SD on May 6, 1998 at 10:00 a.m. The recommendation of the Chief

Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 27, 1998. The Chief Engineer's address is Water Rights Program, Joe Foss Building, 523 East Capitol Ave., Pierre, S.D. 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. 558A-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 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 April 27, 1998. The time for 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 continuation of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by April 27, 1998. Nettie H. Myers, Secretary, Department of Environment and Natural Resources. (publish april 8 and 15, 1998)

RECEIPT
Water Rights Program

South Dakota Department of Environment and Natural Resources

49 **415727**

Pierre, April 8, 19 98

RECEIVED OF City of Castlewood, P.O. Box 17, Castlewood, SD 57223-0017
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. 558A-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

22 50

By _____
Chief Engineer

John Hatch (CP)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1998

NOTICE

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 22
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in response to action taken by the Water Management Board at the hearing on May 6, 1998 to review Future Use Permit No. 558A-3. The Board allowed the permit to remain in effect for 123 acre-feet of water annually. Future Use Permit No. 558A-3 is subject to another review in seven years.

Enclosed is the receipt for payment of the \$22.50 fee for maintaining the effectiveness of Future Use Permit No. 558A-3.

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

Very truly yours,

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

enclosure

CERTIFICATION

I hereby certify that on May 20, 1998, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 20, 1998, regarding action taken by the Water Management Board at the May 6, 1998, Hearing to allow Future Use Permit No. 558A-3 to remain in effect for 123 acre-feet of water annually, and to allow Future Use Permit No. 4055-3 to remain in effect for 108 acre-feet of water annually, addressed as stated below:

F.U. Permit No. 558A-3: Sheila Gerhold, Finance Officer
City of Castlewood
P.O. Box 22
Castlewood, SD 57223

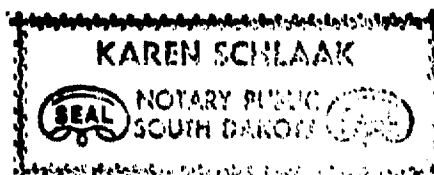
F.U. Permit No. 4055-3: City of Lake Norden
Delores Kangas, Finance Officer
Box 213
Lake Norden, SD 57248


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 21st day of May, 1998


Notary Public



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

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2005

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 17
Castlewood SD 57223-0017

Dear Ms. Gerhold;

I am writing in regard to the seven year review of Future Use Water Permit No. 558A-3 from groundwater (Big Sioux Aquifer-Brookings Management Unit) which is held by Castlewood. 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 123 acre-feet remain in reserve under this future use permit that was issued in 1959 and last reviewed in 1998.

Please respond in writing by April 1, 2005, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 558A-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 or me, if you have any questions.

Sincerely,

Karen Schlaak

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

CITY OF CASTLEWOOD
P.O. Box 17
Castlewood, SD 57223
TELEPHONE 793-2220 - FAX 793-1307

March 21, 2005

Karen Schlaak
Environmental Specialist
Water Rights Program

Dear Karen:

The City of Castlewood would like to retain the Future Use Permit 558A-3. Since 1998 the City of Castlewood has had thirteen new homes and we look for this expansion of the City to keep going. We have three new subdivisions already added to the City of Castlewood. If you have any questions, please feel free to call me at 793-2220.

Sincerely,


Sheila Gerhold
Finance Officer

RECEIVED
MAR 29 2005
WATER RIGHTS
PROGRAM



**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. 558A-3, City of Castlewood 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. 558A-3, City of Castlewood, PO Box 17, Castlewood SD 57223.

The Chief Engineer is recommending that Future Use Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558A-3 , 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 558A-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Garland Erbele, Chief Engineer
May 9, 2005

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hamlin) SS

I, LeeAnne Archer

certify that the attached printed Notice was taken

from the Hamlin County
Herald Enterprise

printed and published in Hayti

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 18, 2005

May 25, 2005

Cost of Printing \$ 62.05

LeeAnne Archer
(Signature)

Publisher
(Title)

5/26/2005
(Date Signed)

RECEIVED

MAY 27 2005

WATER RIGHTS
PROGRAM

Records

Wednesday, May 25, 2005

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, PO Box 17, Castlewood SD 57223 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. 558A-3. This permit was approved 1959 and currently reserves 123 acre feet from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 10:00 a.m. on July 6, 2005 at the Floyd Mathew Training Center, Foss Bldg. 523 East Capitol, Pierre, S.D.

The recommendation of the Chief Engineer is not final or binding upon the Board. 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 further 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 June 24, 2005. The Chief Engineer's address is "Water Right Program", Joe Foss Building, 523

East Capitol Ave., Pierre, S.D. 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. 558A-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 and 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 and interpreter for the hearing impaired may contact Eric Gronlund, Water Right Program, (605-773-3352) by June 24, 2005. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 24, 2005.

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

Instruction to Newspaper-Publish first publication of the following Notice on May 18, 2005 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, PO Box 17, Castlewood SD 57223 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. 558A-3. This permit was approved 1959 and currently reserves 123 acre feet from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE ¼ Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 10:00 am on July 6, 2005 at the Floyd Mathew Training Center, Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 24, 2005. 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. 558A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by June 24, 2005. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 24, 2005. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Hamlin Co. Herald Enterprise
PO Box 207
Hayti SD 57241-0207

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 558A-3 to be published twice. Please publish the first notice on May 18, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Castlewood, PO Box 17, Castlewood SD 57223.

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 May 10, 2005 enclosing Notice of Hearing to Review Future Use Water Permit No. 558A-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 2005

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

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 17
Castlewood SD 57223-0017

Dear Ms. Gerhold:

Future Use Permit No. 558A-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 Hamlin County Herald Enterprise printed at Hayti SD (Phone #605 783-3636). 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



**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 7, 2005

NOTICE

Sheila Gerhold, Finance Officer
City of Castlewood
PO Box 17
Castlewood SD 57223-0017

Dear Ms. Gerhold:

I am writing in response to action taken by the Water Management Board at the hearing on July 6, 2005 to review Future Use Permit No. 558A-3. The Board allowed the permit to remain in effect for 123 acre-feet of water annually. Future Use Permit No. 558A-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 558A-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.

Sincerely,

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

CERTIFICATION

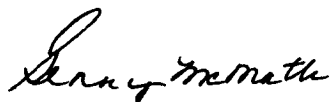
I hereby certify that on July 7, 2005 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated July 7, 2005 regarding Notice review Future Use Permit # 5358-3, 1407-2, 558A-3, 5101-3 addressed as stated below:

5358-3
TM Rural Water District
Ken Pedersen Manager
Box 445
Parker SD 57053

1407-2
Harold D Stickney Mayor
City of Custer
622 Crook St
Custer SD 57730

558A-3
Sheila Gerhold Finance Officer
City of Castlewood
PO Box 17
Castlewood SD 57223-0017

5101-3
Roger Almond
City of Lennox
PO Box 228
Lennox SD 57039



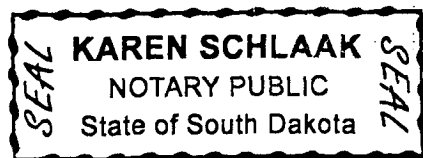
Genny McMath
Environmental Scientist
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of July, 2005.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 3, 20 05

RECEIVED OF City of Castlewood, PO box 17, Castlewood sd 57223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>558A-3</u> after period of seven years.	22	50
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	22.50

No.

001010

By

Darlene Ebel
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 16, 2012

City of Castlewood
Sheila Gerhold, Finance Officer
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in regard to the seven year review of Future Use Water Permit No. 558A-3 from groundwater (Big Sioux Aquifer-Brookings Management Unit) held by the City of Castlewood. 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 123 acre-feet remain in reserve under this future use permit that was issued in 1959 and last reviewed in 2005.

Please respond in writing by May 15, 2012, 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. 558A-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 123 acre-feet remain in reserve, the fee will be \$75.00.

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

Sincerely,

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

RECEIVED

APR 19 2012

WATER RIGHTS
PROGRAM

CITY OF CASTLEWOOD

P.O. Box 17

Castlewood, SD 57223

TELEPHONE 793-2220 – FAX 793-1307 e-mail address: castcity@itctel.com

April 17, 2012

Karen Schlaak
Environmental Scientist
Water Rights Program

Dear Karen:

The City of Castlewood would like to retain the Future Use Permit 558A-3 to reserve water for the future water supply needs for the City. The City of Castlewood has had 17 new homes built and 1 car wash since 2005 when the permit was last reviewed. In the last three years the water usage for the City of Castlewood is as follows: 2009 - 19,368,370; 2010 - 17,337,140; 2011 - 20,147,056. We have had three new subdivisions added to the City of Castlewood since 2005 so we would like to retain the permit. If you have any questions, feel free to call me at 605-793-2220.

Sincerely,


Sheila Gerhold
Finance Officer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 558A-3, City of Castlewood**

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. 558A-3, City of Castlewood, PO Box 17, Castlewood SD.

The Chief Engineer is recommending that Future Use Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558A-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 558A-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. 558A-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
June 4, 2012



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 6, 2012

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

City of Castlewood
c/o Sheila Gerhold
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

Future Use Permit No. 558A-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 Hamlin County Republican (Phone #605 793-2293). 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 6, 2012

Hamlin County Republican
PO Box 50
Castlewood SD 57223

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 558A-3 to be published twice. Please publish the first notice on June 13, 2012 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Castlewood, c/o Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223.

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-----

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

Date _____

We are in receipt of your letter of June 6, 2012 enclosing Notice of Hearing to Review Future Use Water Permit No. 558A-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 June 13, 2012 with 2nd publication 7 days later. The permit owner is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3, City of Castlewood, PO Box 17, Castlewood SD 57223 held by the city 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. 558A-3. This permit was approved 1959 currently reserves 123 acre feet from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE ¼ Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 10:00 am, July 11, 2012 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 July 2, 2012. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use 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. 558A-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 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 July 2, 2012. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2012. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.

RECEIVED

JUN 26 2012

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, Lee Anne Dufek

certify that the attached printed Notice was taken

from the Hamlin County
Republican

printed and published in Castlewood

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 13, 2012

June 20, 2012

Cost of Printing \$64.15

Lee Anne Dufek
(Signature)

Owner
(Title)

6-25-2012
(Date Signed)

NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3, City of Castlewood, PO Box 17, Castlewood SD 57223 held by the city 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. 558A-3. This permit was approved 1959 currently reserves 123 acre feet from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE ¼ Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 10:00 am, July 11, 2012 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 July 2, 2012. The Chief Engineer's

address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use 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. 558A-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 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 July 2, 2012. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2012. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published June 13 and 20, 2012, at total cost of \$64.15.

Water Rights Program - File Documentation

The 2012 Legislature made changes to the publication process for water permit applications. During the transition period, prior to July 1, 2012, applications are being public noticed for two consecutive weeks in both a weekly and daily paper. Where the daily paper is not in the county of the application, the Water Rights Program pays the cost of the daily paper publication.

Karen Schlaak
Program Assistant



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 6, 2012

Public Opinion
PO Box 10
Watertown SD 57201

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 558A-3 to be published twice. Please publish the first notice on June 13, 2012 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

Please BILL the Water Right Program for the cost of publication.

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 second publication, please send bill and affidavit to the Water Rights Program.

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 June 6, 2012 enclosing Notice of Hearing to Review Future Use Water Permit No. 558A-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

RECEIVED

JUN 27 2012

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Codington) SS

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 13th, 2012

June 20th, 2012

Cost of Printing \$148.80

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

June 20th, 2012

(Date Signed)

DENR

NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT
NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3. City of Castlewood, PO Box 17, Castlewood SD 57223 held by the city 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. 558A-3. This permit was approved 1959 currently reserves 123 acre feet from groundwater (Big Sioux Aquifer-Brookings Management Unit) located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 10:00 am, July 11, 2012 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the 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 July 2, 2012. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the 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. 558A-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 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 July 2, 2012. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2012. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of \$168.50.
(June 13 & 20, 2012)

7 147.70
All legal notices in the Public Opinion and other South Dakota newspapers can be found at
www.sdpublicnotices.com

June 27, 2012

PAYMENT REQUEST FORM

PAYEE: Public Opinion
PO Box 10
Watertown SD 57201

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Public notice for Castlewood Future use (558A-3)

AMOUNT: \$148.80

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Gail Jacobson 6/27/12

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 13, 2012

NOTICE

City of Castlewood
c/o Sheila Gerhold
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in response to action taken by the Water Management Board at the hearing on July 11, 2012 to review Future Use Permit No. 558A-3. The Board allowed the permit to remain in effect for 123 acre-feet of water annually. Future Use Permit No. 558A-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 558A-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.

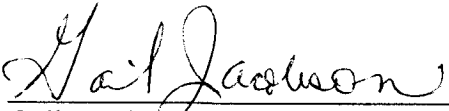
Sincerely,

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

CERTIFICATION

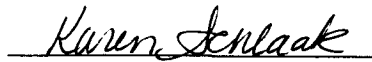
I hereby certify that on July 13, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 13, 2012 regarding Future use permits addressed as stated below:

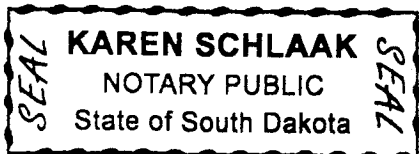
City of Castlewood, PO Box 17, Castlewood SD 57223	# 558A-3
City of Custer, 622 Crook St., Custer SD 57730	# 1407-2
TM Rural Water, PO Box 445, Parker SD 57053	# 5358-3
City of DeSmet, PO Box 70, DeSmet SD 57231	# 524-3


Gail Jacobsen
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of July, 20 12.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/8, 20 12

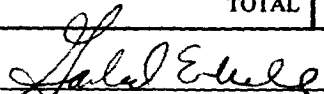
RECEIVED OF City of Castlewood PO Box 17 Castlewood SD 57223

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>558A-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. **05522**

By


Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2019

City of Castlewood
c/o Sheila Gerhold, Finance Officer
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in regard to the seven year review of Future Use Water Permit No. 558A-3 from the Big Sioux Aquifer – Brookings Management Unit held by the City of Castlewood. 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 123 acre-feet remain in reserve under this future use permit that was issued in 1959 and last reviewed in 2012.

Please respond in writing by April 1, 2019 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. 558A-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 123 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 black ink that reads "Karen Schlaak". The signature is written in a cursive, flowing style.

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



RECEIVED

APR 01 2019

WATER RIGHTS
PROGRAM

Telephone 605-793-2220 Fax 605-793-1307
P.O. Box 17, Castlewood, SD 57223
Email, castcity@itctel.com

March 29, 2019

Karen Schlaak
Environmental Scientist
Water Rights Program

Dear Karen:

The City of Castlewood would like to retain the Future Use Permit 558A-3 to reserve water for the future water supply needs for the City. In the last three years the water usage for the City of Castlewood is as follows: 2016 - 19,166,510; 2017 - 19,185,300; 2018 - 19,280,540. We have had several new homes built in the last few years. If you have any questions, feel free to call me at 605-793-2220.

Sincerely,

Sheila Gerhold
Finance Officer



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. 558A-3, City of Castlewood

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. 558A-3, City of Castlewood, PO Box 17, Castlewood SD 57223.

The Chief Engineer is recommending that Future Use Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558A-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 558A-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. 558A-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
June 13, 2019



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 13, 2019

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

City of Castlewood
Sheila Gerhold, Finance Officer
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

Future Use Permit No. 558A-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 and the nearest daily paper. Notice of this review has been sent to the Hamlin County Republican (605 793-2293) and the Watertown Public Opinion (605 886-6901). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER(S) IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on June 19, 2019. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

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

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper - Publish the following Notice on June 19, 2019. The City of Castlewood is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223 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. 558A-3. This permit was approved 1959 and currently reserves 123 acre feet of water annually from the Big Sioux Aquifer:Brookings Management Unit located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 11:00 AM, Wednesday, July 17, 2019, Legislature Research Council Conference Room 414, State Capitol Building, 500 E Capitol Avenue, 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 July 5, 2019. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use 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. 558A-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 July 5, 2019. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 5, 2019.

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

Published once at the approximate cost of_____.

RECEIVED

JUN 20 2019

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SSI, Lee Anne Dufek

certify that the attached printed Notice was taken

from the HamlinCounty Republicanprinted and published in CastlewoodCounty of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following date:

June 19Cost of Printing \$42.13LeeAnne Dufek
(Signature)Owner
(Title)6-19-19
(Date Signed)NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223 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. 558A-3. This permit was approved 1959 and currently reserves 123 acre feet of water annually from the Big Sioux Aquifer: Brookings Management Unit located in the SE 1/4 Section 35-T115N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 11:00 AM, Wednesday, July 17, 2019, Legislature Research Council Conference Room 414, State Capitol Building, 500 E Capitol Avenue, 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 July 5, 2019. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The

petition may be informal, but it must include a statement describing the petitioner's interest in the future use 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. 558A-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 July 5, 2019. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 5, 2019.

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

Published June 19, 2019, at total cost of \$42.13.

RECEIVED

JUN 24 2019

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Codington) SS

I, Jackie Wettstad

certify that the attached printed Notice was
taken

from the Watertown
Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following date:

June 19, 2019

Cost of Printing \$65.78

Jackie Wettstad
(Signature)

Business Office Mgr.
(Title)

June 20, 2019
(Date Signed)

CASTLEWOOD

NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT NO.
558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223 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. 558A-3. This permit was approved 1959 and currently reserves 123 acre feet of water annually from the Big Sioux Aquifer. Brookings Management Unit located in the SE 1/4 Section 35-T115N-R52W for municipal use. Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 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. 558A-3 at 11:00 AM, Wednesday, July 17, 2019, Legislature Research Council Conference Room 414, State Capitol Building, 500 E Capitol Avenue, 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 July 5, 2019. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre, SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use 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. 558A-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 July 5, 2019. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 5, 2019. According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by July 1, 2019. Steven M. Pimer, Secretary, Department of Environment and Natural Resources. Published once at the approximate cost of \$60.78.

65.78
(June 19, 2019)

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, June 13, 2019 8:43 AM
To: legals@thepublicopinion.com
Subject: 558A-3, City of Castlewood
Attachments: 558A-3NOTICE.doc; FORM8.FRM.doc

Attached is a notice to be published on June 19, 2019 in the Hamlin County Republican.

The City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223 (605 793-2220) has been notified to contact you to authorize publication and arrange for payment.

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

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

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, June 13, 2019 8:48 AM
To: legals@thepublicopinion.com
Subject: FW: 558A-3, City of Castlewood
Attachments: 558A-3NOTICE.doc; FORM8.FRM.doc

Opps! Please disregard the "Hamlin County Republican". The notice goes in that paper also. Please publish in the Public Opinion as stated below.

From: Schlaak, Karen
Sent: Thursday, June 13, 2019 8:43 AM
To: legals@thepublicopinion.com
Subject: 558A-3, City of Castlewood

Attached is a notice to be published on June 19, 2019 in the Hamlin County Republican.

The City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood SD 57223 (605 793-2220) has been notified to contact you to authorize publication and arrange for payment.

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

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

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, June 13, 2019 10:01 AM
To: 'castcity@itctel.com'
Subject: Future Use Permit No. 558A-3
Attachments: 558A-3.pdf

Attached is the recommendation and information regarding the public notice for Future Use Review of Permit No. 558A-3, The City of Castlewood. The notice has been emailed to the papers with instructions to publish on June 19th. As stated in the letter it is important to contact the papers ASAP to authorize publication and arrange for payment. Paper copies are being mailed today.

Karen Schlaak

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





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 18, 2019

NOTICE OF ENTRY OF ORDER

City of Castlewood
c/o Sheila Gerhold, Finance Officer
PO Box 17
Castlewood SD 57223

Dear Ms. Gerhold:

I am writing in response to action taken by the Water Management Board at the hearing on July 17, 2019 to review Future Use Permit No. 558A-3. The Board allowed the permit to remain in effect for 123 acre-feet of water annually. Future Use Permit No. 558A-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 558A-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 July 18, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 18, 2019, regarding Notice of 1407-2, 135-3, 5003-3, 524-3, 558A-3 and 5358-3 addressed as stated below:

City of Custer, Corbin Herman, Mayor, 622 Crook St., Custer, SD 57730

City of Pierre, Brad Palmer, Utilities Manager, PO Box 1253, Pierre, SD 57501

City of DeSmet, Gary Wolkow, Mayor, PO Box 70, DeSmet, SD 57231

City of Castlewood, Sheila Gerhold, Finance Officer, PO Box 17, Castlewood, SD 57223

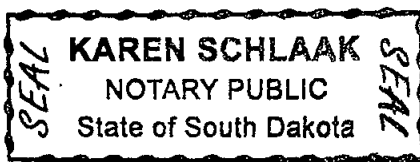
TM Rural Water District, Jay Jorgensen, Manager, PO Box 445, Parker, SD 57053

Vickie Maberry
Vickie Maberry
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 18th day of July, 2019.

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 **August 9**

, 20**19**

RECEIVED OF **City of Castlewood PO Box 17 Castlewood, SD 57225**

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>558A-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. **09180**

By *Jeanne Goodman*
Chief Engineer *JGK*



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2026

City of Castlewood
c/o Brian Ries
PO Box 17
Castlewood SD 57223

Dear Mr. Ries,

I am writing in regard to the seven-year review of Future Use Water Permit No. 558A-3 from the Big Sioux Aquifer – Brookings Management Unit held by the City of Castlewood. 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 123 acre-feet remain in reserve under this future use permit that was issued in 1959 and last reviewed in 2019.

Please respond in writing by March 27, 2026, 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. 558A-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 123 acre-feet remains in reserve, the fee will be \$75.00.

Please contact Amanda Dewell or me, if you have any questions.

Sincerely,

Rachel Rodriguez

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

Rodriguez, Rachel

From: castcity@itctel.com
Sent: Monday, March 23, 2026 10:21 AM
To: Rodriguez, Rachel
Subject: RE: [EXT] castlewood future water use permit
Attachments: signed castlewood future use permit.pdf

Rachel,

Does my signature work as the finance officer or does this need to be the Mayor? Easy fix either way, thanks.

Logan Kool Ruesink

City of Castlewood
204 E Main St.
PO Box 17
Castlewood, South Dakota 57223
605-793-2220 Office
www.castlewoodcity.com

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Monday, March 23, 2026 9:51 AM
To: castcity@itctel.com
Subject: RE: castlewood future water use permit

Good Morning Logan,

I would need a signed copy of the letter, either digital or mailed. This will go before the Water Management Board in July. I will contact you again, after our May Board Meeting regarding the public notice process.

Thank you,

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



From: castcity@itctel.com <castcity@itctel.com>
Sent: Monday, March 23, 2026 9:46 AM
To: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Subject: [EXT] castlewood future water use permit

Importance: High

Rachel,

Do you need a hard copy of this response mailed to you as well or will this suffice? Let me know next steps on this future water use permit as I have not been through this process yet.

Thank you!

Logan Kool Ruesink

City of Castlewood

204 E Main St.

PO Box 17

Castlewood, South Dakota 57223

605-793-2220 Office

www.castlewoodcity.com



RECEIVED

MAR 23 2026

Water Rights
Program

Telephone 605-793-2220 Fax 605-793-1307
P.O. Box 17, Castlewood, SD 57223
Email, castcity@itctel.com

March 23, 2026

Ms. Rachel Rodriguez
South Dakota Department of Agriculture and Natural Resources
Water Rights Program
523 East Capitol Avenue
Pierre, SD 57501

**RE: Seven Year Review of Future Use Water Permit No. 558A-3
Big Sioux Aquifer – Brookings Management Unit
City of Castlewood**

Dear Ms. Rodriguez,

The City of Castlewood would like to continue to formally reserve its rights for potential future use of water under Future Use Water Permit No. 558A-3, which currently has 123 acre-feet remaining in reserve. This request is intended to retain the City's interest in securing future water rights through the applicable review, permitting, and priority processes as needed.

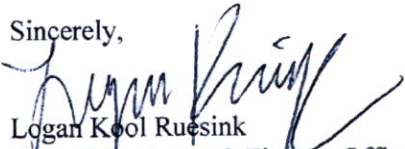
As of October 25, 2025, the City's water system serves approximately 698 customers and provides an average of 52,350 gallons of water per day. The City currently purchases water from Sioux Rural Water to meet its municipal needs; however, this supply is provided under a year-to-year contract. Over the past seven years, Castlewood has experienced residential growth, and the City anticipates continued expansion in the years ahead. Since the last seven-year review, the water usage for the City of Castlewood is shown in the table below.

YEAR	USAGE (Total Gallons)
2019	18,465,600
2020	21,223,110
2021	20,799,022
2022	20,241,919
2023	17,230,470
2024	18,682,041
2025	23,226,667

The City of Castlewood is an equal opportunity provider and employer.

Maintaining the reservation under Permit No. 558A-3 will support Castlewood in planning for long-term water supply reliability and the ability to respond to anticipated future demand. If you have any questions, please contact me.

Sincerely,


Logan Kool Ruesink
City of Castlewood, Finance Officer
605.793.2220

RECEIVED

MAR 23 2026

Water Rights
Program



**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. 558A-3, City of Castlewood**

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. 558A-3, City of Castlewood, PO Box 17, Castlewood SD 57223

The Acting Chief Engineer is recommending that Future Use Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 558A-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 558A-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. 558A-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.

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program
May 1, 2026



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 20, 2026

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

City of Castlewood
c/o Logan Ruesink
PO Box 17
Castlewood SD 57223

Dear Mr. Ruesink:

Future Use Permit No. 558A-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 Hamlin County Republican in Castlewood (605-793-2293) and the Public Opinion in Watertown (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 May 27, 2026. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Rachel Rodriguez

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

enclosures

Instructions to Newspaper - Publish the following Notice on May 27, 2026. The City of Castlewood is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 558A-3

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, PO Box 17, Castlewood SD 57223, 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. 558A-3. This permit was approved in 1959 and currently reserves 123 acre-feet of water from the Big Sioux: Brookings Aquifer located in the SE 1/4 Section 35-T115N-R52W for municipal use. The permit was last reviewed in 2019.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 558A-3 on July 8, 2026, at 9:35 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 June 8, 2026.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 558A-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 June 8, 2026.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 8, 2026.

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

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is June 8, 2026. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the approximate cost of_____.

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Wednesday, May 20, 2026 9:10 AM
To: Rodriguez, Rachel
Subject: RE: [EXT] 12349217 558A-3 City of Castlewood - Public Notice
Attachments: 12349217.pdf

AD ORDER #12349217

Attached is a proof of your notice scheduled to publish once in the **Watertown Public Opinion on May 27, 2026** at the total cost of \$86.90 to be **invoiced to City of Castlewood account #546647.**

Due to Memorial Day holiday, deadline to make any changes is BEFORE 9am Friday, 5-22-26, otherwise your notice WILL PUBLISH as stated above.

An affidavit will be prepared and mailed to you within 7 to 10 days after publishing.

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.

Liz Arceneaux
Public Notice Representative

USA TODAY CO.



844-254-5287

National voice. Local strength. Subscribe TODAY.

#TeamUSATODAY

Tell my boss I rock [HERE!](#)

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, May 20, 2026 8:30 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 12349217 558A-3 City of Castlewood - Public Notice

Attached is a notice to be published on May 27, 2026.

City of Castlewood, PO Box 17, Castlewood SD 57223, 605-793-2220, castcity@itctel.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



Order Confirmation

Not an Invoice

Account Number:	546657
Customer Name:	Castlewood City Of
Customer Address:	Castlewood City Of PO BOX 17 SHEILA GERHOLD CASTLEWOOD SD 57223
Contact Name:	Castlewood City Of
Contact Phone:	6057932220
Contact Email:	
PO Number:	WATER PERMIT #558A-3

Date:	05/20/2026
Order Number:	12349217
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	273.0000
Height in Inches:	30.1300

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	05/27/2026 - 05/27/2026	Govt Public Notices
WAT thepublicopinion.com	1	05/27/2026 - 05/27/2026	Govt 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	\$86.90
Tax Amount	\$0.00
Service Fee 3.99%	\$3.47
Cash/Check/ACH Discount	-\$3.47
Payment Amount by Cash/Check/ACH	\$86.90
Payment Amount by Credit Card	\$90.37

Order Confirmation Amount

\$86.90

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, May 20, 2026 8:29 AM
To: hcp@itctel.com
Subject: 558A-3 City of Castlewood - Public Notice
Attachments: 558A-3 FU REVIEWpubnotice_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 27, 2026, in the Hamlin County Republican.

City of Castlewood, PO Box 17, Castlewood SD 57223, 605-793-2220, castcity@itctel.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



USA TODAY CO.



PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Rachel Rodriguez
Water Rights Program
204 E Main ST
Castlewood SD 57223-7715

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JUN 02 2026

OFFICE OF
WATER

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

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

05/27/2026

and that the fees charged are legal.

Sworn to and subscribed before on 05/27/2026

A handwritten signature in cursive script, appearing to read "Linda Tott".

Legal Clerk

A handwritten signature in cursive script, appearing to read "Kongmeng Yang".
Notary, State of WI, County of Brown

9-3-26

My commission expires

Publication Cost:	\$86.90	
Tax Amount:	\$0.00	
Payment Cost:	\$86.90	
Order No:	12349217	# of Copies:
Customer No:	546657	1
PO #:	WATER PERMIT #558A-3	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KONGMENG YANG
Notary Public
State of Wisconsin

**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT
NO. 558A-3**

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, PO Box 17, Castlewood SD 57223, 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. 558A-3. This permit was approved in 1959 and currently reserves 123 acre-feet of water from the Big Sioux: Brookings Aquifer located in the SE 1/4 Section 35-T115N-R52W for municipal use. The permit was last reviewed in 2019.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 558A-3 on **July 8, 2026, at 9:35 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

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OFFICE OF
WATER

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 June 8, 2026.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 558A-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 June 8, 2026.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-

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WATER

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Published 5/27/26 at total cost of \$86.90 and may be viewed free of charge at www.sdpublicnotices.com.

12349217

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MAY 29 2026

OFFICE OF

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, Lee Anne Dufek

certify that the attached printed Notice was taken

from the Hamlin

County Republican

printed and published in Castlewood

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following date:

May 27, 2026

Cost of Printing \$65.70

Lee Anne Dufek
(Signature)

Owner
(Title)

5-27-26
(Date Signed)

May 27, 2026 / 17

**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO. 558A-3**

Notice is given that the Water Management Board will review Future Use Permit No. 558A-3 held by the City of Castlewood, PO Box 17, Castlewood SD 57223, 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. 558A-3. This permit was approved in 1959 and currently reserves 123 acre-feet of water from the Big Sioux: Brookings Aquifer located in the SE 1/4 Section 35-T115N-R52W for municipal use. The permit was last reviewed in 2019.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 558A-3 REMAIN in EFFECT for 123 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Amanda Dewell for this information, or other information, at the Water Rights Program address provided below.

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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 June 8, 2026.

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Published May 27, 2026, at total cost of \$65.70 and may be viewed online at www.sdpublicnotices.com

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, May 20, 2026 9:29 AM
To: castcity@itctel.com
Subject: 558A-3 City of Castlewood - Public Notice
Attachments: 558A-3 Rec.pdf; 558A-3 Ltr.pdf; 558A-3 PubNotice.pdf; Watertown Info.pdf

Good morning,

Attached is a copy of the acting chief engineer's recommendation, and information regarding the public notice for Future Use Permit No. 558A-3. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. Please note that the Madison Daily Leader (Column) use an online portal for viewing and payment. This information is also being mailed to you today.

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 14, 2026

NOTICE OF ENTRY OF ORDER

City of Castlewood
c/o Logan Ruesink
PO Box 17
Castlewood SD 57223

Dear Mr. Ruesink,

I am writing in response to action taken by the Water Management Board at the hearing on July 8, 2026, to review Future Use Permit No. 558A-3. The Board allowed the permit to remain in effect for 123 acre-feet of water annually. Future Use Permit No. 558A-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 558A-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.

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on July 14, 2026, 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 July 14, 2026, involving action taken by the Water Management Board hearing on July 08, 2026:

Future Use Permit No. 524-3

City of De Smet
c/o Gary Wolkow
106 Calumet Avenue SE
De Smet SD 57231

Future Use Permit No. 8400-3

City of Harrisburg
c/o Heath VonEye
301 E Willow Street
Harrisburg SD 57032

Future use Permit No. 558A-3

City of Castlewood
c/o Logan Ruesink
PO Box 17
Castlewood SD 57223

Future Use Permit No. 1407-2

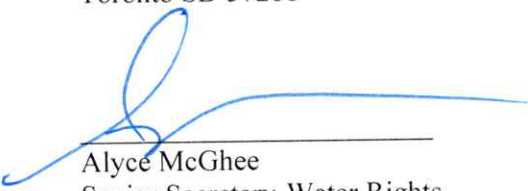
City of Custer
c/o Robert Brown
622 Crook Street
Custer SD 57730

Future Use Permit No. 5358-3

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

Future Use Permit No. 6988-3, 6988A-3, and 6988B-3

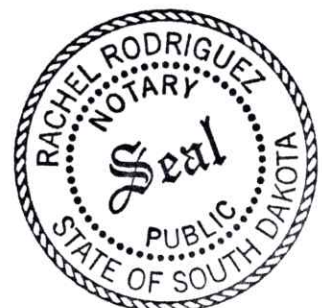
Joint Well Fields Inc.
c/o Reed Andries
PO Box 340
Toronto SD 57268


Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 14th day of July, 2026.


Rachel Rodriguez
Notary Public
My Commission expires May 16, 2029



RECEIPT

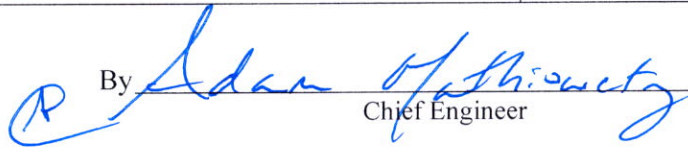
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 07, 2026

RECEIVED OF City of Castlewood PO Box 17 Castlewood SD 57223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. <u>558A-3</u> after period of seven years.	<u>\$75.00</u>
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$75.00</u>

By 
Chief Engineer