

WATER PERMIT NO. 5753A-3

Name of Applicant: South Lincoln RWS Inc.

Address: 28647 472nd Ave, Beresford SD 57004

Phone: 605 777-9905

Amount of Water Claimed: no add'l

Total Acres: NA

Source of Water Supply: 1 well – Dakota Formation

Water to be used for: rural water system use

County: Lincoln

Type of Waste Disposal System:

Location: approximately 4 miles southeast of Lennox

PRIORITY

Date Received: 8-17-18

Application/License Fee: \$100

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks: Change of use from municipal to rural water

Diversion Point: SW 1/4 SW 1/4 Sec 13-T98N-
R51W

Land to be Irrigated: NA

Depth of Well:

Well Driller:

Remarks:

Type of Map:

Prepared by:

			13		
	⊗				

Reviewed and the Number Assigned on: 8-17-18

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED
AUG 17 2018
WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>5753A-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion R.</u>
	Newspaper _____

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

Check use(s) of water:

- | | | | |
|--|--|--|--|
| ☐ Municipal | ☐ Water Distribution System | ☐ Recreational | ☐ Institutional |
| ☒ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other _____ | |

Type of Application: (check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 5753-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Change of use on Water Right No. 5753-3 from municipal to rural water system use

- Name to Appear on Water Permit South Lincoln Rural Water System Inc.
Mailing Address 28647 472nd Ave Beresford SD 57004
(Address) (City) (State) (Zip Code)
Phone 605 777-9905 Mobile _____ Email Tom@slrws.com
- Amount of water claimed no add'l *CFS or _____ **GPM and _____ ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)
- Source of water supply groundwater - one well
- Location of point of diversion SW 1/4 SW 1/4 Sec 13-T98N-R51W County Lincoln
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☒ Yes ☐ No
If "Yes," where will water be used? Lincoln, Union, Turner, Minnehaha Counties
(example - NW1/4 section 12-T104N-R53W)
- County or counties where water will be used Lincoln, Union, Turner, Minnehaha
- Annual period during which water is to be used January 1 - December 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

I, Thomas Dovich, _____, the applicant, certify under
Name of Person Title (if applicable)
penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

**SOUTH DAKOTA
WATER PERMIT NO. 5753A-3**

Date of first receipt of application August 17, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5753A-3 to South Lincoln Rural Water System, Inc., 28647 472nd Ave, Beresford SD 57004 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5753A-3 changes the municipal use authorized by Water Right No. 5753-3 to rural water system use. Water Right No. 5753-3 appropriates 156 acre-feet of water annually from one well (Dakota Aquifer) located in the SW 1/4 SW 1/4 Section 13-T98N-R51W with an August 27, 1986 priority date.
2. The water appropriated shall be used for the purpose of rural water system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 5753A-3 is October 15, 2018.
5. The date from which applicant may claim right is August 27, 1986 (established by Permit No. 5753-3).
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit are located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 6778A-3 which incorporates Water Right Nos. 5326-3, 5753-3 and 6778-3 and Water Permit Nos. 5326A-3, 5753A-3 and 6778A-3, authorizes a maximum annual withdrawal of up to 517 acre feet of water from the Dakota Formation.
3. That South Lincoln Rural System report to the Chief Engineer annually the amount of water withdrawn each year from the Dakota Formation.

WATER MANAGEMENT BOARD

By: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 29 2019
date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **August 10**, 20 **18**

RECEIVED OF **South Lincoln Rural Water System 28647 472nd Avenue Beresford SD 57004**

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

Fee for Application for Permit No. <u>5753A-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
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	100 00

No. **08741**

By Jeanne Goodman
Chief Engineer *JGM*



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 WATER PERMIT
APPLICATION NOS. 5326A-3, 5753A-3 and 6778A-3
South Lincoln Rural Water System Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application Nos. 5326A-3, 5753A-3 and 6778A-3, South Lincoln Rural Water System Inc., c/o Thomas Rausch, 28647 472nd Avenue, Beresford SD 57004.

The Chief Engineer is recommending APPROVAL of Application Nos. 5326A-3, 5753A-3 and 6778A-3 with the incorporation of these applications, if approved, and Water Right Nos. 5326-3, 5753-3 and 6778-3 into one water permit entitled Water Permit No. 6778A-3 since these water rights are associated with one well field because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The wells approved under this Permit are located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Water Permit No. 6778A-3 which incorporates Water Right Nos. 5326-3, 5753-3 and 6778-3 and Water Permit Nos. 5326A-3, 5753A-3 and 6778A-3, authorizes a maximum annual withdrawal of up to 517 acre feet of water from the Dakota Formation.
3. That South Lincoln Rural System report to the Chief Engineer annually the amount of water withdrawn each year from the Dakota Formation.

The priority dates for the diversion rate and annual volume of water will be retained as established by the respective originating water rights.

See report on application for additional information.

A handwritten signature in cursive script that reads 'Jeanne Goodman'.

Jeanne Goodman, Chief Engineer
September 27, 2018

REPORT ON PERMIT APPLICATION NOS. 5326A-3, 5753A-3 and 6778A-3
SOUTH LINCOLN RURAL WATER SYSTEM INC.
September 17, 2018

Application No. 5326A-3 proposes to change the municipal use authorized by Water Right No. 5326-3 to rural water system use. Water Right No. 5326-3 authorized the diversion of 0.62 cubic feet of water per second (cfs) (232 acre-feet annually) from two wells completed into the Dakota aquifer (636 and 567 feet deep) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12-T98N-R51W with a priority date of March 31, 1989.

Application No. 5753A-3 proposes to change the municipal use authorized by Water Right No. 5753-3 to rural water system use. Water Right No. 5753-3 authorized the diversion of 0.36 cfs (156 acre-feet annually) of water from one well completed into the Dakota aquifer (624 feet deep) located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13-T98N-R51W with a priority date of August 27, 1986.

Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 authorized the diversion of 1.11 cfs (129 acre-feet annually) of water from three wells completed into the Dakota aquifer (526, 560, and 558 feet deep) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14; all in T98N-R51W with a priority date of August 27, 1986.

Pursuant to South Dakota Codified Law 46-5-30.4 any water permit or right holder may apply for a change of use of water as long as the water permit or right does not increase the rate of diversion or increase the volume of water to be appropriated under the original water permit or right. The amendment may not impair existing rights. No increase in the diversion rate is requested by these applications. The site of the existing six wells is approximately 4 miles southeast of Lennox, SD in Lincoln County.

Aquifer: Dakota aquifer (DKOT)

Hydrogeology

The Dakota Formation is composed of light-brown to reddish-brown, fine-to-medium grained friable quartz, minor feldspar sandstone with interbeds of gray to dark-gray shale, Thin discontinuous beds of lignite, gray silty clay with siderite pellets, medium-to coarse-grained quartz sandstone with thin shaly intervals (less than 5 feet) (Hedges, Burch, Iles, Barari, & Schoon, 1982). The areal extent and recoverable water of the Dakota Formation in Lincoln County, SD was estimated by Hedges, Burch, Iles, Barari, & Schoon (1982) to be 484 square miles and 4,297,900 acre-feet respectively. In the vicinity of these water rights, the water table of the Dakota aquifer is expected to be approximately 105-225 feet below grade with a general direction of groundwater movement to the south with the top of the formation at approximately 390-430 feet below grade and the aquifer having an average thickness of 180-240 feet (Water

Rights, 2018a; Water Rights, 2018c; Niehus, 1994). The Dakota aquifer is confined in the area of Water Right Nos. 5326-3, 5753-3, and 6778-3.

Observation Well Data

The DENR-Water Rights Program monitors 46 observation wells completed into the Dakota aquifer (Water Rights, 2018c). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. Water Right Nos. 5326-3, 5753-3, and 6778-3 are within a reasonable distance of several Dakota aquifer observation wells. There are five nearby observation wells that can be used for analysis: LN-77A, LN-79D, LN-92A, LN-77F, and LN-80I as seen in Figure 1. The hydrographs for these observation wells are shown in Figure 2. These observation well hydrographs are representative of the Dakota aquifer and show that the aquifer responds well to hydrologic conditions, recharging during wetter periods and declining during drier periods.

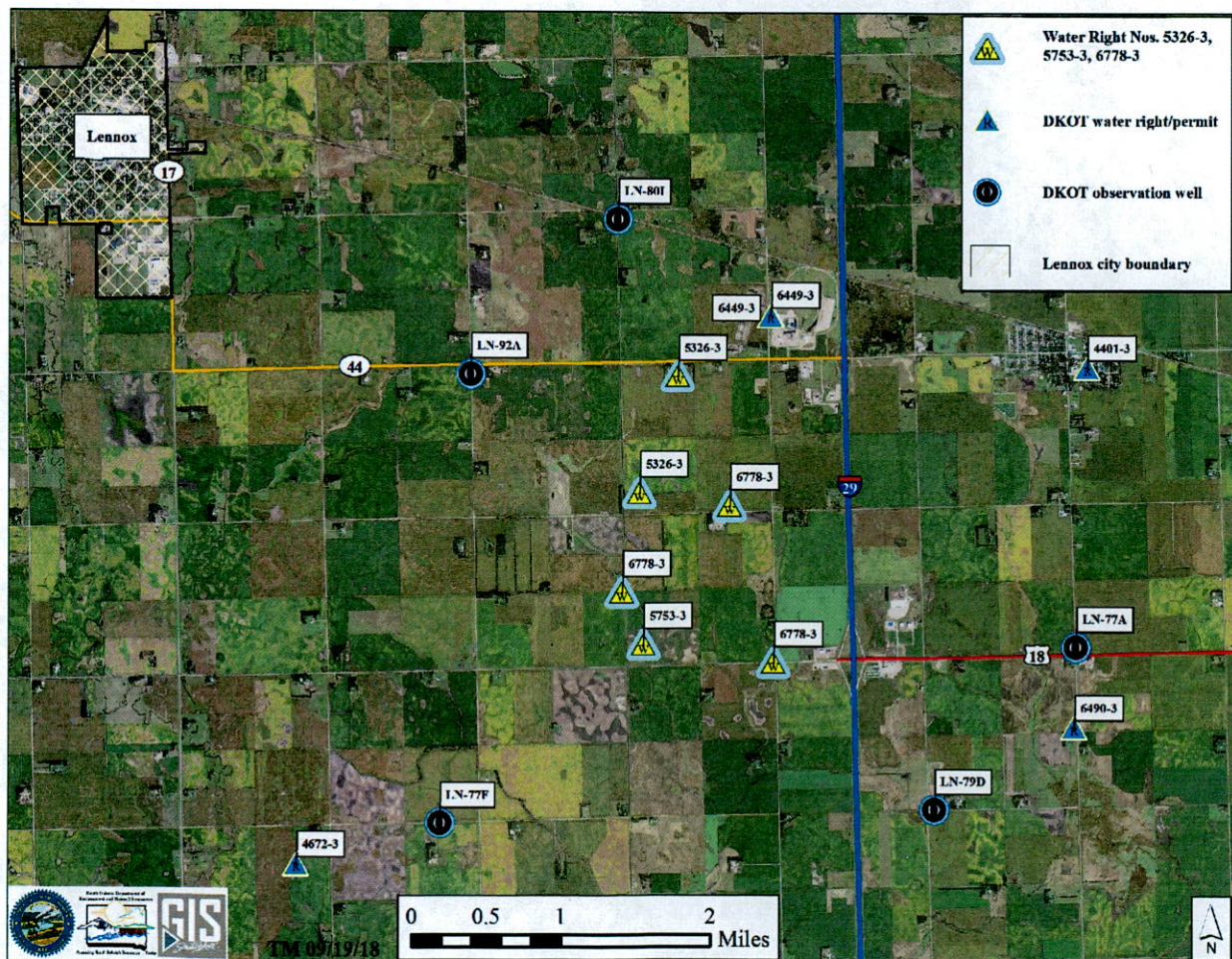


Figure 1: Map showing observation wells used for analysis, diversion points for Water Right Nos. 5326-3, 5753-3, and 6778-3 and nearby water rights/permits completed into the Dakota aquifer (DKOT) (Water Rights, 2018a; Water Rights, 2018c).

The water levels in the observation wells show that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping condition. Therefore, recharge to, and natural discharge from the Dakota aquifer can be captured for pumping.

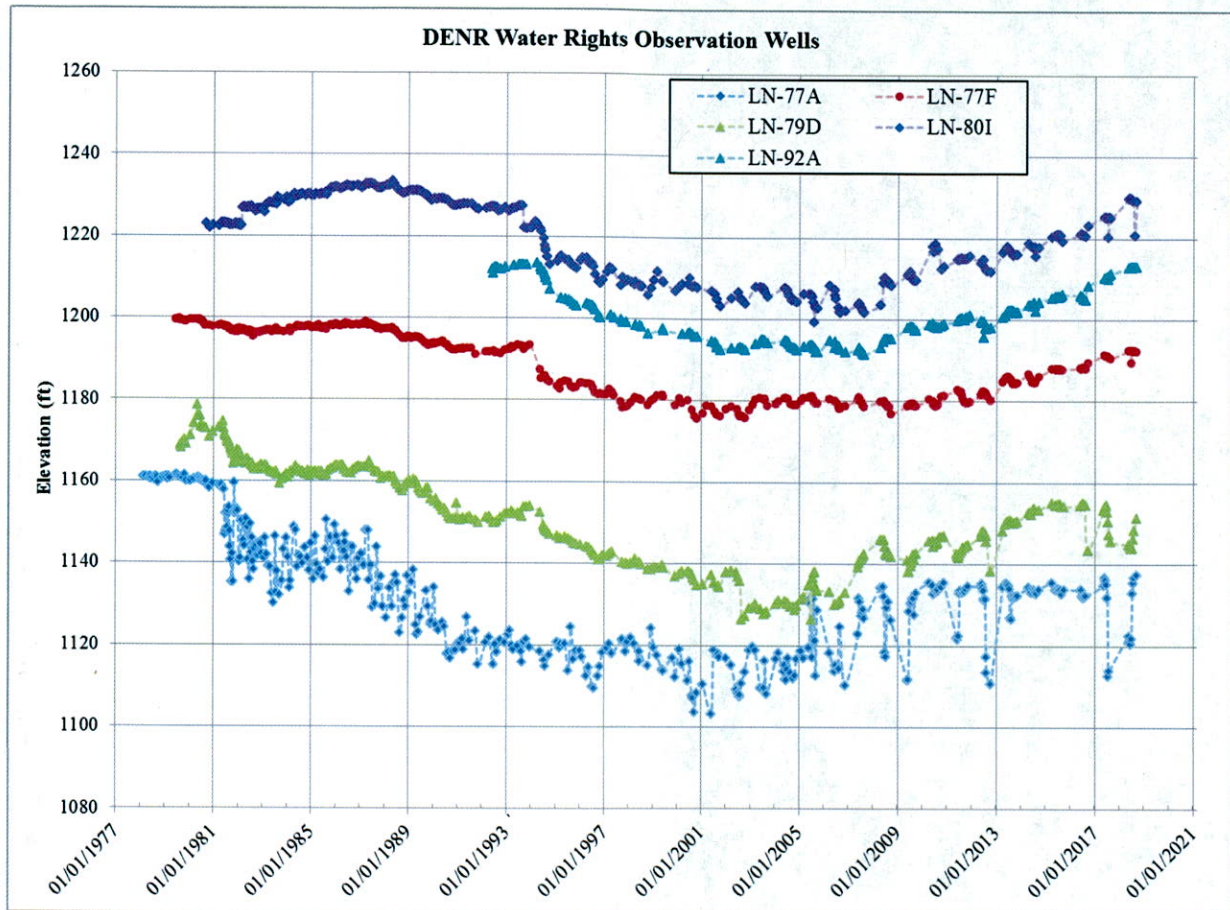


Figure 2: Hydrographs for Observation Wells LN-77A, LN-79D, LN-92A, LN-77F, and LN-80I (Water Rights, 2018c)

Existing Water Rights

Currently, there are 292 water rights/permits appropriating water from the Dakota aquifer (Water Rights, 2018a). There are 4 diversion points for water rights/permits currently authorized to withdraw water from the Dakota aquifer located within approximately 3.5 miles of Water Right Nos. 5326-3, 5753-3, and 6778-3 listed in Table 1 and illustrated in Figure 1. The nearest water right/permit not owned by the applicant and completed into the Dakota aquifer is located approximately 0.75 miles to the northeast of Water Right No. 5326-3. There are a number of domestic wells on file with the SD DENR-Water Rights Program within 3.5 miles of the well sites. However, none of them appear to be completed into the Dakota aquifer (Water Rights, 2018b).

Table 1: Water rights/permits appropriating water from the Dakota aquifer in the vicinity of Water Right Nos. 5326-3, 5753-3, and 6778-3 (Water Rights, 2018a).

Permit No.	Name	Status	Use	Rate (cfs)	Annual Maximum Volume (ac-ft)
4401-3	Town Of Worthing	LC	MUN	0.17	65
4672-3	Cliff/Phyllis Elcock	LC	COM	0.05	
6449-3	Eastern Farmers Cooperative	LC	COM	0.02	
6490-3	South Lincoln Rws	LC	RWS	1.89	1,048
LC = water right, MUN = municipal, COM = commercial, RWS = rural water system					

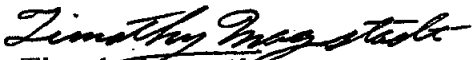
The Dakota aquifer is confined in this area, so drawdown from pumping can extend a fair distance. Over the period of record, the water levels shown in the hydrographs for observation wells LN-77A, LN-79D, LN-92A, LN-77F, and LN-80I (Figure 2) have remained stable. Thickness of the Dakota aquifer in this area is expected to be 180-240 feet and fully saturated with the water rising an average of 245 feet above the top of the formation. This would allow sufficient saturated thickness for a pump to be placed 20 feet below the top of the aquifer. An adequate well should not be adversely impacted by pumping at this proposed diversion rate.

An adequate well as defined in South Dakota Administrative Rule 74:02:04:20(6):

“A well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet.”

Conclusions

1. Water Permit Application Nos. 5326A-3, 5753A-3, and 6778A-3 propose to change the municipal use authorized by Water Right Nos. 5326-3, 5753-3, and 6778-3 to rural water system use.
2. The aquifer is confined in the area of Water Right Nos. 5326-3, 5753-3, and 6778-3. However, there is sufficient aquifer thickness and head for an adequate well to not be adversely impacted by pumping at this diversion rate.
3. The wells for this application appear to have been constructed in accordance with the SD Well Construction Standards.
4. No increase in the diversion rate is authorized by the application.


Timothy Magstadt

Natural Resources Engineer
SD DENR – Water Rights Program

References

Hedges, L. S., Burch, S. L., Iles, D. L., Barari, R. A., & Schoon, R. A. (1982). *Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa*. Department of Water and Natural Resources, Office of Geological Survey.

Niehus, C. A. (1994). *Water Resources of Lincoln and Union Counties, South Dakota, Report 93-4195*. U.S. Geological Survey.

Water Rights. (2018a). *Water Right/Permit Files*. Joe Foss Bldg., Pierre, South Dakota.: SD DENR-Water Rights Program.

Water Rights. (2018b). *Well Completion Report Files*. Joe Foss Bldg., Pierre, South Dakota.: SD DENR-Water Rights Program.

Water Rights. (2018c). *Observation Well Database*. Joe Foss Bldg., Pierre, South Dakota.: SD DENR-Water Rights Program.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

SS

COUNTY: UNION

CITY: BERESFORD

NEWSPAPER: BERESFORD REPUBLIC

Allyson M. Hill, being first duly sworn, on oath, says that the BERESFORD REPUBLIC IS a weekly newspaper published in said city and county, State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, and has met all the requirements for at least one year next prior to the first publication of the attached public notice, and that said notice, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper

1 time(s) as follows: that the first publication of said notice in said newspaper aforesaid was on Thursday the

4 day of October, 2018, and that the succeeding publications were severally on

Thursday, the ____ day of _____, 2018;

Thursday, the ____ day of _____, 2018;

Thursday, the ____ day of _____, 2018

Affiant further says that the full amount of the fees charged for the publication of said notice inures to the benefit of the publishers of said newspaper; that no agreement of understanding for the division thereof has been made with any other person, that no part therefore has been agreed to be paid to any person whomsoever; and that the fees charges for the publication thereof are:

DOLLARS \$ 37³⁰

X Allyson M. Hill, Allyson M. Hill

Subscribed and sworn to before me this 31 day of October, 2018.

[Signature]
Notary Public

My commission expires 11/14/2018.

RECEIVED

NOV 26 2018

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NOS. 5326A-3, 5753A-3 and 6778A-3 to Amend Water Right Nos. 5326-3, 5753-3 and 6778-3

Notice is given that South Lincoln Rural Water System Inc., c/o Thomas Rausch, 28647 472nd Ave, Beresford SD 57004 has filed the following applications to change use from municipal to rural water system use. The Water Rights were held by the city of Lennox but have been transferred to South Lincoln Rural Water System.

Application No. 5326A-3 proposes to change the municipal use authorized by Water Right No. 5326-3 to rural water system use. Water Right No. 5326-3 appropriates 232 acre-feet of water annually from two wells (Dakota Aquifer) located in the SW 1/4 SW 1/4 and the NE 1/4 NW 1/4 Section 12-T98N-R51W with a March 31, 1989 priority date.

Application No. 5753A-3 proposes to change the municipal use authorized by Water Right No. 5753-3 to rural water system use. Water Right No. 5753-3 appropriates 156 acre-feet of water annually from one well (Dakota Aquifer) located in the SW 1/4 SW 1/4 Section 13-T98N-R51W with an August 27, 1986 priority date.

Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 appropriates 129 acre-feet of water annually from three wells (Dakota Aquifer) located in the NE 1/4 NE 1/4 Section 24, SW 1/4 SE 1/4 Section 12 and the NE 1/4 SE 1/4 Section 14; all in T98N-R51W with an August 27, 1986 priority date.

Water Right Nos. 5326-3, 5753-3 and 6778-3, combined, authorize a maximum annual withdrawal of 517 acre-feet of water annually from the Dakota Aquifer. No additional water appropriation is authorized by these applications. The site of the existing six wells is approximately 4 miles southeast of Lennox SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5326A-3, 5753A-3, 6778A-3, and incorporating these Applications with Water Right Nos. 5326-3, 5753-3 and 6778-3 into one Water Permit No. 6778A-3 since these water rights are associated with one well field and because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water; and 3) it is in the public interest.

SHANE HILL



NOTARY PUBLIC
SOUTH DAKOTA



The Chief Engineer's recommendation with qualifications, the applications, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting the applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is

"Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 15, 2018.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the applications is received, the Chief Engineer shall act on the applications pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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

Published once at the total approximate cost of \$37.38

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OCT 09 2018

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

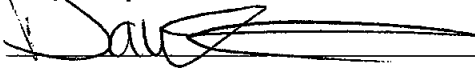
I, Dawn Rye, of the City of Parker, County of Turner, State of South Dakota being first duly sworn on oath, deposes and says: The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, New Century Press, publishers,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

N1004-4 Notice of application Nos. 5326A, 5753A, 6778A-3

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

On Thursday, the 4th day of October 2018

That \$53.79 being the full amount of the fees for publication of the attached notices insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

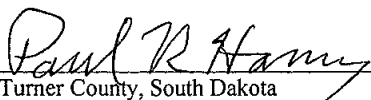


Subscribed and sworn to before me this

Day of

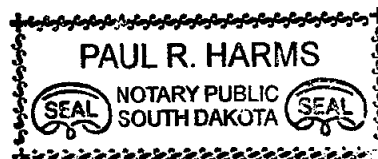
October 2018

5th


Notary Public, Turner County, South Dakota

My Commission Expires: April 24, 2024

Publication Fee \$53.79
Notary Fees \$
Total \$53.79



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OCT 09 2018

WATER RIGHTS
PROGRAM

Notice of application Nos.
5326A-3, 5753A-3
and 6778A-3

to Amend Water Right Nos.
5326-3, 5753-3 and 6778-3

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Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 appropriates 129 acre-feet of water annually from three wells (Dakota Aquifer) located in the NE 1/4 NE 1/4 Section 24, SW 1/4 SE 1/4 Section 12 and the NE 1/4 SE 1/4 Section 14; all in T98N-R51W with an August 27, 1986 priority date.

Water Right Nos. 5326-3, 5753-3 and 6778-3, combined, authorize a maximum annual withdrawal of 517 acre-feet of water annually from the Dakota Aquifer. No additional water appropriation is authorized by these applications. The site of the existing six wells is approximately 4 miles southeast of Lennox SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5326A-3, 5753A-3, 6778A-3, and incorporating these Applications with Water Right Nos. 5326-3, 5753-3 and 6778-3 into one Water Permit No. 6778A-3 since these water rights are associated with one well field and because: 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

The Chief Engineer's recommendation with qualifications, the

Capitol, Pierre SD 57501 (605 773-3352)* and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by Monday, Oct. 15.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the applications is received, the Chief Engineer shall act on the applications pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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

Published once at the total approximate cost of \$53.79 (N1004-4)

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OCT 09 2018

WATER RIGHTS
PROGRAM

CUSTOMER NUMBER:	055347	Argus Leader	
INVOICE NUMBER:	3181665		
RUN DATES:	10/4, 2018	P.O. Box 677349, Dallas, TX 75267-7349	
		LINES: 157	AMOUNT DUE: \$98.92

South Lincoln Rural Water System, Inc.
c/o Thomas Rausch
28647 472nd Ave
Beresford, SD 57004

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

Water Permit

AFFIDAVIT OF PUBLICATION-

Customer Number: 055347

South Lincoln Rural Water System, Inc.

Invoice Number: 3181665

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

Thursday, the 4 day of October, 2018

_____, the _____ day of _____, 2018

_____, the _____ day of _____, 2018

_____, the _____ day of _____, 2018

_____, the _____ day of _____, 2018

_____, the _____ day of _____, 2018

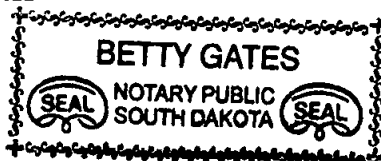
_____, the _____ day of _____, 2018

and that \$98.92 was charged for publishing the same.

Sara Kruse
Subscribed and sworn to before me 1/25/18

Betty Gates
Notary Public, South Dakota

My Commission expires March 11, 2022



Application No. 5326A-3 proposes to change the municipal use authorized by Water Right No. 5326-3 to rural water system use. Water Right No. 5326-3 appropriates 232 acre-feet of water annually from two wells (Dakota Aquifer) located in the SW 1/4 SW 1/4 and the NE 1/4 NW 1/4 Section 12-T98N-R51W with a March 31, 1989 priority date. Application No. 5753A-3 proposes to change the municipal use authorized by Water Right No. 5753-3 to rural water system use. Water Right No. 5753-3 appropriates 156 acre-feet of water annually from one well (Dakota Aquifer) located in the SW 1/4 SW 1/4 Section 13-T98N-R51W with an August 27, 1986 priority date. Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 appropriates 129 acre-feet of water annually from three wells (Dakota Aquifer) located in the NE 1/4 NE 1/4 Section 24, SW 1/4 SE 1/4 Section 12 and the NE 1/4 SE 1/4 Section 14; all in T98N-R51W with an August 27, 1986 priority date. Water Right Nos. 5326-3, 5753-3 and 6778-3, combined, authorize a maximum annual withdrawal of 517 acre-feet of water annually from the Dakota Aquifer. No additional water appropriation is authorized by these applications. The site of the existing six wells is approximately 4 miles southeast of Lennox SD.

The Chief Engineer's recommendation with qualifications, the applications, and staff report are available at <http://denr.sd.gov/pub> or contact Eric Granlund for this information, or other information, at the Water Rights Program address provided below. Any person interested in opposing or supporting the applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 15, 2018. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the applications is received, the Chief Engineer shall act on the applications pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$98.92.

NOTICE OF APPLICATION
NOS. 5326A-3, 5753A-3 and 6778A-3
to Amend Water Right Nos. 5326-3, 5753-3 and 6778-3
Notice is given that South Lincoln Rural Water System Inc., c/o Thomas Rausch, 28647 472nd Ave, Beresford SD 57004 has filed the following applications to change use from municipal to rural water system use. The Water Rights were held by the city of Lennox but have been transferred to South Lincoln Rural Water System.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5326A-3, 5753A-3, 6778A-3, and incorporating these Applications with Water Right Nos. 5326-3, 5753-3 and 6778-3 into one Water Permit No. 6778A-3 since these water rights are associated with one well field and because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

3181665

Oct. 4, 2018

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

TERESA WILCOX

being first duly sworn on his oath says; that the Sioux Valley News is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that he is and during all of said time was publisher of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of Application South Lincoln Rural Water

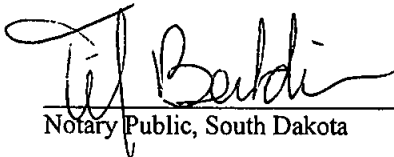
a printed copy of which is hereto attached, was printed and published in said newspaper for ONE successive week(s) upon the following dates, to-wit:

October 4, 2018

that the full amount of the fees charged for publishing the same to-wit: the sum of \$42.09 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.



Ascribed and sworn to before me this 4th day of
October, 2018.


Notary Public, South Dakota

(Seal)



My Commission Expires
January 12, 2024

NOTICE OF APPLICATION NOS. 5326A-3, 5753A-3 and 6778A-3 to Amend Water Right Nos. 5326-3, 5753-3 and 6778-3

Notice is given that South Lincoln Rural Water System Inc., c/o Thomas Rausch, 28647 472nd Ave, Beresford SD 57004 has filed the following applications to change use from municipal to rural water system use. The Water Rights were held by the city of Lennox but have been transferred to South Lincoln Rural Water System.

Application No. 5326A-3 proposes to change the municipal use authorized by Water Right No. 5326-3 to rural water system use. Water Right No. 5326-3 appropriates 232 acre-feet of water annually from two wells (Dakota Aquifer) located in the SW 1/4 SW 1/4 and the NE 1/4 NW 1/4 Section 12-T98N-R51W with a March 31, 1989 priority date.

Application No. 5753A-3 proposes to change the municipal use authorized by Water Right No. 5753-3 to rural water system use. Water Right No. 5753-3 appropriates 156 acre-feet of water annually from one well (Dakota Aquifer) located in the SW 1/4 SW 1/4 Section 13-T98N-R51W with an August 27, 1986 priority date.

Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 appropriates 129 acre-feet of water annually from three wells (Dakota Aquifer) located in the NE 1/4 NE 1/4 Section 24, SW 1/4 SE 1/4 Section 12 and the NE 1/4 SE 1/4 Section 14; all in T98N-R51W with an August 27, 1986 priority date.

Water Right Nos. 5326-3, 5753-3 and 6778-3, combined, authorize a maximum annual withdrawal of 517 acre-feet of water annually from the Dakota Aquifer. No additional water appropriation is authorized by these applications. The site of the existing six wells is approximately 4 miles southeast of Lennox SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5326A-3, 5753A-3, 6778A-3, and incorporating these Applications with Water Right Nos. 5326-3, 5753-3 and 6778-3 into one

RECEIVED

OCT 17 2018

WATER RIGHTS
PROGRAM

Water Permit No. 6778A-3 since these water rights are associated with one well field and because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

The Chief Engineer's recommendation with qualifications, the applications, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting the applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 15, 2018.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the applications is received, the Chief Engineer shall act on the applications pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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

Published in the Sioux Valley News on October 4, 2018, at the total approximate cost of \$42.09.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

September 28, 2018

South Lincoln Rural Water System Inc.
c/o Thomas Rausch, Manager
28647 472nd Ave
Beresford SD 57004

Dear Mr. Rausch:

Water Permit Application Nos. 5326A-3, 5753A-3 and 6778A-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the following papers:

Sioux Valley New, Canton SD	605 764-2000
The New Era, Parker SD	605 297-4416
Beresford Republic, Beresford SD	605 763-2006
Argus Leader, Sioux Falls SD	605 331-2200

You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the applications.

NOTICE OF APPLICATION NOS. 5326A-3, 5753A-3 and 6778A-3
to Amend Water Right Nos. 5326-3, 5753-3 and 6778-3

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Application No. 6778A-3 proposes to change the municipal use authorized by Water Right No. 6778-3 to rural water system use. Water Right No. 6778-3 appropriates 129 acre-feet of water annually from three wells (Dakota Aquifer) located in the NE 1/4 NE 1/4 Section 24, SW 1/4 SE 1/4 Section 12 and the NE 1/4 SE 1/4 Section 14; all in T98N-R51W with an August 27, 1986 priority date.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5326A-3, 5753A-3, 6778A-3, and incorporating these Applications with Water Right Nos. 5326-3, 5753-3 and 6778-3 into one Water Permit No. 6778A-3 since these water rights are associated with one well field and because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

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Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 29 2019

South Lincoln Rural Water System Inc.
c/o Thomas Rausch
28647 472nd Ave
Beresford SD 57004

Dear Mr. Rausch:

Enclosed are Water Permit Nos. 5326A-3, 5753A-3 and 6778A-3 authorizing the change of use from municipal to rural water system. As stated in the qualifications, Permit Nos. 5326A-3 and 5753A-3 have been incorporated into Water Permit No. 6778A-3 authorizing a total diversion rate of 2.09 cubic feet of water per second and a maximum annual withdrawal of up to 517 acre-feet of water annually from the Dakota Formation.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Joanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures