

WATER PERMIT NO. 5862-3

Phone: 886-5733

Name of Applicant: City of Watertown

Post Office Address: 901 4th Ave SW, Watertown SD 57201

Amount of Water Claimed: 6,275 AF Total Acres: \_\_\_\_\_

Source of Water Supply: groundwater - Big Sioux Aquifer

Water to be used for: future use County: Codington

Location: 4 miles north of Watertown

PRIORITY Date Received: 4-6-95 Fee: \$150.00

Corrected Application Received: 4-17-95 Period of Annual Use: Jan 1 - Dec 31

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Future Use Area: Sec 29, 30 & 31; all in

T118N-R52W

\_\_\_\_\_

( Land to be Irrigated: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 24 | 19 | 20 | 21 | 22 | 23 |
| 25 | 30 | 29 | 28 | 27 | 26 |
| 36 | 31 | 32 | 33 | 34 | 35 |
| 1  | 6  | 5  | 4  | 3  | 2  |

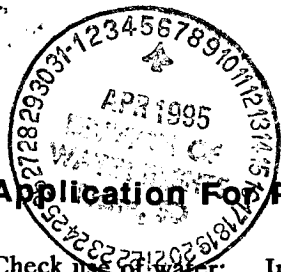
Well Log: Driller: \_\_\_\_\_ Licensed: YES \_\_\_\_\_ NO \_\_\_\_\_

Depth of Well: \_\_\_\_\_ REMARKS: \_\_\_\_\_

\_\_\_\_\_

Type of Map: plat Prepared By: Daryl C. Englund Reviewed and the Number

Assigned on: 4-17-95 By: Karen Schlaak



No. 5862-3 Hydrologic Unit 10/70202  
Map No. \_\_\_\_\_ Basin Sioux River  
Newspaper Public Opinion, Watertown, SD

Mail to: Water Rights Div.  
523 E. Capitol  
Pierre, SD 57501  
(605)773-3352

## Application For Permit To Appropriate Water Within The State of South Dakota

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

Type of Application: Check one or more of the following:

New ☐ Vested Right ☐ Future Use ☒ Change Use ☐

☐ Amend Permit No. \_\_\_\_\_ with old priority date retained.

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ \_\_\_\_\_

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. \_\_\_\_\_

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

1. Name Of Applicant City of Watertown Phone No. 605-886-5733

Post Office Address 901 4th Ave. S.W. Watertown State S.D. 57201  
(Street, RR, or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 11.6 cfs. 6275 Acre-feet

3. Source of water supply Shallow wells - Big Sioux Aquifer

4. Location of point of diversion Sec. 29, 30 & 31, T118N, R52W

5. Counties where water will be used Codington

6. Annual Period during which water is to be used Continuous Jan 1 - Dec 31

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

Future water rights required for the Development of a well field & transmission line to supply the future water needs for the City of Watertown, S.D.

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

STATE OF SOUTH DAKOTA)  
County of (Codington) ss

Municipal Utilities Department

I, R. P. SWANSON, Superintendent of Utilities the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed R. P. Swanson

Subscribed and sworn to before me this 5th day of April 19 95

Donnie M. Thompson  
Notary Public

**SOUTH DAKOTA**  
**FUTURE USE WATER PERMIT NO. 5862-3**

---

Date of first receipt of application April 6, 1995.

Date of return to applicant for corrections, amendments or changes April 10, 1995.

Date of receipt of corrected application April 17, 1995.

The Water Management Board approved Water Permit Application No. 5862-3 on March 6, 1996 for the City of Watertown, Municipal Utilities Department, 901 4th Ave SW, Watertown SD 57201 subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5862-3 appropriates 3,700 acre feet of water annually from the Big Sioux:North Aquifer. The area reserved for future use is to be located in Sections 29, 30 and 31; all in T118N-R52W. The water is to be reserved for the purpose of providing future water supplies to the City of Watertown. This permit does not authorize construction of works or application of water to beneficial use.
2. The water appropriated shall be used for the purpose of supplying water to the City of Watertown and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is April 6, 1995.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. Permit No. 5862-3 reserves 3,700 acre feet of water annually of the 6,275 acre-feet requested. The request to reserve an additional 2,575 acre-feet of water annually is deferred until further study is completed to show there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions.
2. Future Use Permit No. 5862-3 is approved for 3,700 acre-feet of water with the stipulation that the Permit is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
3. At such times as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
4. Permit No. 5862-3 is approved for groundwater from the North Management Unit of the Big Sioux Aquifer.

(continued)

5. If development of and pumping from the Big Sioux:North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriate rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

**WATER MANAGEMENT BOARD**

By: \_\_\_\_\_

John Hatch, Chief Engineer

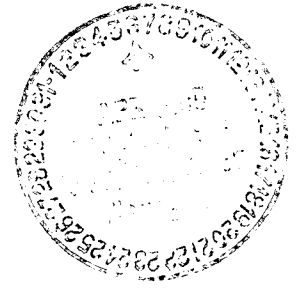
Water Rights Program

Department of Environment and Natural Resources

APR 3 1996

date





STATE OF SOUTH DAKOTA

SS

COUNTY OF BROOKINGS

I, DARYL ENGLUND, A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT AT THE REQUEST OF THE CITY OF WATERTOWN, SOUTH DAKOTA, I DID PREPARE THE ATTACHED MAP FROM EXISTING INFORMATION AND THAT SAID MAP IS A TRUE REPRESENTATION FOR WHICH APPLICATION FOR A FUTURE WATER RIGHT, TO WITHDRAW UNDERGROUND WATERS FOR MUNICIPAL WATER SUPPLY PURPOSES IS MADE, AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 31<sup>st</sup> DAY OF March, A.D. 19 95.

Daryl Englund RLS No. 2846  
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA

SS

COUNTY OF BROOKINGS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED DARYL ENGLUND, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

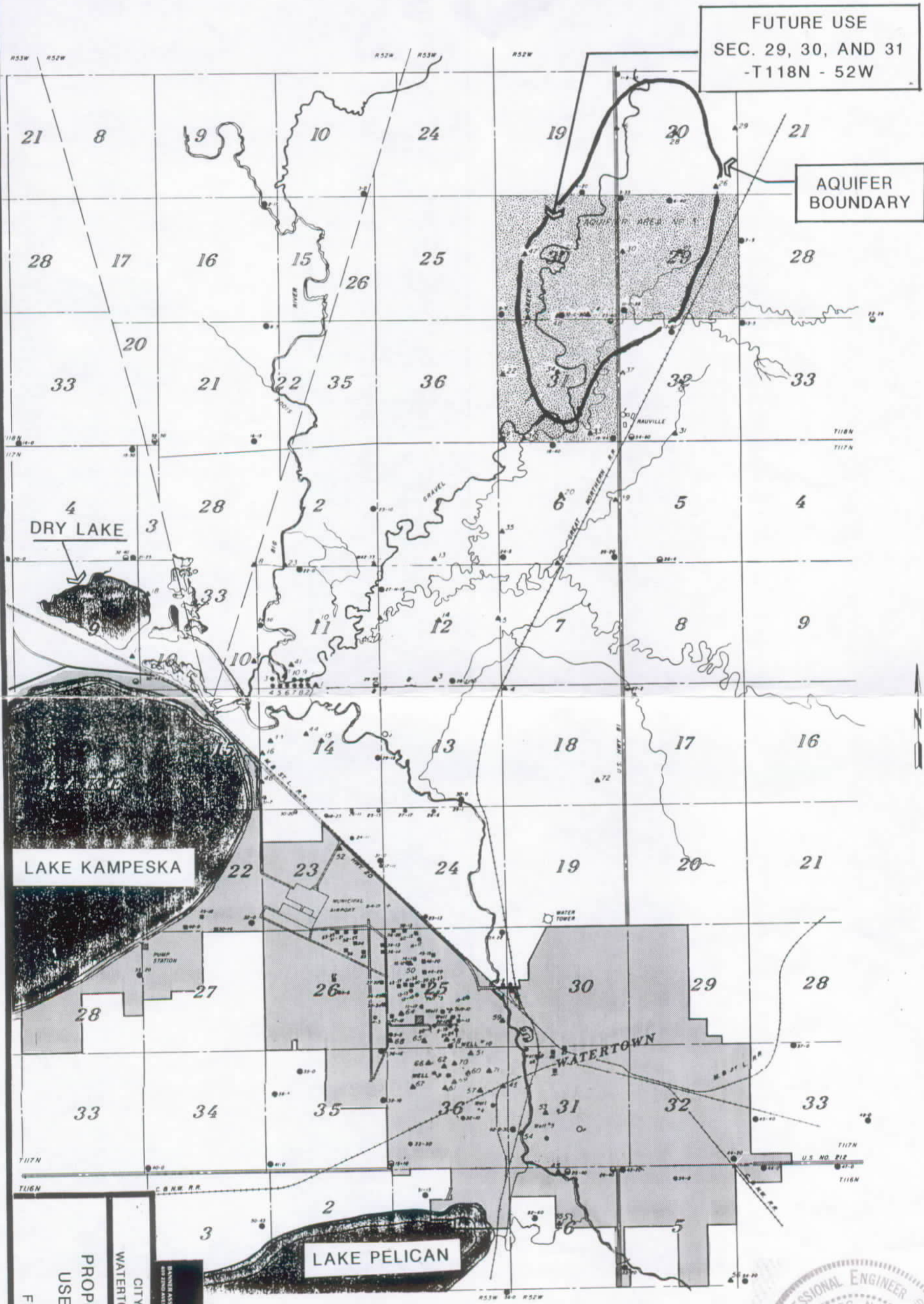
WITNESS MY HAND AND SEAL THIS 31<sup>st</sup> DAY OF March, A.D. 19 95.

Jennifer Klingebiel  
NOTARY PUBLIC

MY COMMISSION EXPIRES April 21, 2003



7747



PROPOSED FUTURE  
USE AREA MAP

CITY OF WATERTOWN  
WATERTOWN, SOUTH DAKOTA

**BANNER**  
BANNER ASSOCIATES, INC. • CONSULTING ENGINEERS & ARCHITECTS  
400 ZION AVENUE SOUTH • P.O. BOX 789 • BLOOMINGTON, ND 58009 • (701) 252-8344

APR 1995  
DIVISION OF  
WATER RIGHTS  
Bismarck, SD

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR  
REG. NO. 2846  
DARYL C. ENGLISH  
SOUTH DAKOTA

5862-3





April 10, 1995

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

R. P. Swanson, Superintendent  
City of Watertown  
Municipal Utilities Department  
901 4th Ave SW  
Watertown SD 57201

Dear Mr. Swanson:

We received the City of Watertown's future use permit application. Generally, future use permits are quantified on an acre-feet basis to an amount two times the annual amount currently being put to beneficial use. The general rule followed is 60% of the pumping rate when water is put to beneficial use. The 11.6 cubic feet of water per second which is requested on the application, would convert to 8,398 acre-feet. Sixty percent of 8,398 would be approximately 5,039 acre-feet. Do you concur with this change on the application?

The application filing fee for this application will be based on the amount of water claimed. The filing fee if the City applies to reserve 5,039 acre-feet for future use will be \$122.50.

Upon clarification of the amount of water claimed and receipt of the filing fee, further processing of the application will continue. If you have any questions, please contact Eric Gronlund, with this office.

Sincerely,

Karen Schlaak  
Environmental Scientist  
Water Rights Division  
605 773-3352

cy: Bob Brotsky, Banner Associates, Inc.

# MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 886-5733

FAX (605) 886-5821



April 14, 1995

Eric Gronlund  
Water Rights Division  
Dept. of Environment &  
Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501-3181

RE: Application for Permit to Appropriate  
Water Within the State of South Dakota

Dear Mr. Gronlund:

We are responding to your letter dated April 10, 1995 which explains the methodology used in quantifying amounts of water claimed for future use permits.

Our water production records for the six-year period of 1989 through 1994 indicate an annual average usage of 2.8 million gallons per day. Applying Rule 24.01, which allows for a future use of two times the annual amount currently being put to beneficial use, results in 6275 acre-feet as the amount of water claimed. It is our understanding that the production facilities can be sized for meeting peak day usage of 11.6 cubic feet per second (7.5 mgd), as was indicated on our application as submitted.

Therefore, in order to satisfy projected growth rates and expansion of our water supply system, we request that the Board consider our future use permit application in the Rauville area in the amount of 6275 acre-feet per year. In addition we are including an application fee in the amount of \$150.00 which will allow for further processing of the application.

Sincerely,

R. P. SWANSON, P.E.  
Superintendent of Utilities

RPS:jap

Encl.

# RECEIPT

414467

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ April 17, 19 95

RECEIVED OF Municipal Utilities, City of Watertown, Watertown, SD 57201

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

|                                                                                                                              |       |        |
|------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>5862-3</u> to Appropriate Water, to construct and to put water to beneficial use _____ | 150   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____                                          |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                       |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                          |       |        |
| Fee for Filing Transfer Form _____                                                                                           |       |        |
| Fee for Filing Extension Request _____                                                                                       |       |        |
| Fee for _____                                                                                                                |       |        |
| _____                                                                                                                        |       |        |
| _____                                                                                                                        |       |        |
| (Any Other Work Provided by Law)                                                                                             | Total | 150 00 |

By John Hatch  
Chief Engineer

Post-It® Fax Note 7671

|          |                  |         |          |            |   |
|----------|------------------|---------|----------|------------|---|
| To       | ERIC GRONLUND    | Date    | 7/21/95  | # of pages | 3 |
| From     | R. BROTSKY       |         |          |            |   |
| Co./Dept | Water Rights Div | Co.     | BANNER   |            |   |
| Phone #  | 773-3352         | Phone # | 692-6342 |            |   |
| Fax #    | 773-4068         | Fax #   | 692-5714 |            |   |

Report on  
**Water Supply Facilities**  
AND  
**Proposed Improvements**  
FOR  
**City of Watertown, South Dakota**

---

PREPARED FOR  
**Municipal Utilities Board**

---

R. Mernaugh, Chairman

Julius Bacon

H. McClintic

E. Cresser

Ross Oviatt

Catherine Ostrander, Secretary

C. H. Sonnenburg, Superintendent, Municipal Utilities Dept.

John Babcock, City Engineer

Prepared By

**J. T. Banner & Associates, Inc.**

Consulting Engineers

Brookings, South Dakota

**June - 1965**

D - AQUIFER NO. 3

As noted in Section IV-A, Aquifer No. 3 is known as the Rauville area and is located in an area 4 to 7 miles north of Watertown. A total of 22 test holes were drilled in this aquifer area under this investigation. Fifteen test holes in the area had been drilled by the South Dakota Geological Survey during previous investigations. Again the purpose of the test holes was to determine thickness of the formation, the material size and gradation, and the extent of the formation.

After the test holes were completed, a pumping test well was installed at the site of Test Hole No. 25, which seemed to be the most desirable location for future well installations. The pumping test was conducted for 72 hours during which time the draw-down by the water table was recorded at seven piezometer holes radiating out from the pumping well. Observations at the same points were conducted during a 72 hour recovery period. The pumping test was conducted under the supervision of the South Dakota Geological Survey, and the results of the test were analyzed by that agency.

The pumping test indicates that the permeability of this formation is excellent and that wells in this aquifer area would produce about 500 gallons or more per minute each with a well spacing of from 800 to 1000 feet.

The chemical analysis of the water from Test Hole No. 25 is tabulated in Table IV-1, page 4-11. Again it is noted that water from this aquifer is considerably higher in iron and manganese concentrations than the recommended standard for a desirable water. The water from this aquifer is not as hard as the water from the aquifer in the City limits area and slightly less hard than the water from the Aquifer No. 2 area.

The total contributing drainage area above the proposed well development area is about 50 square miles. Based on a drouth year rainfall of 12 inches and assuming that only 20% of the rainfall contributes to the ground water replenishment, the aquifer would have a recharge of about 2,100 million gallons during such a year. Based on average year rainfall the recharge rate to the aquifer would be about 4,000 million gallons per year. Even in the drouth years the recharge rate would be about three times the City of Watertown's present water use of about 725 million gallons per year, and about two times the City's estimated water use of 990 million gallons annually by the year 2000.

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE PERMIT  
APPLICATION No. 5862-3, City of Watertown

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Permit Application No. 5862-3, City of Watertown, c/o Geoff Heig, Superintendent, Municipal Utilities Department, 901 Fourth Avenue S.W., Watertown, SD 57501.

The Chief Engineer is recommending DEFERRAL of Application No. 5862-3 to allow time to discuss the future use application and availability of water from the Big Sioux - North Aquifer with Watertown's Municipal Utilities Department staff and their consulting engineer.



JOHN HATCH, Chief Engineer  
June 16, 1995



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

June 23, 1995

R. P. Swanson, PE  
Municipal Utilities Department  
901 Fourth Avenue Southwest  
Watertown, SD 57201-4107

Dear Mr. Swanson:

This letter is in response to my phone conversation June 15, 1995, with Jeff Heig concerning your Future Use Water Permit Application No. 5862-3. This application requests a reservation of 6,275 acre-feet of ground water from the Big Sioux aquifer in the Rauville area.

I want to make you aware that our preliminary assessment of the application indicates, on the average, recharge to the Big Sioux aquifer in the Gravel Creek drainage is less than 6,275 acre-feet per year. Our initial findings suggest a recharge of about 4,200 acre-feet per year. In addition, the already permitted uses in the Gravel Creek drainage above your application can be expected to use at least 500 acre-feet per year. This estimate is based upon an aquifer area of about 12,500 acres and a recharge rate of about 4 inches per year. Conservatively, 3,700 acre-feet per year are still available for appropriation.

Water use in the Rauville area has been controversial in the past. We have investigated a number of complaints. Most complaints concerned availability of domestic water from shallow wells, dugouts or from flows in Gravel Creek. Another related issue which has also caused problems is water use from a deeper aquifer lying below the Big Sioux aquifer in this area. Not all of the irrigation wells obtain water from the Big Sioux aquifer in this area. Even though the two aquifers are not directly connected, the deeper aquifer has added to the controversy.

Our records indicate that the City of Watertown currently holds Future Use Permit Nos. 1218-3 and 2107-3 which reserve 3,232 acre-feet for future use from your existing well fields in the Big Sioux aquifer. Usually the Water Management Board limits the amount of water reserved for future use to two times the existing use. For Watertown, this amount is 6,275 acre-feet or an additional 3,100 acre-feet. However, with justification, more than 6,275 acre-feet could be reserved.

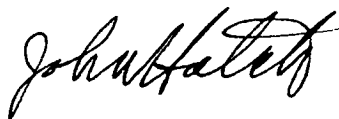
The amount available from the Big Sioux aquifer in the Rauville area is limited. Therefore, the maximum amount we could recommend for approval would be 3,700 acre-feet annually.

June 23, 1995  
R. P. Swanson, PE  
Municipal Utilities Department  
Page 2

Mr. Heig mentioned that you were considering construction of a new water treatment plant near the Rauville area. Although you could be limited to 3,700 acre-feet annually, permits to use water could be issued to supply the gallons per minute design of the treatment plant.

Please let us know what you want to do, or if you want to discuss your application.

Very truly yours,

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

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

c: Bob Brotsky, Banner Associates, Inc.

# BANNER

CONSULTING ENGINEERS & ARCHITECTS

BANNER ASSOCIATES, INC.  
409 22nd Avenue South • P.O. Box 298  
Brookings, South Dakota 57006-0298  
(605) 692-6342  
FAX: (605) 692-5714



September 28, 1995

Eric Gronlund  
Water Rights Division  
Department of Environment  
and Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

RE: Application for Permit  
to Appropriate Water  
Within the State of  
South Dakota  
BAI #7747

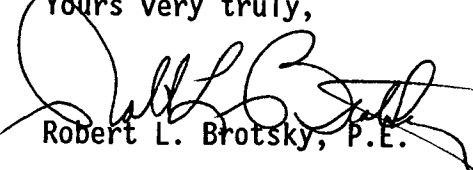
Dear Mr. Gronlund:

We are responding to John Hatch's letter, addressed to R.P. Swanson, dated June 23, 1995 which explains the preliminary assessment of the application for reserving 6275 acre-feet of ground water from the Big Sioux aquifer in the Rauville area. From the data which is presented, it is our understanding a substantial reduction to 3700 acre-feet annually could be recommended by your agency for approval.

Our firm was retained in 1965 to perform a comprehensive study of ground water supply available for development by the Watertown Municipal Utilities. An excerpt from the June 1965 is included herewith. Computations for the total amount of drought-year supply from Aquifer Area No. 3 based upon the recommendations for potential water supply sources contained in the 1965 study are attached. From the results of this analysis, it is our opinion approximately 1.5 times the amount proposed in your analysis is available. Applying this factor, it would appear 6300 acre-feet per year is the drought-year rate of recharge. Deducting 500 acre-feet per year as per your identification of already-permitted uses, we would expect 5800 acre-feet per year would be a valid amount to be reserved for future use by the City of Watertown.

In the event you are not in agreement with this response, please advise.

Yours very truly,

  
Robert L. Brotsky, P.E.

RLB/hh  
Enclosures  
cc: Watertown Municipal Utilities, Attn: Geoff Heig, w/enc.

REPORT ON  
WATER SUPPLY FACILITIES  
and  
PROPOSED IMPROVEMENTS  
for  
CITY of WATERTOWN, SOUTH DAKOTA

---

PREPARED FOR  
MUNICIPAL UTILITIES BOARD

---

R. Mernaugh, Chairman

Julius Bacon

E. Creaser

H. McClintic

Ross Oviatt

Catherine Ostrander, Secretary

Cliff Sonnenberg, Superintendent

John Babcock, City Engineer

Prepared By  
J. T. Banner & Associates, Inc.  
Consulting Engineers  
Brookings, South Dakota

JUNE 1965

### D - AQUIFER NO. 3

As noted in Section IV-A, Aquifer No. 3 is known as the Rauville area and is located in an area 4 to 7 miles north of Watertown. A total of 22 test holes were drilled in this aquifer area under this investigation. Fifteen test holes in the area had been drilled by the South Dakota Geological Survey during previous investigations. Again the purpose of the test holes was to determine thickness of the formation, the material size and gradation, and the extent of the formation.

After the test holes were completed, a pumping test well was installed at the site of Test Hole No. 25, which seemed to be the most desirable location for future well installations. The pumping test was conducted for 72 hours during which time the draw-down by the water table was recorded at seven piezometer holes radiating out from the pumping well. Observations at the same points were conducted during a 72 hour recovery period. The pumping test was conducted under the supervision of the South Dakota Geological Survey, and the results of the test were analyzed by that agency.

The pumping test indicates that the permeability of this formation is excellent and that wells in this aquifer area would produce about 500 gallons or more per minute each with a well spacing of from 800 to 1000 feet.

The chemical analysis of the water from Test Hole No. 25 is tabulated in Table IV-1, page 4-11. Again it is noted that water from this aquifer is considerably higher in iron and manganese concentrations than the recommended standard for a desirable water. The water from this aquifer is not as hard as the water from the aquifer in the City limits area and slightly less hard than the water from the Aquifer No. 2 area.

The total contributing drainage area above the proposed well development area is about 50 square miles. Based on a drouth year rainfall of 12 inches and assuming that only 20% of the rainfall contributes to the ground water replenishment, the aquifer would have a recharge of about 2,100 million gallons during such a year. Based on average year rainfall the recharge rate to the aquifer would be about 4,000 million gallons per year. Even in the drouth years the recharge rate would be about three times the City of Watertown's present water use of about 725 million gallons per year, and about two times the City's estimated water use of 990 million gallons annually by the year 2000.

JOB NO. 7747  
 JOB WATERTOWN MUN. UTIL.  
 CALCULATED BY RB DATE 9/27/95  
 CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

BANNER ASSOCIATES, INC.

SHEET NO. 1 OF 1

DROUGHT YEAR RECHARGE - GRAVEL CREEK  
(ALSO KNOWN AS AQUIFER No. 3 - JUNE 1965  
BANNER STUDY FOR WATERTOWN MUNICIPAL UTILITIES)

I. REPORT ON WATER PERMIT APPLICATION No. 5862-3

AQUIFER AREA - 12,500 ACRES  
DROUGHT YEAR RECHARGE - 4 INCHES

$$\begin{aligned} \text{RECHARGE VOLUME} &= 12,500 \text{ AC} \times 43,560 \text{ SQ FT/AC} \times 4/12 \\ &= 181,500,000 \text{ CU. FT./YR.} \\ &\quad \times 7.48052 \\ &= 1358 \text{ MILLION GAL.} \\ &\quad (4200 \text{ ACRE-FT.}) \end{aligned}$$

II. JUNE 1965 BANNER STUDY

CONTRIBUTING DRAINAGE AREA - 50 SQ MILES  
DROUGHT YEAR RECHARGE - 20% OF 12-INCH RAINFALL  
= 2.4 INCHES

$$\begin{aligned} \text{RECHARGE VOLUME} &= 50 \text{ SQ MI} \times 640 \text{ AC/SQ MI} \times 2.4/12 \\ &\quad \times 43,560 \\ &= 278,784,000 \text{ CU. FT./YR.} \\ &\quad \times 7.48052 \\ &= 2085 \text{ MILLION GAL.} \\ &\quad (6400 \text{ ACRE-FT.}) \end{aligned}$$

III. RATIO OF AVAILABLE WATER SUPPLY

$$\begin{aligned} \frac{\text{BANNER 1965 STUDY - 6400}}{\text{REPORT No. 5862-3 - 4200}} &= 1.52 \end{aligned}$$

CONSULTING ENGINEERS &amp; ARCHITECTS

BANNER ASSOCIATES, INC.  
409 22nd Avenue South • P.O. Box 298  
Brookings, South Dakota 57006-0298  
(605) 692-6342  
FAX: (605) 692-5714



November 3, 1995

Eric Gronlund  
Water Rights Division  
Department of Environment  
and Natural Resources  
Joe Foss Building  
523 East Capitol  
Pierre, SD 57501-3181

RE: Application for Permit  
to Appropriate Water  
Within the State of  
South Dakota  
BAI #7747

Dear Mr. Gronlund:

Pursuant to our meeting on Wednesday, October 25th, I have prepared a brief synopsis of our discussion, and have attached a copy of same.

Please advise in the event you have any questions or are in need of clarification concerning the observations contained therein.

Yours very truly,

  
Robert L. Brotsky, PE

RLB/ps

Enclosure

cc: Geoff Heig PE, Supt. of Utilities, Watertown

WATERTOWN MUNICIPAL UTILITIES

AQUIFER NO. 3 (RAUVILLE) - FUTURE WATER RIGHTS APPLICATION NO. 5862-3

MEETING WITH WATER RIGHTS DIVISION - DENR PIERRE, SD

WEDNESDAY, OCTOBER 25, 1995

PRESENT AT THE MEETING WERE:

Geoff Heig - Superintendent of Utilities, Watertown  
Harlan Hoy - Water Superintendent, Watertown  
John Hatch - Chief Engineer, Water Rights Division, DENR  
Eric Gronlund - Water Rights Program, DENR  
James Goodman - Natural Resources Engineer, DENR  
Robert Brotsky - Banner Associates, Inc.

Refer to Attached Agenda Dated Oct. 25, 1995

Items 1 through 4 were reviewed by Banner along with presentation of other studies - i.e. July, 1974, August 1981, January 1985, July 1988, December 1988 and March 1989.

Long Range Plans for water supply for the City of Watertown were explained by Heig and Hoy. These plans include developing water supply from Aquifer No. 3 (Rauville).

DENR staff expressed agreement with the long range goals; also indicated concern with the available potential (Rauville Area) in addition to the controversial nature of the issue.

After much discussion, it was decided to recommend issuance of the total amount of 6275 acre-ft in future rights, with 3700 acre-ft to be granted, and the remaining 2575 acre-ft deferred pending acceptable demonstration that the total request, 6275 acre-ft, can be safely withdrawn.

It was further decided the request will be published for holding a Public Hearing on the matter on March 6-7, 1996 in Pierre. In the meantime, Harlan Hoy will make personal contact with landowners who can possibly be impacted as a result of granting future water rights to the City of Watertown. A needs summary will be prepared explaining the issue and asking for support of same.

The meeting concluded with all parties in agreement that this approach constituted an acceptable compromise.

Robert L. Brotsky, P.E.

WATERTOWN MUNICIPAL UTILITIES

AQUIFER NO. 3 (RAUVILLE) - FUTURE WATER RIGHTS APPLICATION NO. 5862-3

MEETING WITH WATER RIGHTS DIVISION - DENR PIERRE, SD

Wednesday, October 25 1995

AGENDA:

1. BANNER  
Review Original Application - April 5, 1995  
11.6 cubic feet per second (7.5 MGD).
  
2. BANNER  
Review 1965 Water Supply Facilities Groundwater Study.
  
3. BANNER  
Review March, 1989 Report on Water Supply Facilities.
  
4. BANNER  
Review September, 1995 Status Update Master Plan of Water Supply  
Facilities and Proposed Improvements.
  
5. HOY  
Review Master Plan for Distribution Improvements, Northeast Section  
Water Main Upsizing, Subdivision Layouts, City of Watertown Water  
System Maps.
  
6. HEIG/HOY/BANNER



November 20, 1995

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

Geoff Heig, Superintendent  
Municipal Utilities  
901 Fourth Ave., S.W.  
Watertown, SD 57201

Dear Mr. Heig:

Thank you for coming to Pierre on October 25, 1995 to discuss Watertown's Future Use Application No. 5862-3. After the meeting, Mr. Brotsky prepared and distributed a summary of our discussions. Upon review of this summary, I would like to clarify points on the total amount of water requested and the recommendation.

The initial application requests a reservation of 6,275 acre-feet of groundwater from the Big Sioux aquifer in the Rauville area. This closely reflects the amount of water Banner Associates found will be available in a drought-year rate of recharge. During our meeting it was discussed that there are current permitted uses with an expected use of 500 acre-feet per year in the Gravel Creek drainage above your application. Since nearly all water use is for irrigation, the expected use can vary considerably and may need to be deducted from the City's application.

Based on the above, it is our intent to advertise 6,275 acre feet to be reserved for future use. The Chief Engineer's recommendation will be to APPROVE Application No. 5862-3 for 3,700 acre-feet annually and DEFER 2,575 acre-feet annually until further study is completed to determine if there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions. I believe that this action will in effect curtail any further appropriations from this part of the aquifer.

Enclosed is a draft recommendation and notice of hearing that I believe reflect our discussion on the City's application. I am open to discuss any concerns you may have regarding the recommendation. Please let us know your comments on the recommendation and notice of hearing.

Very truly yours,

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

enclosures

c: Robert Brotsky, Banner Associates

# DRAFT

## RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE PERMIT APPLICATION No. 5862-3, City of Watertown

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Permit Application No. 5862-3, City of Watertown, c/o Geoff Heig, Superintendent, Municipal Utilities Department, 901 Fourth Avenue S.W., Watertown, SD 57501.

✓ The Chief Engineer is recommending APPROVAL of Application No. 5862-3 for 3,700 acre feet annually and DEFERRAL of 2,575 acre feet annually because 1) there is a reasonable probability that 3,700 acre feet of unappropriated water is available for the applicant's proposed use; however, ✓ sufficient evidence is not available at this time to justify approval of up to an additional 2,575 acre feet of water until more study is completed, 2) that the quantity of water reserved will be needed by the City of Watertown, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. Permit No. 5862-3 reserves 3,700 acre feet of water annually of the 6,275 acre-feet requested. The request to reserve an additional 2,575 acre feet of water annually is deferred until further study is completed to show there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions.
2. Future Use Permit No. 5862-3 is approved for 3,700 acre feet of water with the stipulation that the Permit is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
4. Permit No. 5862-3 is approved for groundwater from the North Management Unit of the Big Sioux Aquifer.
5. If development of and pumping from the Big Sioux:North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

See report on application for additional information.

JOHN HATCH, Chief Engineer

# MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 882-6233 • FAX (605) 882-6238



January 8, 1996

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

RE: Future Use Permit Application No. 5862-3

Dear Mr. Hatch:

Please refer to your letter of November 20, 1995 regarding the above noted future use permit application, together with the draft Recommendation and Publication attached thereto.

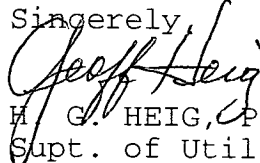
We wish to advise that we believe the Recommendation is an accurate reflection of our meeting in Pierre on October 25, 1995, and also reflects our other discussions on this matter.

The one item that we questioned was the Deferral amount of 2,075 acre feet listed twice in paragraph two of the draft Recommendation (see attached). In your letter and draft Publication and other areas of the draft Recommendation, the Deferral amount is listed as 2,575 acre feet. We spoke with Eric Gronlund regarding this discrepancy and he advised us today that the amount would be corrected to 2,575 acre feet in the two places noted.

Assuming the above correction remains acceptable to your office, please be advised that we wish to proceed with the process for hearing at the Water Management Board's earliest convenience, with appropriate publication yet in January.

If you should have any questions, or require anything further at this time, please let us know.

Thank you.

Sincerely,  
  
H. G. HEIG, P.E.  
Supt. of Utilities

HGH:jap

Encl.

cc: Robert Brotsky  
Banner Associates Inc.

# MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest  
WATERTOWN, SOUTH DAKOTA 57201-4107  
PHONE (605) 882-6233 • FAX (605) 882-6238



January 18, 1996

Dear Landowner:

Re: Future water rights in Rauville Township

## INFORMATION REPORT

In 1965 the Watertown Municipal Utilities Board authorized a comprehensive study of the water supply needs for the future of Watertown. Now 30 years later, we need to assess the needs for the next 30 years.

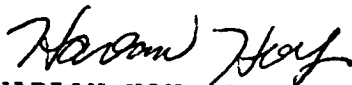
The Conifer well field is now nearly completed with 14 wells now in operation.

In 1965 this study also identified Rauville as a potential source for future water supply.

The Watertown Municipal Utilities has now made application for future water rights in Rauville Township, Codington County, Permit #5862-3, for 3700 acre-feet annually and 2575 acre feet deferral for more study. Areas included in this permit are Sections 29,30 and 31, all in T 118 N., R 52 W.

I have contacted all local landowners in this area by phone. If you have any questions, please let me know. You may call me at (605)882-6233.

Sincerely,

  
HARLAN HOY, Supt.  
Water Department

HH:bt

OFFICIAL COPY

# **UPDATE OF THE COMPREHENSIVE PLAN**

**FOR**

# **THE CITY OF WATERTOWN**

**(AUGUST 18, 1995)**

**PREPARED BY**

**THE WATERTOWN PLANNING COMMISSION**

**WITH ASSISTANCE FROM  
THE FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS**

**COMPREHENSIVE LAND USE PLAN**

**City of Watertown, South Dakota**

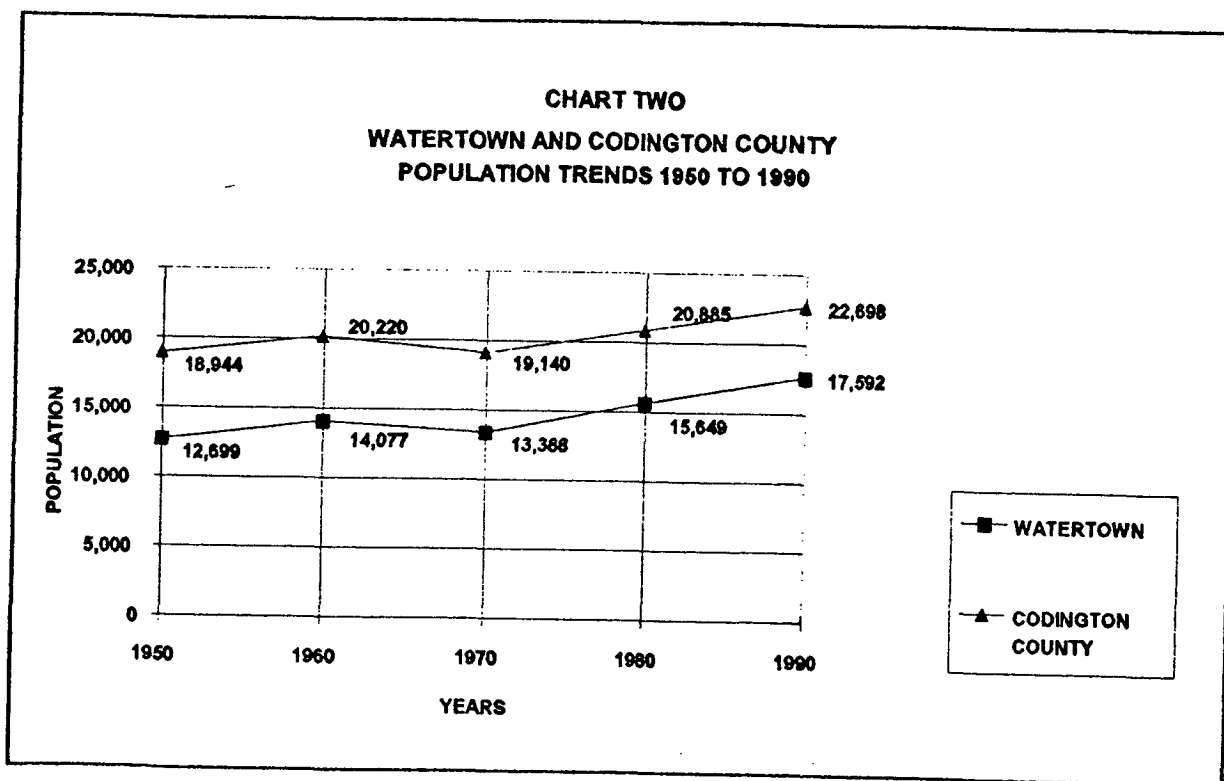
***EFFECTIVE DATE: August 18, 1995***

Notice of Planning Commission Public Hearing published: May 27, 1995  
Public Hearing held by Planning Commission and City Commission: June 14, 1995  
Planning Commission Recommendation: June 20, 1995  
Notice of City Council Public Hearing published: July 1, 1995  
Public Hearing held by City Council: July 18, 1995  
Resolution adopted by City Council: July 18, 1995  
Summary of Plan and Notice of Adoption Published: July 29, 1995  
Effective Date: August 18, 1995

**TABLE 1**  
**POPULATION TRENDS FOR SOUTH DAKOTA AND ITS 10 MOST POPULATED CITIES**

|                     | 1950           | 1960           | 1970           | 1980           | 1990           | % CHANGE<br>1980-90 |
|---------------------|----------------|----------------|----------------|----------------|----------------|---------------------|
| SIOUX FALLS         | 52,696         | 65,466         | 72,488         | 81,343         | 100,814        | +23.9               |
| RAPID CITY          | 25,310         | 42,499         | 48,836         | 48,492         | 54,523         | +12.0               |
| ABERDEEN            | 21,051         | 23,073         | 26,476         | 25,851         | 24,927         | - 3.6               |
| <b>WATERTOWN</b>    | <b>12,699</b>  | <b>14,077</b>  | <b>13,388</b>  | <b>15,649</b>  | <b>17,592</b>  | <b>+12.4</b>        |
| BROOKINGS           | 7,764          | 10,588         | 13,717         | 15,951         | 16,270         | + 8.8               |
| MITCHELL            | 12,123         | 12,555         | 13,425         | 13,916         | 13,798         | - 0.9               |
| HURON               | 12,788         | 14,180         | 14,299         | 13,000         | 12,488         | - 4.3               |
| YANKTON             | 7,709          | 9,279          | 11,919         | 12,011         | 12,703         | + 5.8               |
| PIERRE              | 5,715          | 10,088         | 9,699          | 11,973         | 12,906         | + 7.8               |
| VERMILLION          | 5,337          | 6,102          | 9,128          | 10,136         | 10,034         | - 1.0               |
| <b>SOUTH DAKOTA</b> | <b>652,740</b> | <b>680,514</b> | <b>666,257</b> | <b>688,217</b> | <b>699,999</b> | <b>+ 1.7</b>        |

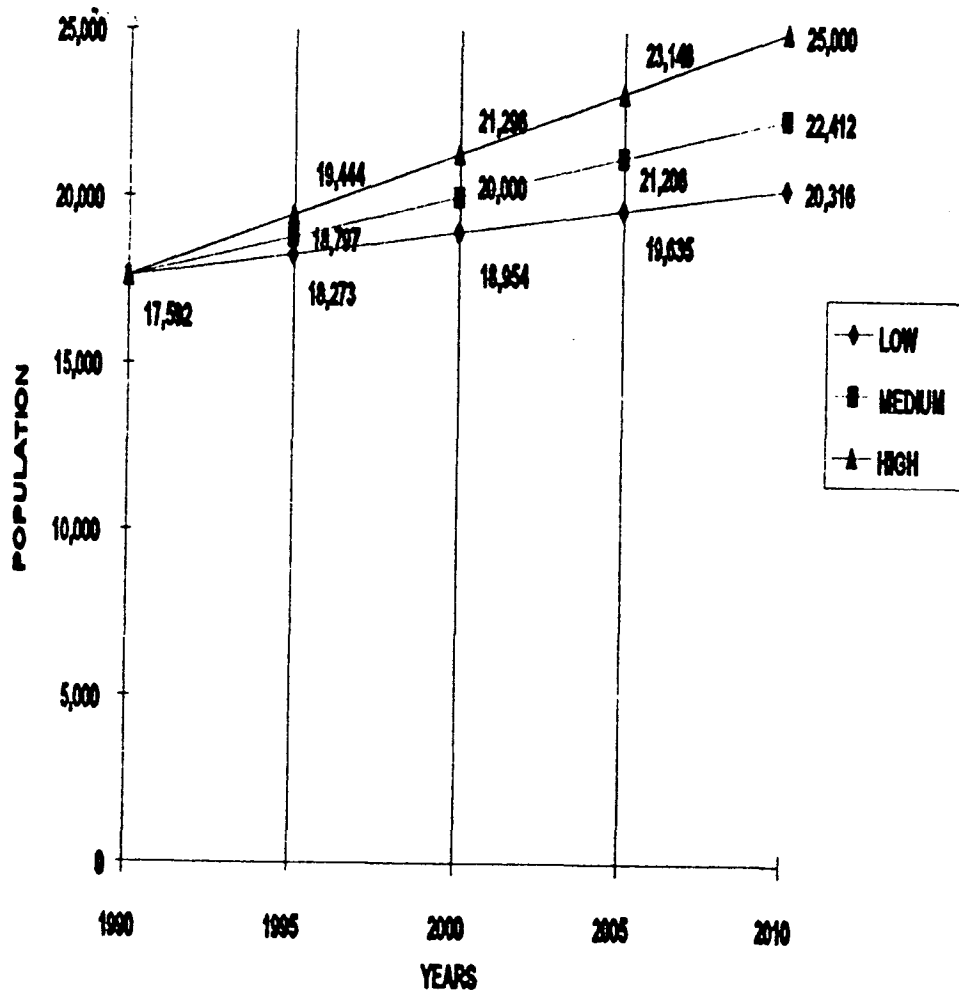
SOURCES FOR CHART 1 AND TABLE 1:  
US BUREAU OF THE CENSUS, CENSUS OF POPULATION 1950, 1960, 1970, 1980, 1990.



**OVERALL CHANGE 1950 - 1990**

WATERTOWN: +38.8%  
CODINGTON COUNTY: +19.8%

**CHART FOUR**  
**POPULATION PROJECTIONS FOR THE CITY OF WATERTOWN**



## **WATER**

### **CURRENT SYSTEM**

The existing system provides water service to approximately 6,850 homes and businesses/industries.

Watertown obtains its water supply from surface and underground sources. Lake Kampeska serves as the city's surface water supply with a maximum capacity of 1200 gallons per minute. Ground water is supplied by 20 wells. Fourteen of these wells are located in the Game Production Area northeast of Lake Kampeska. The remaining six wells are located in the western portion of the city.

The surface water supply is treated at the Lake Kampeska treatment plant. Plant service began in 1924. Major improvements were made to the plant in 1968 and 1969. The plant has a capacity to treat approximately 2 million gallons of water per day. However, plant production is restricted to the 1.5 million gallons per day water right diversion. Treated water is pumped through a 12-inch transmission line to the city's distribution system.

Raw water from the ground source wells is treated at the 6.0 million gallons per day treatment plant located in the western part of the city. Treated water may be pumped directly into the distribution system, or stored in a 3 million-gallon ground storage reservoir. The stored water is then introduced into the city's distribution system as needed by a booster pumping station.

The present water supply system serving the City of Watertown can produce approximately 7.5 million gallons per day of treated water on a continuous operation basis. Average demand is approximately 2.5 million gallons per day. Current peak demand, including lawn watering, is approximately 6 million gallons per day.

Treated water storage facilities consist of both elevated and ground level storage reservoirs. The combined storage capacity of the system's six water storage facilities is approximately 6.1 million gallons.

The distribution system is divided into three service areas. The low level system provides water to the portion of the city generally located west of the Sioux River and south of the Dakota, Minnesota and Eastern Railroad tracks. The high level system serves the portion of the city north of the railroad tracks and east of 19th Street East. Service to Lake Kampeska and areas west of the airport makes up the third system.

### **RECOMMENDATIONS**

- ◆ Recommendations that would provide additional quantities of water to the residents and businesses of Watertown were furnished in a 1989 report by Banner Associates. Since 1989, the Watertown Municipal Utilities Department has implemented most of Banner's recommendations. Presently, the Utilities Department indicates that it has sufficient capacity to meet future water needs for the next ten to fifteen years.

- ◆ To provide the most economic delivery of water, it is recommended that all development should occur contiguously to existing city limits.
- ◆ In the event a major industry, which has a high water usage requirement, was to locate in the City of Watertown some adjustment of the estimated needs and production facilities may be necessary. Industrial parks that are presently established or that are in the early planning stages can probably be served without major adjustments in the projected needs.
- ◆ It is recommended that development in the higher elevation areas around Harmony Hill be discouraged due to the elevation of the area and the difficulty in providing adequate water pressure.
- ◆ Presently, there is a single delivery line from the intersection of Highways 212/81 south to 20th Avenue South serving Harmony Hill west to Dakota Poultry. It is recommended that this area adjacent to the southern city limits be looped to provide adequate capacity.
- ◆ Plans are in place for future additions to water supply and storage capacity. However, as the city grows to the north and northeast, there may also be a need to construct a new treatment facility one mile north of the 14th Avenue North and 19th Street intersection. An application for future water rights, near Rauville, to supply this treatment facility is currently in process.
- ◆ It is recommended that the City of Watertown and Codington County develop and adopt an aquifer protection ordinance.
- ◆ The city needs to address the economics of assuming existing rural water distribution systems prior to the annexation of customers presently served with rural water.

TABLE V-1 (cont'd)

## EXISTING WATER SUPPLY SOURCES - RIGHTS - YIELDS - FACILITIES

| Source      | Water Right      |                                                                 |        | Priority<br>Date | Yield<br>G.P.M. | Facility       | Pump<br>Data             | Date<br>Constructed |
|-------------|------------------|-----------------------------------------------------------------|--------|------------------|-----------------|----------------|--------------------------|---------------------|
|             | No.              | Amount<br>G.P.M.                                                | Type   |                  |                 |                |                          |                     |
| Well No. 11 | 2239-3           | 400                                                             | Appro. | 9-2-65           | 400             | 18" x 34' Well | Vertical<br>Turbine      | July 6, 1976        |
| Well No. 12 | 2239-3           | 400                                                             | Appro. | 9-2-65           | 400             | 18" x 34' Well | Turbine<br>(Submersible) | July 6, 1976        |
| Well No. 13 | 2239-3           | 400                                                             | Appro. | 9-2-65           | 400             | 18" x 34' Well | Turbine<br>(Submersible) | July 6, 1976        |
| Well No. 14 | 3022-3           | 200                                                             | Appro. | 9-2-65           | 190             | 18" x 28' Well | Turbine<br>(Submersible) | Jan. 21, 1977       |
| Well No. 15 | 2757-3           | 350                                                             | Appro. | 9-2-65           | 300             | 18" x 34' Well | Turbine<br>(Submersible) | Oct. 22, 1976       |
| Well No. 16 | 2757-3           | 550                                                             | Appro. | 9-2-65           | 350             | 18" x 42' Well | Turbine<br>(Submersible) | Oct. 22, 1976       |
| Well No. 17 | 3022-3           | 400                                                             | Appro. | 9-2-65           | 400             | 18" x 42' Well | Turbine<br>(Submersible) | Jan. 21, 1976       |
| Future      | 1218-3<br>2107-3 | SW1/4 Section 11 and N1/2 NW1/4<br>Section 14, T117N, R53W, 5PM |        |                  |                 |                |                          |                     |

\*From future right #1218-3

Balance in Reserve 5922 GPM (13.16 CFS)

TABLE V-1

## EXISTING WATER SUPPLY SOURCES - RIGHTS - YIELDS - FACILITIES

| Source        | Water Right |                  |                  | Yield<br>G.P.M. | Facility         | Pump<br>Data                    | Date<br>Constructed |
|---------------|-------------|------------------|------------------|-----------------|------------------|---------------------------------|---------------------|
|               | No.         | Amount<br>G.P.M. | Priority<br>Date |                 |                  |                                 |                     |
| Lake Kampeska | 347-3       | 1200             | 1888             | 1200            | Filtration Plant |                                 | 1923-24             |
| Well No. 1    | 348-3       | 360              | 1932             | 120             | 24" x 26' Well   | Turb.                           | 1933                |
| Well No. 2    | 349-3       | 400              | 1933             | 400             | 24" x 31' Well   | Turb.<br>500 gpm -<br>210 TDH   | 1933                |
| Well No. 3    | 350-3       | 360              | 1933             | 360             | 24" x 27' Well   | Turb. -<br>360 gpm -<br>212 TDH | 1933                |
| Well No. 4    | 351-3       | 504              | 1934             | 415             | 24" x 24' Well   | Turb. -<br>500 gpm -<br>250 TDH | 1934                |
| Well No. 5    | 352-3       | 504              | 12-3-56          | 300             | 12" x 30' Well   | Turb. -<br>500 gpm -            | 1956                |
| Well No. 6    | 353-3       | 300              | Abandoned        |                 |                  |                                 |                     |
| Well No. 7    | 354-3       | 500              | Abandoned        |                 |                  |                                 |                     |
| Well No. 8    | 1097-3      | 350              | 12-3-56          | 350             | 18" x 31' Well   | Turb. -<br>350 gpm -<br>292 TDH | 1963                |
| Well No. 9    | 1271-3      | 250              | 12-3-56          | 310             | 30" x 30' Well   | Turb.<br>310 gpm -              | 1965                |
| Well No. 10   | 1716-3      | 360              | 12-3-56          | 360             | 30" x 37' Well   | Turb.<br>360 gpm                | 1966                |

## EXISTING WATER SUPPLY SOURCES — RIGHTS — YIELDS — FACILITIES

| SOURCE                                | WATER RIGHT      |         |                  | YIELD<br>G.P.M. | FACILITY         | DATE<br>CONSTRUCTED |
|---------------------------------------|------------------|---------|------------------|-----------------|------------------|---------------------|
|                                       | AMOUNT<br>G.P.M. | TYPE    | PRIORITY<br>DATE |                 |                  |                     |
| Lake Kampeska                         | 1200             | Vested  | 1888             | 1200            | Filtration Plant | 1923-24             |
| Well No. 1                            | 360              | Vested  | 1932             | 120             | 24"x26' Well     | 1933                |
| Well No. 2                            | 360              | Vested  | 1933             | 400             | 24"x31' Well     | 1933                |
| Well No. 3                            | 360              | Vested  | 1933             | 360             | 24"x27' Well     | 1933                |
| Well No. 4*                           | 504              | Vested  | 1934             | 415             | 24"x24' Well     | 1934                |
| 5,6,7 & 8<br>a bundle of → Well No. 9 | 250              | Approp. | 1956             | 310             | 30"x30' Well     | 1965                |
| Well No. 10                           | 360              | Approp. | 1956             | 360             | 30"x37' Well     | 1966                |
| Well No. 11                           | 400              | Approp. | 1965             | 400             | 18"x34' Well     | 1976                |
| Well No. 12                           | 400              | Approp. | 1965             | 400             | 18"x34' Well     | 1976                |
| Well No. 13                           | 400              | Approp. | 1965             | 400             | 18"x34' Well     | 1976                |
| Well No. 14                           | 200              | Approp. | 1965             | 190             | 18"x28' Well     | 1977                |
| Well No. 15                           | 350              | Approp. | 1965             | 300             | 18"x34' Well     | 1976                |
| Well No. 16                           | 550              | Approp. | 1965             | 350             | 18"x42' Well     | 1976                |
| Well No. 17                           | 400              | Approp. | 1965             | 400             | 18"x42' Well     | 1976                |
| Well No. 18                           | 280              | Approp. | 1988             | 280             | 18"x42' Well     | 1989                |
| Well No. 19                           | 280              | Approp. | 1988             | 280             | 18"x42' Well     | 1989                |
| Well No. 20                           | 280              | Approp. | 1988             | 280             | 18"x42' Well     | 1989                |
| Well No. 21                           | 300              | Approp. | 1991             | 300             | 18"x42' Well     | 1992                |
| Well No. 22                           | 300              | Approp. | 1991             | 300             | 18"x42' Well     | 1992                |
| Well No. 23                           | 300              | Approp. | 1991             | 300             | 18"x42' Well     | 1992                |
| Well No. 24                           | 300              | Approp. | 1991             | 300             | 18"x42' Well     | 1992                |

\*Used for irrigation purposes only.

SOURCE: The City

### WATER TREATMENT FACILITIES

The Utility includes two water treatment facilities, the "Lake Kampeska Plant" and the "Sixth Avenue Plant."

**Lake Kampeska Plant.** The Lake Kampeska Plant treats water from Lake Kampeska and was originally constructed by a private company in 1887 and was acquired by the City in 1924. The Lake Kampeska Plant is operated continuously as a "base load" source of treated water for the Utility.

The first major improvements to the Lake Kampeska Plant were made during 1968 and 1969. These improvements updated and renovated the facility and converted the all-manual operation to semi-automatic operation. Specific additions included expanded storage areas for treatment chemicals and the centralizing of motor control and alarm monitoring in a supervisory motor control center. In addition, chemical feeders were replaced and modifications were provided for chemical feed rate pacing. Chemical handling equipment including bucket elevators and chemical feed screw conveyors were installed. Heating and ventilation system replacements were provided. This plant is capable of treating about 2

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE PERMIT  
APPLICATION No. 5862-3, City of Watertown

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Permit Application No. 5862-3, City of Watertown, c/o Geoff Heig, Superintendent, Municipal Utilities Department, 901 Fourth Avenue S.W., Watertown, SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 5862-3 for 3,700 acre feet annually and DEFERRAL of 2,575 acre feet annually because 1) there is a reasonable probability that 3,700 acre feet of unappropriated water is available for the applicant's proposed use; however, sufficient evidence is not available at this time to justify approval of up to an additional 2,575 acre feet of water until more study is completed, 2) that the quantity of water reserved will be needed by the City of Watertown, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. Permit No. 5862-3 reserves 3,700 acre feet of water annually of the 6,275 acre-feet requested. The request to reserve an additional 2,575 acre feet of water annually is deferred until further study is completed to show there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions.
2. Future Use Permit No. 5862-3 is approved for 3,700 acre feet of water with the stipulation that the Permit is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
4. Permit No. 5862-3 is approved for groundwater from the North Management Unit of the Big Sioux Aquifer.
5. If development of and pumping from the Big Sioux:North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
January 8, 1996

REPORT ON WATER PERMIT APPLICATION NO. 5862-3  
for the City of Watertown  
Municipal Utilities Department  
June 5, 1995

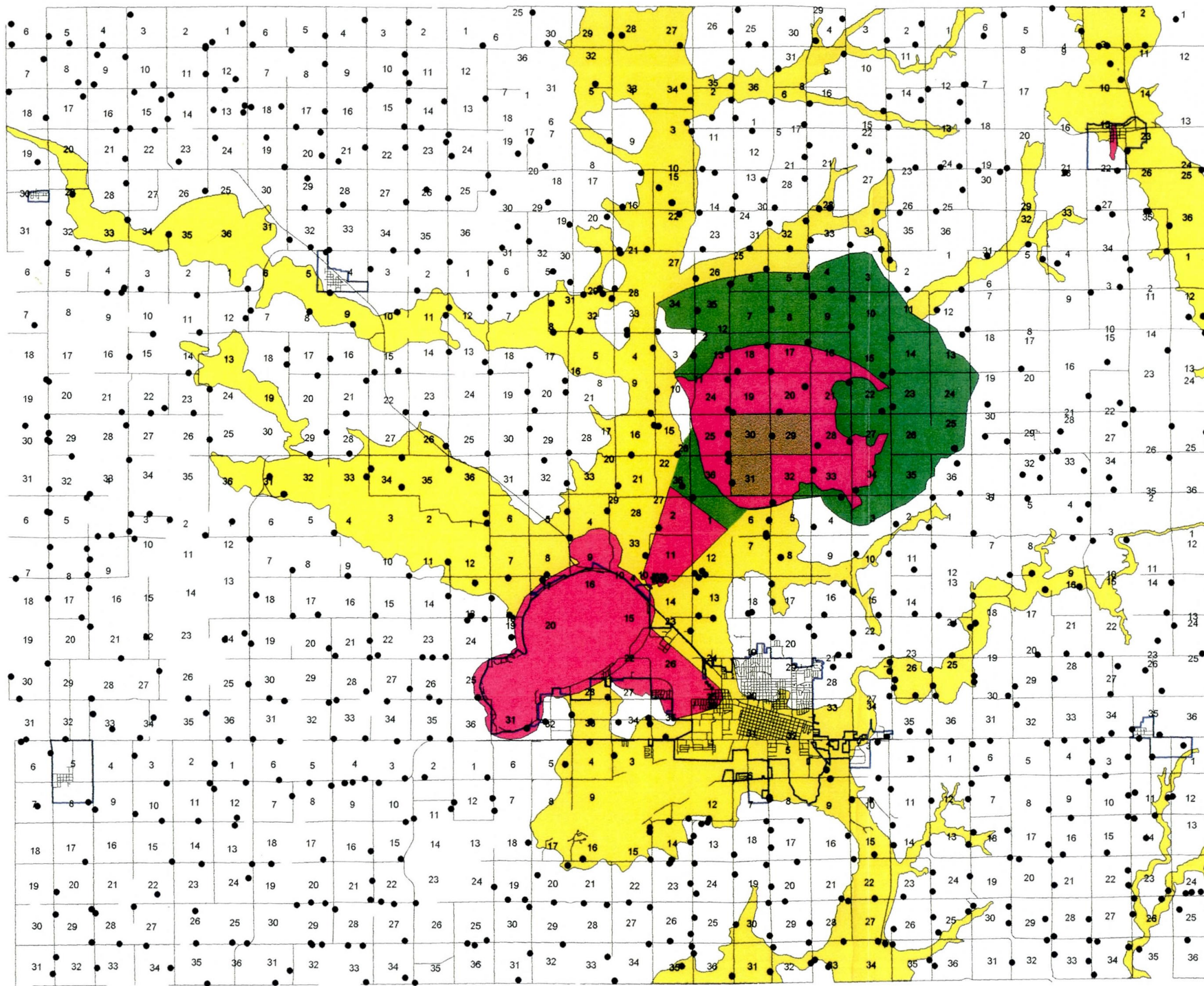
Application No. 5862-3 is a future use water permit application to appropriate 6,275 acre-feet of water annually from groundwater. The area to be reserved for future use is to be located in sections 29, 30 and 31; all in T118N R52W in Codington County. The water is to be reserved for the purposes of providing future supplies to the City of Watertown. This application does not authorize construction of works or the application of water to beneficial use.

**AQUIFER - BIG SIOUX NORTH (BS-N)**

The Big Sioux North is a poorly to well-sorted surficial outwash (sand and gravel) that ranges from medium sand to medium gravel and ranges in thickness from a few feet to 54 feet in this area (Hansen, 1990). The aquifer is unconfined and under water table conditions. The Big Sioux aquifer as defined by the USGS underlies 150 square miles and contains an estimated 350,000 acre feet of water in storage in Grant and Codington Counties (Hansen, 1990). The Big Sioux North (management unit of the Big Sioux aquifer) underlies 67,300 acres and contains an estimated 151,430 acre feet of recoverable water in storage in Codington County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux River and in the area of this application to Gravel Creek. In general, ground water movement is from north to south and towards the Big Sioux River but in the area of this application ground water movement is from northeast to southwest and towards Gravel Creek.

Recharge to the Big Sioux aquifer has been estimated to range from 4 to 10 inches per year (Hansen, 1990). Other estimates for recharge for the Big Sioux aquifer range from 1.0 to 6.9 inches per year (Hedges, 1983). Using the 4 inch per year estimate for recharge, it would follow, that there would have to be at least 18,825 acres within this future use area and upgradient to provide the 6,275 acre feet of recharge per year needed to supply this application. If the 10 inches per year of recharge estimate is used then 7,530 acres is needed. The actual area of aquifer in the future use area and upgradient is about 12,500 acres. Using a conservative estimate of 4 inches per year the annual yield would be about 4,200 acre feet.

The Division of Water Rights monitors 11 observation wells completed into the Big Sioux North aquifer which are all located within the Gravel Creek drainage. Six of these wells CD-57A, CD-89A, CD-89B, CD-76B, CD-81A and CD-81B are all located within one mile of the proposed future use area. Hydrographs for these wells are included with this report. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1995).



Appl. 58602-3

# CODINGTON COUNTY AQUIFER PROTECTION MAP

- ZONE A
- ZONE B
- ZONE C
- CITY LIMITS
- WELLS
- FARM SITES

## REVIEW OF EXISTING WATER PERMITS/RIGHTS

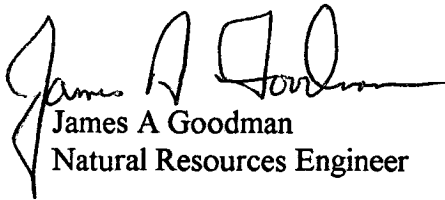
There are no existing water permits/rights within the proposed future use area. There are five existing water rights for irrigation which obtain water from the Big Sioux North aquifer and in the drainage basin above this application. These are Water Right Nos. 2827-3, 2927-3, 4180A-3, 5262-3 and 5578-3. Also there are two existing water permits, one for the Rauville Cafe (No. 5696-3, 0.022 cfs) located in the SW 1/4 of section 32 and the other for South Dakota Cement (No. 4836-3, 2.67 cfs), located in the SW 1/4 of section 17, both in T117N R52W. The SD Cement permit is for gravel washing, basically nonconsumptive use, and may not be a valid permit anymore. The irrigation permits, combined, authorize a diversion rate of 10.64 cfs for irrigation of 1061 acres. Historically, reported water use (irrigation questionnaire) by these rights has never exceeded 500 acre feet in a given year. Well interference is not a concern. The major concern is estimating the amount of water which can reasonably be produced from the aquifer and still maintain the existing diversions.

Using a conservative but reasonable estimate of 4 inches per year of recharge over 12,500 acres of aquifer results in about 4200 acre feet of recharge per year. Assuming that at least 500 acre feet per year is necessary for the irrigation use that leaves 3700 acre feet per year available for appropriation.

## CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is unconfined and under water table conditions.
3. The water level record as represented by the hydrographs indicate that the aquifer is capable of sustaining additional withdrawals.
4. The City of Watertown currently holds Future Use Permit Nos. 1218-3 and 2107-3, which reserves 3,232 acre-feet of water (remaining in reserve) from the Big Sioux North Aquifer. The future use area of Nos. 1218-3 and 2107-3 is south of the area proposed by this application.
5. Using conservative estimates about 3700 acre feet of water can be appropriated from this portion of the Big Sioux North aquifer.
6. This is a future use application and does not allow water to be put to use. That would require a new permit application.
7. Historically water use in this area has been contested. Many complaints have been filed concerning water use from the Big Sioux North aquifer. Most of these concerned domestic water supplies from shallow wells or dugouts and flows in Gravel Creek. The ground water level is very dependent upon climatic conditions. In fact, fluctuations of

over 10 feet between highest and lowest water levels have been recorded. This has been completely dependent upon precipitation. The effects of pumping are not obvious.



James A Goodman  
Natural Resources Engineer

#### BIBLIOGRAPHY

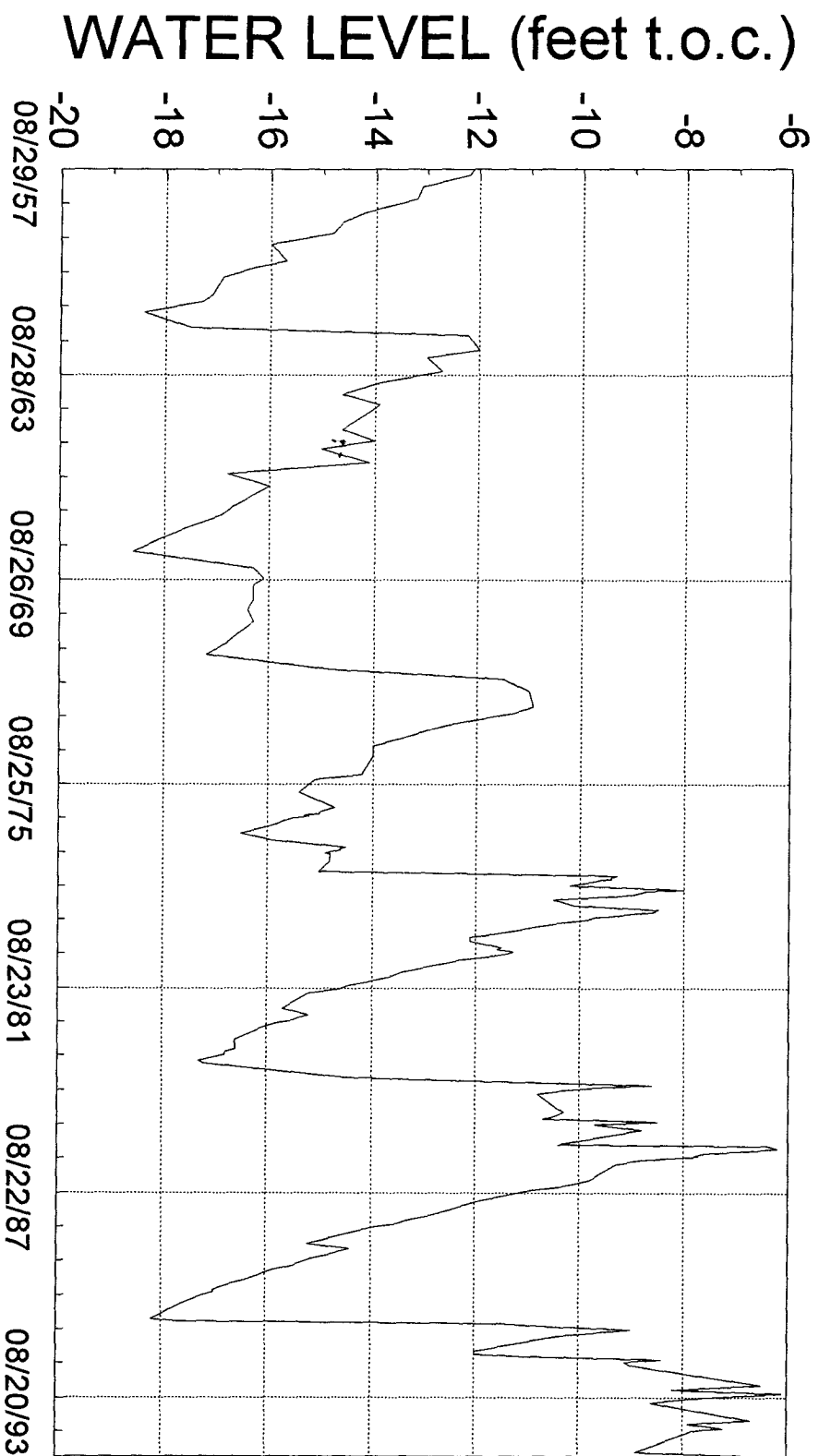
Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, USGS WRI 89-4147, USGS, Huron, SD, 57350.

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1995, Unpublished Observation Well Data for Codington County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

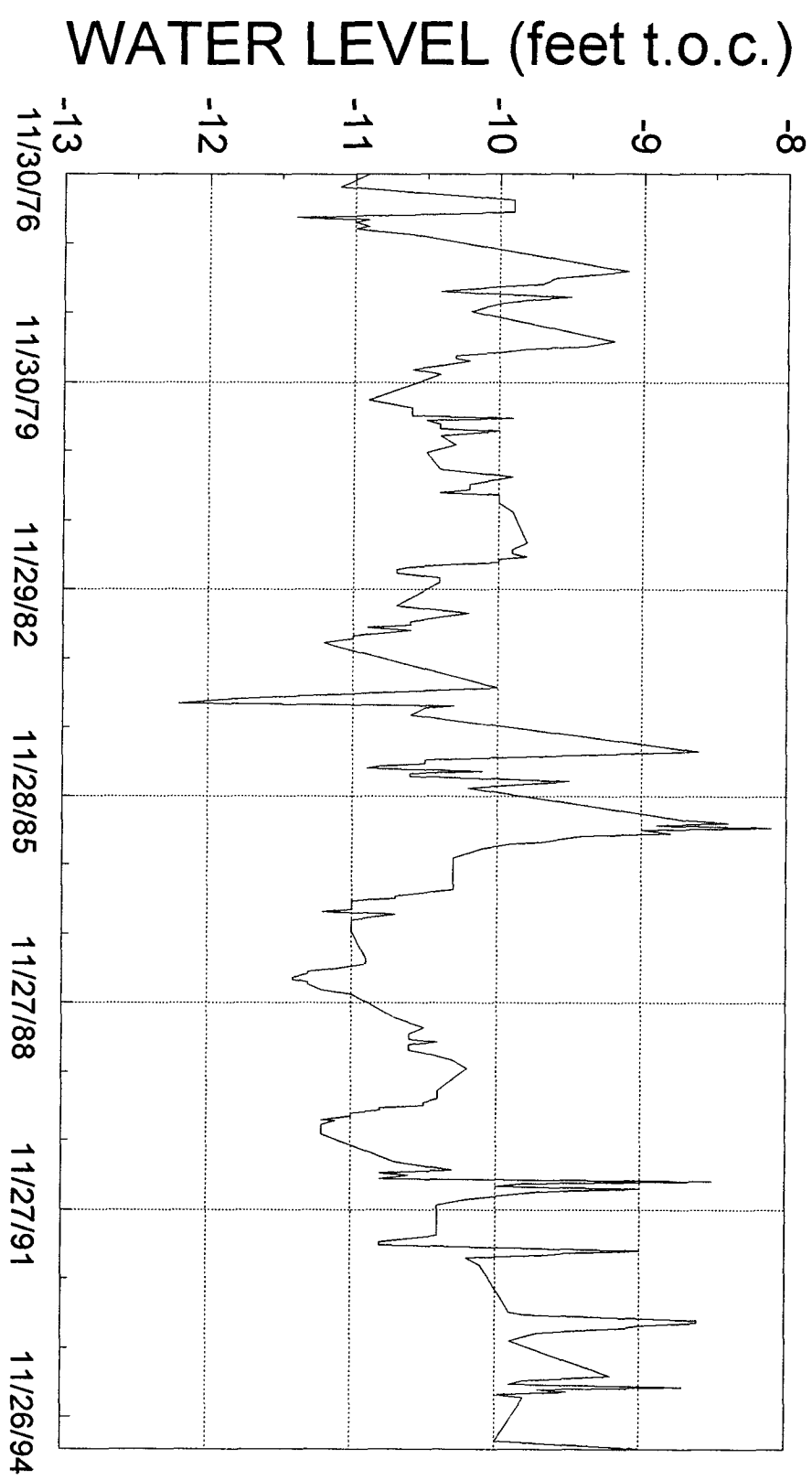
# WATER RIGHTS OBSERVATION WELL

CD-57A



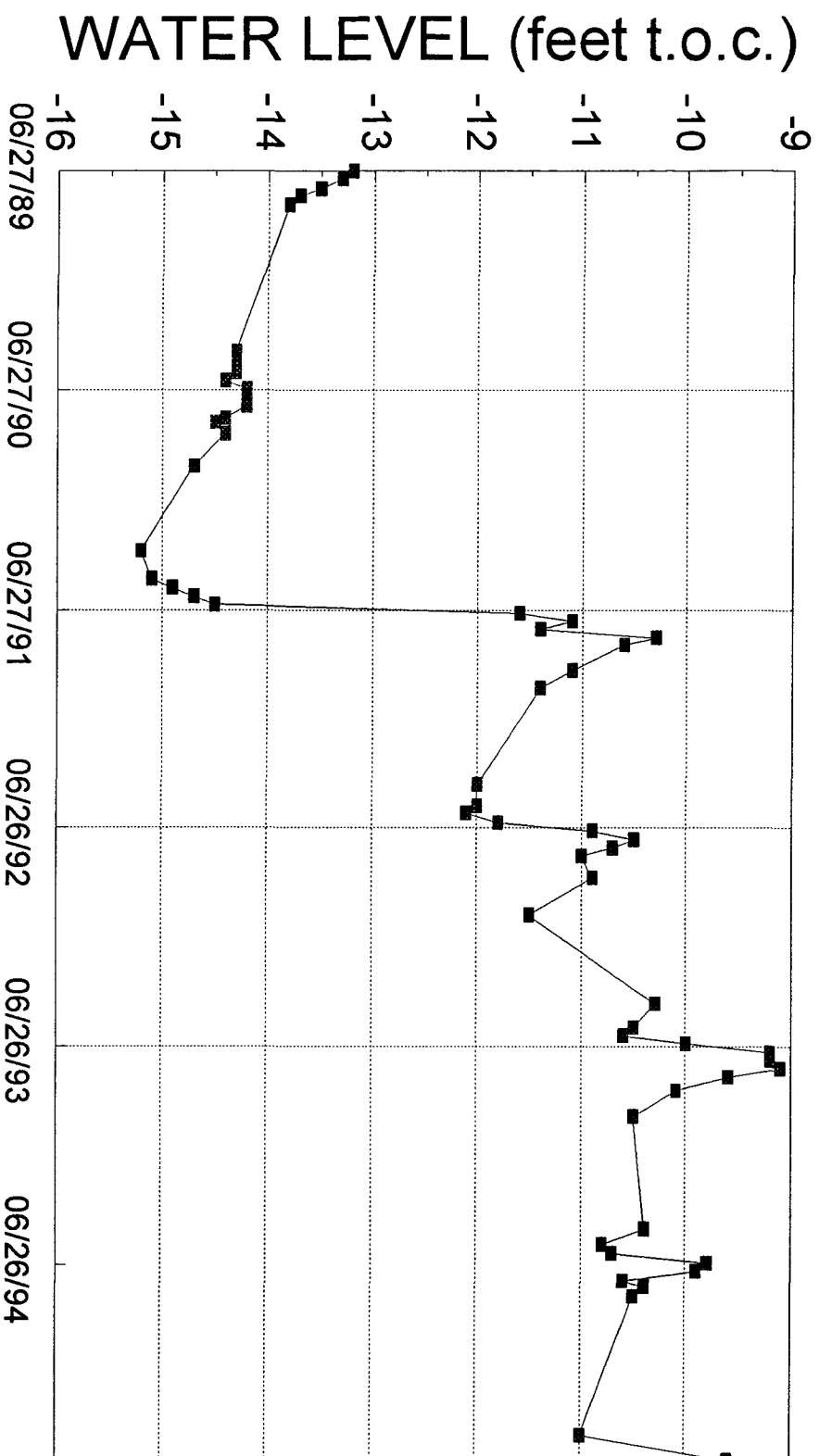
# WATER RIGHTS OBSERVATION WELL

CD-76B



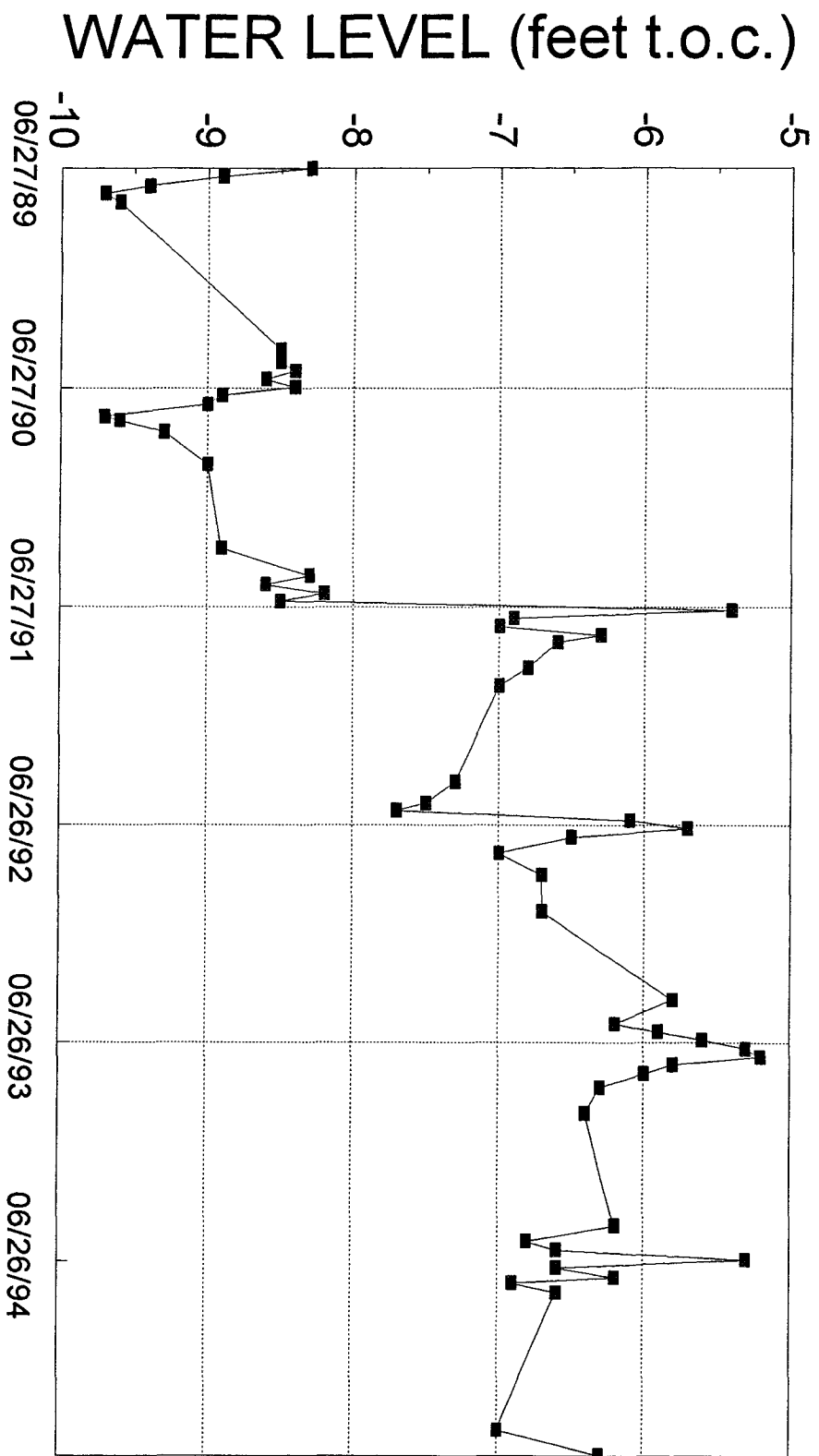
# WATER RIGHTS OBSERVATION WELL

CD-89A



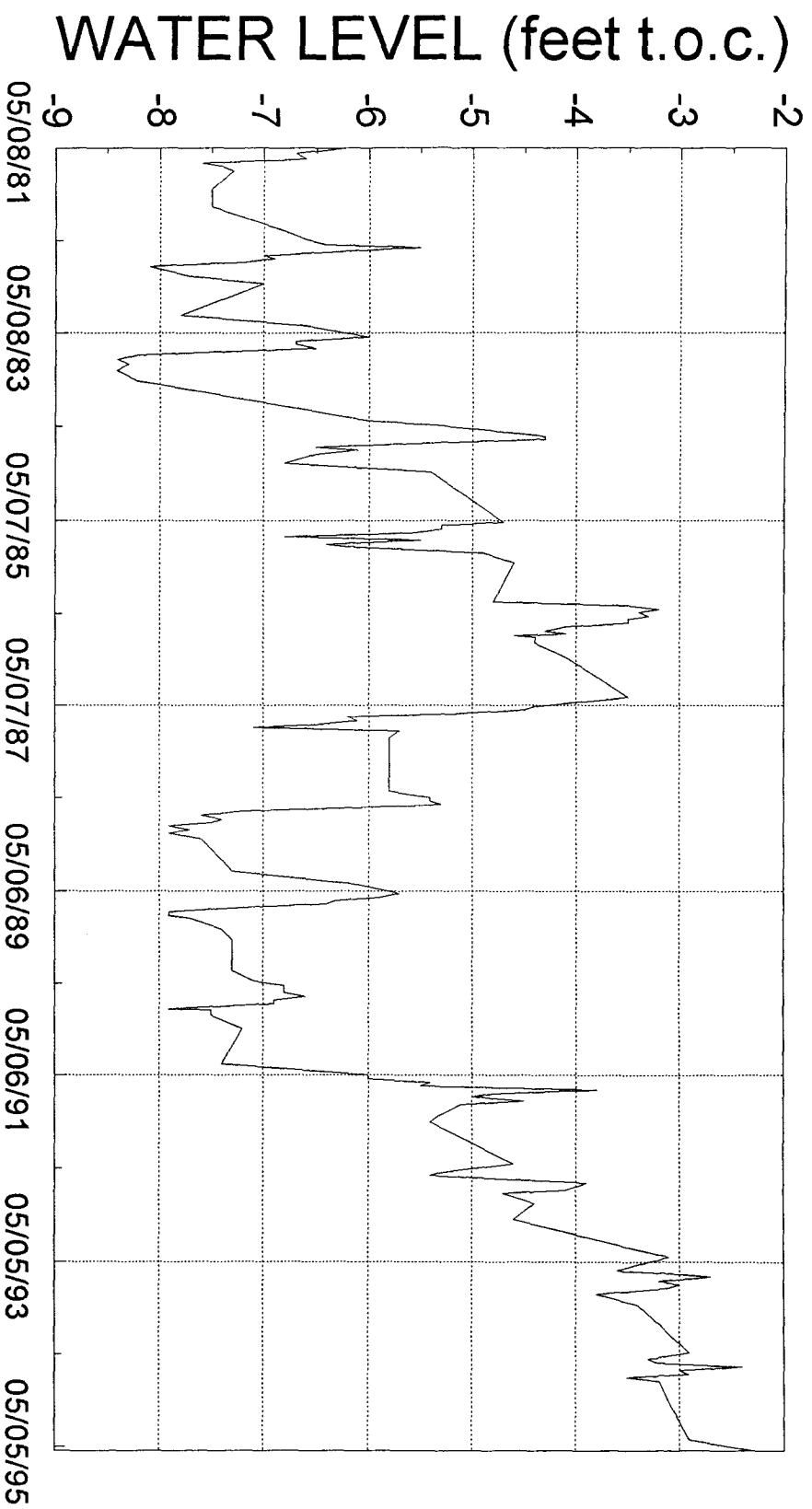
# WATER RIGHTS OBSERVATION WELL

CD-89B



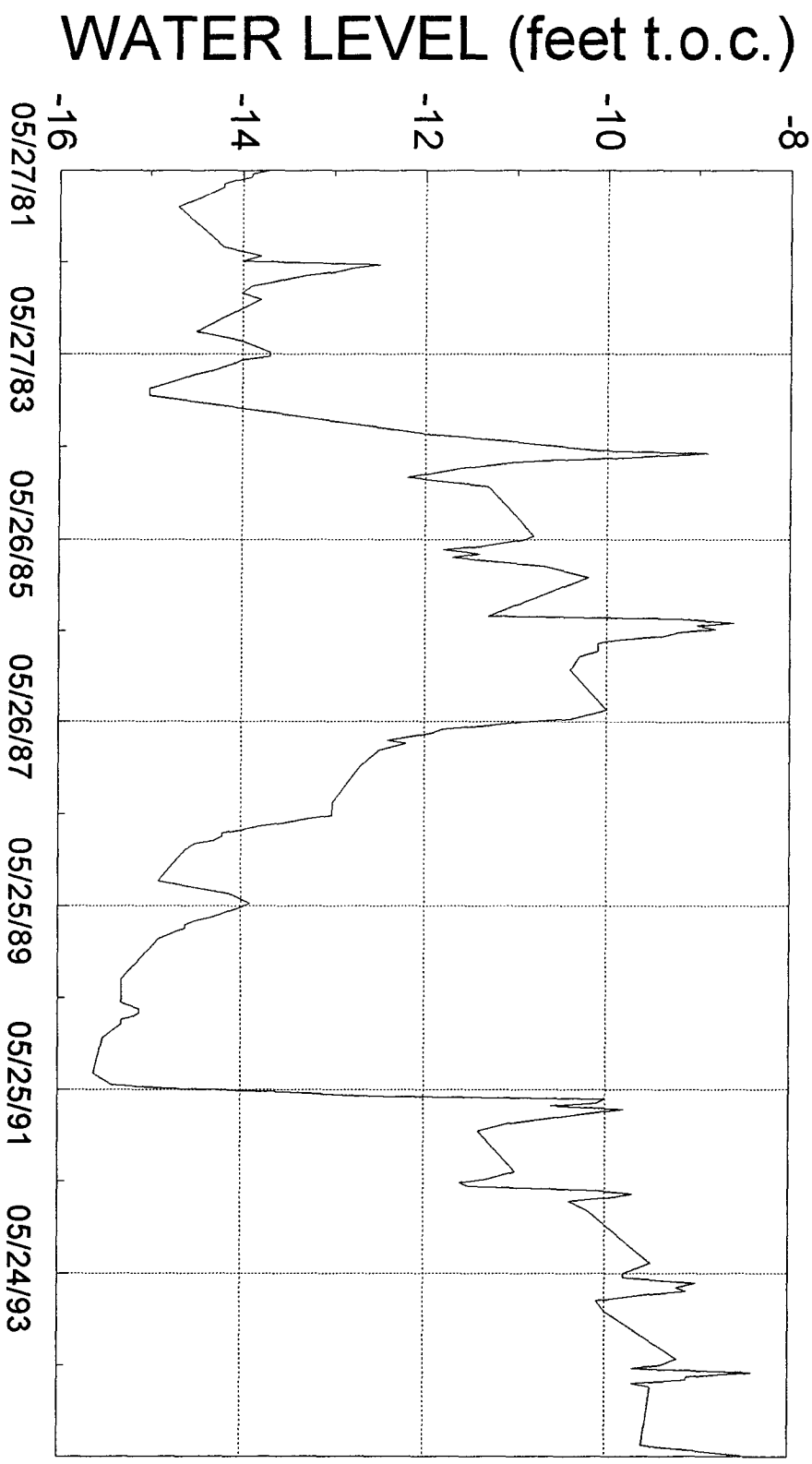
# WATER RIGHTS OBSERVATION WELL

CD-81A



# WATER RIGHTS OBSERVATION WELL

CD-81B





**DEPARTMENT of ENVIRONMENT  
and 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.

January 12, 1996

Geoff Heig, Superintendent  
Municipal Utilities Department  
City of Watertown  
901 Fourth Avenue SW  
Watertown, SD 57501

Dear Mr. Heig:

Water Permit Application No. 5862-3 for future use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Public Opinion printed at Watertown, SD (Ph # 605-886-6901). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application 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 newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

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 application.

c: Robert Brotsky, Banner Associates, Inc., PO Box 298, Brookings, SD 57006-0298



January 12, 1996

Public Opinion  
PO Box 10  
Watertown, SD 57201-0010

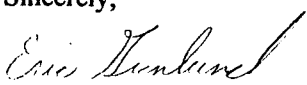
ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5862-3 to be published twice. Please publish the first notice on January 24, 1996, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is City of Watertown, c/o Geoff Heig, Superintendent, Municipal Utilities Department, 901 Fourth Avenue SW, Watertown, SD (Ph # 605-886-5733).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,  
  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

No. \_\_\_\_\_

Date \_\_\_\_\_

We are in receipt of your letter of \_\_\_\_\_ enclosing Notice of Hearing to Appropriate Water by Application No. \_\_\_\_\_ which was first published in our issue of \_\_\_\_\_.

ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

CUT HERE

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

Instruction to Newspaper - Publish first Notice on January 24, 1996 with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF HEARING on Application No. 5862-3  
to Reserve Water for Future Use

Notice is given that the City of Watertown, Municipal Utilities Department, 901 4th Ave. SW, Watertown, SD 57201 has filed application for a future use water permit to reserve 6,275 acre feet of water annually from the Big Sioux:North Aquifer. The area to be reserved for future use is to be located in Sections 29, 30 and 31; all in T118N, R52W. The water is to be reserved for the purpose of providing future water supplies to the City of Watertown. This application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of 3,700 acre feet of water annually and DEFERRAL of 2,575 acre feet of water annually because 1) there is a reasonable probability that 3,700 acre feet of unappropriated water is available for the applicant's proposed use; however, sufficient evidence is not available at this time to justify approval of up to an additional 2,575 acre feet of water until more study is completed, 2) the quantity of water reserved will be needed by the City of Watertown, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 February 23, 1996. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:30 am, March 6, 1996, in the Conference Room, Floyd Matthew Training Center, Foss Building, 523 E. Capitol Ave, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 23, 1996.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by February 23, 1996, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-38 thru 46-5-40, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Codington ) SS

I, Monica K. Saathoff

certify that the attached printed Notice was

taken from the \_\_\_\_\_

Watertown Public Opinion

printed and published in Watertown

County of Codington and State of

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

January 24th, 1996

January 31st, 1996

Cost of Printing: 134.96

Monica K. Saathoff  
(Signature)

Bookkeeper  
(Title)

January 31st, 1996  
(Date Signed)



## WATERTOWN

**NOTICE OF HEARING**  
on Application No. 5862-3 to  
Reserve Water for Future Use

Notice is given that the City of Watertown, Municipal Utilities Department, 901 4th Ave. SW, Watertown, SD 57201 has filed application for a future use water permit to reserve 6,275 acre feet of water annually from the Big Sioux: North Aquifer. The area to be reserved for future use is to be located in Sections 29, 30 and 31; all in T118N, R52W. The water is to be reserved for the purpose of providing future water supplies to the City of Watertown. This application does not authorize construction of works or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of 3,700 acre feet of water annually and DEFERRAL of 2,575 acre feet of water annually because 1) there is a reasonable probability that 3,700 acre feet of unappropriated water is available for the applicant's proposed use; however, sufficient evidence is not available at this time to justify approval of up to an additional 2,575 acre feet of water until more study is completed, 2) the quantity of water reserved will be needed by the City of Watertown, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 February 23, 1996. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:30 am, March 6, 1996, in the Conference Room, Floyd Matthew Training Center, Foss Building, 523 E. Capitol Ave, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 23, 1996.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by February 23, 1996, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-38 thru 46-5-40, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25.  
Nettie H. Myers  
Secretary, Department of Environment and Natural Resources  
(January 24, 31, 1996)

46-6

Minutes of the 89th Meeting of the Water Management Board  
March 6-7, 1996

MOTION by Freeman, SECONDED by Holzbauer, to approve Water Permit Application No. 5890-3, Evergreen Colony, with the qualifications recommended by the chief engineer. Motion carried.

WATER PERMIT APPLICATION NO. 5862-3, CITY OF WATERTOWN

The application is for a future use water permit to appropriate 6,275 acre feet of water annually from ground water. The area to be reserved for future use is located in the Rauville area of Codington County. The water is to be reserved for the purpose of providing future supplies to the City of Watertown. This application does not authorize construction of works or the application of water to beneficial use.

Jim Goodman presented his report on the application (copy of file). He provided a map of Codington County showing the boundary of the aquifer, the future use area, current irrigated areas, and observation wells in the area. He noted that the future use area is about four miles north of Watertown; Highway 81 runs through the area. The major drainage that flows through the area is Gravel Creek.

Mr. Goodman stated that the Big Sioux North aquifer is a surficial aquifer that ranges from medium sand to medium gravel, and ranges in thickness from a few feet to 54 feet in this area. It is an unconfined aquifer and under water table conditions.

The area was studied by Banner Engineer in the 1960's and by the U.S. Geological Survey (USGS) most recently. Mr. Goodman noted that the study conducted in the 1960's recommended that the city go to this area for a future water supply. At that time the city chose to go to a different location.

Mr. Goodman stated that, in general, ground water movement is from north to south toward the Big Sioux River, but in the area of this application ground water movement is from northeast to southwest toward Gravel Creek. Recharge to the Big Sioux aquifer has been estimated to range from four to 10 inches per year. Using a conservative estimate of four inches per year, the annual yield would be about 4,200 acre feet.

The Water Rights Program monitors 11 observation wells in the Big Sioux North aquifer which are all located within the Gravel Creek drainage. Mr. Goodman stated that six of the wells are located within one mile of the proposed future use area. With the exception of one well, water levels for the wells show good response to climatic conditions; rising water levels during wet years and gradually declining water levels during dry years.

There are no existing water permits or rights within the proposed future use area. There are five existing water rights for irrigation which obtain water from the Big Sioux North aquifer, and in the drainage basin above this location. The irrigation permits, combined, authorize a diversion rate of 10.64 cfs for irrigation of 1,061 acres. Historically, reported water use by these rights has never exceeded 500 acre feet in a given year.

Minutes of the 89th Meeting of the Water Management Board  
March 6-7, 1996

Mr. Goodman stated that using an estimate of four inches per year of recharge over 12,500 acres of aquifer results in about 4,200 acre feet of recharge per year. Assuming that at least 500 acre feet per year is necessary for irrigation use, 3,700 acre feet per year would be available for appropriation. The amount of recharge is considerably less than the requested amount of 6,275 acre feet.

Mr. Goodman stated that Water Rights Program engineers met with the Watertown Municipal Utilities Department regarding this issue, and it was agreed that the DENR would recommend approval of Application No. 5862-3 for 3,700 acre feet annually, and deferral of 2,575 acre feet annually. Mr. Goodman noted that, in effect, this means no additional permits will be considered in this area.

Mr. Goodman stated that historically water use in this area has been contested.

Mr. Brink asked whether the wells are adequate by definition. Mr. Goodman stated that most of the wells are adequate, but each one would have to be looked at.

Mr. Holzbauer asked what would happen if there is no water left after issuance of the permit. Mr. Goodman answered that even though the aquifer is fully appropriated, an individual can still drill a well for domestic use.

Mr. Brink asked if the city could implement protection measures for migration of nitrates, fertilizers, pesticides, etc. due to the agricultural activities in the area. He also asked whether the area is currently being irrigated. Mr. Goodman said the city could implement protection measures, and there are no permits within the future use area.

Mr. Rickenbach asked if the aquifer is considered a confined aquifer; and whether there is a connection with a deeper aquifer. Mr. Goodman answered that it is an unconfined aquifer discharging into Gravel Creek. He stated that he does not believe there is a connection with a deeper aquifer because the observational data does not show any correlation, and there is 60 to 100 feet of clay above the sand and gravel in the deeper aquifer. Some of the deep aquifer wells are free flowing at the land surface.

Geoff Heig, Superintendent of Utilities, Watertown Municipal Utilities Department, was administered the oath by Chairman Rollag.

Mr. Heig introduced Harlan Hoy, Water Superintendent, and Bob Brotsky, Banner Associates.

Mr. Heig indicated that the Municipal Utilities Department supports the recommendation to approve 3,700 acre feet annually and deferral of 2,575 acre feet annually.

Mr. Heig stated that Mr. Hoy had contacted all of the local landowners in the area by phone; and letters were mailed to the landowners in January 1996. No comments were received at the Municipal Utilities Department regarding this issue.

Minutes of the 89th Meeting of the Water Management Board  
March 6-7, 1996

Mr. Heig distributed a handout containing copies of several pages from Watertown's comprehensive plan (copy on file). He discussed population projections for the city, the current water supply, and recommendations for future additions to water supply and storage capacity. Mr. Heig provided an existing land use map dated 1995, and a future land use map dated 1995 to 2010. He also provided a summary of the existing water supply sources.

Mr. Heig stated that in the last 10 years the treatment plant for the existing well fields was expanded from 3,000,000 gallon per day to 6,000,000 gallons per day. He stated that the next time the city expands its treatment capacity it will need the future water right that is being requested today.

Mr. Heig noted that the Municipal Utilities Department is currently working with the city to adopt a wellhead protection ordinance for Watertown. Following passage of the ordinance, the Municipal Utilities Department intends to establish a ground water protection zone.

Bob Brotsky, Banner Associates, was administered the oath by Chairman Rollag.

Mr. Brotsky testified regarding water studies that were conducted by Banner Associates for the Watertown area. He discussed population projections and water needs for the city of Watertown.

Harlan Hoy, Water Superintendent, was administered the oath by Chairman Rollag.

Mr. Hoy testified that the city of Watertown is growing to the north. He requested board approval of the application so the city can design for the growth toward the northeast.

Responding to question from Mr. Brink, John Hatch stated that there will be a seven year review of the permit. If someone else files an application, a recommendation and board action will be based upon information available at that time. Mr. Hatch said the city needs some certainty that it will be able to develop to the north. Approval of the 3,700 acre feet annually does provide for that.

Chairman Rollag requested board action.

MOTION by Brink, SECONDED by Gunderson, to approve Application No. 5862-3 for 3,700 acre feet annually, and deferral of 2,575 acre feet annually with the following qualifications:

1. Permit No. 5862-3 reserves 3,700 acre feet of water annually of the 6,275 acre feet requested. The request to reserve an additional 2,575 acre feet of water annually is deferred until further study is completed to show there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions.
2. Future Use Permit No. 5862-3 is approved for 3,700 acre feet of water with the stipulation that the Permit is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven years.

Minutes of the 89th Meeting of the Water Management Board  
March 6-7, 1996

3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
4. Permit No. 5862-3 is approved for ground water from the North Management Unit of the Big Sioux Aquifer.
5. If development of and pumping from the Big Sioux North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriate rights does so without regard to 1) whether lowered ground water levels are due to droughts, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravels; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

The motion carried.

At 12:10 p.m. Chairman Rollag declared a recess until 1:15 p.m.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECISION IN THE MATTER OF THE ESTABLISHMENT OF THE ORDINARY HIGH WATER MARK AND OUTLET ELEVATION FOR LAKE ALBERT, GRANT COUNTY

MOTION by Freeman, SECONDED by Brink, to adopt the Findings of Fact, Conclusions of Law and Final Decision in the matter of the establishment of the ordinary high water mark and outlet elevation for Lake Albert, Grant County, including the amendment to Finding of Fact No. IV as proposed by the Department of Environment and Natural Resources. Motion carried.

APPOINTMENT OF RAPID VALLEY WATER MASTER

Mark Rath presented a letter from Jerry Hammerquist, president of the Rapid Valley Water Conservancy District, requesting board approval of Duane Scott as the 1996 water master.

MOTION by Gunderson, SECONDED by Freeman, to appoint Duane Scott as water master for Rapid Creek for the 1996 irrigation season. Motion carried.

UNCONTESTED PERMITS, VESTED RIGHT VALIDATIONS, AND READVERTISEMENTS ISSUED BY THE CHIEF ENGINEER WITHOUT A HEARING BEFORE THE BOARD

1510A-1. Boulder Canyon Country Club, Sturgis, SD

The application is for a water permit to extend the length of time allowed for construction of project works authorized by Permit No. 1510-1. Permit No. 1510-1 authorized impoundment of 6.05 acre-feet of water in two storage dams from the well, and allows diversion of water from the dams for irrigation of 29.6 acres authorized by Water Right No. 661-1. Permit No. 1510-1 was



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

APR 3 1996

City of Watertown  
%Geoff Heig, Superintendent  
Municipal Utilities Department  
901 Fourth Avenue SW  
Watertown, SD 57201-4107

Dear Mr. Heig:

Enclosed is Future Use Permit No. 5832-3, as approved by the Water Management Board.

When plans for facilities are prepared to put any portion of the water granted in the future use permits to beneficial use, an application covering such facilities and water use should be submitted to this office before construction is initiated.

Very truly yours,

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

Enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 2, 2002

City of Watertown  
Municipal Utilities Department  
Geoff Heig, Utilities Manager  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. Heig

I am writing in regard to the seven year review of Future Use Water Permit No. 5862-3 from the Big Sioux:North Aquifer which is held by the City of Watertown. By law, all future use permits are to be reviewed by the Water Management Board every seven years. The permit reserves water for future water supply needs for the city. Currently, our records show that 3,700 acre-feet remain in reserve under this future use permit that was issued in 1996.

Permit No. 5862-3 originally requested 6,275 acre-feet of water. The request to reserve an additional 2,575 acre-feet of water annually was deferred by the Water Management Board until further study was completed to show there is a reasonable probability that the aquifer can produce additional water and still maintain existing diversions. Review will be only for 3,700 acre-feet of water reserved and not for the deferred portion of the permit.

Please respond in writing by January 15, 2003, 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. 5862-3 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak  
Environmental Scientist  
Water Rights Program  
605 773-3352

# MUNICIPAL UTILITIES DEPARTMENT

*901 Fourth Avenue Southwest*

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 882-6233 • FAX (605) 882-6238

RECEIVED

JAN 13 2003

WATER RIGHTS  
PROGRAM

January 9, 2003

Eric Gronlund  
Department of Environment and Natural Resources  
Joe Foss Building 523 East Capitol  
Pierre S.D. 57501-3182

RE: Future Water Use Permit No.5862-3

Dear Mr. Gronlund:

The Watertown Municipal Utilities Department petitions to retain future water use permit No.5862-3 for future growth of the city. The city has had 742 new connections and a 26.4% increase in water production from 1996 thru 2002.

With the recent construction of an ethanol plant along with our normal growth, we had a 13.3% increase in production in 2002.

Attached for your information please find production history, plus projections for annual and peak day production through 2015. We are planning on a 6% increase in 2003, 2005, and 2009 and a 2% increase in all other projected years.

We plan to begin producing water from the No.5862-3 future use area in 2009. We will build a new treatment plant to treat this water and also abandon our lake plant at that same time.

Included in the information is a map of the Ground Water Protection Zone for Codington County. The future water use permit No.5862-3 covers the brown area in sections 29, 30, and 31.

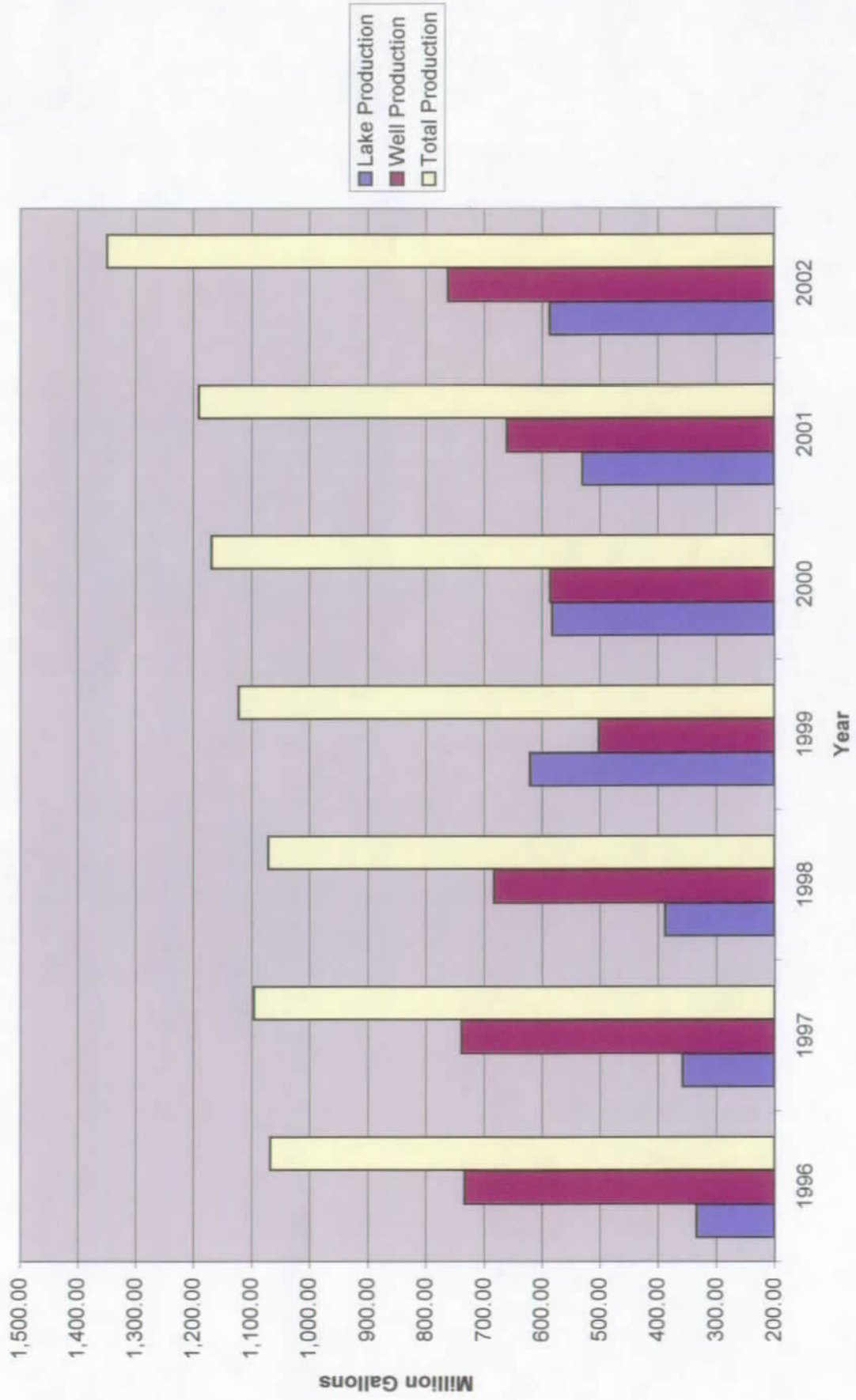
Thank you and please call if you have any questions.

Sincerely,



Jeff DeVille  
Water Superintendent  
Watertown Municipal Utilities Dept.

Combined Total Annual Production



### Wells Production in Million Gallons

|                              | 1996          | 1997          | 1998          | 1999          | 2000          | 2001          | 2002          |
|------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| January                      | 29.13         | 36.34         | 73.16         | 25.43         | 20.77         | 34.09         | 42.74         |
| February                     | 24.56         | 26.28         | 67.56         | 13.12         | 20.80         | 37.55         | 35.22         |
| March                        | 26.81         | 29.43         | 66.77         | 23.99         | 26.92         | 36.77         | 39.61         |
| April                        | 26.04         | 29.63         | 34.10         | 28.84         | 34.89         | 36.16         | 40.98         |
| May                          | 31.38         | 53.54         | 51.37         | 35.76         | 58.36         | 54.8          | 67.45         |
| June                         | 61.80         | 107.77        | 60.32         | 54.28         | 66.74         | 67.39         | 101.59        |
| July                         | 129.23        | 79.67         | 88.67         | 83.91         | 70.16         | 111.52        | 125.99        |
| August                       | 126.85        | 59.50         | 74.20         | 98.85         | 90.86         | 109.47        | 81.65         |
| September                    | 101.06        | 82.91         | 81.09         | 57.76         | 71.76         | 70.73         | 77.27         |
| October                      | 86.11         | 87.57         | 34.64         | 30.15         | 38.25         | 40.88         | 56.72         |
| November                     | 55.49         | 70.72         | 28.78         | 26.76         | 57.95         | 35.56         | 47.59         |
| December                     | 34.64         | 74.89         | 22.36         | 22.80         | 28.87         | 25.74         | 45.62         |
| <b>Total Million Gallons</b> | <b>733.10</b> | <b>738.25</b> | <b>683.02</b> | <b>501.65</b> | <b>586.33</b> | <b>660.66</b> | <b>762.43</b> |

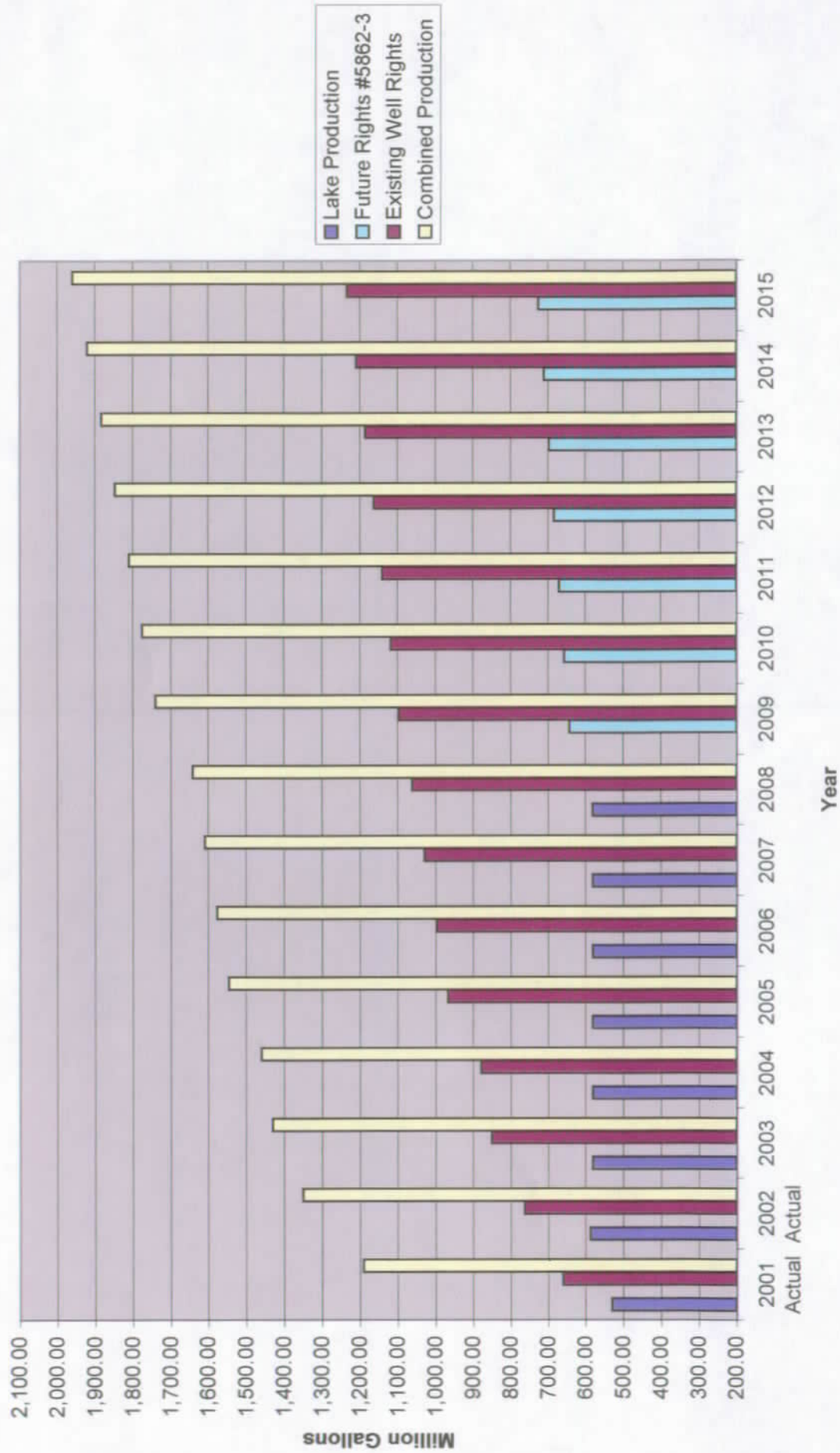
### Lake Production in Million Gallons

|                              | 1996          | 1997          | 1998          | 1999          | 2000          | 2001          | 2002          |
|------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| January                      | 37.49         | 38.62         | 0.00          | 52.55         | 53.29         | 42.88         | 44.74         |
| February                     | 44.04         | 41.08         | 0.00          | 48.69         | 49.42         | 35.47         | 45.34         |
| March                        | 45.38         | 44.40         | 12.44         | 52.78         | 50.98         | 44.07         | 49.21         |
| April                        | 42.13         | 44.28         | 44.01         | 48.89         | 46.15         | 38.49         | 49.39         |
| May                          | 45.48         | 40.93         | 46.98         | 56.23         | 49.27         | 29.55         | 46.01         |
| June                         | 44.91         | 41.90         | 46.59         | 54.97         | 51.25         | 44.39         | 50.58         |
| July                         | 11.42         | 45.60         | 4.89          | 53.46         | 55.42         | 52.06         | 52.67         |
| August                       | 0.33          | 44.47         | 46.91         | 53.13         | 54.83         | 48.07         | 52.39         |
| September                    | 0.00          | 16.11         | 44.42         | 42.17         | 54.26         | 49.94         | 49.86         |
| October                      | 0.00          | 0.00          | 45.89         | 53.94         | 51.55         | 47.05         | 48.97         |
| November                     | 22.24         | 0.00          | 43.50         | 50.78         | 17.93         | 47.19         | 47.10         |
| December                     | 40.57         | 0.00          | 52.03         | 53.05         | 48.16         | 51.19         | 50.37         |
| <b>Total Million Gallons</b> | <b>333.98</b> | <b>357.38</b> | <b>387.66</b> | <b>620.64</b> | <b>582.50</b> | <b>530.34</b> | <b>586.63</b> |

### Combined Total Annual Production in Million Gallons

|                              | 1996            | 1997            | 1998            | 1999            | 2000            | 2001            | 2002            |
|------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Total Million Gallons</b> | <b>1,067.08</b> | <b>1,095.63</b> | <b>1,070.68</b> | <b>1,122.29</b> | <b>1,168.83</b> | <b>1,191.00</b> | <b>1,349.06</b> |

# Projected Combined Total Annual Production



## # 347-3 Lake Rights

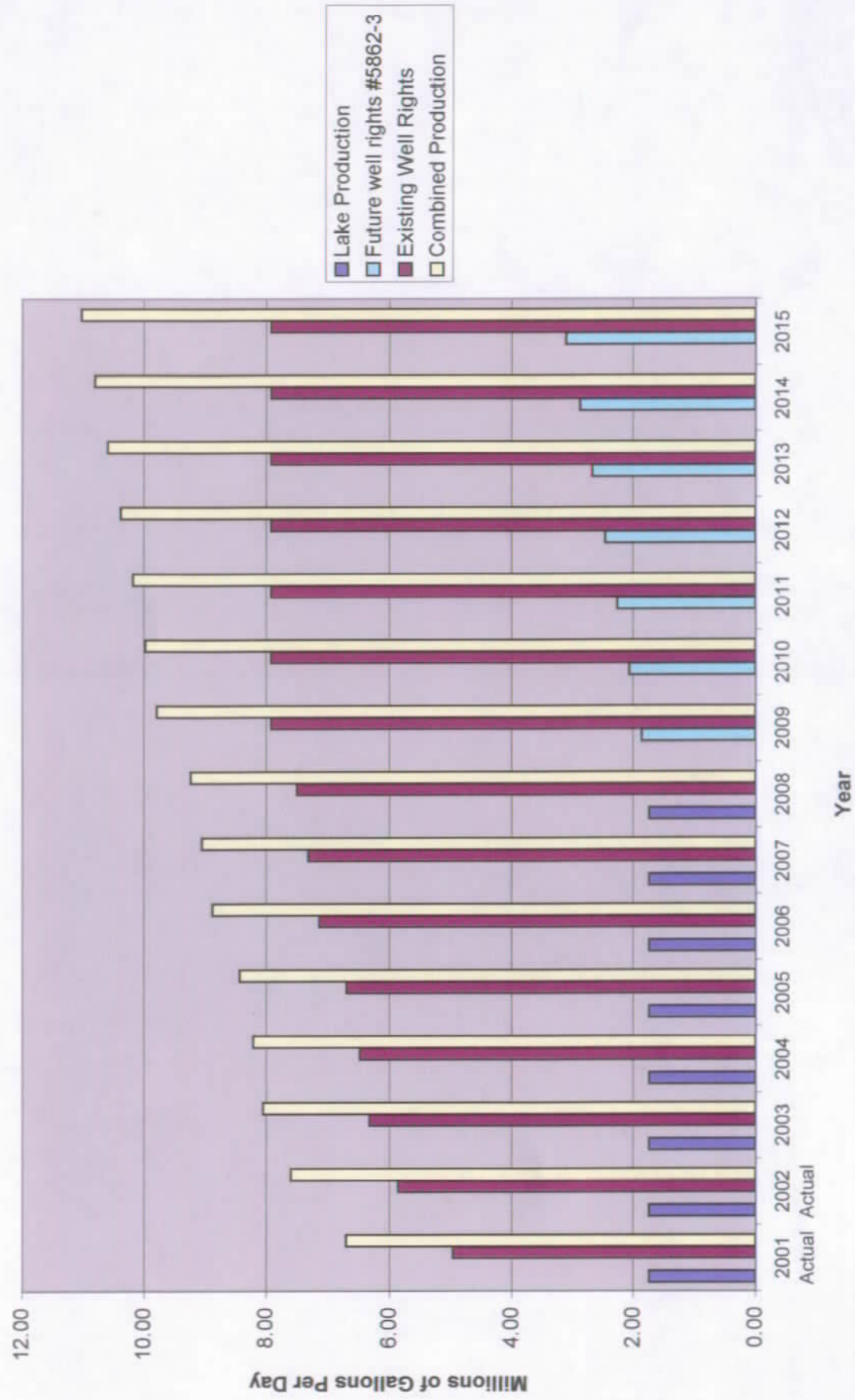
# 5862-3 Future Rights

## Existing Well Rights

Combined Total Production in Million Gallons

Existing well rights include #348-3, #349-3, #350-3, #351-3, #1217-3, #1716-3, #2239-3, #2757-3, #3022-3, #5233-3, #5462-3, #5683-3 and the remaining portion of future rights on #1218-3 and #2107-3

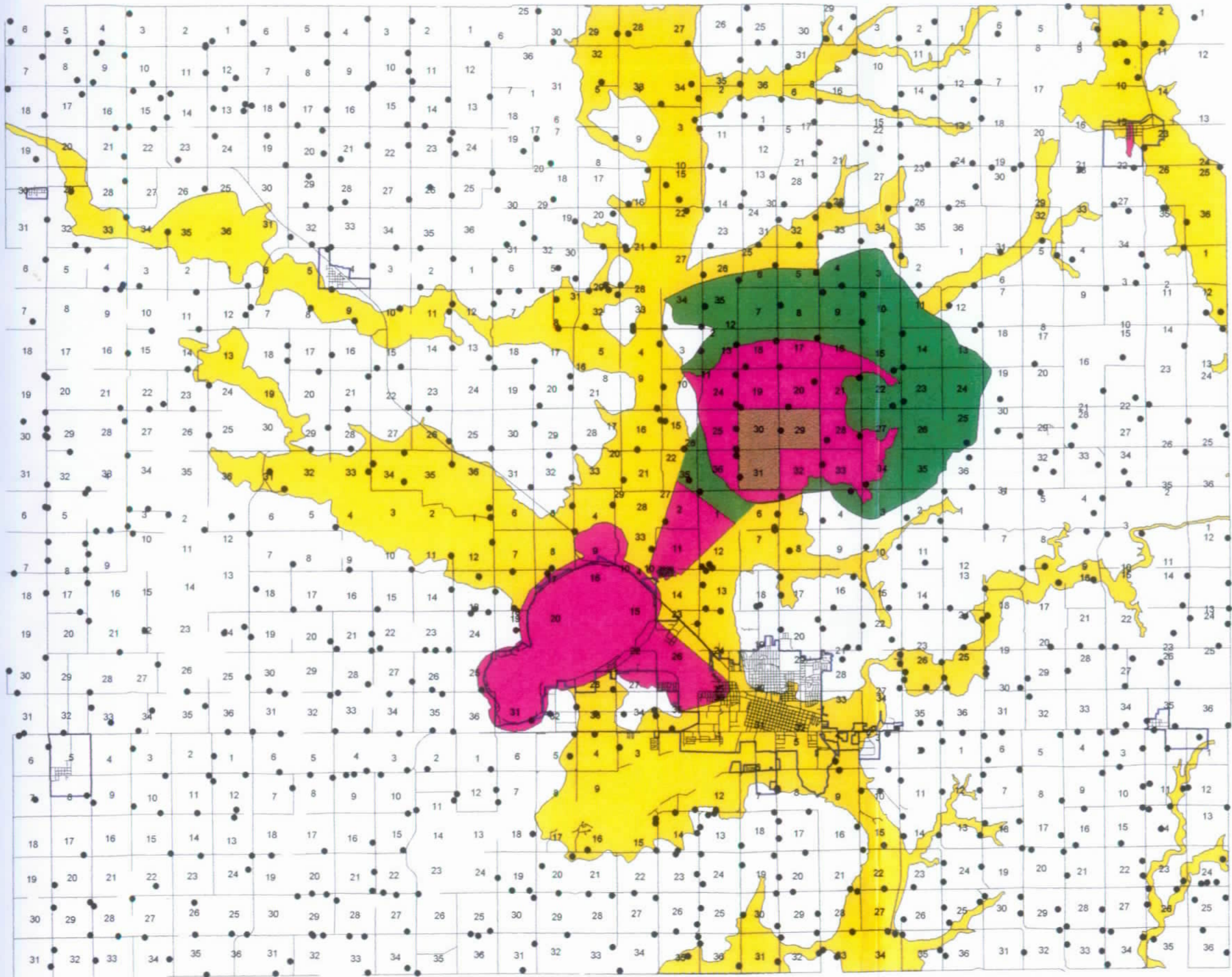
Projected Combined Total Peak Day Production



# Projected Combined Total Peak Day Production

|           | Year           | #347-3<br>Lake             |         | Existing Well<br>Rights    |         | #5862-3<br>Future well rights |         | Total<br>Million Gallons<br>Per Day |
|-----------|----------------|----------------------------|---------|----------------------------|---------|-------------------------------|---------|-------------------------------------|
|           |                | Million Gallons<br>Per Day | Per Day | Million Gallons<br>Per Day | Per Day | Million Gallons<br>Per Day    | Per Day |                                     |
| Actual    | 2001<br>Actual | 1.74                       | 4.96    | 0.00                       | 6.70    |                               |         |                                     |
| Actual    | 2002<br>Actual | 1.74                       | 5.85    | 0.00                       | 7.59    |                               |         |                                     |
| Projected | 2003           | 1.74                       | 6.31    | 0.00                       | 8.05    |                               |         |                                     |
| Projected | 2004           | 1.74                       | 6.47    | 0.00                       | 8.21    |                               |         |                                     |
| Projected | 2005           | 1.74                       | 6.69    | 0.00                       | 8.43    |                               |         |                                     |
| Projected | 2006           | 1.74                       | 7.13    | 0.00                       | 8.87    |                               |         |                                     |
| Projected | 2007           | 1.74                       | 7.31    | 0.00                       | 9.05    |                               |         |                                     |
| Projected | 2008           | 1.74                       | 7.49    | 0.00                       | 9.23    |                               |         |                                     |
| Projected | 2009           | 0.00                       | 7.92    | 1.86                       | 9.78    |                               |         |                                     |
| Projected | 2010           | 0.00                       | 7.92    | 2.06                       | 9.98    |                               |         |                                     |
| Projected | 2011           | 0.00                       | 7.92    | 2.26                       | 10.18   |                               |         |                                     |
| Projected | 2012           | 0.00                       | 7.92    | 2.46                       | 10.38   |                               |         |                                     |
| Projected | 2013           | 0.00                       | 7.92    | 2.67                       | 10.59   |                               |         |                                     |
| Projected | 2014           | 0.00                       | 7.92    | 2.88                       | 10.80   |                               |         |                                     |
| Projected | 2015           | 0.00                       | 7.92    | 3.10                       | 11.02   |                               |         |                                     |

Existing well rights include #348-3, #349-3, #350-3, #351-3, #1217-3, #1716-3, #2239-3, #2757-3, #3022-3, #5233-3, #5462-3, #5683-3 and the remaining portion of future rights on #1218-3 and #2107-3



CODRINGTON COUNTY AQUIFER PROTECTION MAP

- ZONE A
- ZONE B
- ZONE C
- CITY LIMITS
- WELLS
- FARM SITES



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT  
NO. 5862-3, City of Watertown 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. 5862-3, City of Watertown, Watertown Municipal Utilities Dept., 901 4<sup>th</sup> Ave SW, Watertown SD 57201-4107.

The Chief Engineer is recommending that Future Use Permit No. 5862-3 REMAIN in EFFECT for 3,700 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5862-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 5862-3, 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. 5862-3 is subject to payment of the \$95.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer  
January 22, 2003

## NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5862-3

Notice is given that the Water Management Board will review Future Use Permit No. 5862-3 held by the City of Watertown, Municipal Utilities Department, 901 4<sup>th</sup> Ave SW, Watertown SD 57201-4107 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. 5862-3. This permit was approved in 1996 and currently reserves 3,700 acre feet from the Big Sioux:North Aquifer located in Sections 29, 30 and 31; all in T118N-R52W for municipal purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5862-3 REMAIN in EFFECT for 3,700 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. 5862-3 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD on March 5, 2003 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 February 21, 2003. 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. 5862-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 21, 2003. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 21, 2003. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



January 22, 2003

Watertown Public Opinion  
PO Box 10  
Watertown SD 57201-0010

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5862-3 to be published twice. Please publish the first notice on January 29, 2003 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 Watertown, c/o Jeff Deville, Municipal Utilities Dept, 901 4<sup>th</sup> Ave SW, Watertown SD 57201-4107.

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

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

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

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

Date \_\_\_\_\_

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

We are in receipt of your letter of January 22, 2003 enclosing Notice of Hearing to Review Future Use Water Permit No. 5862-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



January 22, 2003

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

Jeff DeVille, Water Superintendent  
Watertown Municipal Utilities Dept.  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201-4107

Dear Mr. DeVille:

Future Use Permit No. 5862-3 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 Watertown Public Opinion (Phone #886-6901). 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 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 7, 2003

**NOTICE**

Jeff DeVille, Water Superintendent  
Watertown Municipal Utilities Dept.  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201-4107

Dear Mr. DeVille:

I am writing in response to action taken by the Water Management Board at the hearing on March 5, 2003 to review Future Use Permit No. 5862-3. The Board allowed the permit to remain in effect for 3,700 acre-feet of water annually. Future Use Permit No. 5862-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5862-3 is \$95.00 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

enclosure

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 14, 20 03

RECEIVED OF Municipal Utilities, Watertown SD 57201

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

|                                                                                                                |       |    |
|----------------------------------------------------------------------------------------------------------------|-------|----|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 95    | 00 |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |    |
| Fee to retain Future Use Permit No. <u>5862-3</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. _____                                         | 95.00 |    |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |    |
| (Any Other Work Provided by Law)                                                                               | TOTAL |    |

No.

000775

By

Darlene Ebele

Chief Engineer

gm

5862-3

# MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest

WATERTOWN, SOUTH DAKOTA 57201-4107

PHONE (605) 882-6233 • FAX (605) 882-6238

August 22, 2006

Eric Gronlund  
Department of Environment and Natural Resources  
Joe Foss Building 523 East Capitol  
Pierre S.D. 57501-3182

RECEIVED

AUG 24 2006

WATER RIGHTS  
PROGRAM

RE: Future Water Use Permit No.5862-3

Dear Mr. Gronlund:

The Watertown Municipal Utilities Department requests a review of Future Water Use Permit No.5862-3. Based on a study that Banner Engineering did for us in 1965 their calculations of the Big Sioux Aquifer in the Rauville area could yield 6275 acre feet. Staff recommended 3,700 acre-feet be approved for future use, based on study information at that time, with the rest deferred pending development of production history.

A further study done by Larry Putnam in 1996 calculated that this area could yield 5760 acre-feet. Both of these studies have a higher calculated production rate than the current acre-feet. We understand that 500 acre-feet is allocated for irrigation so this would leave 5260 acre-feet available from Putnam's study.

We currently have 3700 acre feet as future use and 2575 acre feet as deferred. We would like to have 1560 acre feet transferred from deferred to future use status based on Putnam's study. The remaining 1015 acre-feet would remain as deferred until the wells are developed and test pumped to verify that the aquifer could support more volume.

For your information I included a copy of the Water Supply Study that Banner Engineering did for us in 1965.

Future Water Use Permit No.5862-3 is up for review in 2009. This would be at the same time that we are planning to develop this area and put it into production. We assume that if it is reviewed now that this would extend the next review date to 2013. We should have some good production history by then.

Thank you and please call if you have any questions.

Sincerely,



Jeff DeVille  
Water Superintendent  
Watertown Municipal Utilities Dept.

REPORT ON  
WATER SUPPLY FACILITIES  
and  
PROPOSED IMPROVEMENTS  
for  
CITY of WATERTOWN, SOUTH DAKOTA

---

PREPARED FOR  
MUNICIPAL UTILITIES BOARD

---

R. Mernaugh, Chairman

Julius Bacon

E. Creaser

H. McClintic

Ross Oviatt

Catherine Ostrander, Secretary

Cliff Sonnenberg, Superintendent

John Babcock, City Engineer

Prepared By

J. T. Banner & Associates, Inc.  
Consulting Engineers  
Brookings, South Dakota

JUNE 1965

### D - AQUIFER NO. 3

As noted in Section IV-A, Aquifer No. 3 is known as the Rauville area and is located in an area 4 to 7 miles north of Watertown. A total of 22 test holes were drilled in this aquifer area under this investigation. Fifteen test holes in the area had been drilled by the South Dakota Geological Survey during previous investigations. Again the purpose of the test holes was to determine thickness of the formation, the material size and gradation, and the extent of the formation.

After the test holes were completed, a pumping test well was installed at the site of Test Hole No. 25, which seemed to be the most desirable location for future well installations. The pumping test was conducted for 72 hours during which time the draw-down by the water table was recorded at seven piezometer holes radiating out from the pumping well. Observations at the same points were conducted during a 72 hour recovery period. The pumping test was conducted under the supervision of the South Dakota Geological Survey, and the results of the test were analyzed by that agency.

The pumping test indicates that the permeability of this formation is excellent and that wells in this aquifer area would produce about 500 gallons or more per minute each with a well spacing of from 800 to 1000 feet.

The chemical analysis of the water from Test Hole No. 25 is tabulated in Table IV-1, page 4-11. Again it is noted that water from this aquifer is considerably higher in iron and manganese concentrations than the recommended standard for a desirable water. The water from this aquifer is not as hard as the water from the aquifer in the City limits area and slightly less hard than the water from the Aquifer No. 2 area.

The total contributing drainage area above the proposed well development area is about 50 square miles. Based on a drouth year rainfall of 12 inches and assuming that only 20% of the rainfall contributes to the ground water replenishment, the aquifer would have a recharge of about 2,100 million gallons during such a year. Based on average year rainfall the recharge rate to the aquifer would be about 4,000 million gallons per year. Even in the drouth years the recharge rate would be about three times the City of Watertown's present water use of about 725 million gallons per year, and about two times the City's estimated water use of 990 million gallons annually by the year 2000.

JOB NO. 7747  
JOB WATERTOWN MUN. UTIL.  
CALCULATED BY RB DATE 9/27/95  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

# BANNER

BANNER ASSOCIATES, INC.

SHEET NO. 1 OF 1

DROUGHT YEAR RECHARGE - GRAVEL CREEK  
(ALSO KNOWN AS AQUIFER No. 3 - JUNE 1965  
BANNER STUDY FOR WATERTOWN MUNICIPAL UTILITIES)

## I. REPORT ON WATER PERMIT APPLICATION No. 5862-3

AQUIFER AREA - 12,500 ACRES  
DROUGHT YEAR RECHARGE - 4 INCHES

$$\begin{aligned}\text{RECHARGE VOLUME} &= 12,500 \text{ AC.} \times 43,560 \text{ SQ.FT./AC.} \times 4/12 \\ &= 181,500,000 \text{ CU.FT./YR.} \\ &\quad \times 7.48052 \\ &= 1358 \text{ MILLION GAL.} \\ &\quad (4200 \text{ ACRE-FT.})\end{aligned}$$

## II. JUNE 1965 BANNER STUDY

CONTRIBUTING DRAINAGE AREA - 50 SQ MILES  
DROUGHT YEAR RECHARGE - 20% OF 12-INCH RAINFALL  
= 2.4 INCHES

$$\begin{aligned}\text{RECHARGE VOLUME} &= 50 \text{ SQ MI} \times 640 \text{ AC./SQ MI} \times 2.4/12 \\ &\quad \times 43,560 \\ &= 278,784,000 \text{ CU.FT./YR.} \\ &\quad \times 7.48052 \\ &= 2085 \text{ MILLION GAL.} \\ &\quad (6400 \text{ ACRE-FT.})\end{aligned}$$

## III. RATIO OF AVAILABLE WATER SUPPLY

$$\begin{aligned}\frac{\text{BANNER 1965 STUDY} - 6400}{\text{REPORT No. 5862-3} - 4200} &= 1.52\end{aligned}$$

REVIEW OF FUTURE USE WATER PERMIT NO. 5862-3  
For the City of Watertown  
September 26, 2006

Future Use Water Permit No. 5862-3 originally requested 6,275 acre feet annually from a portion (T118N R52W sections 29, 30, and 31) of the Big Sioux North aquifer. The Water Management Board approved this application on March 6, 1996 for 3,700 acre feet and deferred 2,575 acre feet of the request for further study. The approval was based upon the acreage of aquifer (determined to be about 12,500 acres) and a recharge rate of 4 inches per year (Goodman, 1995). The acreage was determined from the portion of the aquifer in T118N R52W in Codington County and as described by the county study (Hansen, 1990). Basically this acreage is all that would be capable of providing water to this application.

#### AQUIFER – BIG SIOUX NORTH (BS-N)

The Big Sioux North is largely a surficial outwash (sand and gravel) that is under water table conditions in this area. The entire Big Sioux aquifer underlies 150 square miles and contains an estimated 350,000 acre feet of water in storage in Codington and Grant Counties (Hansen, 1990). The Big Sioux North management unit underlies an estimated 151,430 acres and contains an estimated 67,300 acre feet of recoverable water in storage in Codington County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux River and to Gravel Creek in the area of this application. In general, ground water movement is from northeast to southwest in this area and toward the Big Sioux River.

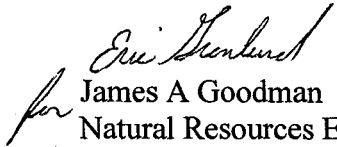
A USGS report published in 1996, estimated a steady state recharge rate of about 5.53 inches per year (Putnam 1996). This estimate is significantly higher than the original estimate for recharge to this portion of the aquifer and would amount to 5,760 acre feet of recharge instead of 4,200 acre feet in the original Goodman report. The difference is about 1,560 acre feet and this volume can be applied to the amount approved for the City of Watertown. The existing irrigation rights from this portion of the aquifer must be protected and use at most about 500 acre-feet annually and the City of Watertown is presently not using water from this portion of the aquifer.

#### CONCLUSIONS

1. Watertown currently holds Future Use Permit No. 5862-3 for Future Use for 3,700 acre feet annually.
2. Recent studies have indicated that the original estimate for recharge can be increased by 1,560 acre feet annually.
3. Future Use Permit No. 5862-3 can be reissued for a total future use of 5,260 acre feet.
4. The original request by the City of Watertown was for 6,275 acre feet. The estimates indicate this amount can never be realized. Technically there remains 1,015 acre feet remaining deferred in the future use permit No. 5862-3 even upon approval of this request. However, in all likelihood there is no additional

water available to meet that additional volume requested. The city has requested that this amount remain in deferred status until the wells are developed and test pumped to verify that the aquifer can support more volume.

5. The Water Management Board has effectively considered this portion of the aquifer fully appropriated and has conditioned two additional irrigation permit Nos. 6362-3 and 6540-3 in this area to be subject to the cities water rights.

  
James A Goodman  
Natural Resources Engineer

#### BIBLIOGRAPHY

Goodman, J.A., 1995, Report on Water Right Application No. 5862-3 for the City of Watertown, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, Water Resources Investigations Report 89-4147, USGS, Huron, SD, 57350.

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Putnam, L.D., R.C. Thompson, 1996, Appraisal of the Water Resources of the Big Sioux Aquifer, Codington and Grant Counties, South Dakota, Water Resources Investigations Report 96-4275, USGS, Rapid City, SD, 57702.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT  
APPLICATION NO. 5862-3, City of Watertown**

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 the deferred portion of Future User Water Permit No. 5862-2, City of Watertown, Municipal Utilities Department, c/o Jeff DeVillie, Water Superintendent, 901 Fourth Avenue Southwest, Watertown SD 57201-4107.

The Chief Engineer is recommending APPROVAL of an additional 1,560 acre feet of water annually and DENIAL of the remaining 1,015 acre feet of water that was deferred by the Water Management Board's 1996 decision in the matter of Water Permit No. 5862-3. The amount recommended for approval is based on 1) a reasonable probability that there is and additional 1,560 acre feet of water of unappropriated water available for the applicant's proposed use, 2) the applicant has demonstrated a reasonable need for the water reserved, 3) the proposed use is a beneficial use and 4) it is in the public interest. The portion recommended for denial is based on the portion of the aquifer being fully appropriated. Permit No. 5862-3 is approved with the following amended qualifications:

1. Future Use Permit No. 5862-3 is approved for 5,260 acre feet of water with the stipulation that the Permit is subject to review by the Water Management Board upon expiration of seven (7) years.
2. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
3. Permit No. 5862-3 is approved for water from the North Management Unit of the Big Sioux Aquifer.
4. If development of and pumping from the Big Sioux:North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

See report on review of future use permit for additional information.

Garland Erbele, Chief Engineer  
October 23, 2006



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

October 25, 2006

City of Watertown  
Municipal Utilities  
% Jeff DeVille  
901 4<sup>th</sup> Avenue SW  
Watertown SD 57201

Dear Mr. DeVille:

Future Use Permit No. 5862-3 will be brought back before the Water Management Board for consideration of the portion that was deferred in 1996. A notice has been sent to the Publisher of the Public Opinion printed at Watertown, SD (Ph # 605-886-6901). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report 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 newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. 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 application.

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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

October 25, 2006

Public Opinion  
PO Box 10  
Watertown SD 57201-0010

ATTENTION: Legal Public Notice

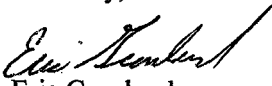
Enclosed is a Notice of Hearing on Future Use Permit No. 5862-3 to be published twice. Please publish the first notice on November 1, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

**Please BILL the APPLICANT for the cost of publication.** The APPLICANT is City of Watertown, Municipal Utilities, % Jeff DeVill, 901 Fourth Avenue SW, Watertown SD 57201-4107 (Ph # 605-882-6233).

**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-----

No. 5862-3

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

Date \_\_\_\_\_

We are in receipt of your letter of October 25, 2006 enclosing Notice of Hearing on Future Use Permit No. 5862-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper

Instruction to Newspaper - Publish first Notice on November 1, 2006 with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF HEARING on Consideration of the Deferred Portion  
and Review of Future Use Water Permit No. 5862-3

Notice is given that the City of Watertown, Municipal Utilities Department, 901 4<sup>th</sup> Avenue SW, Watertown SD 57201 holds Future Use Permit No. 5862-2 reserving 3,700 acre feet of water annually from the Big Sioux:North Aquifer. An additional 2,575 acre feet of water annually was deferred under this permit until further study shows water is available. The future use area is located in Sections 29, 30 and 31, T118N, R52W. The permit has a priority date of April 6, 1995.

The city of Watertown requests a review of this future use permit. A study conducted by U.S. Geological Survey and further analysis by the Water Rights Program indicate there is a reasonable probability that an additional 1,560 acre feet of water annually is available and can be appropriated from the aquifer. The city requests that 1,560 acre feet of water annually be transferred from deferred status to the 3,700 acre feet currently appropriated and reserved for future use. This will reserve a total of 5,260 acre feet of water annually for future use by the city. The city requests the remaining 1,015 acre feet of water remain in deferred status.

This notice also serves as a review of Future Use Permit No. 5862-3 for progress made in development of water reserved by the permit. Future use permits are required to be reviewed by the Water Management Board every seven years to determine whether there is a reasonable need for the permit. This permit was last reviewed in 2003; however, this review is taking place now based on Watertown's request.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends that Permit No. 5862-3 be quantified as reserving 5,260 acre feet of water annually. This recommendation involves the APPROVAL of an additional 1,560 acre feet of water annually and the DENIAL of the remaining 1,015 acre feet of water that was deferred by the Water Management Board's 1996 decision in the matter of Future Use Permit No. 5862-3. The amount recommended for approval is based on 1) a reasonable probability that there is an additional 1,560 acre feet of unappropriated water available for the applicant's proposed use, 2) the applicant has demonstrated a reasonable need for the water reserved, 3) the proposed use is a beneficial use and 4) it is in the public interest. The recommendation for denial of 1,015 acre feet of water is based on the portion of the aquifer being fully appropriated.

The Chief Engineer also recommends that Permit No. 5862-3 REMAIN IN EFFECT for 5,260 acre feet of water annually because the reserved water may be developed and there is a need for the reserved water.

Any person interested person who may be affected by a Board decision in this matter and intends to participate in the hearing before the Board must file a written petition with BOTH the city and Chief Engineer. The city must also file a petition if opposed to 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 city's mailing address is given above. A petition filed by either an interested person or the city must be filed by November 20, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the permit, the petitioner's reasons for opposing or supporting the proposed action, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this matter at 1:30 P. M. November 29, 2006 in the Pierre Chamber of Commerce meeting room, 800 W. Dakota Avenue, Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the additional appropriation to the future use permit, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, 4) defer, 5) deny, or 6) take no action based on the facts presented at the public hearing. The November 29, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the city or any interested person in opposition. The request for an automatic delay must be filed by November 20, 2006.

Any hearing may be an adversarial proceeding. Any person filing a petition and/or the city have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 20, 2006, 2006, at the above Water Rights Program address to request copies of information pertaining to this future use permit, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This hearing is conducted pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-38.1; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

## PROOF OF PUBLICATION

RECEIVED  
NOV 13 2006  
WATER RIGHTS  
PROGRAM

## DENR

### NOTICE OF HEARING on Consideration of the Deferred Portion

#### and Review of Future Use Water Permit No. 5862-3

Notice is given that the City of Watertown, Municipal Utilities Department, 901 4<sup>th</sup> Avenue SW, Watertown SD 57201 holds Future Use Permit No. 5862-2 reserving 3,700 acre feet of water annually from the Big Sioux North Aquifer. An additional 2,575 acre feet of water annually was deferred under this permit until further study shows water is available. The future use area is located in Sections 29, 30 and 31, T118N, R52W. The permit has a priority date of April 6, 1995.

The city of Watertown requests a review of this future use permit. A study conducted by U.S. Geological Survey and further analysis by the Water Rights Program indicate there is a reasonable probability that an additional 1,560 acre feet of water annually is available and can be appropriated from the aquifer. The city requests that 1,560 acre feet of water annually be transferred from deferred status to the 3,700 acre feet currently appropriated and reserved for future use. This

will reserve a total of 5,260 acre feet of water annually for future use by the city. The city requests the remaining 1,015 acre feet of water remain in deferred status.

This notice also serves as a review of Future Use Permit No. 5862-3 for progress made in development of water reserved by the permit. Future use permits are required to be reviewed by the Water Management Board every seven years to determine whether there is a reasonable need for the permit. This permit was last reviewed in 2003; however, this review is taking place now based on Watertown's request.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends that Permit No. 5862-3 be quantified as reserving 5,260 acre feet of water annually. This recommendation involves the APPROVAL of an additional 1,560 acre feet of water annually and the DENIAL of the remaining 1,015 acre feet of water that was deferred by the Water Management Board's 1996 decision in the matter of Future Use Permit No. 5862-3. The amount recommended for approval is based on 1) a reasonable probability that there is an additional 1,560 acre feet of unappropriated water available for the applicant's pro-

posed use, 2) the applicant has demonstrated a reasonable need for the water reserved, 3) the proposed use is a beneficial use and 4) it is in the public interest. The recommendation for denial of 1,015 acre feet of water is based on the portion of the aquifer being fully appropriated.

The Chief Engineer also recommends that Permit No. 5862-3 REMAIN IN EFFECT for 5,260 acre feet of water annually because the reserved water may be developed and there is a need for the reserved water.

Any person interested person who may be affected by a Board decision in this matter and intends to participate in the hearing before the Board must file a written petition with BOTH the city and Chief Engineer. The city must also file a petition if opposed to 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 city's mailing address is given above. A petition filed by either an interested person or the city must be filed by November 20, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the permit.

the petitioner's reasons for opposing or supporting the proposed action, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this matter at 1:30 P. M. November 29, 2006 in the Pierre Chamber of Commerce meeting room, 800 W. Dakota Avenue, Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the additional appropriation to the future use permit, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, 4) defer, 5) deny, or 6) take no action based on the facts presented at the public hearing. The November 29, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the city or any interested person in opposition. The request for an automatic delay must be filed by November 20, 2006.

Any hearing may be an adversarial proceeding. Any person filing a petition and/or the city have the right to be represented by a lawyer and may present evidence or

cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 20, 2006, 2006; at the above Water Rights Program address to request copies of information pertaining to this future use permit, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This hearing is conducted pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-38.1; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(November 1<sup>st</sup> & 8<sup>th</sup>, 2006)

210.66

**REISSUED  
SOUTH DAKOTA  
FUTURE USE PERMIT NO. 5862-3**

Date of first receipt of application April 6, 1995.

The Water Management Board approved Future Use Permit No. 5862-3 on March 6, 1996 for the City of Watertown, Watertown Municipal Utilities, 901 4<sup>th</sup> Ave SW, Watertown SD 57201 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

On November 29, 2006, the Water Management Board approved an additional 1,560 acre feet of water annually and denied the remaining 1,015 acre feet that was deferred by the Board's 1996 decision. Future Use Permit No. 5862-3 is being reissued to reflect the Board's decision.

1. Future Use Permit No. 5862-3 appropriates 5,260 acre feet of water annually from the Big Sioux:North Aquifer. The area reserved for future use is to be located in Sections 29, 30 and 31; all in T118N-R52W. The water is to be reserved for the purpose of providing future water supplies to the City of Watertown. This permit does not authorize construction of works or application of water to beneficial use.
2. The water appropriated shall be used for the purpose of municipal use to the City of Watertown and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date from which applicant may claim right is April 6, 1995.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

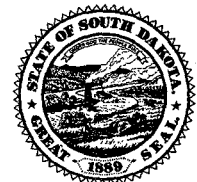
**QUALIFICATIONS**

1. Future Use Permit No. 5862-3 is approved for 5,260 acre feet of water with the stipulation that the Permit is subject to review by the Water Management Board upon expiration of seven (7) years.
2. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-8.1.
3. Permit No. 5862-3 is approved for water from the North Management Unit of the Big Sioux Aquifer.
4. If development of and pumping from the Big Sioux:North Aquifer of water reserved by Future Use Permit No. 5862-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered groundwater levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.

**WATER MANAGEMENT BOARD**

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

DEC 05 2006  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 5, 2006

**NOTICE**

Jeff DeVille, Water Supt.  
Watertown Municipal Utilities Dept  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201-4107

Dear Mr. DeVille:

I am writing in response to action taken by the Water Management Board at the November 29<sup>th</sup> hearing to quantify the amount of water held in reserve and conduct the 7 year review of Future Use Permit No. 5862-3. The Board quantified the permit to 5,260 acre-feet of water annually and allowed the permit to remain in effect. The Board denied the remaining 1,015 acre-feet of water that was deferred by the Water Management Board's 1996 decision in the matter of Water Permit No. 5862-3. Future Use Permit No. 5862-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5862-3 is \$127.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Enclosed is reissued Future Use Permit No. 5862-3 which reflects the Board's decision.

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

Sincerely,

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

enclosure

# CERTIFICATION

I hereby certify that on December 5, 2006 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated December 5, 2006 regarding Notice in response to action taken by the Water Management Board addressed as stated below:

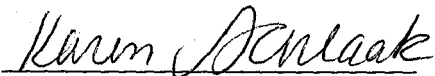
Jeff DeVille, Water Supt.  
Watertown Municipal Utilities Dept  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201-4107



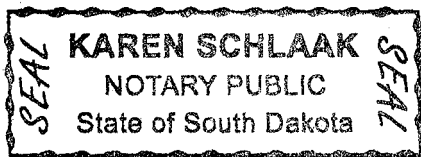
Eric Gronlund  
Natural Resource Engineer  
Water Rights

STATE OF SOUTH DAKOTA     )  
                                          ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 6<sup>th</sup> day of December, 2006.



Karen Schlaak  
Notary Public  
My Commission expires April 1, 2007



# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Feb 5, 20 07

RECEIVED OF Watertown Municipal Utilities Dept., Watertown SD 57201

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

|                                                                                                                |        |    |
|----------------------------------------------------------------------------------------------------------------|--------|----|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 127    | 50 |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |        |    |
| Fee to retain Future Use Permit No. <u>5862-3</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. _____                                         | 127.50 |    |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |        |    |
| (Any Other Work Provided by Law)                                                                               | TOTAL  |    |

No.

02929

By

Gurand Ebele  
Chief Engineer KS



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

[denr.sd.gov](http://denr.sd.gov)

November 15, 2013

Jeff Deville, Water Supt  
Watertown Municipal Utilities Department  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. Deville:

I am writing in regard to the seven year review of Future Use Water Permit No. 5862-3 from the Big Sioux:North Aquifer held by the City of Watertown. 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 760 acre-feet remain in reserve under this future use permit that was issued in 1995 and last reviewed in 2006.

Please respond in writing by January 1, 2014 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.

Permit No. 5862-3 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 760 acre-feet remain in reserve, the fee will be \$125.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

# MUNICIPAL UTILITIES DEPARTMENT

901 Fourth Avenue Southwest  
WATERTOWN, SOUTH DAKOTA 57201-4107  
PHONE (605) 882-6233 • FAX (605) 882-6238

RECEIVED

DEC 27 2013

WATER RIGHTS  
PROGRAM

December 23, 2013

Karen Schlaak  
Department of Environment and Natural Resources  
Joe Foss Building 523 East Capitol  
Pierre S.D. 57501-3182

RE: Future Water Use Permit No.5862-3

Dear Ms Schlaak:

The Watertown Municipal Utilities Department petitions to retain future water use permit No.5862-3 for future growth of the city.

The city has had growth with 973 new connections between 2003 and 2013. The city has not seen an increase in water production between 2003 and 2013. During this time the whole country went through an economic down turn and during this time we lost commercial customers with one being as large a 5% of our production.

In 2006 we stopped using water from our Lake Kampeska plant Permit No. 347-3 and we built a new treatment plant in 2010 to replace the lost production from the Kampeska lake plant and so we could comply with new regulations. We converted part of future use No. 5862-3 to appropriated permit No.7055-3 in 2008 to supply water for the new treatment plant.

We have purchased additional land adjacent to the new well field where we developed the 9 wells under permit No.7055-3. This land will be used to place additional wells that will use the remaining water under future use No. 5862-3.

Thank you and please call if you have any questions.

Sincerely,



Jeff DeVille  
Water Superintendent  
Watertown Municipal Utilities Dept.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

[denr.sd.gov](http://denr.sd.gov)

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT  
NO. 5862-3, City of Watertown 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. 5862-3, Watertown Municipal Utilities Department, c/o Jeff DeVille, Water Superintendent, 901 4<sup>th</sup> Ave SW, Watertown SD 57201.

The Chief Engineer is recommending that Future Use Permit No. 5862-3 REMAIN in EFFECT for 760 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5862-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 5862-3, 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. 5862-3 is subject to payment of the \$125.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Jeanne Goodman, Chief Engineer  
January 13, 2014



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 14, 2014

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

Watertown Municipal Utilities Department  
c/o Jeff DeVille, Water Superintendent  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. DeVille

Future Use Permit No. 5862-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted or used. The notice of this review has been sent to the Publishers of the 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 IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT.** Early contact with the paper can eliminate delays. The publisher has been instructed to publish this notice on January 22, 2014. 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

January 14, 2014

Public Opinion  
PO Box 10  
Watertown SD 57201

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 5862-3 to be published on January 22, 2014. 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](mailto:karen.schlaak@state.sd.us)

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Watertown Municipal Utilities Department, c/o Jeff DeVille, Water Superintendent, 901 4<sup>th</sup> Ave SW, Watertown SD (605 882-6233).

**Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.**

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

Instruction to Newspaper-Publish the following Notice on January 22, 2014. 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. 5862-3

Notice is given that the Water Management Board will review Future Use Permit No. 5862-3 held by Watertown Municipal Utilities Department, c/o Jeff DeVille, Water Superintendent, 901 4<sup>th</sup> Ave SW, Watertown SD 57201 for progress made in the development of the water reserved by the permit and future plans for development of the water reserved by Permit No. 5862-3. This permit was approved 1996 currently reserves 760 acre feet from the Big Sioux:North Aquifer located in Sections 29, 30 and 31; all in T118N-R52W. The water is reserved for municipal use by the city.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5862-3 REMAIN in EFFECT for 760 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. 5862-3 at 9:00 am on March 6, 2014 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 February 24, 2014. 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. 5862-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 24, 2014. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 24, 2014. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of \_\_\_\_\_.

RECEIVED

JAN 27 2014

Form 8

WATER RIGHTS  
PROGRAM

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
 ) SS  
County of Codington )

I, Monica K. Saathoff

certify that the attached printed Notice was  
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was  
published

in the newspaper on the following date:

January 22nd, 2014

Cost of Printing 84.74

Monica K. Saathoff  
(Signature)

Bookkeeper

(Title)

January 22nd, 2014

(Date Signed)

## DEPARTMENT OF ENVIRON- MENT AND NATURAL RESOURCES

NOTICE OF HEARING TO  
REVIEW FUTURE USE  
WATER PERMIT NO. 5862-  
3

HELD BY WATERTOWN  
MUNICIPAL UTILITIES  
DEPARTMENT

MARCH 6, 2014 AT 9:00  
A.M.

FLOYD MATHEW TRAIN-  
ING CENTER, JOE FOSS  
BUILDING, 523 E CAPI-  
TOL, PIERRE, SD

Notice is given that the  
Water Management Board  
will review Future Use Permit  
No. 5862-3 held by  
Watertown Municipal Utilities  
Department, c/o Jeff DeVille,  
Water Superintendent, 901  
4<sup>th</sup> Ave SW, Watertown SD  
57201 for progress made in  
the development of the water  
reserved by the permit and  
future plans for development  
of the water reserved by  
Permit No. 5862-3. This per-  
mit approved in 1996 cur-  
rently reserves 760 acre feet  
from the Big Sioux North  
Aquifer located in Sections  
29, 30 and 31; all in T18N-  
R52W. The water is  
reserved for municipal use  
by the city.

Pursuant to SDCL 46-2A-  
2 the Chief Engineer of the  
Water Rights Program rec-  
ommends that Permit No.  
5862-3 REMAIN in EFFECT  
for 760 acre-feet annually  
because 1) the reserved  
water may be developed, 2)  
there is need for the  
reserved water 3) the pro-  
posed use will be a benefi-  
cial use and 4) it is in the  
public interest.

The Water Management  
Board will conduct the  
hearing to review Future  
Use Permit No. 5862-3 at  
9:00 am on March 6, 2014  
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 reach-  
es a conclusion based upon  
facts presented at the public  
hearing. Any interested per-  
son who may be affected by  
a Board decision and who  
intends to participate in the  
hearing before the Board and  
present evidence or cross-  
examine witnesses accord-  
ing to SDCL 1-26, must file a  
written petition with BOTH  
the permit owner and the  
Chief Engineer by February  
24, 2014. 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 rea-  
sons for petitioner's opposi-

tion to or support of continu-  
ing 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. 5862-  
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 contest-  
ed case procedures con-  
tained in SDCL 1-26.

This hearing is an adver-  
sary proceeding. The permit  
owner or any person, after fil-  
ing a petition, has the right to  
be present or to be repre-  
sented 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 rec-  
ommendation, further infor-  
mation on this permit, to  
assure access to the hearing  
by the handicapped or obtain  
an interpreter for the hearing  
impaired may contact Eric  
Gronlund, Water Rights  
Program, (605 773-3352) by  
February 24, 2014. The time  
of the hearing will be auto-  
matically delayed for at least  
20 days upon written request  
of the permit owner or any  
person who has filed a peti-  
tion to oppose or support  
continuance of the Future  
Use Permit. The request for  
a delay must be filed with the  
Chief Engineer by February  
24, 2014.

Steven M. Pirner, Secretary,  
Department of Environment  
and Natural Resources.  
Published once at the  
approximate cost of \$93.00.  
(January 22, 2014)

All legal notices in the Public  
Opinion and other South  
Dakota newspapers can be  
found at  
[www.sdpublicnotices.com](http://www.sdpublicnotices.com)



**DEPARTMENT OF ENVIRONMENT  
and NATURAL RESOURCES**

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



March 7, 2014

**NOTICE**

Watertown Municipal Utilities Department  
c/o Jeff DeVille, Water Superintendent  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. DeVille

I am writing in response to action taken by the Water Management Board at the hearing on March 6, 2014 to review Future Use Permit No. 5862-3. The Board allowed the permit to remain in effect for 760 acre-feet of water annually. Future Use Permit No. 5862-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5862-3 is \$125.00 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 March 7, 2014, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 7, 2014 regarding Future Use Permits addressed as stated below:

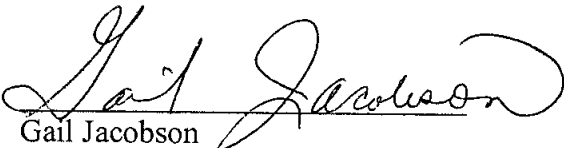
City of Spearfish, T Callaway, 625 N 5<sup>th</sup> St, Spearfish SD 57783 # **1872-1**

Southern Black Hills WS, Don Peterson, 26858 Hwy 385, Hot Springs SD 57747 # **2580-2**

Watertown Municipal Utilities, J DeVille, 901 4<sup>th</sup> Ave SW, Watertown SD 57201 # **5862-3**

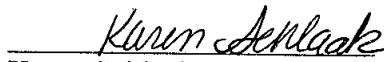
City of Brandon, B Read, PO Box 95, Brandon SD 57005 # **4002-3**

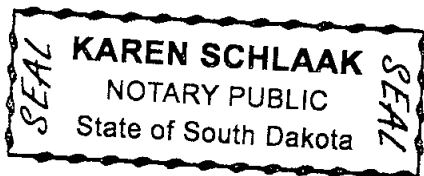
Minnehaha Community Water, S J Buss, 47381 248<sup>th</sup> St, Dell Rapids SD 57022  
#s **4838A-3, 5063A-3 & 5716-3**

  
Gail Jacobson  
Secretary/Water Rights

STATE OF SOUTH DAKOTA     )  
                                          ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 7<sup>th</sup> day of March, 20 14.

  
Karen Schlaak  
Notary Public  
My Commission expires April 1, 2019



# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/11, 20 14

RECEIVED OF Watertown Municipal Utilities 901 4th Ave SW Watertown SD 57201

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

|                                                                                                                |       |        |
|----------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | 125   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   |       |        |
| Fee to retain Future Use Permit No. <u>5862-3</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 | 125 00 |

No. **06820**

By James Goodman *eg*  
Chief Engineer



## WATERTOWN MUNICIPAL UTILITIES

901 • 4TH AVENUE SW • WATERTOWN, SD 57201-4107

PHONE: (605) 882-6233 • FAX: (605) 882-6238

WWW.WATERTOWNMU.COM

RECEIVED

JUN 25 2021

WATER RIGHTS  
PROGRAM

June 23, 2021

Eric Gronlund  
Department of Agriculture and Natural Resources  
Water Rights Program  
523 East Capitol  
Pierre, SD 57501-3182

Dear Eric,

I sadly announce to you that after thirty-three years of service with the Watertown Municipal Utilities, our dedicated and hard-working Water Superintendent, Jeff DeVille, will be retiring effective June 30, 2021. We greet Mr. DeVille's retirement with sorrow, but we are also happy Jeff can now enjoy his own time. Jeff has been a great asset to the Water Department here at the Watertown Municipal Utilities and will be greatly missed.

I would like to introduce our new Water Superintendent Wayne Lovelis. Wayne has been training under Jeff for the past two months and comes with much experience. He has over 25 years in the water/utility industry. He has spent the last six years with The City of Great Falls, Montana. He will take over the reins as Water Superintendent along with the duties of being the correspondent for the Water Rights and Diversion Structure under FC29. Feel free to contact Wayne at any time.

See below Wayne's contact information.

Watertown Municipal Utilities  
Wayne Lovelis, Water Superintendent  
901 4<sup>th</sup> Ave SW  
Watertown, SD 57201  
[wlovelis@watertownmu.com](mailto:wlovelis@watertownmu.com)  
605-882-6233 phone  
605-882-6239 fax

Best regards,

Steve Lehner, General Manager  
Watertown Municipal Utilities



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

September 17, 2021

Watertown Municipal Utilities  
c/o Wayne Lovelis  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. Lovelis:

I am writing in regard to the seven year review of Future Use Water Permit No. 5862-3 from the Big Sioux:North Aquifer held by Watertown Municipal Utilities. 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 760 acre-feet remain in reserve under this future use permit that was issued in 1995 and last reviewed in 2013.

Please respond in writing by October 15, 2021 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.

Permit No. 5862-3 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 760 acre-feet remain in reserve, the fee will be \$125.00.

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

Sincerely,

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)



## **WATERTOWN MUNICIPAL UTILITIES**

901 • 4TH AVENUE SW • WATERTOWN, SD 57201-4107

PHONE: (605) 882-6233 • FAX: (605) 882-6238

WWW.WATERTOWNMU.COM

---

October 20, 2021

Eric Gronlund  
Department of Environment and Natural Resources  
Joe Foss Building 523 East Capitol  
Pierre S.D. 57501-3182

RE: Future Water Use Permit No.5862-3

The Watertown Municipal Utilities Department petitions to retain future water use permit No.5862-3 for future growth of the city. The city has had 793 new connections and a 3.10% increase in water production from 2014 thru 2020.

Attached for your information please find production history, plus projections for annual and peak day production through 2020. We have a 31% increase in 2021, 10% increase in 2022 and a 2% increase in projected years to 2031.

We begin producing water from the No.5862-3 future use area in 2009.

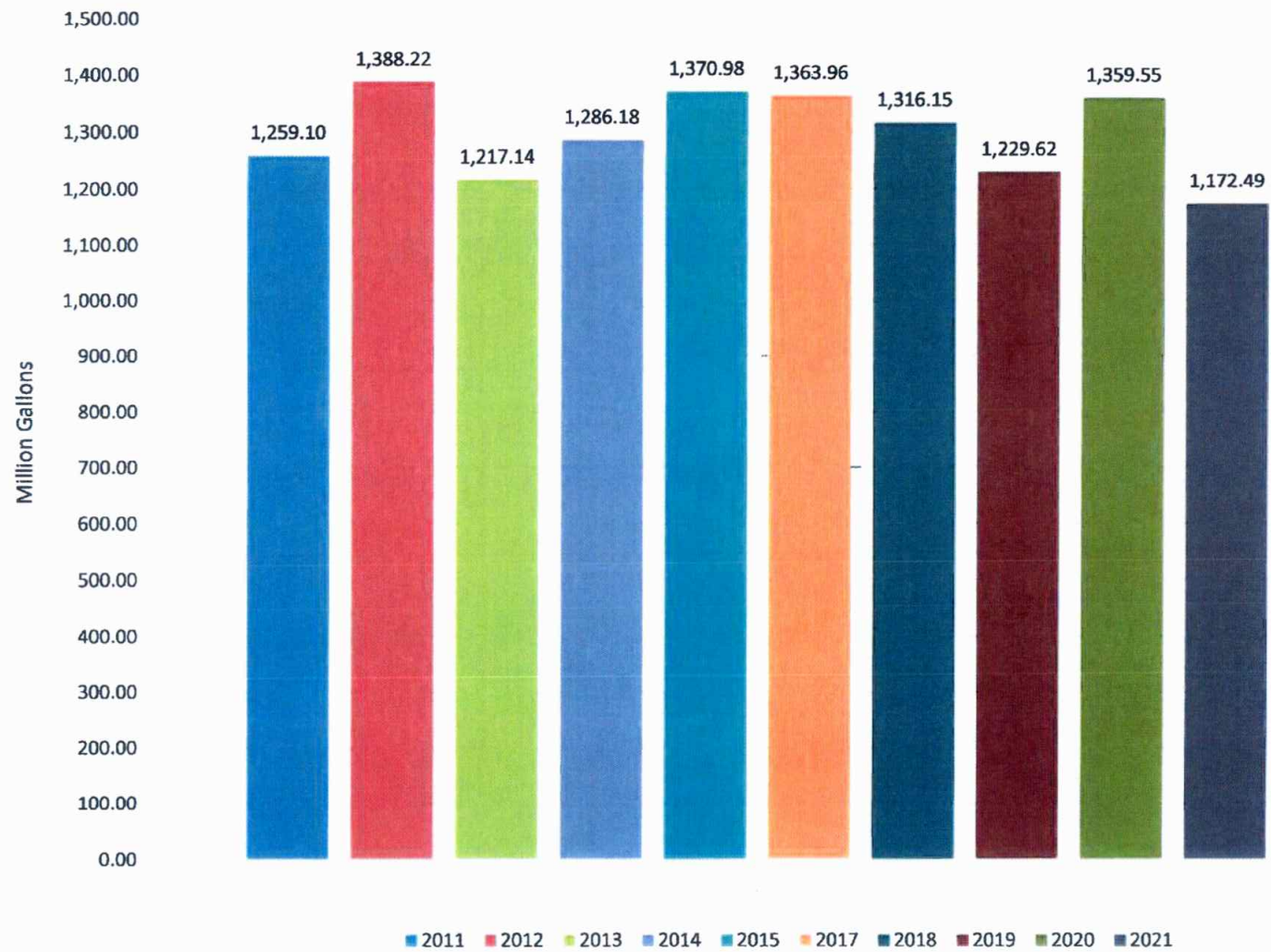
Included in the information is a map of the Ground Water Protection Zone for Codington County. The future water use permit No.5862-3 covers the brown area in sections 29, 30, and 31.

Thank you and please call if you have any questions.

Sincerely,

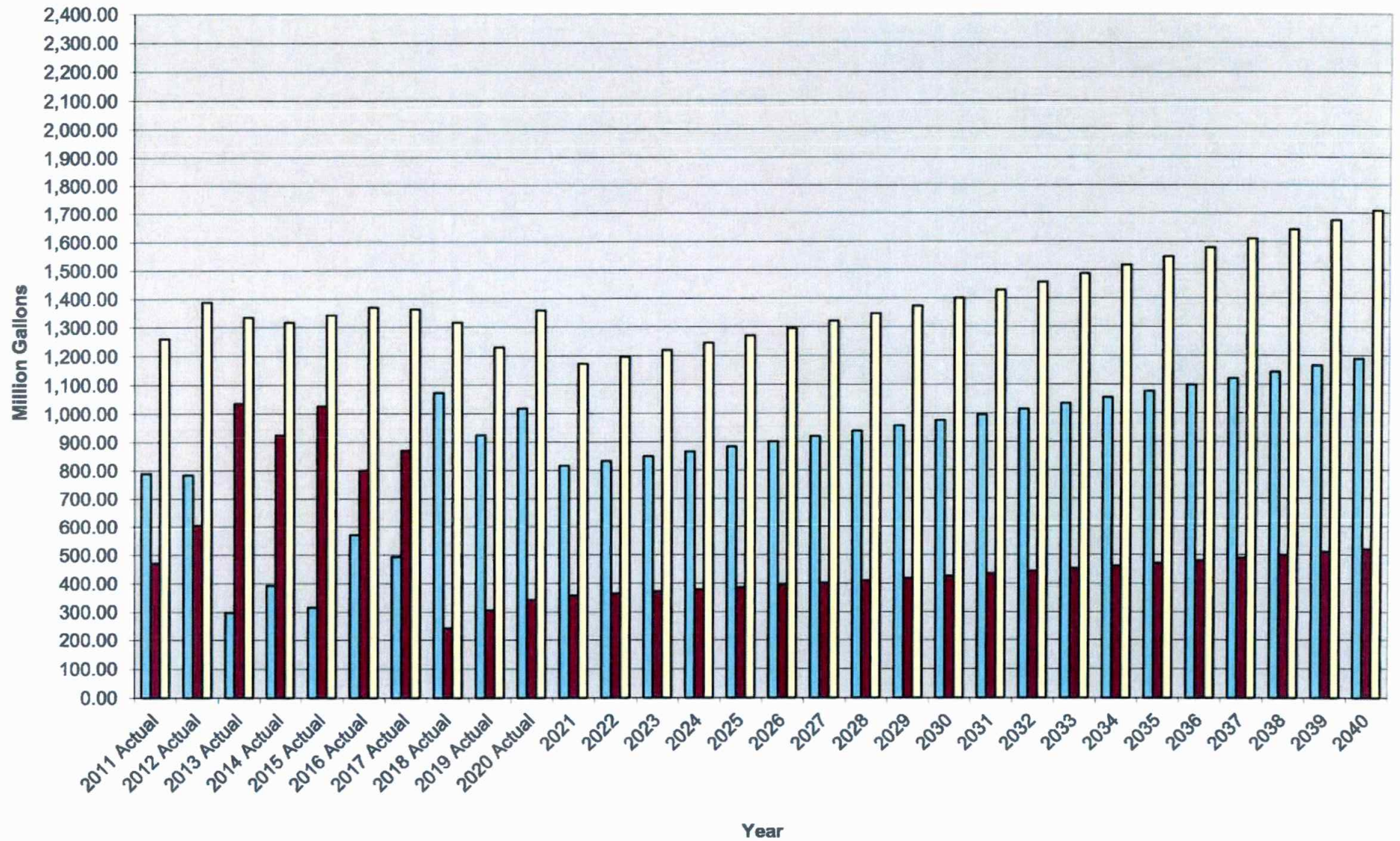
Wayne Lovelis  
Water Superintendent  
Watertown Municipal Utilities Dept.

### Combined Total Annual Production



## Projected Combined Total Annual Production

■ Right #7055-3" 
 ■ Existing Well Rights 
 ■ Combined Production



**Projected Production in Million Gallons**

**Future Rights 1218-3 and 2107-3**

|              | 2011<br>Actual | 2012<br>Actual | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 |
|--------------|----------------|----------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Total</b> | <b>0.00</b>    | <b>0.00</b>    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |

**#7055-3 Rights**

|              | 2011<br>Actual | 2012<br>Actual | 2013<br>Actual | 2014<br>Actual | 2015<br>Actual | 2016<br>Actual | 2017<br>Actual | 2018<br>Actual  | 2019<br>Actual | 2020<br>Actual  | 2021          | 2022          | 2023          | 2024          | 2025          | 2026          | 2027          | 2028          | 2029          | 2030          | 2031          | 2032            | 2033            | 2034            | 2035            | 2036            | 2037            | 2038            | 2039            | 2040            |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-----------------|----------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Total</b> | <b>788.23</b>  | <b>783.77</b>  | <b>297.74</b>  | <b>392.88</b>  | <b>315.68</b>  | <b>571.14</b>  | <b>493.44</b>  | <b>1,073.24</b> | <b>923.30</b>  | <b>1,017.77</b> | <b>815.83</b> | <b>832.15</b> | <b>848.79</b> | <b>865.77</b> | <b>883.08</b> | <b>900.74</b> | <b>918.76</b> | <b>937.13</b> | <b>955.87</b> | <b>974.99</b> | <b>994.49</b> | <b>1,014.38</b> | <b>1,034.67</b> | <b>1,055.36</b> | <b>1,076.47</b> | <b>1,098.00</b> | <b>1,119.96</b> | <b>1,142.36</b> | <b>1,165.21</b> | <b>1,188.51</b> |

**Existing Well Rights**

|       | 2011<br>Actual | 2012<br>Actual | 2013<br>Actual | 2014<br>Actual | 2015<br>Actual | 2016<br>Actual | 2017<br>Actual | 2018<br>Actual | 2019<br>Actual | 2020<br>Actual | 2021   | 2022   | 2023   | 2024   | 2025   | 2026   | 2027   | 2028   | 2029   | 2030   | 2031   | 2032   |        |        |        |        |        |        |        |        |
|-------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Total | 470.87         | 604.45         | 1,036.52       | 923.84         | 1,026.59       | 799.84         | 870.53         | 242.92         | 306.35         | 341.76         | 356.56 | 363.69 | 370.97 | 378.38 | 385.95 | 393.67 | 401.54 | 409.58 | 417.77 | 426.12 | 434.64 | 443.34 | 452.20 | 461.25 | 470.47 | 479.88 | 489.48 | 499.27 | 509.26 | 519.44 |

**Combined Total Production in Million Gallons**

|              | 2011<br>Actual  | 2012<br>Actual  | 2013<br>Actual  | 2014<br>Actual  | 2015<br>Actual  | 2016<br>Actual  | 2017<br>Actual  | 2018<br>Actual  | 2019<br>Actual  | 2020<br>Actual  | 2021            | 2022            | 2023            | 2024            | 2025            | 2026            | 2027            | 2028            | 2029            | 2030            | 2031            | 2032            | 2033            | 2034            | 2035            | 2036            | 2037            | 2038            | 2039            | 2040            |
|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Total</b> | <b>1,259.10</b> | <b>1,388.22</b> | <b>1,334.26</b> | <b>1,316.73</b> | <b>1,342.27</b> | <b>1,370.98</b> | <b>1,363.96</b> | <b>1,316.15</b> | <b>1,229.65</b> | <b>1,359.53</b> | <b>1,172.39</b> | <b>1,195.84</b> | <b>1,219.75</b> | <b>1,244.15</b> | <b>1,269.03</b> | <b>1,294.41</b> | <b>1,320.30</b> | <b>1,346.71</b> | <b>1,373.64</b> | <b>1,401.11</b> | <b>1,429.14</b> | <b>1,457.72</b> | <b>1,486.87</b> | <b>1,516.61</b> | <b>1,546.94</b> | <b>1,577.88</b> | <b>1,609.44</b> | <b>1,641.63</b> | <b>1,674.46</b> | <b>1,707.95</b> |

Existing well rights include #348-3, #349-3, #350-3, #351-3, #1217-3, #1716-3, #2239-3, #2757-3, #3022-3, #5233-3, #5462-3, #5683-3 and the remaining portion of future rights on #1218-3 and #2107-3

# **Combined Production in Million Gallons**

|                              | 2007            | 2008            | 2009            | 2010            | 2011            | 2012            | 2013            | 2014            | 2015            | 2016            | 2017            | 2018            | 2019            | 2020            | 2021            |
|------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| January                      | 82.35           | 89.30           | 84.95           | 83.90           | 94.03           | 82.69           | 84.95           | 83.90           | 91.47           | 88.25           | 97.09           | 93.82           | 93.01           | 91.07           | 100.93          |
| February                     | 77.48           | 84.05           | 79.07           | 76.56           | 84.06           | 78.85           | 79.07           | 76.56           | 83.80           | 83.85           | 86.23           | 83.86           | 85.39           | 87.37           | 88.20           |
| March                        | 85.46           | 90.15           | 86.37           | 71.76           | 89.57           | 85.17           | 86.37           | 71.76           | 95.41           | 89.85           | 91.98           | 90.67           | 90.13           | 94.40           | 100.52          |
| April                        | 82.52           | 86.57           | 83.31           | 86.77           | 90.58           | 91.55           | 83.31           | 86.77           | 103.05          | 90.84           | 89.23           | 92.16           | 93.69           | 90.10           | 97.47           |
| May                          | 116.81          | 102.99          | 119.95          | 117.93          | 100.61          | 118.96          | 119.95          | 117.93          | 123.75          | 117.82          | 120.52          | 125.66          | 102.53          | 115.87          | 131.65          |
| June                         | 145.54          | 128.40          | 126.26          | 126.55          | 113.26          | 147.12          | 126.26          | 126.55          | 133.15          | 169.49          | 152.76          | 145.62          | 135.28          | 146.17          | 194.05          |
| July                         | 219.09          | 175.21          | 135.29          | 157.10          | 144.45          | 196.38          | 135.29          | 157.10          | 155.98          | 179.17          | 170.92          | 161.90          | 134.28          | 152.70          | 182.39          |
| August                       | 144.33          | 151.26          | 130.88          | 170.99          | 153.36          | 161.10          | 130.88          | 170.99          | 136.96          | 152.09          | 141.31          | 127.36          | 121.33          | 157.99          | 154.82          |
| September                    | 112.57          | 125.59          | 116.79          | 112.28          | 133.65          | 144.40          | 116.79          | 112.28          | 132.68          | 121.34          | 127.65          | 121.38          | 105.40          | 127.38          | 122.46          |
| October                      | 87.96           | 88.81           | 86.55           | 100.58          | 94.34           | 102.03          | 86.55           | 100.58          | 104.52          | 98.41           | 98.12           | 93.71           | 91.67           | 101.86          |                 |
| November                     | 80.97           | 88.01           | 84.05           | 90.16           | 80.06           | 89.70           | 84.05           | 90.16           | 88.74           | 88.62           | 93.21           | 89.48           | 87.73           | 98.39           |                 |
| December                     | 88.68           | 87.90           | 83.67           | 91.62           | 81.14           | 90.28           | 83.67           | 91.62           | 92.74           | 91.24           | 94.94           | 90.53           | 89.18           | 96.26           |                 |
| <b>Total Million Gallons</b> | <b>1,323.76</b> | <b>1,298.24</b> | <b>1,217.14</b> | <b>1,286.18</b> | <b>1,259.10</b> | <b>1,388.22</b> | <b>1,217.14</b> | <b>1,286.18</b> | <b>1,342.27</b> | <b>1,370.98</b> | <b>1,363.96</b> | <b>1,316.15</b> | <b>1,229.62</b> | <b>1,359.55</b> | <b>1,172.49</b> |

Total Production last review period(2007-2013)

8989.79

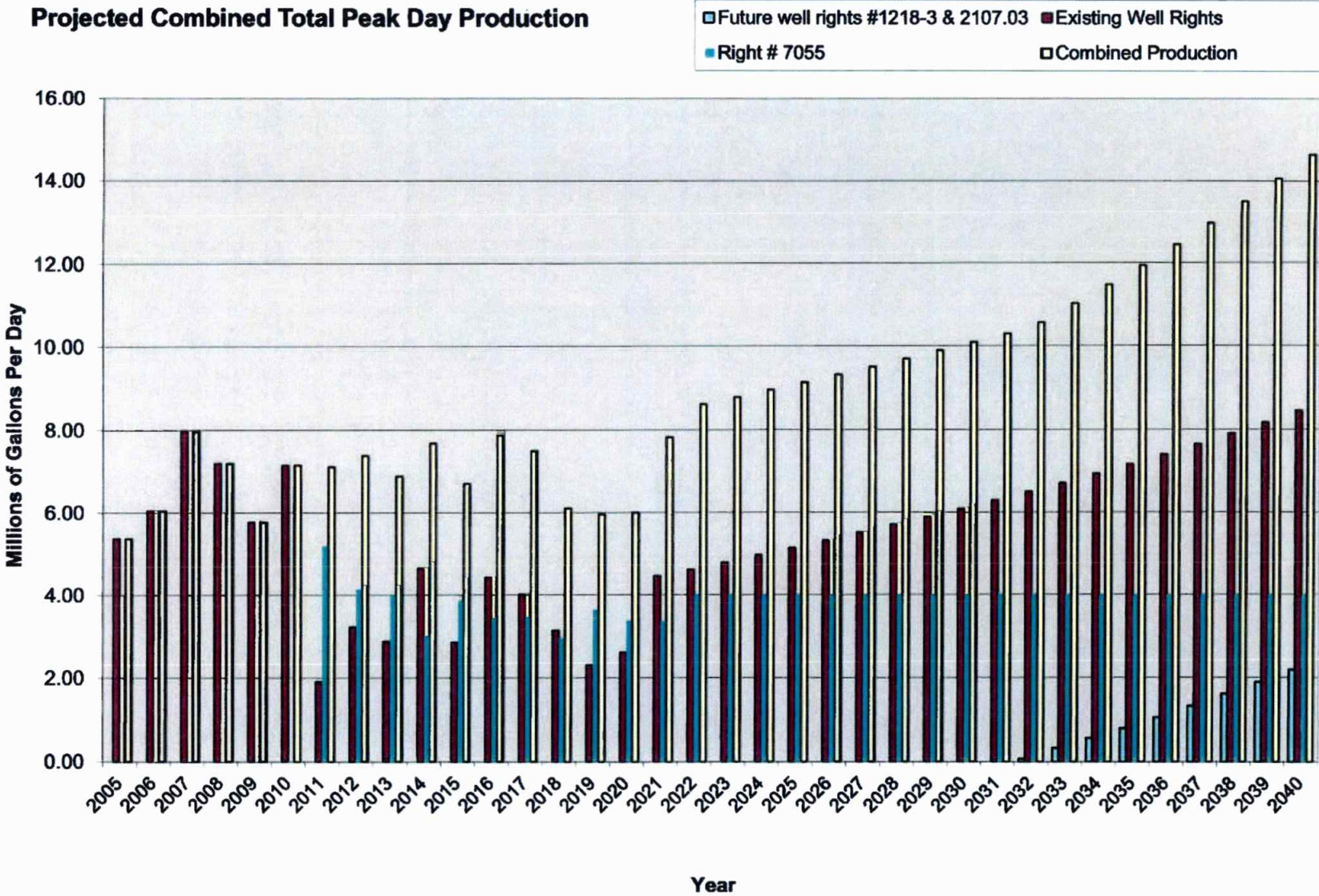
Total Production this review period(2014-2020)

9268.71

Percentage increase

3.10%

# Projected Combined Total Peak Day Production



**Projected Combined Total Peak Day Production**

|           |      | #7055-3<br>Rights          | Existing Well<br>Rights    | #1218-3 & #2107-3<br>Future well rights | Total                      |                      |
|-----------|------|----------------------------|----------------------------|-----------------------------------------|----------------------------|----------------------|
|           | Year | Million Gallons<br>Per Day | Million Gallons<br>Per Day | Million Gallons Per<br>Day              | Million Gallons<br>Per Day | % Change<br>Per Year |
| Actual    | 2001 | 0.00                       | 4.96                       | 0.00                                    | 4.96                       |                      |
| Actual    | 2002 | 0.00                       | 5.85                       | 0.00                                    | 5.85                       | 18%                  |
| Actual    | 2003 | 0.00                       | 4.74                       | 0.00                                    | 4.74                       | -19%                 |
| Actual    | 2004 | 0.00                       | 5.36                       | 0.00                                    | 5.36                       | 13%                  |
| Actual    | 2005 | 0.00                       | 5.36                       | 0.00                                    | 5.36                       | 0%                   |
| Actual    | 2006 | 0.00                       | 6.04                       | 0.00                                    | 6.04                       | 13%                  |
| Actual    | 2007 | 0.00                       | 7.97                       | 0.00                                    | 7.97                       | 32%                  |
| Actual    | 2008 | 0.00                       | 7.19                       | 0.00                                    | 7.19                       | -10%                 |
| Actual    | 2009 | 0.00                       | 5.76                       | 0.00                                    | 5.76                       | -20%                 |
| Actual    | 2010 | 0.00                       | 7.14                       | 0.00                                    | 7.14                       | 24%                  |
| Actual    | 2011 | 5.20                       | 1.90                       | 0.00                                    | 7.10                       | -1%                  |
| Actual    | 2012 | 4.14                       | 3.23                       | 0.00                                    | 7.37                       | 4%                   |
| Actual    | 2013 | 4.00                       | 2.88                       | 0.00                                    | 6.88                       | -7%                  |
| Actual    | 2014 | 3.03                       | 4.64                       | 0.00                                    | 7.67                       | 11%                  |
| Actual    | 2015 | 3.85                       | 2.84                       | 0.00                                    | 6.69                       | -13%                 |
| Actual    | 2016 | 3.46                       | 4.41                       | 0.00                                    | 7.87                       | 18%                  |
| Actual    | 2017 | 3.48                       | 4.00                       | 0.00                                    | 7.49                       | -5%                  |
| Actual    | 2018 | 2.96                       | 3.14                       | 0.00                                    | 6.10                       | -19%                 |
| Actual    | 2019 | 3.65                       | 2.30                       | 0.00                                    | 5.95                       | -2%                  |
| Actual    | 2020 | 3.39                       | 2.60                       | 0.00                                    | 5.99                       | 1%                   |
| Actual    | 2021 | 3.37                       | 4.45                       | 0.00                                    | 7.82                       | 31%                  |
| Projected | 2022 | 4.00                       | 4.61                       | 0.00                                    | 8.61                       | 10%                  |
| Projected | 2023 | 4.00                       | 4.78                       | 0.00                                    | 8.78                       | 2%                   |
| Projected | 2024 | 4.00                       | 4.95                       | 0.00                                    | 8.95                       | 2%                   |
| Projected | 2025 | 4.00                       | 5.13                       | 0.00                                    | 9.13                       | 2%                   |
| Projected | 2026 | 4.00                       | 5.32                       | 0.00                                    | 9.32                       | 2%                   |
| Projected | 2027 | 4.00                       | 5.50                       | 0.00                                    | 9.50                       | 2%                   |
| Projected | 2028 | 4.00                       | 5.69                       | 0.00                                    | 9.69                       | 2%                   |
| Projected | 2029 | 4.00                       | 5.89                       | 0.00                                    | 9.89                       | 2%                   |
| Projected | 2030 | 4.00                       | 6.08                       | 0.00                                    | 10.08                      | 2%                   |
| Projected | 2031 | 4.00                       | 6.29                       | 0.00                                    | 10.29                      | 2%                   |
| Projected | 2032 | 4.00                       | 6.49                       | 0.07                                    | 10.56                      | 3%                   |
| Projected | 2033 | 4.00                       | 6.70                       | 0.32                                    | 11.02                      | 4%                   |
| Projected | 2034 | 4.00                       | 6.92                       | 0.55                                    | 11.47                      | 4%                   |
| Projected | 2035 | 4.00                       | 7.15                       | 0.78                                    | 11.93                      | 4%                   |
| Projected | 2036 | 4.00                       | 7.39                       | 1.05                                    | 12.44                      | 4%                   |
| Projected | 2037 | 4.00                       | 7.64                       | 1.32                                    | 12.96                      | 4%                   |
| Projected | 2038 | 4.00                       | 7.90                       | 1.60                                    | 13.50                      | 4%                   |
| Projected | 2039 | 4.00                       | 8.17                       | 1.89                                    | 14.06                      | 4%                   |
| Projected | 2040 | 4.00                       | 8.45                       | 2.18                                    | 14.63                      | 4%                   |

### New Connections Over Review Period.

| Year                        | Connections |      |                                  |
|-----------------------------|-------------|------|----------------------------------|
|                             | 2013        | 8735 | 11/20/2013 tapping permit # 3022 |
|                             | 2020        | 9528 | 12/31/2020 tapping permit # 3584 |
| Increase                    |             | 793  | Total permits this period 562    |
| % Increase                  |             | 8%   | % Increase 16%                   |
| Take from financial reports |             |      |                                  |

### Year to Year January Comparison

|                 | 2012       | 2013       | 2014       | 2015       | 2016       | 2017       | 2018       | 2019       | 2020       |
|-----------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| January         | 82,691,000 | 90,170,000 | 98,540,000 | 91,474,000 | 88,248,000 | 97,089,000 | 93,817,000 | 93,010,000 | 91,069,000 |
| Million gallons | 82.69      | 90.17      | 98.54      | 91.47      | 88.25      | 97.09      | 93.82      | 93.01      | 91.07      |
| Million Gallon  |            |            |            |            |            |            |            |            |            |
| increase from   |            |            |            |            |            |            |            |            |            |
| 2012            |            | 7.48       | 15.85      | 8.78       | 5.56       | 14.40      | 11.13      | 10.32      | 8.38       |
|                 |            | 8.29%      | 16.08%     | 9.60%      | 6.30%      | 14.83%     | 11.86%     | 11.09%     | 9.20%      |



**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. 5862-3, Watertown Municipal Utilities**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit No. 5862-3, Watertown Municipal Utilities, c/o Wayne Lovelis, Water Supt., 901 4<sup>th</sup> Ave SW, Watertown SD 57201

The Chief Engineer is recommending that Future Use Permit No. 5862-3 REMAIN in EFFECT for 760 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 5862-3, 2) the department has demonstrated a reasonable need for the water reserved by Permit No. 5862-3, 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. 5862-3 is subject to payment of the \$125.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the department after the Board hearing.

Eric Gronlund, Chief Engineer  
November 3, 2021

# LOCALiQ

Aberdeen News  
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

## **PROOF OF PUBLICATION**

Water Rights Program  
Municipal Utilities  
901 4TH AVE SW  
Watertown SD 57201

RECEIVED

NOV 18 2021

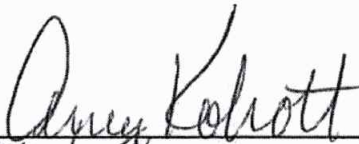
WATER RIGHTS  
PROGRAM

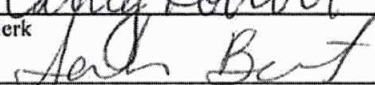
STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

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:

11/11/2021

and that the fees charged are legal.  
Sworn to and subscribed before on 11/11/2021

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

11/27/25  
\_\_\_\_\_  
My commission expires

Publication Cost: \$73.04

Order No: 6496358

# of Copies:

Customer No: 554902

1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

SARAH BERTELSEN  
Notary Public  
State of Wisconsin

**NOTICE OF HEARING  
TO REVIEW FUTURE  
USE WATER PERMIT  
NO. 5862-3**

Notice is given that the Water Management Board will review Future Use Permit No. 5862-3 held by Watertown Municipal Utilities, c/o Wayne Lovells, Water Supt., 901 4th Ave SW, Watertown SD 57201 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 5862-3. This permit was approved 1995 and currently reserves 760 acre-feet from the Big Sioux:North Aquifer located in Sections 29, 30 and 31; all in T118N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5862-3 REMAIN in EFFECT for 760 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 Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 5862-3 on December 8, 2021 at 9:30 am (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., 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 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

Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 22, 2021.

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. 5862-3 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 Chief Engineer by November 22, 2021.

Any interested person may file a comment on the future use permit renewal with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 22, 2021.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture and Natural Resources at least 48 hours before the hearing if you have a

disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

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 Chief Engineer is November 22, 2021. 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 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 \_\_\_\_\_.

Nov. 11, 2021 # 6496358

Instruction to Newspaper - Publish the following Notice on November 11, 2021. Watertown Municipal Utilities is responsible for payment.

---

## NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 5862-3

Notice is given that the Water Management Board will review Future Use Permit No. 5862-3 held by Watertown Municipal Utilities, c/o Wayne Lovelis, Water Supt., 901 4<sup>th</sup> Ave SW, Watertown SD 57201 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 5862-3. This permit was approved 1995 and currently reserves 760 acre-feet from the Big Sioux:North Aquifer located in Sections 29, 30 and 31; all in T118N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 5862-3 REMAIN in EFFECT for 760 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 Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 5862-3 on December 8, 2021 at 9:30 am (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., 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 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 Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The 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 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 November 22, 2021.

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. 5862-3 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 Chief Engineer by November 22, 2021.

Any interested person may file a comment on the future use permit renewal with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the 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 November 22, 2021.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

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 Chief Engineer is November 22, 2021. 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 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\_\_\_\_\_.

## Schlaak, Karen

---

**From:** Schlaak, Karen  
**Sent:** Tuesday, November 2, 2021 3:38 PM  
**To:** 'legals@thepublicopinion.com'  
**Subject:** Future Use Permit No. 5862-3  
**Attachments:** 5862-3FU REVIEWpubnotice\_final.doc; FORM8.FRM.doc

Attached is a notice to be published on November 11, 2021.

Watertown Municipal Utilities, c/o Wayne Lovelis, Water Supt, 901 4<sup>th</sup> Ave SW, Watertown SD 57201 (605 882-6233) 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*

DANR - Water Rights Program  
(605) 773-3352  
Website: <https://danr.sd.gov>



## Schlaak, Karen

---

**From:** Schlaak, Karen  
**Sent:** Wednesday, November 3, 2021 7:32 AM  
**To:** wlovelis@watertownmu.com  
**Subject:** Future Use Permit No. 5862-3  
**Attachments:** 2147.pdf

Wayne,

Attached is a copy of the chief engineers recommendation and information regarding the public notice for review of the future use water permit. As stated in the letter, please contact the paper as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

I am also forwarding an email from the Watertown paper which should help when contacting them.

*Karen Schlaak*

DANR - Water Rights Program  
(605) 773-3352  
Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

November 3, 2021

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

Watertown Municipal Utilities  
c/o Wayne Lovelis, Water Supt.  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. Lovelis:

Future Use Permit No. 5862-3 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 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 IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish this notice on November 11, 2021. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Karen Schlaak  
Water Rights Program  
605 773-3352

enclosures



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

December 9, 2021

**NOTICE OF ENTRY OF ORDER**

Watertown Municipal Utilities  
c/o Wayne Lovelis  
901 4<sup>th</sup> Ave SW  
Watertown SD 57201

Dear Mr. Lovelis:

I am writing in response to action taken by the Water Management Board at the hearing on December 8, 2021 to review Future Use Permit No. 5862-3. The Board allowed the permit to remain in effect for 760 acre-feet of water annually. Future Use Permit No. 5862-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 5862-3 is \$125.00 pursuant to SDCL 46-2-13(2). Please make checks payable to the Water Rights Program and remit the fee within 60 days.

Please contact Karen Schlaak, if you have any questions.

Sincerely,

Eric Gronlund, Chief Engineer  
Water Rights Program  
605 773-3352

CERTIFICATION

I hereby certify that on December 9, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class postage prepaid envelope containing a "NOTICE OF ENTRY OF ORDER" dated December 9, 2021 involving action taken by the Water Management Board hearing on July 7, 2021:

**Future Use Permit No. 5862-3**

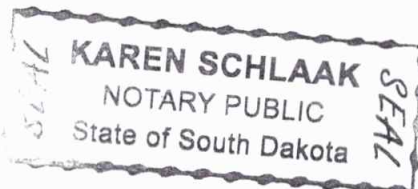
Watertown Municipal Utilities c/o Wayne Lovelis, 901 4<sup>th</sup> Ave SW, Watertown SD 57201

  
Vickie Maberry  
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA                    )  
                                                          ) SS  
COUNTY OF HUGHES                    )

Sworn to, before me, this 9<sup>th</sup> day of December, 20 21.

  
Karen Schlaak Notary Public  
My Commission expires April 1, 2025



# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date January 12, 2022

RECEIVED OF Watertown Municipal Utilities c/o Wayne Lovelis 901 4<sup>th</sup> Ave SW Watertown SD 57201

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

|                                                                                                                |                 |
|----------------------------------------------------------------------------------------------------------------|-----------------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use | \$ _____        |
| Fee for Application for Permit No. _____ to Appropriate Water for Future use                                   | \$ _____        |
| Fee to retain Future Use Permit No. <u>5862-3</u> after period of seven years.                                 | <u>\$125.00</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>\$125.00</u> |

By Eric Gronlund  
Chief Engineer  
*Em*