

FUTURE USE WATER PERMIT NO. 6237-3

Name of Applicant: City of Vermillion

Address: 25 Center St. Vermillion SD 57069

Phone: 605 677-7050

Amount of Water Claimed: 1900 acre-feet annually

Total Acres:

Source of Water Supply: groundwater

Water to be used for: municipal

County: Clay

Type of Waste Disposal System:

Location: Vermillion city limits

PRIORITY

Date Received: 11-6-2000

Fee: \$57.50

Corrected Application Received::

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: N ½ Sec 24-T92N-R52W

Land to be Irrigated: NA

Depth of Well: 118 & 120 feet deep

Well Driller: : Wetmore Drilling

Remarks:

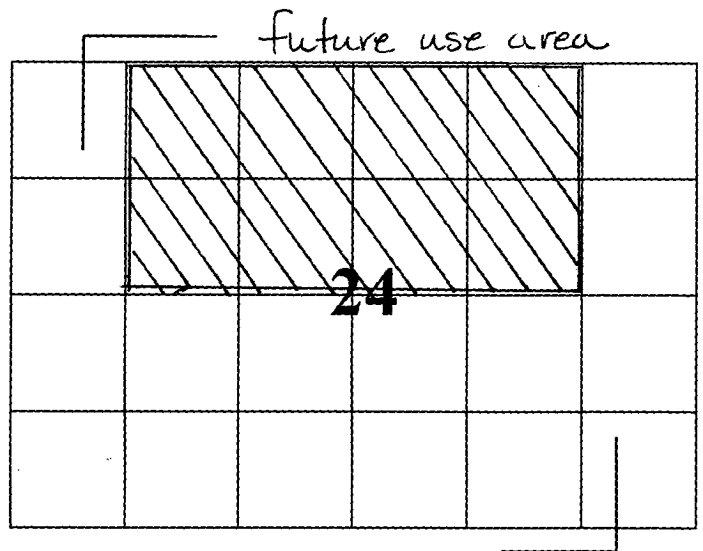
Type of Map: plat

Prepared by: Harold Holoch, Utilities Engineer

Reviewed and the Number Assigned on: 11-7-2000

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
FUTURE USE PERMIT NO. 6237-3**

Date of first receipt of application November 6, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6237-3 to City of Vermillion, 25 Center St, Vermillion SD 57069 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 6237-3 reserves 1,900 acre-feet of water annually from groundwater (Missouri:Elk Point Aquifer). The area to be reserved for future water use is located in the N ½ Section 24-T92N-R52W. 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 future water supplies to the City of Vermillion 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 of approval of Permit No. 6237-3 is February 12, 2001.
5. The date from which applicant may claim right is November 6, 2000.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Permit No. 6237-3 reserves 1,900 acre feet of water annually.
2. That Future Use Permit No. 6237-3 is approved with the stipulation that the Permit to appropriate water is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
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 46-5-38.1.
4. This Permit is approved for groundwater from the Missouri:Elk Point Aquifer. Wells will be approximately 120 feet deep.

WATER MANAGEMENT BOARD

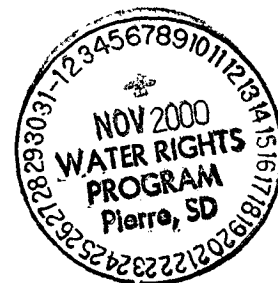
By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 13 2001

date



No. 6237-3 Hydrologic Unit 10170102
Basin Vermillion R
Newspaper Plain Talk, Vermillion



☒ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other _____	

Type of Application: _____ New _____ Vested Right (Use predates Mar 2, 1955) ☒ Future Use Reservation
(check one) _____ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
_____ Amendment/Correction to Permit No. _____

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

1. Name of Applicant City of Vermillion Phone 605-677-7050
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 25 Center St. State Vermillion, SD 57069
(Street, RR. or Box) (Zip Code)

2. Amount of water claimed _____ *CFS or 1200 **GPM 1,900 ***AF
 (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Ground water wells - Lower Vermillion Missouri Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Future use reservation
for two additional wells in NE1/4 & NW1/4 section 24-T92N-R52W (see attached map)
County Clay

5. County or counties where water will be used Clay

6. Annual period during which water is to be used January 1 thru December 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
Future use reservation to accommodate the growth of the City of Vermillion for the next 20 years more or less.

STATE OF SOUTH DAKOTA) SS
County of Clay)

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

1. Harold Holoch, 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 Harold Holoch, Utilities Engineer

Subscribed and sworn to before me this 2nd day of November 2000

Michael D. Callaway
Notary Public
com exp 7-5-2005

City of VERMILLION

25 CENTER STREET
VERMILLION, SOUTH DAKOTA 57069

PHONE: (605) 677-7050

January 22, 2001

Eric Gronlund
Water Rights Program
DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Future Use Reservation Application No. 6237-3

Dear Mr. Gronlund:

Enclosed is the revised future use reservation map that now coincides with the legal description included in the original application as we discussed earlier today. Please replace or attach the new map to the application.

Thank you for your assistance in making the applications.

Sincerely,



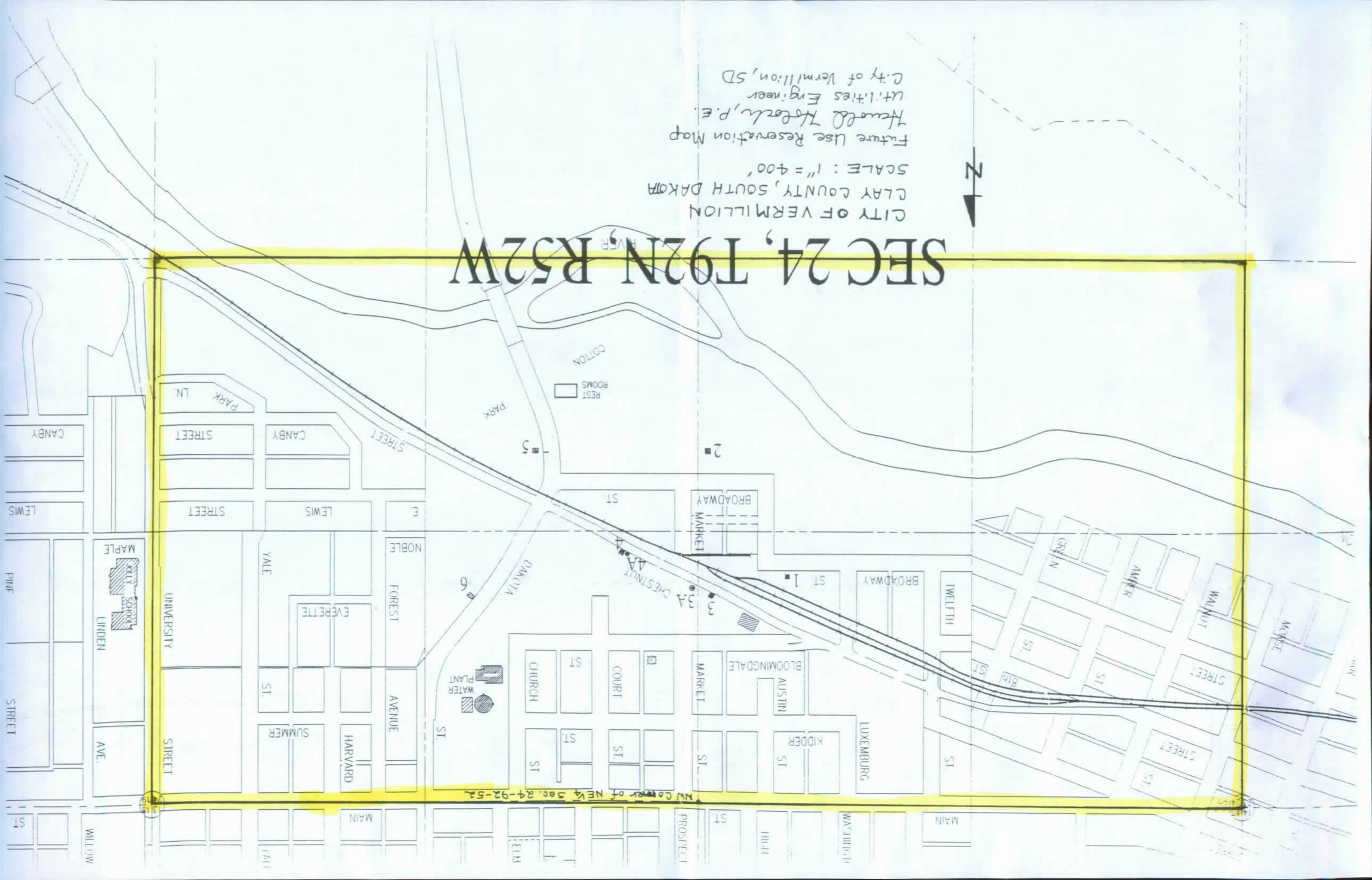
Harold Holoch, P.E.
Utilities Engineer

Enclosures



SEC 24, T92N, R52W

CITY OF VERMILLION
CLAY COUNTY, SOUTH DAKOTA
SCALE: 1" = 400'
Future Use Reservation Map
Howard Hobbs, P.E.
Utilities Engineer
City of Vermillion, SD



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416683

Pierre, November 9, 2000

RECEIVED OF City of Vermillion, 25 Center St, Vermillion SD 57069

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

Fee for Application for Permit No. <u>6237-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	57	50
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	57 50

By

Chief Engineer

Darlanid Enbele

KS

REPORT ON WATER PERMIT APPLICATION NO. 6237-3
for the City of Vermillion
January 9, 2001

Application No. 6237-3 proposes to appropriate for future use 1,900 acre feet annually from groundwater from wells approximately 120 feet deep. The area to be reserved for future use is located in the N 1/2 of section 24, T92N R52W in Clay County. The water is reserved for municipal use by the city and this application does not authorize construction of works or application of water to beneficial use.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) which is under water table conditions over most of Clay County. The aquifer underlies 74,500 acres and contains an estimated 1.117 million acre feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer is hydraulically connected to the Lower Vermillion Missouri aquifer to the north which underlies 100,800 acres and contains an estimated 1.512 million acre feet of recoverable water in storage in Clay County (Hedges, 1982). The Missouri Elk Point also extends into Yankton County to the west and into Union County to the east. This aquifer is also hydraulically connected to the Vermillion and Missouri rivers. Ground water movement is generally from north to south and toward the Vermillion river in Clay County (Christensen, 1967).

Production well information supplied with the application indicates that well #4A (replacement for the original well #4) and well #6 (replacement for well #1) are buried and under confined conditions at this site. However, wells just to the south are unconfined and under water table conditions. The physical boundary between the Missouri Elk Point aquifer and the Lower Vermillion Missouri aquifer is basically the bluffs along the southern edge of Vermillion. Essentially these two aquifers are the same only separated by the fact that one is buried beneath a layer of till and the other is at land surface.

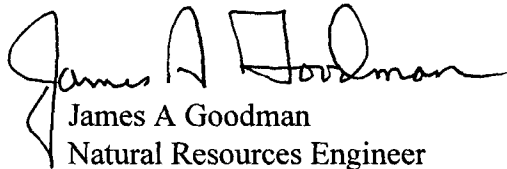
The Water Rights Program does monitor observation wells in the area. Observation well CL-80C, located about two miles south, observation well CL-57A, located about three miles north, and observation well CL-80D located about three miles southeast, all completed into the Missouri Elk Point or Lower Vermillion Missouri aquifer. Water levels for these well show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2001). Hydrographs for these three observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only other water permits/rights in this immediate area are for the City of Vermillion. The city wells have been in use for many years with no apparent problems. Of note, the city has replaced well #1 with a well they will call #6, #4 was replaced by #4A, and will eventually replace #3 with #3A.

CONCLUSIONS

1. Water is available from either the Lower Vermillion Missouri or the Missouri Elk Point aquifer.
2. The aquifer is under slight artesian conditions at site #4A and site #6 but behaves like a water table situation. The completed well #4A was capable of producing 575 gpm with 11 feet of drawdown resulting in a specific capacity of 52 gpm/ft of drawdown. The completion report for well #6 indicates a well capable of producing 650 gpm with 21 feet of drawdown resulting in a specific capacity of 31 gpm/ft of drawdown.
3. The future use request for 1900 acre feet is less than twice the amount of present use by the city of Vermillion.
4. Any wells which have been abandoned or replaced must be plugged in accordance with SD Standards.
5. This permit does not authorize construction of works or use of water without obtaining a new water permit.



James A Goodman
Natural Resources Engineer

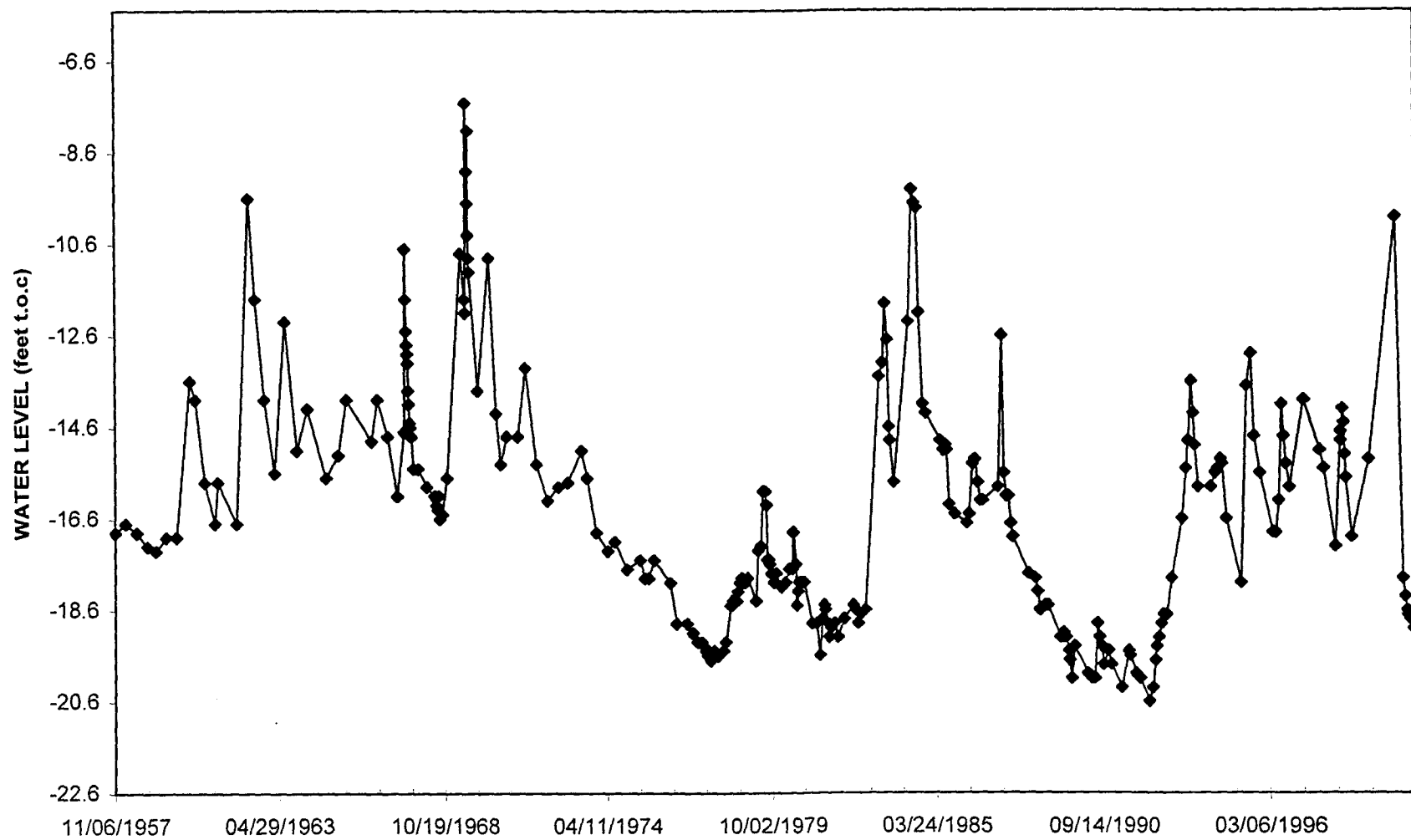
BIBLIOGRAPHY

Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Part II - Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

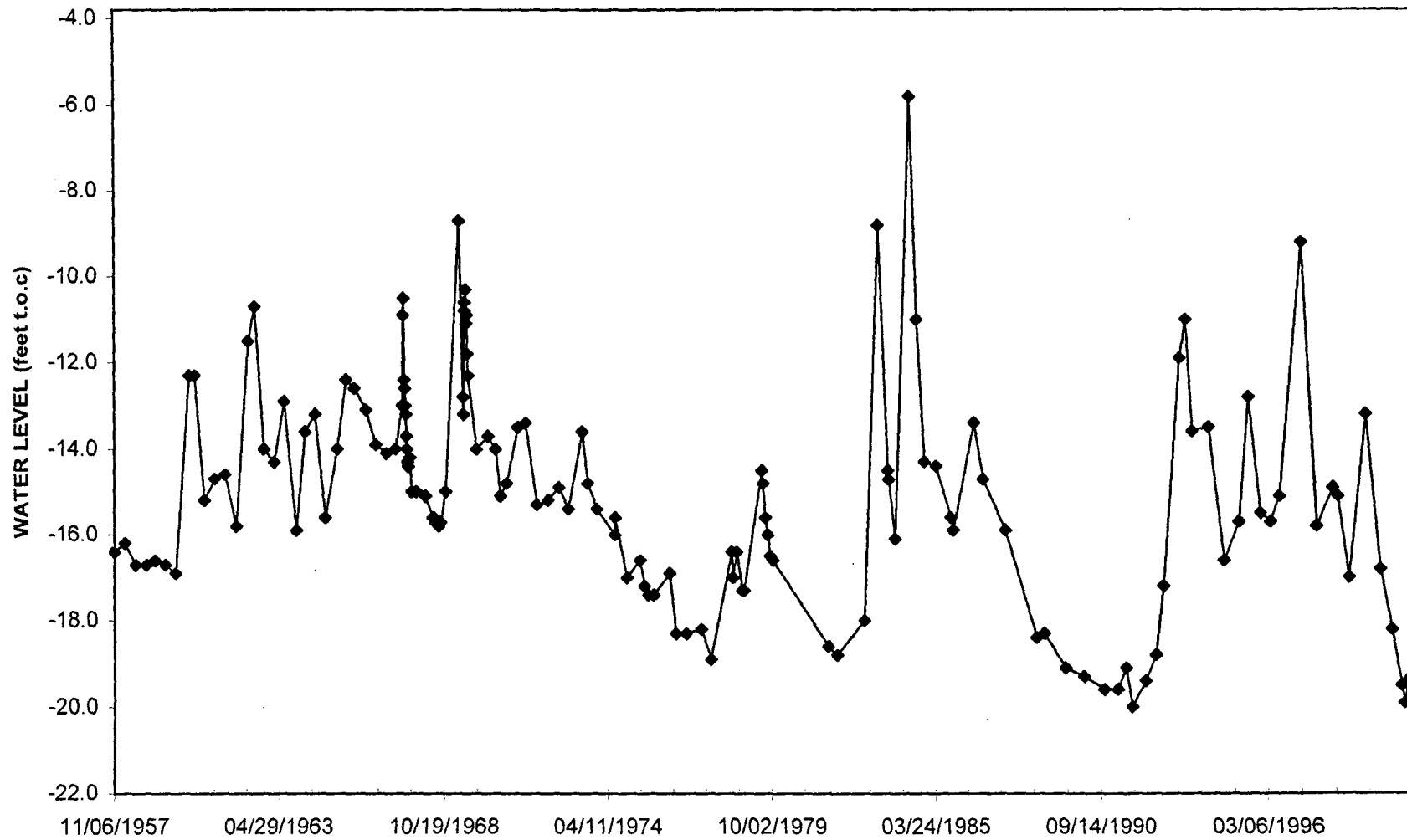
Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2001, Unpublished Observation Well Data for Clay County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

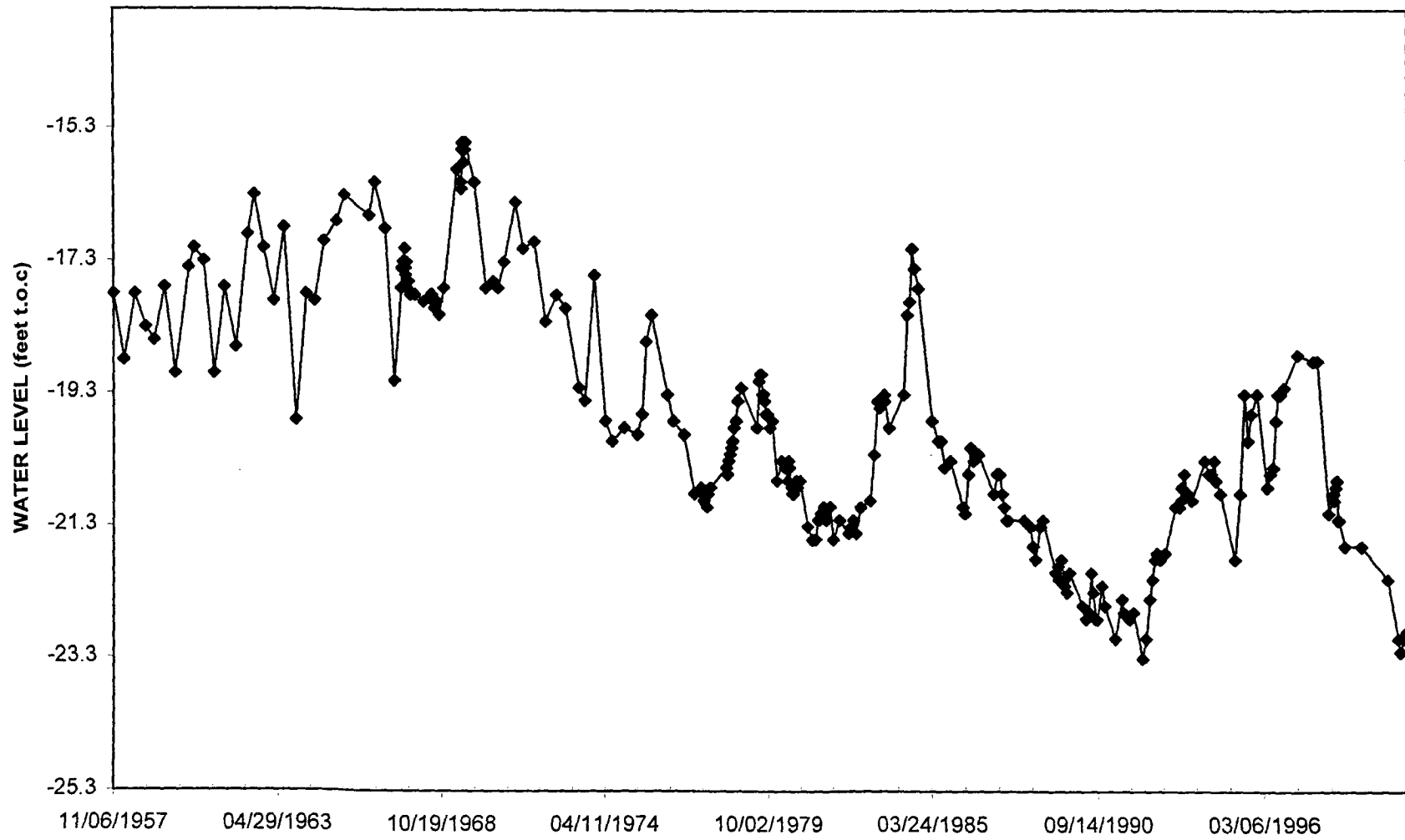
WATER RIGHTS' OBSERVATION WELL
CL-80D



WATER RIGHTS' OBSERVATION WELL
CL-57A



WATER RIGHTS' OBSERVATION WELL
CL-80C





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
APPLICATION NO. 6237-3, City of Vermillion**

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 Application No. 6237-3, City of Vermillion, c/o Harold Holoch, Utilities Engineer, 25 Center Street, Vermillion, SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 6237-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Vermillion 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 with the following qualifications:

1. Permit No. 6237-3 reserves 1,900 acre feet of water annually.
2. That Future Use Permit No. 6237-3 is approved with the stipulation that the Permit to appropriate water is subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.
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 46-5-38.1.
4. This Permit is approved for groundwater from the Missouri:Elk Point Aquifer. Wells will be approximately 120 feet deep.

See report on application for additional information.

Garland Erbele, Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 18, 2001

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

Dear Sir:

Water Permit Application Nos. 6236-3 and 6237-3 for Municipal use have 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 Plain Talk printed at Vermillion, SD (Ph # 605-624-2695). 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 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.

Also enclosed is a letter from Chief Engineer regarding the City of Vermillion's request to change locations of two wells authorized by Water Right Nos. 143-3 and 147-3. The two wells are known by city designation as Well No. 6 and the proposed replacement of Well No. 3. The Chief Engineer has authorized the change of these two diversion points without application or publication of a notice of hearing.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2001

Plain Talk
Box 256
Vermillion SD 57069-0256

ATTENTION: Legal Public Notice

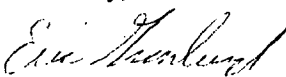
Enclosed is a Notice of Hearing on Application Nos. 6236-3 and 6237-3 to Appropriate Water to be published twice. Please publish the first notice on January 26, 2001 with the second publication 7 days later.

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 Vermillion, % Harold Holoch, 25 Center St., Vermillion SD 57069 (Ph # 605-677-7050).

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-----

Nos. 6236-3 and 6237-3

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

Date _____

We are in receipt of your letter of January 17, 2001 enclosing Notice of Hearing to Appropriate Water by Application Nos 6236-3 and 6237-3 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 January 26, 2001 with the second publication 7 days later. The applicant is responsible for payment.

Notice of Application No. 6236-3 to Appropriate Water and
No. 6237-3 to Reserve Water for Future Use

Notice is given that the City of Vermillion, 25 Center St., Vermillion SD 57069 has filed the following applications for a water permit. Application No. 6236-3 requests to appropriate 2.67 cubic feet of water per second (1,161 acre-feet of water annually) from two wells (Elk Point: Missouri Aquifer) 118 and 120 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24-T92N-R52W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6236-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Application No. 6237-3 requests a future use permit to appropriate and reserve 1,900 acre-feet of water annually from groundwater (Elk Point: Missouri Aquifer). The area to be reserved for future water use is located in the N $\frac{1}{2}$ Section 24-T92N-R52W. The water is to be reserved for the purpose of providing future water supplies for municipal use by the city. 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 Future Use Application No. 6237-3 because 1) there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Vermillion has demonstrated a reasonable need for the water reserved by Permit No. 6237-3, 3) the proposed use is a beneficial use of water, and 4) it is in the public interest.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 12, 2001.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Notice is given that the City of Vermillion, 25 Center St., Vermillion, SD 57069 has filed the following applications for a water permit. Application No. 6236-3 requests to appropriate 2.67 cubic feet of water per second (1,161 acre-feet of water annually) from two wells (Elk Point: Missouri Aquifer) 118 and 120 feet deep located in the NW 1/4 NE 1/4 and the SW 1/4 NE 1/4 Section 24-T92N-R52W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6236-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Application No. 6237-3 requests a future use permit to appropriate and reserve 1,900 acre-feet of water annually from groundwater (Elk Point: Missouri Aquifer). The area to be reserved for future water use is located in the N 1/2 Section 24-T92N-R52W. The water is to be reserved for the purpose of providing future water supplies for municipal use by the city. This application does not authorize construction of work or application of water to beneficial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends AP-PROVAL of Future Use Application No. 6237-3 because 1) there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Vermillion has demonstrated a reasonable need for the water reserved by Permit No. 6237-3, 3) the proposed use is a beneficial use of water, and 4) it is in the public interest.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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**Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources
Publish: January 26 & February 2,
2001**

2001

(Signature)

(Title)

(Date Signed)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 13 2001

City of Vermillion
% Harold Holoch
25 Center St.
Vermillion, SD 57069

Dear Mr. Holoch:

Enclosed is Future Use Permit No. 6237-3, 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.

Sincerely,

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

enclosure



6237-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 19, 2007

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

Dear Mr. Holoch:

I am writing in regard to the seven year review of Future Use Water Permit No. 6237-3 from groundwater (Missouri:Elk Point Aquifer) which is held by the City of Vermillion. 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 1,900 acre-feet held in reserve under this future use permit that was issued in 2001.

Please respond in writing by December 31, 2007, 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. 6237-3 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

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

City of VERMILLION

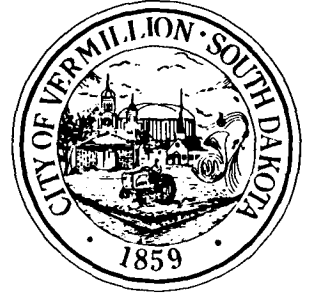
25 CENTER STREET
VERMILLION, SOUTH DAKOTA 57069
www.cityofvermillion.com

PHONE: (605) 677-7050

RECEIVED

JAN - 2 2008

WATER RIGHTS
PROGRAM



December 27, 2007

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

Re: Extension of Future Use Water Permit No. 6237-3

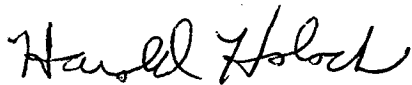
Dear Ms. Schlaak:

The City of Vermillion is requesting to retain the Future Use Water Permit No. 6237-3. The reserved water is needed to meet the growth needs of the City of Vermillion. Attached is a copy of the City of Vermillion projected population and water demand needs thru 2020 taken from the "Vermillion Water Treatment Facilities Capital Improvements Plan-2000" prepared by Banner Associates, Brookings, South Dakota. The study shows that both the population and water demand for the City of Vermillion are projected to increase.

The City of Vermillion is in the process of completing Phase 3 of Water Treatment Plant Improvements. This phase will increase the plant capacity from 3.0 MGD to 4.5 MGD. Presently four of the City's five water wells are operated to supply the 3.0 MGD plant capacity at peak times. Six wells would be required to operate to meet the 4.5 MGD plant capacity. An additional water well is included in the City's short range capital improvements plan for 2010 construction.

Feel free to contact me should additional information or clarification be needed. Thank you for your review of this request.

Sincerely,



Harold Holoch, P.E.
Utilities Engineer

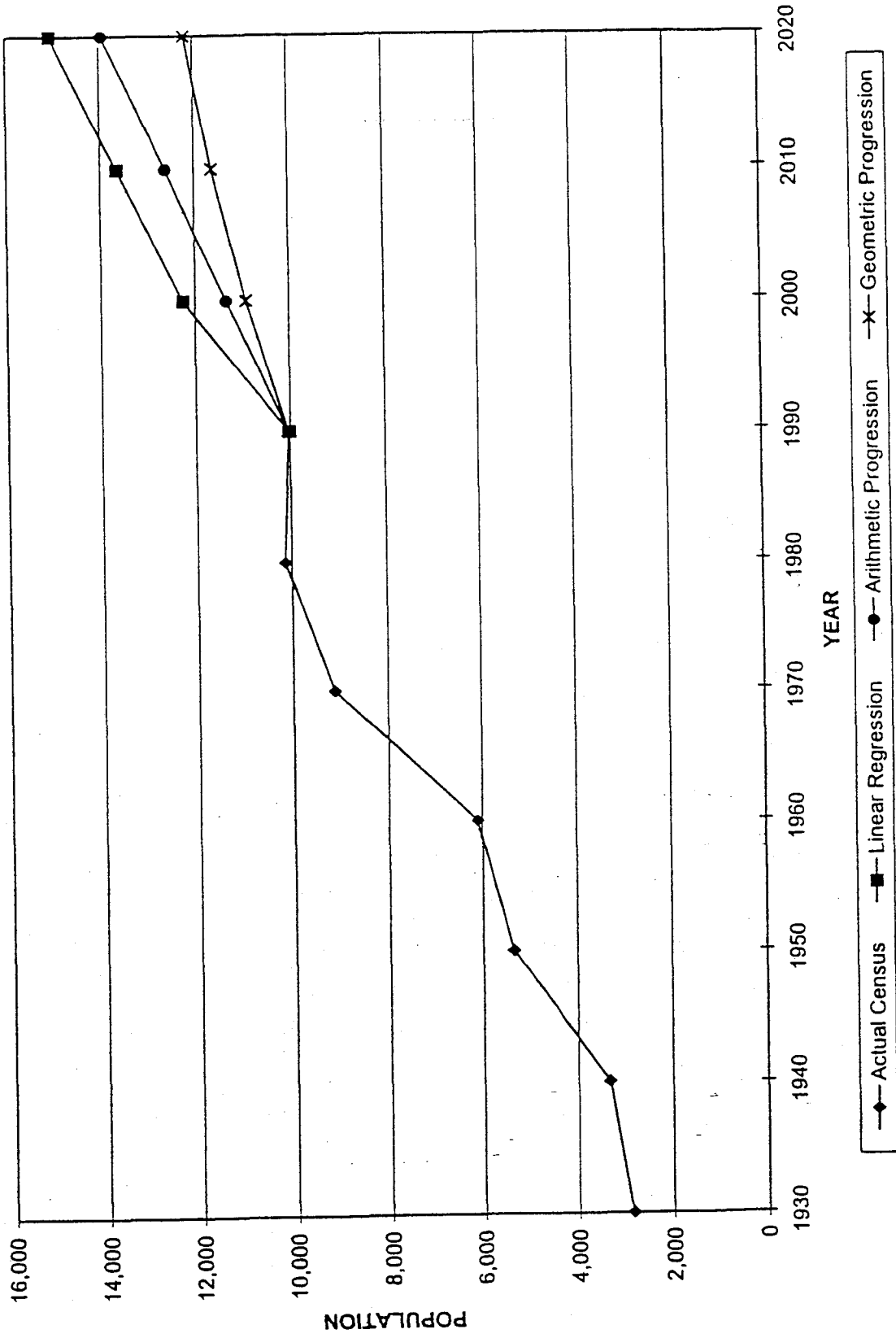
Enclosure

RECEIVED

JAN - 2 2008

WATER RIGHTS
PROGRAM

Figure 3-1: Population Projections



3.3 Projected Water Demands

The water needs of the City of Vermillion are summarized in Table 3-5: Summary of Projected Water Demands for Vermillion. In the future, Vermillion may supply water to a portion of the Clay Rural Water System. Future water demand for the proposed Clay Rural Water System connection was assumed to be 15,000 gal per subscriber per month for 300 subscribers, equating to 150,000 gpd. Projected water demands for the City of Vermillion were calculated based on 93 gallons per capita per day and the population projections as discussed previously in this report. Projected Total Water Accounted For (including metered sales and bulk sales) was calculated using projected water demands for the City of Vermillion plus a Clay Rural Water Demand of 150,000 gpd. Projected Bulk Sales was calculated using a factor of 0.16% of Total Accounted For Water (average Bulk Sales percent from 1987 – 1999 was 0.16%). For 2010 and 2020, Bulk Sales include an average Clay Rural Water demand of 150,000 gpd. Projected treated water was calculated based on a 9% loss of water through the distribution system, and projected raw water was calculated based on a 5% loss of water through the proposed treatment system. The peak day raw water pumping rate required to meet projected demands for the year 2020 is approximately 3.3 MGD.

The existing treatment plant has a capacity of 3 million gallons per day with the present equipment and piping. If the rate of growth of the City continues on the present progression, and Clay Rural Water is added as a bulk sales customer, the proposed treatment facility should be designed to treat 3.3 MGD under peak demand conditions and 1.7 MGD under average demand conditions in order to have sufficient capacity to meet the demands for the next 20 years.

TABLE 3-5: SUMMARY OF PROJECTED WATER DEMANDS FOR VERMILLION

YEAR	2000	2010	2020
Projected Population	11,509	12,640	13,736
City of Vermillion Annual Demand (Gallons) ¹	391,542,447	430,009,177	467,299,047
Clay Rural Water Annual Demand (Gallons) ²	0	54,750,000	54,750,000
Total Annual Accounted For Water (Gallons) ³	391,442,447	484,759,177	522,049,047
Annual Bulk Sales (Gallons) ⁴	626,468	55,525,615	55,585,278
Annual Metered Sales (Gallons) ⁵	390,915,979	429,233,562	466,463,769
Annual Treated Water (Gallons) ⁶	430,266,426	532,702,392	573,680,272
Average Day Treated Water Vol. (MGD) ⁷	1.18	1.46	1.57
Peak Day Treated Water Vol. (MGD) ⁸	2.36	2.92	3.14
Annual Raw Water to be Pumped (Gallons) ⁹	452,912,027	560,739,360	603,873,970
Avg. Raw Water to be Pumped (MGD) ¹⁰	1.24	1.54	1.65
Peak Day Raw Water to be Pumped (MGD) ¹¹	2.48	3.07	3.30

¹ Projected Population × 93 gpcd × 365 days

² Years 2010 and 2020: 150,000 gpd × 365 days

³ City of Vermillion Annual Demand + Clay Rural Water Annual Demand

⁴ Year 2000: 0.0016 × Total Annual Accounted For Water

Years 2010 and 2020: 0.0016 × Total Annual Accounted For Water + (150,000 gpd × 365 days)

⁵ Total Annual Accounted For Water – Annual Bulk Sales

⁶ Total Accounted For Water / (1 - 0.09)

⁷ Annual Treated Water / 365 days

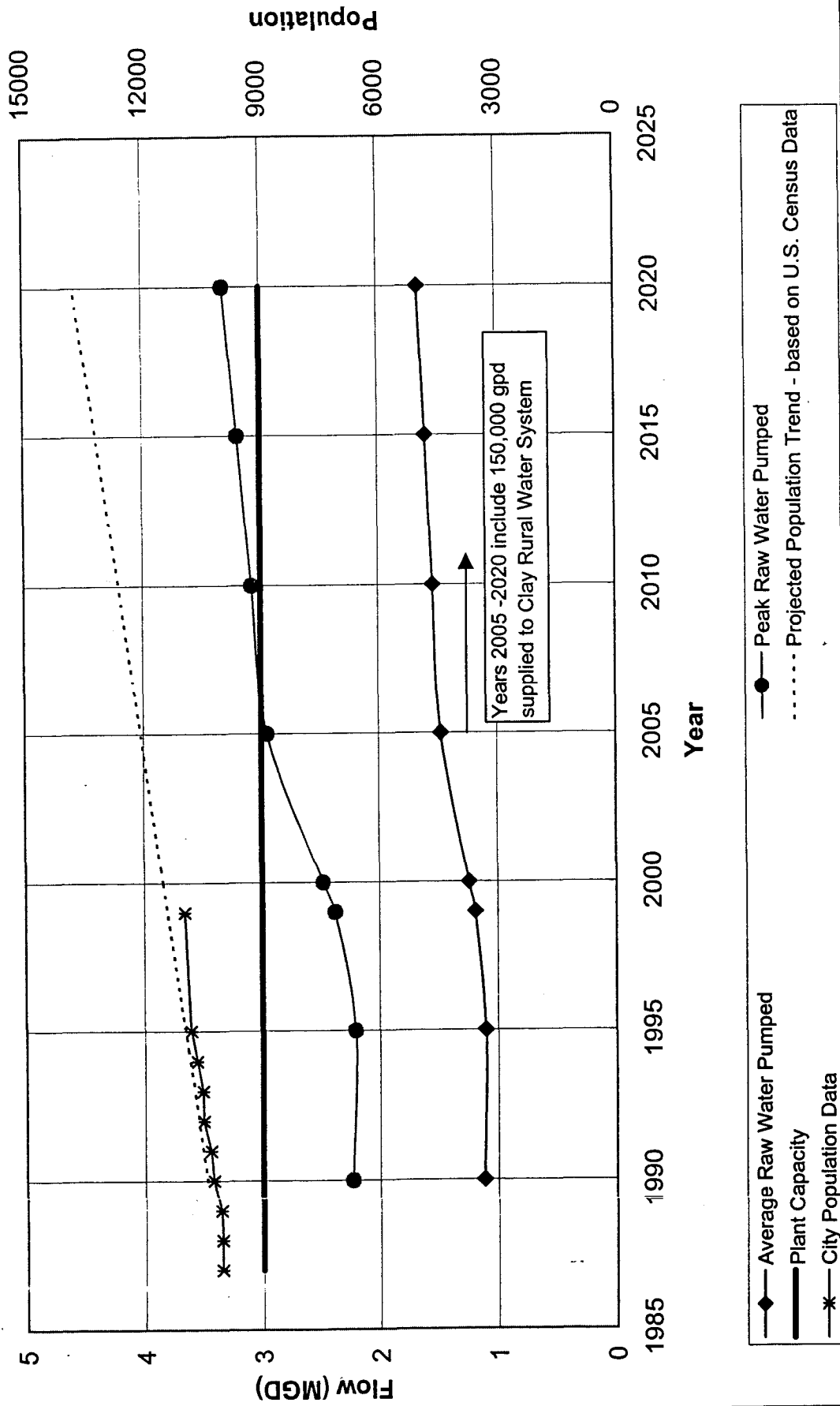
⁸ Avg. day Treated × 2.0

⁹ Annual Treated Water / (1 - 0.05)

¹⁰ Annual Raw Water to be Pumped / 365

¹¹ Avg. Raw Water to be Pumped × 2.0

Figure 3.2: Projected Water Demands





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6237-3, City of Vermillion**

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. 6237-3, City of Vermillion, Harold Holcoch, Utilities Engineer, 25 Center St, Vermillion SD 57069.

The Chief Engineer is recommending that Future Use Permit No. 6237-3 REMAIN in EFFECT for 1,900 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6237-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6237-3, 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. 6237-3 is subject to payment of the \$57.50 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 8, 2008



January 9, 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

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

Dear Mr. Holock:

Future Use Permit No. 6237-3 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 Plain Talk printed at Vermillion (Phone #605 624-2695). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 9, 2008

Plain Talk
PO Box 256
Vermillion SD 57069-0256

Dear Sir:

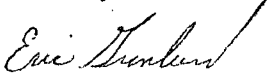
Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6237-3 to be published twice. Please publish the first notice on January 18, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Vermillion, c/o Harold Holoch, Utilities Engineer, 25 Center St, Vermillion SD 57069.

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

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

We are in receipt of your letter of January 9, 2008 enclosing Notice of Hearing to Review Future Use Water Permit No. 6237-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on January 18, 2008 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6237-3

Notice is given that the Water Management Board will review Future Use Permit No. 6237-3 held by the City of Vermillion, Harold Holoch, Utilities Engineer, 25 Center St, Vermillion SD 57069 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. 6237-3. This permit was approved 2001 and currently reserves 1,900 acre feet of water from the Missouri:Elk Point Aquifer located in the N ½ Section 24-T92N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6237-3 REMAIN in EFFECT for 1,900 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. 6237-3 at 10:00 am, March 12, 2008 at the Floyd Mathew Training Center, Foss Bldg, 523 E Capitol, Pierre SD.

11

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 29, 2008. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 6237-3 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 29, 2008. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 29, 2008. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6237-3

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 18th day of January 20 08, and that the succeeding publications were severally

on Friday, the 25th day of January, 20 08,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Sixty-four dollars and 94 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Penny Tucker

Subscribed and sworn to before me

this 29th day of January, 20 08
Diane J. Savice
9-5-2013

RECEIVED

JAN 31 2008

WATER RIGHTS
PROGRAM

Notary Public

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6237-3

Notice is given that the Water Management Board will review Future Use Permit No. 6237-3 held by the City of Vermillion, Harold Holoch, Utilities Engineer, 25 Center St, Vermillion SD 57069 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. 6237-3. This permit was approved 2001 and currently reserves 1,900 acre feet of water from the Missouri:Elk Point Aquifer located in the N 1/2 Section 24-T92N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6237-3 REMAIN in EFFECT for 1,900 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. 6237-3 at 10:00 am, March 11, 2008 at the Floyd Mathew Training Center, Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by February 29, 2008. The Chief Engineer's address is "Water Rights Program," Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 6237-3 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 29, 2008. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 29, 2008. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Publish: January 18 & 25, 2008



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 2008

NOTICE

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

Dear Mr. Holoch:

I am writing in response to action taken by the Water Management Board at the hearing on March 12, 2008 to review Future Use Permit No. 6237-3. The Board allowed the permit to remain in effect for 1,900 acre-feet of water annually. Future Use Permit No. 6237-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6237-3 is \$57.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Sincerely,

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

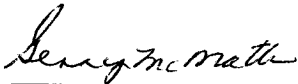
CERTIFICATION

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

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

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

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



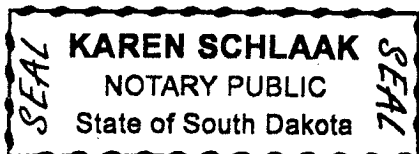
Genny McMath
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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


Karen Schlaak

Notary Public
My Commission expires April 1, 2013



City of VERMILLION

25 CENTER STREET
VERMILLION, SOUTH DAKOTA 57069
www.cityofvermillion.com

PHONE: (605) 677-7050

RECEIVED

APR 11 2008

WATER RIGHTS
PROGRAM



April 10, 2008

Eric Gronlund
Water Rights Program
SDDENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Re: Water Rights Fee for Future Use Permit #6237-3

Dear Mr. Gronlund:

Enclosed is the water rights fee for Future Use Permit No. 6237-3 in the amount of \$57.50.

Thank you for your assistance in making the extension application.

Sincerely,

Harold Holoch, P.E.
Utilities Engineer

Enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/11, 20 08

RECEIVED OF City of Vermillion 25 Center St Vermillion Sd 57069

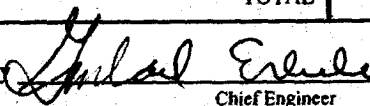
The following amount in fees for services rendered as provided for by law:

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>6237-3</u> after period of seven years.	57	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	57 50

No.

03619

By


Chief Engineer

Chief Engineer



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



6237-3

November 19, 2014

City of Vermillion
Randy Issacson, Water Supt
25 Center St
Vermillion SD 57069

Dear Mr. Issacson:

I am writing in regard to the seven year review of Future Use Water Permit No. 6237-3 from groundwater (Missouri:Elk Point Aquifer) held by the City of Vermillion. 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 1,900 acre-feet remain in reserve under this future use permit that was issued in 2001 and last reviewed in 2008.

Please respond in writing by January 1, 2015 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. 6237-3 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 1,900 acre-feet remain in reserve, the fee will be \$215.00.

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



25 Center Street • Vermillion, SD 57069
Ph: 605.677.7050 • Fax: 605.677.5461
Info@cityofvermillion.com
www.vermillion.us

RECEIVED

NOV 26 2014

WATER RIGHTS
PROGRAM

November 24, 2014

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

Re: Extension of Future Use Water Permit No. 6237-3

Ms. Schlaak:

The City of Vermillion is requesting to retain the Future Use Water Permit No. 6237-3. By reserving the rights for water we are ensuring that our utility is capable of meeting the future needs of the city. The population of our community has been steadily increasing and we would like to ensure that we are prepared to adequately service future growth.

The City of Vermillion has a water treatment plant capacity of 4.6 MGD. Currently, our firm well pumping capacity is approximately 3.0 MGD. Future Use Water Permit No. 6237-3 provides us with the ability to pump the 4.6 MGD of water that our treatment facility is designed to accommodate. The Water Department has included well exploration in its capital improvements plan and is requesting the funding for new well exploration in 2016.

Feel free to contact me should additional information or clarification be needed. My direct phone number is (605) 677-7084 and my e-mail address is JasonA@CityofVermillion.com. Thank you for your consideration.

Sincerely,

Jason Anderson
Asst. City Engineer

Enclosure

Cc: Randy Isaacson, Water Department Superintendent



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6237-3, City of Vermillion 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. 6237-3, City of Vermillion, 25 Center St, Vermillion SD 57069.

The Chief Engineer is recommending that Future Use Permit No. 6237-3 REMAIN in EFFECT for 1,900 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6237-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6237-3, 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. 6237-3 is subject to payment of the \$215.00 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 30, 2015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 30, 2015

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

City of Vermillion
c/o Jason Anderson, Asst. City Engineer
25 Center St
Vermillion SD 57069

Dear Mr. Anderson:

Future Use Permit No. 6237-3 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publishers of the Plain Talk, Vermillion SD (605 624-2695) and the Daily Press & Dakotan, Yankton SD (605 665-7811). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on February 6, 2015. 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

c: Randy Isaacson, Water Dept. Superintendent

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 30, 2015

Plain Talk
201 W Cherry St
Vermillion SD 57069

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6237-3 to be published on February 6, 2015. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Vermillion, c/o Jason Anderson, Asst. City Engineer, 25 Center St, Vermillion SD 57069.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 30, 2015

Daily Press & Dakotan
319 Walnut
Yankton SD 57078

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6237-3 to be published on February 6, 2015. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Vermillion, c/o Jason Anderson, Asst. City Engineer, 25 Center St, Vermillion SD 57069.

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 February 6, 2015. 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. 6237-3

Notice is given that the Water Management Board will review Future Use Permit No. 6237-3 held by the City of Vermillion, c/o Jason Anderson, Asst. City Engineer, 25 Center St, Vermillion SD 57069 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. 6237-3. This permit was approved 2001 currently reserves 1,900 acre feet from the Missouri:Elk Point Aquifer located in the N 1/2 Section 24-T92N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6237-3 REMAIN in EFFECT for 1,900 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. 6237-3 at 10:00 am, March 4, 2015 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 23, 2015. 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. 6237-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by February 23, 2015. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by February 23, 2015. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.

RECEIVED

FEB 11 2015

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
Notice of Hearing Permit No. 6237-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 6th DAY OF February 2015
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$42.70 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 2/6/2015

FILED ON: 2/6/2015

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF February 2015

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES 8/19/2015

2+6
**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO. 6237-3**

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Published once at the approximate cost of \$42.70.

RECEIVED

FEB 20 2015

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

City of Vermillion
25 Center St.
Vermillion, SD 57069

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, SAID COUNTY AND STATE, AND ONE OF THE
OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS
AFFIDAVIT; THAT THE ANNEXED

Notice of Hearing to Review Future Use Water Permit No. 6237-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 6 DAY OF February 2015
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
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BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 2/6/2015

FILED ON: 2/5/2015

Tera A Schmidt

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10 DAY OF February 2015

[Signature]

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO. 6237-3

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**Published once at the
approximate cost of \$42.87.
Publish: February 6, 2015.**

Gronlund, Eric

From: Jason Anderson <Jasona@cityofvermillion.com>
Sent: Tuesday, March 03, 2015 9:24 AM
To: Gronlund, Eric
Subject: RE: Seven year review of city of Vermillion's future use permit

Thank you for the notice, Eric. Are we allowed to call in at any time during the meeting? I see that we are on the agenda at 10am.

Thanks,

Jason Anderson
Assistant City Engineer



City of Vermillion, South Dakota
25 Center Street Vermillion, SD 57069
(p) 605.677.7084 | (f) 605.677.5461
www.vermillion.us

From: Gronlund, Eric [<mailto:Eric.Gronlund@state.sd.us>]
Sent: Tuesday, March 03, 2015 9:21 AM
To: Jason Anderson
Subject: Seven year review of city of Vermillion's future use permit

Mr. Anderson:

The city of Vermillion has consideration of the seven year review for Future Use Permit No. 6237-3 scheduled before the Water Management Board tomorrow, March 4th, at 10:00 AM. The future use permit reserves water for future development needs by the city. Due to weather and travel considerations, a decision was made to conduct the meeting by telephone conference call. I thought I should let you know in the event the city planned to have a representative travel to Pierre to be present at the Board meeting. The attached amended agenda provides call in information if a representative of the city want to participate by phone.

Please confirm receiving this email.

Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 5, 2015

NOTICE OF ENTRY OF ORDER

City of Vermillion
c/o Jason Anderson, Asst. City Engineer
25 Center St
Vermillion SD 57069

Dear Mr. Anderson:

I am writing in response to action taken by the Water Management Board at the hearing on March 4, 2015 to review Future Use Permit No. 6237-3. The Board allowed the permit to remain in effect for 1,900 acre-feet of water annually. Future Use Permit No. 6237-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6237-3 is \$215.00 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 5, 2015, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 5, 2015 regarding future use permit 6237-3 addressed as stated below:

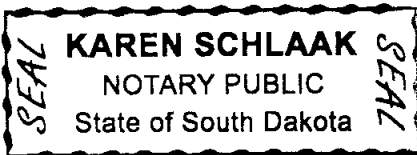
City of Vermillion, Jason Anderson, 25 Center St., Vermillion SD 57069


Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 5th day of March, 2015.


Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/13, 20 15

RECEIVED OF City of Vermillion 25 Center St Vermillion SD 57069

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	215	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>6237-3</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. _____	215	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
		215 00

No. 07340

By Jessie H. Hansen
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 29, 2021

City of Vermillion
John Prescott, City Manager
25 Center St
Vermillion SD 57069

Dear Mr. Prescott:

I am writing in regard to the seven year review of Future Use Water Permit No. 6237-3 from the groundwater (Missouri:Elk Point Aquifer) held by the City of Vermillion. 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 1,900 acre-feet remain in reserve under this future use permit that was issued in 2001 and last reviewed in 2015.

Please respond in writing by February 1, 2022 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. 6237-3 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 1,900 acre-feet remain in reserve, the fee will be \$215.00.

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



25 Center Street • Vermillion, SD 57069
Ph: 605.677.7050 • Fax: 605.677.5461
Info@cityofvermillion.com
www.vermillion.us

January 5, 2022

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

RECEIVED

JAN 10 2022

WATER RIGHTS
PROGRAM

Re: Extension of Future Use Water Permit No. 6237-3

Ms. Schlaak:

The City of Vermillion is requesting to retain the Future Use Water Permit No. 6237-3. By reserving the rights for water we are ensuring that our utility is capable of meeting the future needs of the city. The population of our community has been steadily increasing and we would like to ensure that we are prepared to adequately service future growth.

The City of Vermillion has a water treatment plant capacity of 4.6 MGD. Currently, our firm well pumping capacity is approximately 3.0 MGD. Future Use Water Permit No. 6237-3 provides us with the ability to pump the 4.6 MGD of water that our treatment facility is designed to accommodate.

Feel free to contact me should additional information or clarification be needed. My direct phone number is (605) 677-7084 and my e-mail address is shaneg@cityofvermillion.com. Thank you for your consideration.

Sincerely,

Shane Griesse
Utilities Manager

Enclosure

Cc: Curt Haakinson, Water Department Supervisor

2019 Raw Water

	Meter (EOM Reading)	Gallons
January	30257	30257000
February	59471	29214000
March	95139	35668000
April	128395	33256000
May	162390	33995000
June	201203	38813000
July	248213	47010000
August	296095	47882000
September	342140	46045000
October	384337	42197000
November	426349	42012000
December	469333	42984000
Total Gallons		469333000

2020 Raw Water

	Meter (EOM Reading)	Gallons
January	38409	38409000
February	75337	36928000
March	110197	34860000
April	142410	32213000
May	168364	25954000
June	214404	46040000
July	259957	45553000
August	307238	47281000
September	351481	44243000
October	387773	36292000
November	417071	29298000
December	447443	30372000
Total Gallons		447443000

2021 Raw Water

	Meter (EOM Reading)	Gallons
January	33591	33591000
February	68127	34536000
March	100387	32260000
April	130830	30443000
May	163332	32502000
June	214552	51220000
July	262607	48055000
August	312426	49819000
September	353584	41158000
October	391130	37546000
November	421509	30379000
December	449183	27674000
Total Gallons		449183000

The second component of demand discussed is the desired level of fire protection. This demand is harder to determine because historical use is not indicative to future requirements or water use. However, for the City the required fire flow is going to be the governing factor in the design and consideration of existing and future improvements. Each building is recommended to have a certain level of fire protection based on Insurance Services Office (ISO) ratings. Oftentimes the level of fire protection is significantly larger than the historical domestic water use. It should be noted that the calculations that Banner Associates, Inc. used to determine the level of fire protection is to be used only as a baseline for establishing a certain level of protection for this study. Actual fire flow required is often determined by many outside conditions, including available equipment, level of training, and the number of personnel of the local fire department. Determination of the actual fire flows required is outside the scope of services for this study and will not be established.

2.2.2 Domestic Water Usage

Historical water production and sales records were furnished by City for the years 2003 through 2009. USD is the largest water user for the City of Vermillion. In 2008, USD purchased approximately 43,725,000 gallons of water from the City of Vermillion.

The following sub-sections will identify the historical water usage and project the domestic water usage using the historical population and population projections to determine the domestic water usage as a result of growth in the student population.

2.2.2.1 Population Estimate

Establishing the current and future population will provide the basis for projecting future domestic water usage. The population estimate in the Facility Plan for Vermillion Sanitary Sewer

Improvements- 2009, Banner Associates, Inc, April 2009 was used for the 30 year design period to the year 2040 for this report.

The population data was used in conjunction with three well known methods to perform population projections. The first method is an Arithmetic method which assumes the population increases at a constant rate. The second method is a Decreasing Rate of Increasing which assumes the population increases to a limiting value or saturation point. The final method is the Geometric Progression which places a line of best fit to data based off of historical population data using a compound interest equation. The population analysis is shown in Section 4.4 of the Facility Plan for Vermillion Sanitary Sewer Improvements- 2009, Banner Associates, Inc, April 2009.

The following table shows the resulting average projected population for the City of Vermillion.

Table 2.4: Population Projections

	2009	2019	2029	2039
Linear Regression Method	12,195	13,473	14,656	15,840
Arithmetic Method	11,231	12,292	13,353	14,413
Geometric Method	12,118	14,555	17,481	20,996
Average	11,848	13,440	15,163	17,083

The present population of Vermillion, for the year 2009, is estimated to be 11,848. The design population needs to be determined for the year 2040. The year 2040 design population is determined by using the averages of the population projections from the years 2020, 2030, and 2040.

2.2.2.2 Future Domestic Water Demands

Review of the “Vermillion Water Treatment Facilities Capital Improvements Plan-2000” shows that historically the ratio of the maximum day to average day demands for the City of Vermillion averaged about 1.98 from 1987 to 1999 and 1.80 from 2002 to 2009. Typical values are between 1.5 and 2.0, so the maximum day to average day ratio of 1.8 was used to determine maximum day water usage. Table 2.5 summarizes the past and projected water use.

Table 2.5: Past and Projected Water Use

Year	Population	Ave. Daily Demand (gpd)	Max. Day Demand (gpd)	*Max Day/Ave Day	Ave. Daily Demand (gpcd)
2002	10,253	1,034,098	1,721,773	1.67	100.9
2003	10,371	1,012,262	1,685,417	1.67	97.6
2004	10,489	965,479	1,607,522	1.67	92.0
2005	10,608	985,050	1,640,108	1.67	92.9
2006	10,728	1,007,289	1,677,136	1.67	93.9
2007	10,848	1,056,191	1,758,558	1.67	97.4
2008	10,969	941,466	1,770,000	1.88	85.8
2009	11,848	996,000	1,745,000	1.75	84.1
2010	12,029	1,022,500	1,840,500	1.80	85
2020	13,604	1,156,300	2,081,300	1.80	85
2030	15,346	1,304,400	2,347,900	1.80	85
2040	17,287	1,469,400	2,644,900	1.80	85

*The past max day to average day ratio is approximately 1.67, so the maximum day was calculated using the average ratio for 2002 to 2007.

The existing average daily water use is approximately 996,000 gpd (692 gpm). The past water sales data for the last five years in gpd per capita was plotted and a trend line extended to determine an estimate of total future water use. The trend line is generally decreasing, so the 2009 value was used (85 gpcd) as the basis of design. This value was used with the projected population estimates to calculate the overall water use in 2040. Based on an overall water

use of 85 gpcd and estimated population of 17,287 people, the average daily water use for 2040 is estimated to be 1,469,400 gpd (1020 gpm) and assuming a maximum day to average day factor of 1.80, the maximum day water use is estimated to 2,644,900 gpd (1837 gpm) for 2040.

The existing average day residential demand is approximately 652,700 gpd (453 gpm), which is approximately 60 gpcd and 68 percent (68%) of the total water demand. The past average residential water use in percent of total water demand was plotted and a trend line extended to determine the estimated percent of total water demand for the future. The trend line is generally constant, so the 4-year average was the basis of design. Based on the 4-year average commercial percent sales of 68% and the overall average daily water use, the future commercial water use was determined to be 58 gpcd for 2040. Therefore, a total of 1,001,700 gpd (696 gpm) is assumed for residential water use in 2040.

The existing average day commercial demand is approximately 288,800 gpd (200 gpm), which is approximately 26 gpcd and 32 percent (32%) of the total water demand. The past average commercial water use in percent of total water demand was plotted and a trend line extended to determine the estimated percent of total water demand for the future. The trend line is generally constant, so the 4-year average was the basis of design. Based on the 4-year average commercial percent sales of 32% and the overall average daily water use, the future commercial water use was determined to be 27 gpcd for 2040. Therefore, a total of 467,700 gpd (325 gpm) is assumed for commercial water use in 2040.

Currently, no water is demanded for industrial use and little growth in industrial use is projected over the next 20 years. In the case that a wet industry, such as an ethanol plant, is interested in moving to Vermillion, the necessary improvements to the distribution system should be analyzed and typically paid for by the industry.

The water produced at the water treatment plant was compared with the total water sold to determine the percentage of unaccounted for water. Unaccounted for water includes water used for fighting fires and water lost due to leaks in the system and inaccuracies in flow meters. The following table summarizes the unaccounted for water data over the last four years.

Table 2.6: Unaccounted For Water Use

Year	*Water Produced (gal)	Water Sold (gal)	Unaccounted For (gal)	Percent Unaccounted For (%)
2002	376,491,000	377,445,692	-954,692	-0.3%
2003	409,758,000	369,475,789	40,282,211	9.8%
2004	340,200,810	352,399,660	-12,198,850	-3.6%
2005	391,545,000	359,543,165	32,001,835	8.2%
2006	416,042,993	367,660,408	48,382,585	11.6%
2007	417,473,999	385,509,611	31,964,389	7.7%
2008	370,405,007	343,635,067	26,769,940	7.2%
4-Year Average	398,867,000	364,088,000	34,780,000	8.7%

Using the 4-year average, the unaccounted for water is expected to be approximately 8.7 percent (8.7%) of the total water produced; therefore, 140,400 gpd (98 gpm) is allocated for the 2040 total, making the total average day water produced to be 1,609,800 gpd (1118 gpm) and total maximum day water produced to be 2,897,700 gpd (2012 gpm). The following table summarizes the above discussion.

Table 2.7: Existing and Projected Water Requirements

	2008	2010	2020	2030	2040
Population	10,969	12,029	13,604	15,346	17,287
Residential					
gpcd	60	58	58	58	58
Subtotal (gpd)	652,700	697,000	788,300	889,200	1,001,700
Residential %	69.3%	68.2%	68.2%	68.2%	68.2%
Commercial					
gpcd	26	27	27	27	27
Subtotal (gpd)	288,800	325,500	368,100	415,200	467,700
Commercial %	30.7%	31.8%	31.8%	31.8%	31.8%
Unaccounted For (gpd)	73,300	97,700	110,500	124,600	140,400
Unaccounted For %	7.2%	8.7%	8.7%	8.7%	8.7%
Average Day Demand (gpd)	1,014,900	1,120,200	1,266,800	1,429,100	1,609,800
Max Day Demand (gpd)	1,778,200	2,016,400	2,280,300	2,572,400	2,897,700

2.2.3 Fire Flow Analysis

A fire flow analysis is part of the study because the design of improvements will be governed by the fire flow requirements. All evaluations of piping size will be done to ensure that the required flow rate is obtained while maintaining at least 20 psi in the system and based on an assigned fire flow requirement for each hydrant. The City's existing zoning map, as seen in Figure 2.3, was overlaid on the existing hydrants. The level of fire protection needed at each hydrant is dependent on the zone in which it is located. Each hydrant was assigned a fire flow rate that corresponds to the zone in which it is located. It can be seen from Figure 2.3 and Table 2.8 that the fire flow requirement varies from zone to zone. This is because of the size and type of buildings found within each zone, as well as the distance between the structures influences the level of fire protection needed.

AFFIDAVIT OF PUBLICATION

PLAIN TALK

CITY OF VERMILLION LEGALS
25 CENTER ST
VERMILLION SD 57069

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

MICHELE SCHIEVELBEIN, BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT (S)HE IS THE ADVERTISING DIRECTOR OF YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, SAID COUNTY AND STATE, AND ONE OF
THE OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN
THIS AFFIDAVIT; THAT THE ANNEXED
NOTICE OF HEARING TO REVI

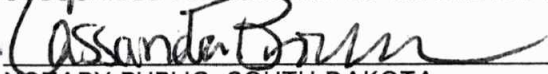
TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 21st DAY OF January, 2022
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$60.64 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 01/21/2022

FILED ON: 01/21/2022



SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF January, 2022



NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 07/04/2026

Ad text : NOTICE OF HEARING TO
REVIEW FUTURE USE WATER PERMIT NO. 6237-3

Notice is given that the Water Management Board will review Future Use Permit No. 6237-3 held by the City of Vermillion, Shane Griese, Utilities Manager, 25 Center St, Vermillion SD 57069 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. 6237-3. This permit was approved 2001 and currently reserves 1,900 acre-feet from the Missouri/Elk Point Aquifer located in N 1/2 Section 24-T92N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6237-3 REMAIN in EFFECT for 1,900 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 Engineers 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. 6237-3 at 9:30 am, March 2, 2022 in the Floyd Matthew 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 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 January 31, 2022.

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. 6237-3 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 January 31, 2022.

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 January 31, 2022.

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 January 31, 2022. 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 total approximate cost of \$60.64.

Published January 21, 2022.

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

CITY OF VERMILLION LEGALS
25 CENTER ST
VERMILLION SD 57069

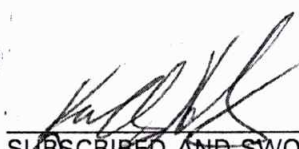
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

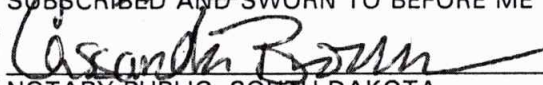
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PUBLISHED ON: 01/21/2022

FILED ON: 01/21/2022


SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF January, 2022


NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 07/04/2026

NOTICE OF HEARING TO
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Notice is given that the Water Management Board will review Future Use Permit No. 6237-3 held by the City of Vermillion, Shane Griesse, Utilities Manager, 25 Center St, Vermillion SD 57069 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. 6237-3. This permit was approved 2001 and currently reserves 1,900 acre-feet from the Missouri/Elk Point Aquifer located in N 1/2 Section 24-T92N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6237-3 REMAIN in EFFECT for 1,900 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 Engineers 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. 6237-3 at 9:30 am, March 2, 2022 in the Floyd Matthew 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.

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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. 6237-3 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.

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Published once at the total approximate cost of \$60.80.



**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. 6237-3. City of Vermillion SD**

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. 6237-3, City of Vermillion, Shane Griesse, Utilities Mgr, 25 Center St, Vermillion SD 57069.

The Chief Engineer is recommending that Future Use Permit No. 6237-3 REMAIN in EFFECT for 1,900 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6237-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6237-3, 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. 6237-3 is subject to payment of the \$215.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Eric Gronlund, Chief Engineer
January 14, 2022



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2022

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

City of Vermillion
Shane Griese, Utilities Manager
25 Center St
Vermillion SD 57069

Dear Mr. Griese:

Future Use Permit No. 6237-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used and the nearest daily paper. Notice of this review has been sent to the Plain Talk printed in Vermillion (605 624-2695) and the Press & Dakotan printed in Yankton (605 665-7811). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER(S) IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on January 21, 2022. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Instruction to Newspaper - Publish the following Notice on January 21, 2022. The City of Vermillion is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6237-3

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Published once at the approximate cost of_____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, January 14, 2022 10:06 AM
To: shaneg@cityofvermillion.com
Subject: Future Use Permit No. 6237-3
Attachments: 2402.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

Karen Schlaak

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, January 14, 2022 10:01 AM
To: 'Sam Berres'
Subject: 6237-3, City of Vermillion
Attachments: 6237-3FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on January 14, 2022 in the Press & Dakotan.

City of Vermillion, Shane Griesse, Utilities Manager, 25 Center St, Vermillion SD 57069 (605 677-7050) 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: Friday, January 14, 2022 10:01 AM
To: 'classifieds@plaintalk.net'
Subject: 6237-3, City of Vermillion
Attachments: 6237-3FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

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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

March 3, 2022

NOTICE OF ENTRY OF ORDER

City of Vermillion
Shane Griese, Utilities Manager
25 Center St
Vermillion SD 57069

Dear Mr. Griese:

I am writing in response to action taken by the Water Management Board at the hearing on March 2, 2022 to review Future Use Permit No. 6237-3. The Board allowed the permit to remain in effect for 1,900 acre-feet of water annually. Future Use Permit No. 6237-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6237-3 is \$215.00 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.

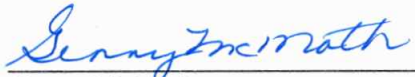
Sincerely,

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

CERTIFICATION

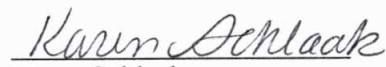
I hereby certify that on Thursday, March 3, 2022, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated May 6, 2021, regarding Notice of Entry of Order addressed as stated below:

City of Vermillion, Shane Griese, Utilities Manager, 25 Center St., Vermillion SD 57069


Genny McMath
Program Assistant-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of March, 2022.


Karen Schlaak
Notary Public
My Commission expires April 1, 2025

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date March 24, 2022

RECEIVED OF City of Vermillion 25 Center St., Vermillion SD 57069

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>6237-3</u> after period of seven years.	<u>\$215.00</u>
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	<u>\$50.00</u>
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>\$215.00</u>

By Eric Gronlund
Chief Engineer
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