

WATER PERMIT NO. 6512-3

Name of Applicant: City of Madison

Address: 116 W Center, Madison SD 57042 Phone: 605 256-7513

Amount of Water Claimed: 387 AF Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: municipal County: Lake

Type of Waste Disposal System:

Location:

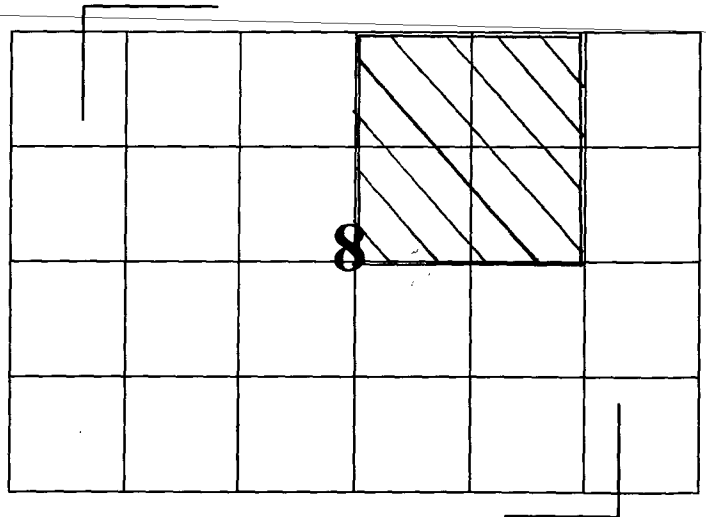
PRIORITY Date Received: 5-21-04 Application/License Fee: \$275

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

Remarks: Future Use Request from the Howard Aquifer

Future Use Area: NE ¼ Sec 8-T106N-R52W

Land to be Irrigated: NA



Depth of Well:

Well Driller:

Remarks:

Type of Map: topo

Prepared by: Bill Heyer, PE

Reviewed and the Number Assigned on: 5-25-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. 6512-3 (office use only)
Hydrologic Unit 10170203
Basin Sioux River
Newspaper Madison Daily Leader

RECEIVED
MAY 21 2004
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: (check one)

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

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

1. Name of Applicant City of Madison, South Dakota Phone (605) 256-7513
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 116 West Center Madison State SD 57042
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed _____ *CFS or 400 **GPM 387 ***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 Howard Aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lake
1 well in NE 1/4 of section 8-T106N-R52W
5. County or counties where water will be used Lake
6. Annual period during which water is to be used Year-round use Jan 1 - Dec 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)

This is an application for a Future Use Permit

STATE OF SOUTH DAKOTA)

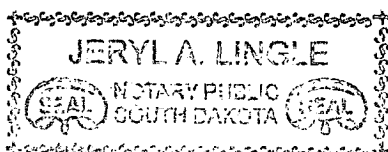
County of Lake SS

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)

I, Royce D. Hueners, 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.

Applicant's signature Royce D. Hueners

Subscribed and sworn to before me this 18th day of May 2004



Jeryla A. Lingle
Notary Public signature

**SOUTH DAKOTA
FUTURE USE PERMIT NO. 6512-3**

Date of first receipt of application May 21, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Future Use Permit No. 6512-3 to the City of Madison, 116 W Center, Madison SD 57042 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 6512-3 reserves 387 acre-feet annually from the Howard Aquifer. The area to be reserved for future water use is to be located in the NE ¼ Section 8-T106N-R52W.
2. The water appropriated shall be used for the purpose of future water supplies for municipal use for the City of Madison and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6512-3 is July 26, 2004.
5. The date from which applicant may claim right is May 21, 2004.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

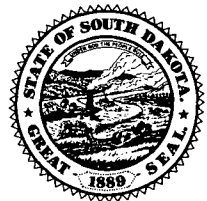
1. Permit No. 6512-3 reserves 387 acre feet of water annually.
2. That Future Use Permit No. 6512-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
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 Howard Aquifer. Wells will be approximately 260 feet deep.

WATER MANAGEMENT BOARD

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

AUG 13 2004

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 25, 2004

RECEIVED OF Finance Officer, City of Madison, PO Box 308, Madison SD 57042

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

Fee for Application for Permit No. <u>6512-3</u> to Appropriate Water, to construct and to put water to beneficial use	182	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 _____		
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	182.50

No.

CC-1834

By

Daniel S. White
Chief Engineer
gm

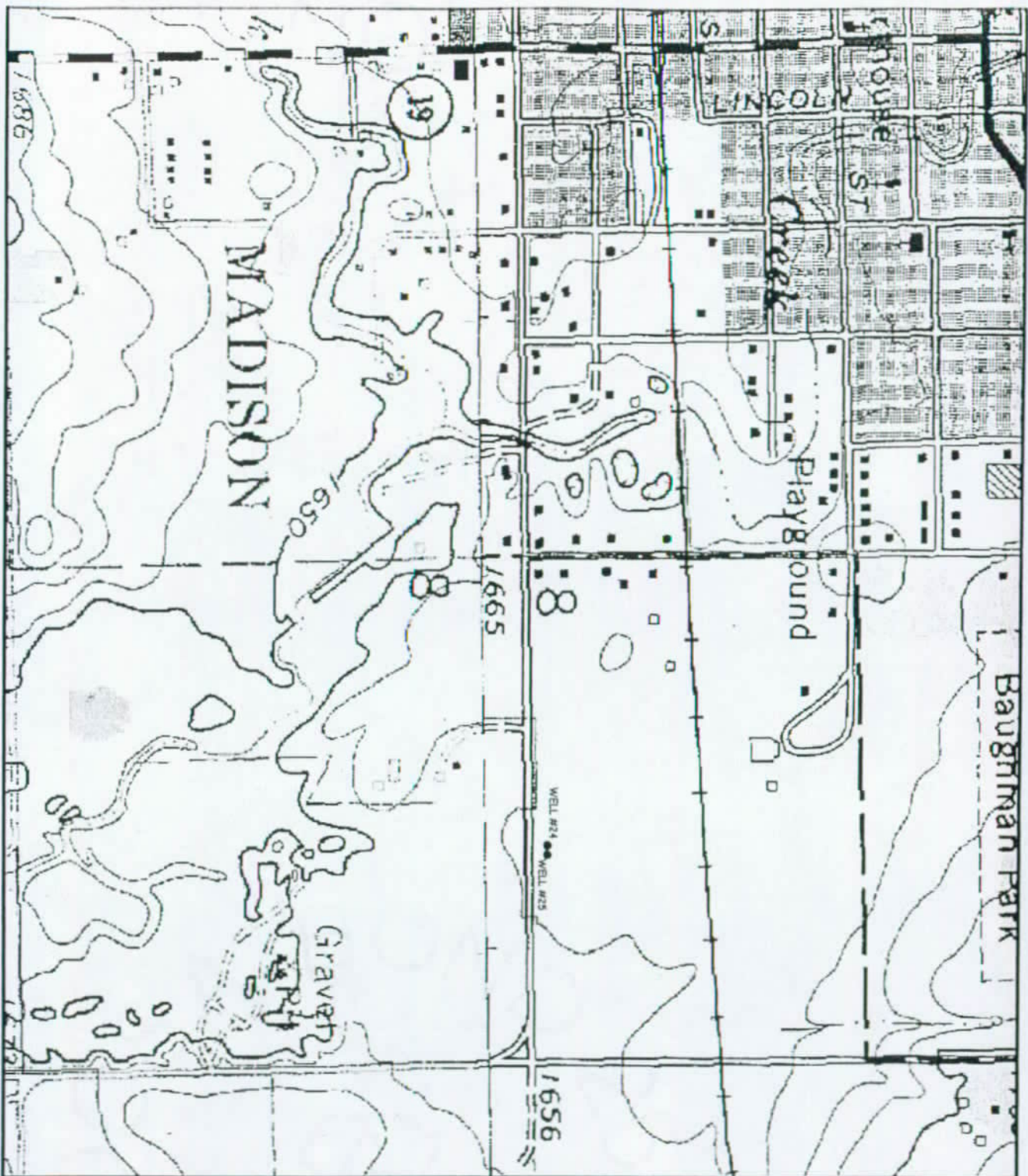
NORTH
SCALE: 1" = 300'



BOTH WELLS ARE TO BE LOCATED APPROXIMATELY
98' NORTH OF THE EAST-WEST CENTERLINE OF SECTION 8
WEST OF THE NORTH-SOUTH CENTERLINE OF SECTION 8
WELL NO. 24 IS TO BE LOCATED APPROXIMATELY 1548'
WEST OF THE NORTH-SOUTH CENTERLINE OF SECTION 8
WELL NO. 25 IS TO BE LOCATED APPROXIMATELY 1598'
WEST OF THE NORTH-SOUTH CENTERLINE OF SECTION 8



DRAWN BY: J.L.U.	JOB NO: 20366.00.01	Madison Municipal Well Field Expansion	Madison, South Dakota	BANNER ASSOCIATES, INC. • CONSULTING ENGINEERS & ARCHITECTS 409 22nd Ave S • P.O. Box 298 • Brookings, SD 57006 • (605) 937-4342	DRAWING NO: 1
CHECKED BY: E.R.S./D.C.O.	DATE: Mar. 04	LOCATION MAP			



SCALE: 1" = 800'

BOTH WELLS ARE TO BE LOCATED APPROXIMATELY 98' NORTH OF THE EAST-WEST CENTERLINE OF SECTION 8
 WELL NO. 24 IS TO BE LOCATED APPROXIMATELY 1548' WEST OF THE NORTH-SOUTH CENTERLINE OF SECTION 8
 WELL NO. 25 IS TO BE LOCATED APPROXIMATELY 1598' WEST OF THE NORTH-SOUTH CENTERLINE OF SECTION 8

DRAWN BY: JLU
 JOB NO: 20366.00.01
 CHECKED BY: DATE: Mar. 04
 ERS/D.CO.

Madison Municipal Well Field Expansion

Madison, South Dakota

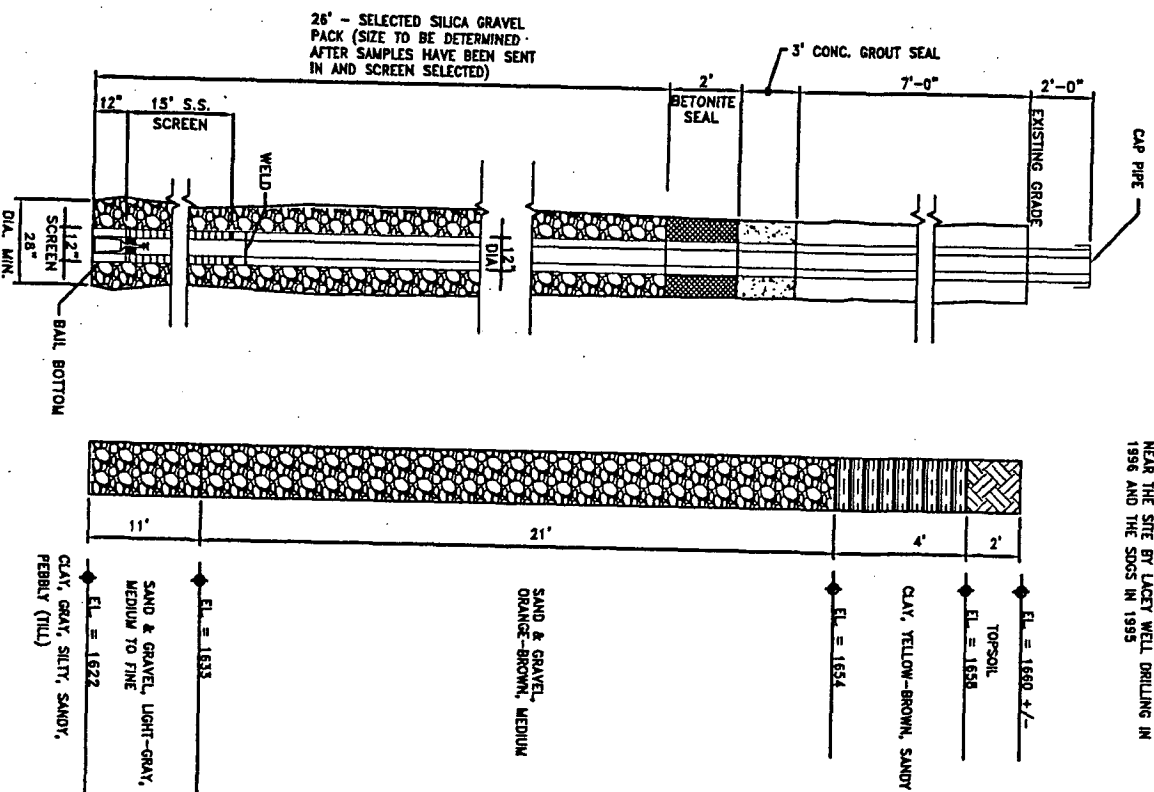
LOCATION MAP

BANNER ASSOCIATES, P.C. • CONSULTING ENGINEERS & ARCHITECTS
 409 22nd Ave S • P.O. Box 298 • Breckinridge, SD 57006 • (605) 992-4342

BANNER

DRAWING NO: 1

NOTE: EXPECTED FORMATIONS ARE BASED ON BORING LOGS FROM OBSERVATION WELLS PUT NEAR THE SITE BY LACEY WELL DRILLING IN 1996 AND THE SDGS IN 1995



WELL CROSS SECTION - WELL NO. 25

SCALE: NONE

ESTIMATED DEPTH = 38'

BANNER

DRAWING NO.

BANNER ASSOCIATES, INC. • CONSULTING ENGINEERS & ARCHITECTS

WELL SECTIONS

2

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: City of Madison Water Right Permit Applications

ADDRESS: COUNTY: Lake

DATE: May 25, 2004 TELEPHONE:

RE: Telephone discussion with Bill Heyer, City Engineer

COMMENTS:

Mr. Heyer returned my phone call regarding the city of Madison's water right permit applications.

The three applications were amended based on Mr. Heyer's request as follows:

Application to place to beneficial use water reserved by Future Use Permit No. 747-3

- The location of the well is to be in the SE¼ NE¼ Section 8, T106N, R52W.
- The annual volume of water requested is 339 ac-ft of water.
- The application filing fee is \$250 plus the licensing fee \$50 for a total of \$300

Application for a permit from the Howard Aquifer

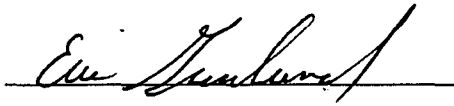
- The annual volume of water requested is 387 ac-ft of water.
- The application filing fee is \$275 plus the licensing fee \$50 for a total of \$325

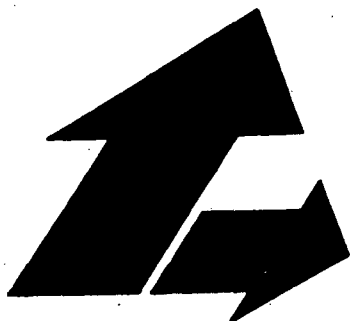
Application for a future use permit from the Howard Aquifer

- Future use area is the NE ¼ of Section 8, T106N, R52W
- The annual volume of water requested to be held in reserve is 387 ac-ft of water.
- The application filing fee is \$275

I explained that the fee for all the applications totals \$900 while the amount submitted was \$807.5. Mr. Heyer asked that we submit a invoice for the remaining \$92.50. That invoice has been faxed to Mr. Heyer.

I also stated that the map is not properly signed. Mr. Heyer requested that I contact Banner & Associates. I contacted Kristine with Banner and she will be getting the location map properly signed and forwarded to the Water Rights Program.

NAME: 



**THE CITY
OF
MADISON**

City Engineer

116 W. Center • Box 308 • Madison, South Dakota 57042

MEMO

TO: Eric Gronlund
Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 26, 2004

FROM: City Engineer Bill Heyer

SUBJECT: Water Permit Application
Application Fee Second Payment

Attached hereto is a check in the amount of \$92.50 which reflects the balance due for the water permit application.

Thanks

RECEIVED

JUN 01 2004

WATER RIGHTS
PROGRAM

REPORT ON WATER PERMIT APPLICATION NO. 6512-3
For the City of Madison
June 15, 2004

Application No. 6512-3 proposes to appropriate for future use 387 acre-feet annually from the Howard aquifer. The area to be reserved for future use is to be located in the NE ¼ of section 8, T106N R52W in Lake County. The water is reserved for municipal purposes for the City of Madison. This application does not authorize construction of works or application of water to beneficial use.

AQUIFER - HOWARD (HO)

The Howard is a buried outwash (sand and gravel) that is under confined or artesian conditions at this site. The aquifer underlies 675 square miles and contains an estimated 3.5 million acre-feet of water in storage in Lake and Moody Counties (Hansen, 1986). Ground water movement appears to be from north to south across the area of this application (Hansen, 1986). The Howard is a very large aquifer and extends into Miner County to the west, McCook County to the south, and Kingsbury and Brookings County to the north.

Test well information near the proposed well site indicates sand beginning at a depth of 235 feet below land surface and was 26 feet thick. This information fits well with existing observation well information and other test well drilling conducted by the SDGS for the City of Madison. Aquifer testing conducted by the City and the SDGS indicate that City Well #11 had a specific capacity of about 4 gpm/ft of drawdown. Data for this aquifer test was reported in SDGS Open File Report 49-UR Ground-Water Study for the City of Madison, South Dakota (Hammond, 1991).

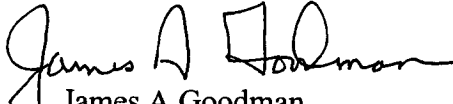
The Water Rights Program monitors an observation well LK-84A completed into the Howard aquifer and located about one-quarter mile east of this site. Water levels for this well show some response to pumping and to climatic conditions. Water levels have declined about 20 feet for the Howard aquifer since 1985. However, the hydrograph also show the effects of recharge to the aquifer system during the mid 1990's. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only nearby existing water permits/rights are wells #10 and #11 for the City of Madison (Water Right No. 1604-3) and well #24 (Water Permit No. 6511-3). The three wells authorized by these permits/rights are located either within this specified future use area or just to the south and west. The information available from the aquifer test data, the county study data and the observation well records indicate that additional development of the Howard aquifer can be authorized in this area.

CONCLUSIONS

1. Water is available from the Howard aquifer.
2. The aquifer is under confined conditions at this site. Drawdown will occur at these pumping rates. The magnitude of drawdown is not expected to be significant at the distance between production wells.
3. This application is for future use and does not authorize construction of works or putting water to beneficial use.



James A Goodman
Natural Resources Engineer

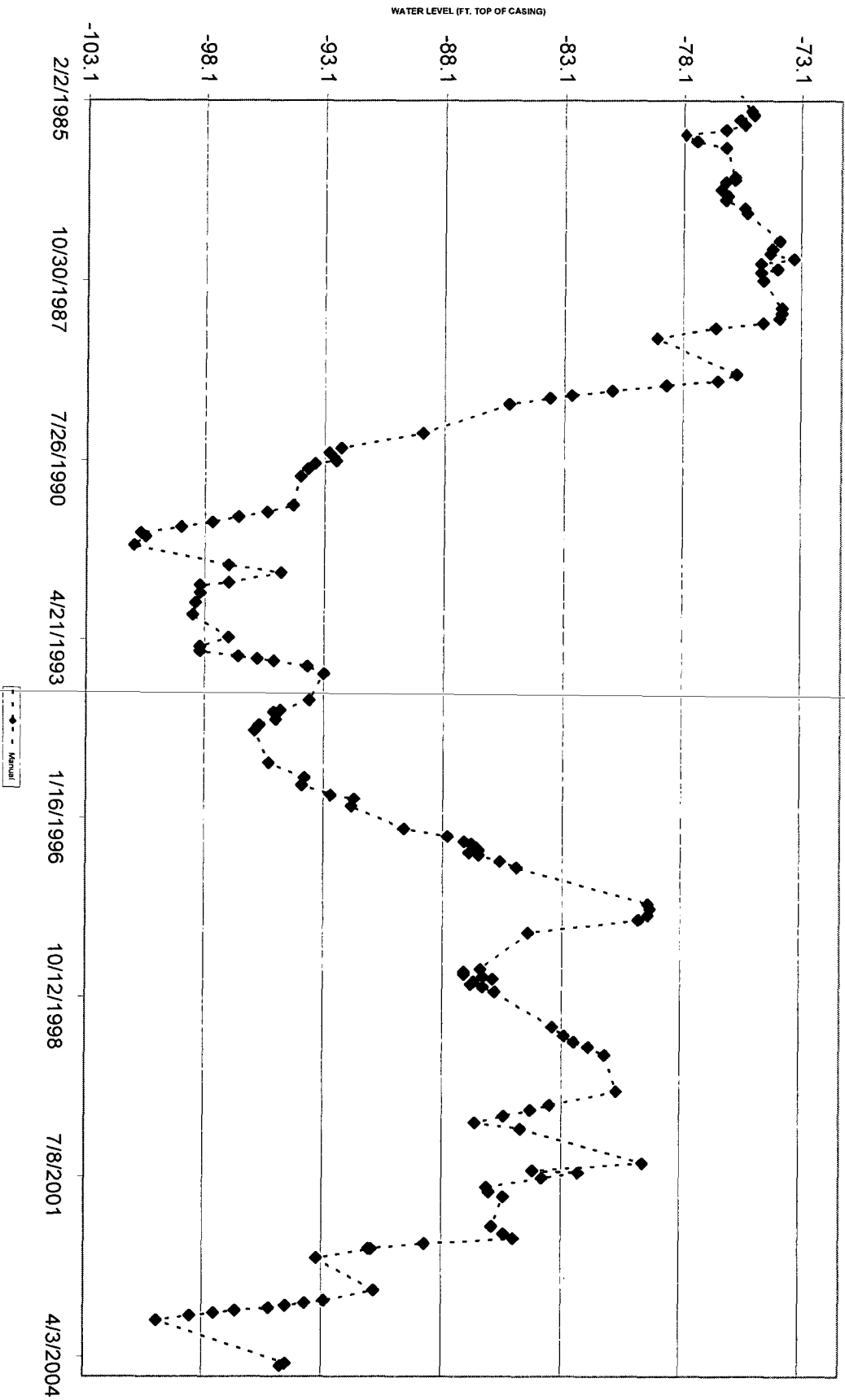
BIBLIOGRAPHY

Hammond, P.D., S.A. Green, 1991, Ground-Water Study for the City of Madison, South Dakota, Open-File Report 49-UR, SDGS, Vermillion, SD, 57069.

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota, Water Resources Investigations Report 84-4209, USGS, Huron, SD, 57350.

Water Rights, 2004, Unpublished Observation Well Data for Lake County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS: OBSERVATION WELL
LK-84A





**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. 6512-3, City of Madison**

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. 6512-3, City of Madison, c/o Mayor Royce D Hueners, 116 W Center, Madison SD 57042.

The Chief Engineer is recommending APPROVAL of Application No. 6512-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Madison 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. 6512-3 reserves 387 acre feet of water annually.
2. That Future Use Permit No. 6512-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
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 Howard Aquifer. Wells will be approximately 260 feet deep.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 30, 2004

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Lake)

I, Deanna D. Bergheim

certify that the attached printed Notice was
 taken

from the Madison Daily Leader

printed and published in City of Madison

County of Lake and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Friday, July 9, 2004

Thursday, July 15, 2004

Cost of Printing 66.46

Deanna Bergheim
 (Signature)

Secretary
 (Title)

July 15, 2004
 (Date Signed)

**NOTICE OF APPLICATION NOS.
 6510-3, 6511-3 AND 6512-3**

Notice is given that the City of Madison, c/o Royce D Hueners, Mayor, 116 W Center, Madison SD 57042 has filed the following applications for a water permit.

Application No. 6510-3 proposes to construct and place to beneficial use 0.78 cubic feet of water per second (cfs) (339 acre-feet annually) from one well (big Sioux-Northern Skunk Creek) 38 feet deep located in the SE 1/4 NE 1/4 Section 8-T106N-R52W. This water was appropriated and reserved by Future Use Permit No. 747-3. The water will be for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6510-3 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. 6511-3 proposes to appropriate 0.89 cfs (387 acre-feet annually) from one well (Howard Aquifer) 261 feet deep located in the SE 1/4 NE 1/4 Section 8-T106N-R52W. The water will be for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6511-3 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. 6512-3 proposes to appropriate for future use 387-acre-feet annually from the Howard Aquifer. The area to be reserved for future water use is to be located in the NE 1/4 Section 8-T106N-R52W. The water is to be reserved for future water supplies for municipal use for the City of Madison. 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 Application No. 6512-3 because 1) unappropriated water is available, 2) the quantity of water reserved will be needed by the City of Madison, 3) it 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 application, 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 application. 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 July 26, 2004.

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. Firner, Secretary,
 Department of Environment and
 Natural Resources.

RECEIVED

JUL 21 2004

WATER RIGHTS
 PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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.

June 30, 2004

City of Madison
% Royce D Hueners Mayor
116 W Center
Madison SD 57042

Dear Mayor Hueners:

Water Permit Application Nos. 6510-3, 6511-3 & 6512-3 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 Madison Daily Leader printed at Madison, SD (Ph # 605-256-4555). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Bill Heyer, City Engineer, Madison

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 30, 2004

Madison Daily Leader
PO Box 348
Madison SD 57042-0348

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 6510-3, 6511-3, 6512-3 to Appropriate Water to be published twice. Please publish the first notice on July 8, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is City of Madison, %Royce D Hueners, 116 W Center, Madison SD (Ph # 605-256-7513).

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6510-3, 6511-3 & 6512-3

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

Date _____

We are in receipt of your letter of June 30, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6510-3, 6511-3 & 6512-3 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 July 8, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6510-3, 6511-3 and 6512-3

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6510-3 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. 6511-3 proposes to appropriate 0.89 cfs (387 acre-feet annually) from one well (Howard Aquifer) 261 feet deep located in the SE ¼ NE ¼ Section 8-T106N-R52W. The water will be for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6511-3 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.

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AUG 13 2004

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

6510-3
6511-3
6512-3

City of Madison
Bill Heyer, City Engineer
116 West Center
Madison SD 57042

Dear Mr. Heyer:

Enclosed are Water Permit Nos. 6510-3, 6511-3 and Future Use Permit No. 6512-3. Water Permit Nos. 6510-3 and 6511-3 authorize construction of the city's water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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

When plans for facilities are prepared to put any portion of the water granted in Future Use Permit No. 6512-3 to beneficial use, an application covering such facilities and water use should be submitted to this office before construction is initiated.

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

Sincerely,

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

enclosures



6512-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 10, 2011

City of Madison
Connie Silva, Water & Wastewater Forman
PO Box 308
Madison SD 57042

Dear Ms. Silva:

I am writing in regard to the seven year review of Future Use Water Permit No. 6512-3 from groundwater (Howard Aquifer) which is held by the city. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 387 acre-feet remain in reserve under this future use permit that was issued in 2004.

Please respond in writing by June 1, 2011, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 6512-3 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 387 acre-feet remain in reserve, the fee will be \$ 95.00.

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

RECEIVED

MAY 20 2011

WATER RIGHTS
PROGRAM



DEPARTMENT OF
PUBLIC WORKS

401 S Highland Avenue

Madison SD 57042

(605) 256-7515 (office)

(605) 256-7538 (fax)

www.cityofmadisonsd.com

May 17, 2011

Karen Schlaak
Water Right Program
SDDENR
Joe Foss Building
523 E. Capital
Pierre, SD 57501-3181

Ms. Schlaak:

The city of Madison is planning to retain the future water use permit. The city feels there exist a reasonable need to reserve the subject 387 acre feet. With the potential for growth and economic development, we feel it is in our best interest to retain Permit No. 6512-3/

If there is a need for more information please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Connie R Silva'.

Connie R Silva
Forewoman
Madison Water Treatment Plant



**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. 6512-3, City of Madison 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. 6512-3, City of Madison, PO Box 308, Madison SD 57042.

The Chief Engineer is recommending that Future Use Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6512-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6512-3, 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. 6512-3 is subject to payment of the \$95.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer
June 8, 2011



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 8, 2011

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

City of Madison
Connie Silva, Water & Wastewater Forewoman
PO Box 308
Madison SD 57042

Dear Ms. Silva:

Future Use Permit No. 6512-3 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 Daily Leader printed at Madison SD (Phone #605 256-4555). 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

June 8, 2011

Daily Leader
PO Box 348
Madison SD 57042

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6512-3 to be published twice. Please publish the first notice on June 14, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Madison, c/o Connie Silva, PO Box 308, Madison SD 57042.

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 June 8, 2011 enclosing Notice of Hearing to Review Future Use Water Permit No. 6512-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on June 14, 2011 with 2nd publication 7 days later. The permit owner is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6512-3, City of Madison

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Connie R Silva, PO Box 308, Madison SD 57042 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. 6512-3. This permit was approved in 2004 and currently reserves 387 acre feet from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 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. 6512-3 at 10:30 am, July 13, 2011 at the Mathews Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

The hearing to review Future Use Permit No. 6512-3 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 July 1, 2011. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 1, 2011. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.

AFFIDAVIT OF PUBLICATION RECEIVED

STATE OF SOUTH DAKOTA }
County of Lake } ss.

JUN 27 2011

WATER RIGHTS PROGRAM

Sue Anne Artko of the City of Madison, County of Lake, State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation, printed and published in the City of Madison, in said County of Lake, by Hunter Publishing, Inc., Jon M. Hunter, publisher, and has been such legal newspaper during the times hereinafter mentioned; that the said Madison Daily Leader has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and how has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Secretary of the said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

City of Madison

Hearing to Review Future Use Water Permit #6512-3

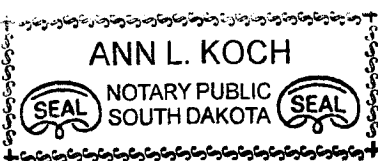
printed copy of which hereunto attached, was printed and published in the said newspaper for Two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Tuesday, the 14th day of June, 2011;
On Tuesday, the 21st day of June, 2011;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;

That \$ 73.19 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publisher of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Sue Anne Artko

Subscribed and sworn to before me this 22nd day of June, 2011



Ann L. Koch
Notary Public, Lake County, South Dakota

Tuesday, June 14 & 21

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6512-3, City of Madison

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Connie R Silva, PO Box 308, Madison SD 57042 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. 6512-3. This permit was approved in 2004 and currently reserves 387 acre feet from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 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. 6512-3 at 10:30 am, July 13, 2011 at the Mathews Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2011. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-2352) and the permit holders mailing address is given above. The petition may be informal, but it must

Publication Fees _____ \$

Notary Fees _____ \$

Total _____ \$

Received Payment,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 15, 2011

NOTICE

City of Madison
Connie Silva, Water & Wastewater Forewoman
PO Box 308
Madison SD 57042

Dear Ms. Silva:

I am writing in response to action taken by the Water Management Board at the hearing on July 13, 2011 to review Future Use Permit No. 6512-3. The Board allowed the permit to remain in effect for 387 acre-feet of water annually. Future Use Permit No. 6512-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6512-3 is \$95.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

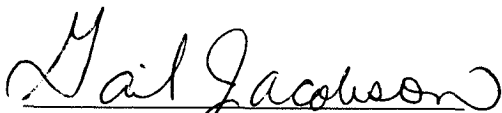
Sincerely,

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

CERTIFICATION

I hereby certify that on July 15, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 15, 2011 regarding Future use Permit No. 6512-3 addressed as stated below:

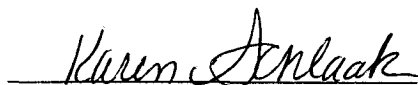
City of Madison, Connie Silva, Water & Wastewater Forewoman, PO Box 308, Madison SD 57042



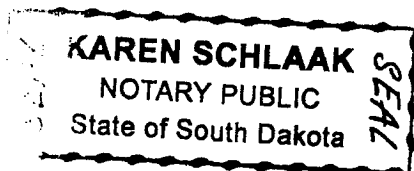
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of July, 20 11.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 14, 2011

City of Madison
Connie Silva, Water & Wastewater Forewoman
PO Box 308
Madison SD 57042

Dear Ms. Silva:

On July 15, 2011 we requested the fee for maintaining the effectiveness of Future Use Permit No. 6512-3. To date, we have not received this payment.

Please submit the \$95.00 fee as soon as possible to avoid jeopardizing the City's future use permit. If you have questions, please contact this office.

Sincerely,

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

c: Jeff Heinemeyer, Finance Officer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/14, 20 11

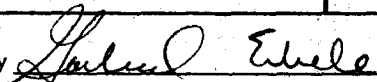
RECEIVED OF City of Madison PO Box 308 Madison SD 57042

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	95	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>6512-3</u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	95 00

No. **05042**

By


Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 25, 2018

Rick Nighbert, Water Superintendent
City of Madison
116 Center St
Madison SD 57042

Dear Mr. Nighbert:

I am writing in regard to the seven year review of Future Use Water Permit No. 6512-3 from Howard Aquifer held by the city of Madison. 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 387 acre-feet remain in reserve under this future use permit that was issued in 2004 and last reviewed in 2011.

Please respond in writing by June 1, 2018 regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 6512-3 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 387 acre-feet remain in reserve, the fee will be \$95.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

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



Physical Address: 401 S Highland Ave
Billing Address: 116 W Center St
Madison, SD 57042

RECEIVED
MAY 07 2018
WATER RIGHTS
PROGRAM

May 4, 2018

Karen Schlaak, Environmental Scientist
SDDENR, Water Rights Program
523 E. Capitol
Pierre, SD 57501-3182

RE: Future Water Use Permit No. 6512-3

Karen:

The City of Madison is planning to retain the future water use permit. The City feels there exists a reasonable need to reserve the subject 387 acre-feet. With the continued growth and economic development, we feel it is in our best interest to retain Permit No. 6512-3.

If there is a need for more information, please contact me at (605)256-7527.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Nighbert".

Rick Nighbert
Water Superintendent

RN/re



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6512-3, City of Madison**

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. 6512-3, City of Madison, c/o Rick Nighbert, Water Supt, 116 W Center St, Madison SD 57042.

The Chief Engineer is recommending that Future Use Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6512-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6512-3, 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. 6512-3 is subject to payment of the \$95.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Jeanne Goodman, Chief Engineer
May 24, 2018

AFFIDAVIT OF PUBLICATION

JUN - 4 2018

WATER RIGHTS
PROGRAM

Thursday, May 31

NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER

PERMIT NO. 6512-3

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Rick Nighbert, Water Superintendent, 116 W Center St, Madison SD 57042 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. 6512-3. This permit was approved 2004 and currently reserves 387 acre-feet of water from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 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. 6512-3 at 11:30 am on July 12, 2018 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 2, 2018. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a

Publication 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
Received For his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

STATE OF SOUTH DAKOTA }
County of Lake } ss.

Aubrey Larsen of the City of Madison, County of Lake, State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation, printed and published in the City of Madison, in said County of Lake, by Hunter Publishing, Inc., Jon M. Hunter, publisher, and has been such legal newspaper during the times hereinafter mentioned; that the said Madison Daily Leader has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and how has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Secretary of the said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

City of Madison

Hearing to Review Future Use Water Permit No. 6512-3

printed copy of which hereunto attached, was printed and published in the said newspaper for One successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 31st day of May, 2018;

On , the day of , 2018;

On , the day of , 2018;

On , the day of , 2018;

On , the day of , 2018;

On , the day of , 2018;

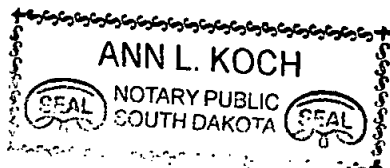
On , the day of , 2018;

On , the day of , 2018;

That \$ 44.49 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publisher of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Aubrey Larsen

Subscribed and sworn to before me this 1st day of June, 2018



Ann L. Koch
Notary Public, Lake County, South Dakota

In Court
County of

AFFIDAVIT OF PUBLICATION

Filed in the office of on the
..... day of

20

Attorneys for

The hearing to review Future Use Permit No. 6512-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 2, 2018. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2018.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by June 11, 2018.

STEVEN M. PIRNER
Secretary, Department
of Environment

and Natural Resources
Published once at the total
approximate cost of \$44.49



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 24, 2018

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

City of Madison
c/o Rick Nighbert, Water Supt
116 W Center St
Madison SD 57042

Dear Mr. Nighbert:

Future Use Permit No. 6512-3 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 the county where water will be diverted or used. Notice of this review has been sent to the Madison Daily Leader (605 256-4555). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish this notice on May 31, 2018. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

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

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, May 24, 2018 9:19 AM
To: ads@madisondailyleader.com
Subject: 6512-3, City of Madison
Attachments: 6512-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published on May 31, 2018.

City of Madison, c/o Rick Nighbert, Water Superintendent, 116 W Center St., Madison SD 57042 (605 256-7515) has been notified to contact you to authorize publication and arrange for payment.

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

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

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



Instruction to Newspaper - Publish the following Notice on May 31, 2018. The City of Madison is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6512-3

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Rick Nighbert, Water Superintendent, 116 W. Center St, Madison SD 57042 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. 6512-3. This permit was approved 2004 and currently reserves 387 acre-feet of water from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 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. 6512-3 at 11:30 am on July 12, 2018 at the Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 2, 2018. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 6512-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 2, 2018. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2018.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If any party chooses to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program 523 E Capitol Ave, Pierre SD) by June 11, 2018. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

July 16, 2018

NOTICE OF ENTRY OF ORDER

City of Madison
c/o Rick Nighbert, Water Supt
116 W Center St
Madison SD 57042

Dear Mr. Nighbert:

I am writing in response to action taken by the Water Management Board at the hearing on July 12, 2018 to review Future Use Permit No. 6512-3. The Board allowed the permit to remain in effect for 387 acre-feet of water annually. Future Use Permit No. 6512-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6512-3 is \$95.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Sincerely,

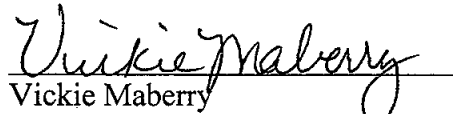
Jeanne Goodman, Chief Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on July 16, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 16, 2018 regarding Notice of Entry of Order addressed as stated below:

City of Madison
c/o Rick Nighbert, Water Supt
116 W Center St
Madison SD 57042

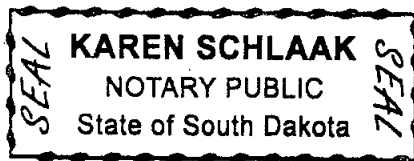
City of Sisseton
c/o Terry Jaspers, Mayor
406 2nd Ave W
Sisseton SD 57262


Vickie Maberry
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of July, 2018.


Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 10, 20 18

RECEIVED OF City of Madison 116 west Center St Madison SD 57042

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	95	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>6512-3</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 _____	95	00
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	95 00

No. **08737**

By

Janne Goodman
Chief Engineer
Jm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 7, 2025

City of Madison
c/o Fred Snoderly
116 W Center
Madison SD 57042

Dear Mr.Snoderly,

I am writing in regard to the seven-year review of Future Use Water Permit No. 6512-3 from the Howard Aquifer held by the City of Madison. 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 387 acre-feet remain in reserve under this future use permit that was issued in 2004 and last reviewed in 2018.

Please respond in writing by April 4, 2025, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 6512-3 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 387 acre-feet remain in reserve, the fee will be \$95.00.

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

Sincerely,

Rachel Rodriguez

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 12, 2025

City of Madison
c/o Fred Snoderly
503 S Highland Avenue
Madison SD 57042

Dear Mr. Snoderly,

I am writing in regard to the seven-year review of Future Use Water Permit No. 6512-3 from the Howard Aquifer held by the City of Madison. 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 387 acre-feet remain in reserve under this future use permit that was issued in 2004 and last reviewed in 2018.

Please respond in writing by April 4, 2025, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 6512-3 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 387 acre-feet remain in reserve, the fee will be \$95.00.

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

Sincerely,

Rachel Rodriguez

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

RECEIVED

MAR 21 2025

OFFICE OF
WATER



March 18, 2025

Rachel Rodriguez
SDDENR, Water Rights Program
523 E. Capitol
Pierre, SD 57501-3182

RE: Future Water Use Permit No. 6512-3

Ms. Rodriguez:

The City of Madison is planning to retain the future water use permit. The City feels there exists a reasonable need to reserve the subject 387 acre-feet. With continued growth and economic development, we feel it in our best interest to retain Permit No. 6512-3.

If there is a need for more information, please contact me at 605-291-6310.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Nighbert".

Rick Nighbert
Water Superintendent

RN/re

Physical/Shipping Address
435 S. Highland Ave.
Madison, SD 57042

Mailing Address
503 S. Highland Ave.
Madison, SD 57042

Phone: (605) 256-7515
Fax: (605) 256-7538
www.CityofMadisonSD.com



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6512-3, City of Madison**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit No. 6512-3, City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042.

The Acting Chief Engineer is recommending that Future Use Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6512-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6512-3, 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. 6512-3 is subject to payment of the \$ 95.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Mark Mayer, PE
Director of Office of Water
March 24, 2025



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 28, 2025

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

City of Madison
c/o Rick Nighbert, Water Supt.
503 S. Highland Avenue
Madison SD 57042

Dear Mr. Nighbert:

Future Use Permit No. 6512-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. Notice of this review has been sent to the Madison Daily Leader (see contact information) and the Brookings Register (605-692-6271). 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 April 10, 2025. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Rachel Rodriguez

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

enclosures

Instruction to Newspaper - Publish the following Notice on April 10, 2025. The City of Madison is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6512-3

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042 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. 6512-3. This permit was approved 2004 and currently reserves 387 acre-feet of water from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 6512-3 on May 7, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

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

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by April 22, 2025.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 6512-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by April 22, 2025.

Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 22, 2025.

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

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 22, 2025. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the approximate cost of_____.



Column Software PBC
PO Box 208098
Dallas, TX 75320-8098
help.column.us

Bill to
Department of Agriculture and Natural Resources

Invoice number CFC1A06D-0041
Notice ID XFunroL6k4MJO4koOPBX
Publisher Madison Daily Leader
Date of issue Mar 28, 2025
Date due May 1, 2025
Amount due \$79.52

Description	Qty	Unit price	Amount
04/10/2025: Public Notice Notice	1	79.52	79.52

=== Notes ===

Notice Name: Public Notice 6512-3 Future Use Water Permit
Order Number: MDL000849

Net Subtotal \$79.52

Tax 0.00

=== How to pay this invoice ===

Column Software PBC accepts online payment via credit or debit card, or ACH bank transfers. Please click here to pay online:
<https://www.column.us/invoices/gAW928IdvAihSF6IqBtX/pay>

Amount due \$79.52

Please note that, once paid, the merchant name on your billing statements will be Column Software PBC.

Select organizations may also pay via check. Checks will result in processing delays and should not be used if your notice requires upfront payment. Please pay the exact amount due, write your invoice number CFC1A06D-0041 on the memo, include a printed copy of your Invoice PDF, make the check payable to Column Software PBC, and mail to the address above.

Pay here: <https://www.column.us/invoices/gAW928IdvAihSF6IqBtX/pay>

Questions? Visit help.column.us

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, March 28, 2025 11:34 AM
To: 'registerclassifieds@brookingsregister.com'
Subject: RE: 6512-3 Future Use Water Permit - Public Notice

Oops, should be publish April 10, 2025 in the Brookings Register.

Thank you,

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



From: Rodriguez, Rachel
Sent: Friday, March 28, 2025 11:32 AM
To: registerclassifieds@brookingsregister.com
Subject: 6512-3 Future Use Water Permit - Public Notice

Attached is a notice to be published on April 10, 2025, in the Madison Daily Leader.

City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042, 605-256-7515, rick.nighbert@cityofmadisonsd.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, March 28, 2025 11:30 AM
To: Stephanie Dickey
Subject: 6512-3 Future Use Water Permit - Public Notice
Attachments: 6512-3 FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on April 10, 2025, in the Madison Daily Leader.

City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042, 605-256-7515, rick.nighbert@cityofmadisonsd.com has been notified to contact you to authorize publication and arrange for payment.

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

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

State of Florida, County of Broward, ss:

India Johnston, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Madison Daily Leader, a newspaper printed and published in the City of Madison, County of Lake, State of South Dakota, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached.

The advertisement headed

Public Notice 6512-3 Future Use Water Permit printed copy of which hereunto attached, was printed and published in the said newspaper for 1 successive week(s), once each week and on the same day of the week, on the following dates, to-wit:

PUBLICATION DATES: April 10, 2025

NOTICE ID: XFunroL6k4MJO4koOPBX

PUBLISHER ID: MDL000849

NOTICE NAME: Public Notice 6512-3 Future Use Water Permit

That \$79.52 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publication of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

India Johnston

(Signed)_____

VERIFICATION

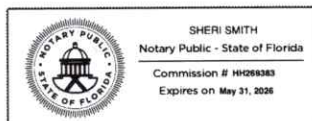
State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 04/10/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.



PUBLIC NOTICE

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6512-3
Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042 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. 6512-3. This permit was approved 2004 and currently reserves 387 acre-feet of water from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use. The permit was last reviewed in 2018. Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below. The Water Management Board will conduct the hearing to review Future Use Permit No. 6512-3 on May 7, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD. The recommendation of the Acting Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any person who intends to participate in the hearing before the Board and present evidence or cross-examine

witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by April 22, 2025. The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 6512-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited

if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by April 22, 2025. Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 22, 2025. Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at [Brian.Walsh@state.sd.us](mailto:Walsh@state.sd.us) as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available. Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 22, 2025. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of

\$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.
Date: April 10, 2025
MDL000849

Affidavit of Publication

State of South Dakota

Exhibit "A"

SS

County of Brookings

Katherine Foiles of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

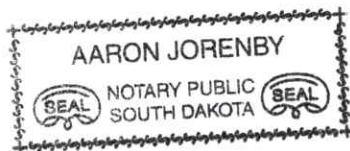
Leg#61516 Future Water Use

same was published, is hereto attached marked Exhibit "A" said newspaper for _____ 1 times, to-wit:

April 10, 2025

said Exhibit "A" inures to the sole benefit for the publishers of 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 person whomsoever; that the fees charged for the publication thereof are:

Seventy-One Dollars and Thirty-Eight Cents \$71.38



[Handwritten signature]

11 day of

April

2025

[Handwritten signature]

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2026

Legal 61516 1X
4/10

**NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NO. 6512-3**

Notice is given that the Water Management Board will review Future Use Permit No. 6512-3 held by the City of Madison, c/o Rick Nighbert, Water Supt., 503 S. Highland Avenue, Madison SD 57042 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. 6512-3. This permit was approved 2004 and currently reserves 387 acre-feet of water from the Howard Aquifer located in the NE 1/4 Section 8-T106N-R52W for municipal use. The permit was last reviewed in 2018.

Pursuant to SDCL 46-2A-2 the Acting Chief Engineer of the Water Rights Program recommends that Permit No. 6512-3 REMAIN in EFFECT for 387 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Acting Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 6512-3 on May 7, 2025, at 9:30 AM (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

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

RECEIVED

APR 25 2025

OFFICE OF
WATER

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Acting Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by April 22, 2025. The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal

counsel is obtained. The hearing to review Future Use Permit No. 6512-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Acting Chief Engineer by April 22, 2025. Any interested person may file a comment on the future use permit renewal with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by April 22, 2025. Notice is given to individuals with disabilities that the meeting is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the meeting or materials in an alternate format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the meeting in order to ensure accommodations are available.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Acting Chief Engineer is April 22, 2025. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Acting Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board. Published 1X at the total approximate cost of \$71.38 and may be viewed free of charge at www.sdpublicnotices.com.

[illegible][illegible][illegible]

5:02:03:01 Voter registration form updates voter registration form to comply with 2025 legislative changes.

5:02:03:12 Agency voter registration instructions updates voter registration instructions for those who register to vote at state agencies.

5:02:03:13 SDCL registration instructions updates voter registration instructions to comply with 2025 legislative changes.

5:02:03:10 Voter registration verification notice updates verification notice to comply with USPS rules and regulations.

5:02:03:11 Voter registration list maintenance confirmation notice adds auditors to use letters instead of postcards for the 2025 election.

For Persons interested in pre-filing amendments, data, opposition, or support for or against the proposed rules may appear in person at the State Board of Elections, 500 E. Capitol Avenue, Suite 204, S.D. Capitol Building, Pierre, SD 57501. The deadline to submit any such written comments to the State Board by this part-time board is seven-and-a-half (7.5) hours before the date of the public hearing.

After the written comment period, the State Board of Elections will accept and review all oral comments it receives on the proposed rules. The State Board will then decide to file or amend a proposed rule at that time to include or exclude any such comments. This is notice.

For Persons with Disabilities: The public hearing will be held at a physically accessible place. Please contact State Board of Elections at (605) 737-3537 for the public hearing if you have special needs for which accommodations will be made by calling (605) 737-3537.

Copies of the proposed rules will be available for free charge from the State Board of Election or rules at (605) 737-3537 or 500 E. Capitol, Pierre, SD 57501. elections@state.sd.us

Published 1X at the total approximate cost of \$60.29 and 1X at the total approximate cost of \$25,000.00 or a property right at www.sdpublishonlines.com.

counsel is obtained. The hearing to review Future Use Permits No. 65013-1 will be conducted on Tuesday, April 22, 2025, at SDCL 46-1-14, 46-2-5, 46-2-1, 46-2-11, 46-5-31, 46-5-2, 46-5-3, 46-5-4, 46-5-5, 46-5-6, 74-02:01:05(3), and contested case procedures contained in SDCL 1-15-1. The hearing is an adversary proceeding and a permit owner or any person, after filing a petition, has the right to be heard and to be represented by a lawyer. These and other due process rights will be afforded to all parties involved. Decisions of the Board may be appealed to the Circuit Court of the State of South Dakota as provided by law.

The time of the hearing will be at least 20 days upon written request of the permit owner or any person to the State Board of Future Use Permits. The request must be filed with the State Board by the Acting Chief Engineer by April 22, 2025.

Any person may file a comment on the future use permit renewal with the Acting Chief Engineer by April 22, 2025. Comments shall be filed on a form provided by the Acting Chief Engineer at <https://danr.sd.gov/public> or by calling (605) 734-3352 or 500 E. Capitol, Pierre, SD 57501, or by mail at the address provided above. Filing a comment does not constitute a request for a copy of record or a participant in any hearing that may be held on the future use permit renewal. April 22, 2025.

Notice is given to individuals who own future use permits that notice is being held in a physically accessible location, individuals may request a copy of record or other services in order to participate in the meeting or hearing. If an individual wishes to participate in the meeting or hearing, they should contact Brian Walsh, Nondiscrimination Coordinator, at (605) 737-3537 or by email at Brian.Walsh@danr.sd.us as soon as possible but no later than April 22, 2025, prior to the meeting in order to ensure accommodations are made.

Under SDCL 1-26:7(17) notices must state that "if the person does not appear at the hearing, the person may forfeit \$25,000.00 or a property right

[illegible]

STATEWIDES

AUCTIONS:

INTERSTATE AUCTION CENTER April 19, 10:00am. Building materials & construction equipment consignment auction. Now accepting consignments. 3 miles south of SF, exit 402, Brandon, SD. Full listing: auctionzip.com, 605-331-4550

EMPLOYMENT:

The Water Management Board will conduct the hearing to receive comments on the proposed permit at 6:15 p.m. on May 7, 2025, at 9:30 a.m. (Central Time), Floyd, at 3000 S. 10th St., Suite 200, Bldg. 523 E Capitol Ave., Pierre, SD 57502.

The recommendation of the Acting Chief Engineer is not final or binding upon the Board. The Board may:

- 1) allow the permit to remain in effect;
- 2) amend the permit by adding qualifications; 3) cancel the permit; 4) suspend the permit or planned future development; or
- 4) take no action after the hearing.

Comments should be submitted upon facts presented at the hearing.

CUSTER SCHOOLS DISTRICT is seeking a highly qualified/experienced Director of Special Education. Apply online at <https://www.custerschools.org> or 2727 Montgomery Street, Custer, SD, 57730, 605-673-3154. Open until 05/15/2025.

HAND COUNTY SOUTH DAKOTA is seeking applicants for the position of HIGHWAY SUPERINTENDENT. This is a full-time position with a salary of \$64,054 a position with full benefits including state retirement. For more information or to be found at <https://hand.sd.gov/employment>

LAND:

IN SEARCH OF PASTURE for 50-300 Pairs. 5th Generation, SD, ranchers looking to expand. Long term lease preferred but would consider short term. Call (605)690-1997

LIVESTOCK:

SELLING 108 PAIRS: 58 F1 & 50 Black. Black Angus Calves at side, Tuesday, April 15, 2025, at noon, at Philip (SD) Livestock, Herber Ranch 605-488-0079 or 605-488-0360

MISCELLANEOUS:

LOOKING FOR MOBILE HOMES to move. Salvage homes. Will also do professional re-blocking and leveling, anchors, Single or double wide. Free estimates. Other homes available. We deliver and set up. (605) 770-9211.

The Acting Chief Engineer, The petition form is available online at <https://damr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting Chief Engineer's address is "Water Rights Program; Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's

mailing address given above. If contesting the Acting Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by April 22, 2025. The petition shall be in writing and shall include a statement

WANTED- OLD MACHINERY, junk cars, combines, tin, wire, appliances, steel bins, blue silos, batteries, will haul, clean up with skid steer. Free estimates (605) 770-9211.

5 YEAR anniversary sale CONTINUES!

EVERYTHING SALE PRICED!

LIVING ROOM

DINING ROOM

BEDROOM

MATTRESSES

CONGRATULATIONS SABRINA CASPER!

WINNER OF THE BEST-IN-CLASS MATTRESS!

THE SAVINGS CONTINUE!
TRUCKS ARE ROLLING IN!

PROFESSIONAL & PROMPT DELIVERY

Jim Langland, Store Manager | 409 Main Ave., Brookings | 405-692-1399
sales@brookingsfurnitureco.com | [@brookingsfurnitureco](https://www.brookingsfurnitureco.com)

MON. TUES. WED. FRI 9:00 AM - 6:00 PM | THURS 9:00 AM - 8:00 PM | SAT 9:00 AM - 5:00 PM | SUN 12:00 - 4:00 PM

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, March 28, 2025 11:53 AM
To: rick.nighbert@cityofmadisonsd.com
Subject: 6512-3 Future Use Water Permit - Public Notice
Attachments: 6512-3 Rec.pdf; 6512-3 Ltr.pdf; 6512-3 PubNotice.pdf; MadisonDaily Info.pdf; [EXT] New Invoice via Column

Good morning,

Attached is a copy of the acting chief engineer's recommendation, and information regarding the public notice for your Future User Water Permit 6512-3. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. Please see attached information for the Daily Leader. The attached email has two blue buttons to view and pay, if you scroll down a bit. This information is also being mailed to you today.

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

Thank you,

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





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

NOTICE OF ENTRY OF ORDER

MAY 13 2025

City of Madison
c/o Rick Nighbert, Water Supt.
503 S. Highland Avenue
Madison SD 57042

Dear Mr. Nighbert

I am writing in response to action taken by the Water Management Board at the hearing on May 7, 2025, to review Future Use Permit No. 6512-3. The Board allowed the permit to remain in effect for 387 acre-feet of water annually. Future Use Permit No. 6512-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6512-3 is \$95.00 pursuant to SDCL 46-2-13(2). Please make the check payable to the Water Rights Program and remit the fee within 60 days.

Please contact Rachel Rodriguez if you have any questions.

Sincerely,

Mark Mayer, PE
Director of Office of Water

CERTIFICATION

I hereby certify that on May 13th, 2025, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class envelope containing a "NOTICE OF ENTRY OF ORDER" dated May 13th, 2025 involving action taken by the Water Management Board hearing on March 7th, 2025:

City of Parker, C/O Adam Jans, PO Box 265, Parker SD 57053

South Lincoln Rural Water System, C/O John Stearns, 28647 472nd Avenue, Beresford SD

City of Hoven, Wend Rausch, Finance Officer, PO Box 157, Hoven SD 57450

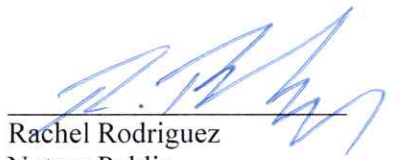
Clay Rural Water System, C/O Steven Muilenburg, 30376 SD Hwy 19, Wakonda SD 57073

City of Madison, C/O Rick Nighbert Water Supt, 503 S Highland Avenue, Madison SD 57042


Shannon Konst
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of May, 20 25.


Rachel Rodriguez
Notary Public
My Commission expires May 16, 2029





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

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

Application No.: 6512-3

Name of Applicant: City of Madison, Rick Nighbert

Date of Posting: 4/8/2025

Date of Removal: 5/13/2025



Ron Duvall, Engineer III

5/13/2025

Date

Subscribed and sworn to before me, a notary public, this 13th day of May, 2025.



Notary Public - South Dakota
My commission expires: **Rachel Rodriguez**
My Commission Expires
May 16, 2029

(SEAL)



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 30th, 2025

RECEIVED OF City of Madison C/O Rick Nighert, Water Supt 503 S Highland Avenue Madison SD 57042

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>6512-3</u> after period of seven years.	<u>\$95.00</u>
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	<u>\$95.00</u>

By Mark May
Chief Engineer



1079-3 1453-3 1604-3 371-1 372-3
6512-3 6511-3 6510-3 747-3 6040-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 21, 2025

8792-3

City of Madison
c/o Finance Officer
503 S Highland Ave
Madison SD 57042

Attention Finance Officer:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to the City of Madison at 116 W Center St, Madison SD 57042. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **FFDLQE**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

553 NFE 1 C24C0010/15/25
RETURN TO SENDER
: CITY OF MADISON
503 S HIGHLAND AVE
MADISON SD 57042-3227

RETURN TO SENDER