

FUTURE USE PERMIT NO. 6705-3

Name of Applicant: **TM Rural Water District**

Address: **PO Box 445, Parker SD 57053-0445**

Phone: **605 297-3334**

Amount of Water Claimed: **1900 acre-feet**

Total Acres: **NA**

Source of Water Supply: **groundwater**

Water to be used for: **rural water system use**

County: **Turner and McCook**

Type of Waste Disposal System:

Location: **area in the northwest corner of Turner County**

PRIORITY Date Received: **3-13-06**

Application/License Fee: **\$57.50**

Corrected Application Received: **3-20-06**

Period of Annual Use: **January 1 – December 31**

Remarks:

Future Use Area: Sections 13, 14, 23, 24, 25, 26,
35 and 36; T101N-R55W (McCook County)
Sections 18, 19, 20, 29, 30, 31 and 32; T101N-
R54W (McCook County)
Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30;
T100N-R55W (Turner County)

Depth of Well:

Well Driller: :

Remarks:

Type of Map: **plat**

Prepared by: **Chad E Bachman, PE**

Reviewed and the Number Assigned on: **3-21-06**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for uses other than irrigation
(type or print)

RECEIVED
MAR 13 2006
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6705-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Several</u>

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.)

- Name of Applicant TM RURAL WATER DISTRICT Phone 605-297-3334
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO BOX 445 PARKER State SD 57053-0445
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 1900 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply UVM OR BASAL AQUIFER
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County TURNER OR MCCOOK
AREA NEAR TM RURAL WATER TREATMENT PLANT NEAR DOLTON, SD
see attached list
- County or counties where water will be used TURNER, MCCOOK, Hutchinson, Miner, Minnehaha
- Annual period during which water is to be used ALL YEAR Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)

County of Turner 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, Ken Pedersen, 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 Ken Pedersen

Subscribed and sworn to before me this 9th day of March 2006

Tracy Sue Konda
Notary Public signature

Location of Future Use Area

Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County)

Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County)

Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County)

**SOUTH DAKOTA
FUTURE USE PERMIT NO. 6705-3**

Date of first receipt of application March 13, 2006.

The Water Management Board approved Future Use Permit No. 6705-3 on July 12, 2006 for TM Rural Water District, Box 445, Parker SD 57053 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 6705-3 reserves for future use 1,900 acre-feet annually from Upper:Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County).
2. The water appropriated shall be used for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date from which applicant may claim right is March 13, 2006.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Permit No. 6705-3 reserves 1,900 acre feet of water annually from the Upper Vermillion Missouri Aquifer.
2. That Future Use Permit No. 6705-3 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 and approved prior to construction of facilities pursuant to SDCL 46-5-38.1.

WATER MANAGEMENT BOARD

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

AUG 28 2006
date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 13, 2006

RECEIVED OF T M Rural Water District, Box 445, Parker SD 57053

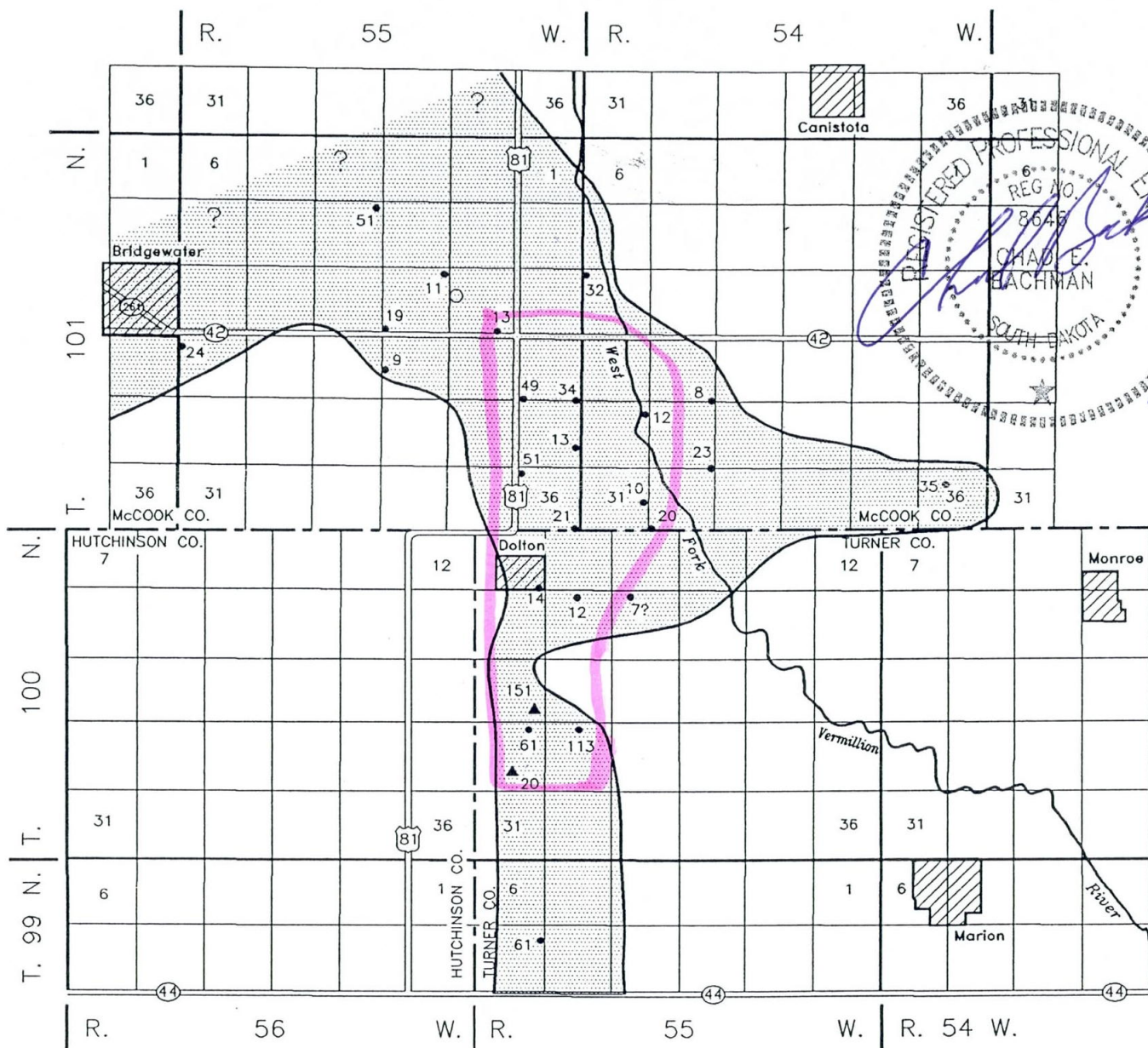
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	57	50
Fee for Application for Permit No. <u>6705-3</u> 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	57.50

No.

02356

By Darland Eide
Chief Engineer *gm*



61 • Test hole or well where basal aquifer material is present. Number denotes thickness in feet.

○ Test hole in which no basal aquifer material was encountered.

20 ▲ Private well completed in the basal aquifer material. Number denotes thickness in feet.

Approximate areal extent of the basal-outwash aquifer.

Approximate boundary of the basal-outwash aquifer.

0 1 2 3 4
MILES

Figure 8. Approximate areal extent and thickness of the basal-outwash aquifer.

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3310

March 8, 2006

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

RECEIVED
MAR 13 2006
WATER RIGHTS
PROGRAM

Attachment to Future Use Application

TM Rural Water District is in the process of designing a water treatment plant to meet its long-term water needs. TM Rural Water District periodically reviews long-term projections and considers the potential customer base. The current requests for water along with the projected growth rate has identified the need for substantially more water than the District holds rights for presently. The District expects to fully develop the existing water rights by the time the new treatment plant goes on line in January 2008. The daily average flow is expected to increase from about 780,000 gpd to about 2,200,000 gpd early in 2008. Then with the other expected demands, the average would probably increase to the 3 to 4 MGD range by 2020.

Therefore, the District is applying for future use rights for water from the basal or UVM aquifer in the Dolton area. The enclosed map has an area highlighted in which the District is going to try to locate accessible sites with adequate aquifer thickness in which to develop wells.

We do not have specific engineering plans for wells available at this time as we are planning to identify sites for wells before the engineers are involved with this part of the project.

If you need more information, please contact me.

Sincerely,


Ken Pedersen
Manager

Banner Associates, Inc.

409 22nd Avenue South - P.O. Box 298

Brookings, South Dakota 57006

Ph. # (605) 692-6342

Letter of Transmittal

Date: Mar 17, 2006	Job #: 20601.00.01
Attention: Karen Schlaak	
RE: TM Rural Water District	
Water Treatment Plant Design	

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

WE ARE SENDING YOU: ☒ Attached ☒ Delivered via Reg. Mail the following items
☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of Letter ☐ Change Order ☐ _____

Copies	Date	No.	Description
1			SD DENR Letter Dated March 13, 2006

THESE ARE TRANSMITTED as checked below:

☐ For Approval ☐ Approved as Submitted ☐ Resubmit _____ Copies for Approval
☒ For Your Use ☐ Approved as Noted ☐ Submit _____ Copies for Distribution
☐ As Requested ☐ Returned for Corrections ☐ Return _____ Corrected Prints
☐ For Review & Comment ☐ _____
☐ For Bids Due: _____ 19 _____ ☐ Print Returned After Loan to Us

REMARKS:

Karen,

Ken asked me to forward this letter with the attached map.

He asked me to review the attached map, seal it, and forward back

to you. Please don't hesitate to call me at 605.692.6342 if you have any questions.

Chad

CC: _____

SIGNED: _____

Chad Bachman, PE

If enclosures are not as noted, please notify us at once.

RECEIVED
MAR 20 2006
WATER TREATMENT
DESIGN



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 13, 2006

Ken Pedersen, Manager
TM Rural Water District
Box 445
Parker SD 57053

RECEIVED
MAR 17 2006

Dear Mr. Pederson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for future use. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).
- The area to be reserved for future water use, based on the map submitted, appears to be as follows:

Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County)

Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County)

Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County)

Do you agree with these locations? *yes*

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosure

RECEIVED
MAR 20 2006
WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 5, 2006

William Taylor &
Vince Jones
Woods, Fuller, Shultz & Smith
PO Box 5027
Sioux Falls SD 57117-5027

Dear Mr. Taylor and Mr. Jones:

TM Rural Water District has filed application to appropriate and reserve for future use water from the Upper Vermillion Missouri Aquifer. Enclosed is a copy of the report, recommendation and public notice prepared on the application. The notice will be published in newspapers within the counties served by the District. The notice schedules a July 12th hearing before the Water Management Board. Petitions to intervene must be submitted by July 3, 2006.

This information is being sent because your inquiry from a few months back into TM Rural Water District's water rights. If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

Enclosure

REPORT ON APPLICATION NO. 6705-3
For TM Rural Water District
May 1, 2006

Application No. 6705-3 proposes to appropriate and reserve for future use 1,900 acre-feet annually from the Upper Vermillion Missouri aquifer. The area to be reserved by this application is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County), Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) and Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha Counties. This application does not authorize construction of works or application of water to beneficial use.

AQUIFER – UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri aquifer is composed of fine sand to medium pebble gravel. The aquifer underlies 132,900 acres and contains approximately 1.4 million acre-feet of recoverable water (Hedges, 1982). The aquifer trends northwest to southeast, lies on a preglacial bedrock channel and is underlain by the Niobrara Formation and/or Sioux Quartzite (Lindgren, 1990).

The Water Rights Program monitors five observation wells completed into the Upper Vermillion Missouri aquifer that all lie within the future use area. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals. A hydrograph for well TU-82A is included in this report and labeled as Figure 1. (Water Right, 2006).

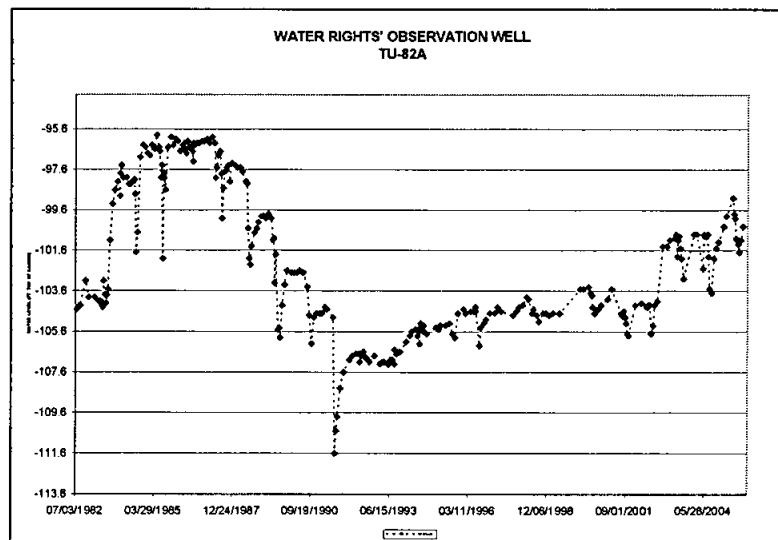


Figure 1. Hydrograph of observation well TU-82A.

Possible sources of recharge to the Upper Vermillion Missouri aquifer include 1) infiltration of precipitation falling on outcrops of Sioux Quartzite that subsequently moves along fractures in the quartzite and into the aquifer; 2) by direct infiltration of precipitation where the aquifer is at or near land surface; and 3) inflow from the Niobrara aquifer.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are several existing Water Rights appropriating ground water within a five mile radius of this application. A list of the permits is included with this report labeled as Table 1. Additionally, there is a Future Use Permit located within the five mile radius for Permit No. 5358-3, TM Rural Water District, currently has 530 acre-feet in reserve from the Upper Vermillion Missouri aquifer.

Table 1. Table identifying water rights within a five mile radius of the application.

PERMIT NO	LAST NAME	AQUIFER	USE	CFS
4747-3A	SCHMIDT	PS	IRR	0.89
4752-3	HOFFER	PS	IRR	1.78
4988-3	TM RURAL WATER DISTRICT	DOL	RWS	3.34
5359-3	HAY LOFT CAFE	PS	COM	0.07
5608-3	TM RURAL WATER DISTRICT	UVM	RWS	1.34

FUTURE USE DISCUSSION

A letter submitted with the application indicated that TM Rural Water District reports that the amount of water currently put to beneficial use is approximately 780,000 gallons per day (874 acre-feet annually). ASRD 74:02:01:24.01 specifies that future use permits may be limited to two times the amount actually put to beneficial use. Therefore, two times the amount actually put to beneficial use in this case would be 1,748 acre-feet annually. This application proposes to appropriate 1,900 acre-feet annually which exceeds the limit of two times the amount actually put to beneficial use.

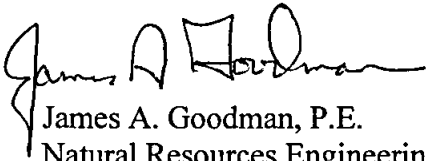
CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. Since this is a future use application, it will be necessary to file a permit to use the water reserved by this application when the details are worked out.
3. The observation well record indicates that the Upper Vermillion Missouri aquifer is being recharged and is capable of sustaining additional withdrawals.
4. The TM Rural Water District is requesting a diversion greater than two times the amount actually put to beneficial use as specified within ASRD 74:02:01:24.01.



Aaron R. Tieman
Natural Resources Engineer

Approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

BIBLIOGRAPHY

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

Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.

Water Right, 2006, Unpublished Observation Well Data for Upper Vermillion Missouri Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**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
APPLICATION NO. 6705-3, TM Rural Water District**

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 User Water Permit Application No. 6705-3, TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 6705-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the TM Rural Water District 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. 6705-3 reserves 1,900 acre feet of water annually from the Upper Vermillion Missouri Aquifer.
2. That Future Use Permit No. 6705-3 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 and approved prior to construction of facilities pursuant to SDCL 46-5-38.1.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 1, 2006



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 5, 2006

TM Rural Water District
% Ken Pedersen
PO Box 445
Parker SD 57053

Dear Mr. Pedersen:

Water Permit Application No. 6705-3 to reserve water for future use for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the The New Era printed at Parker, SD (Ph # 605-297-4419), the Bridgewater Tribune, printed at Bridgewater, SD (Ph# 605-729-2251), the Freeman Courier printed at Freeman, SD (Ph # 605-925-7033), the Miner Co. Pioneer printed at Howard, SD (Ph# 605-772-5644) and the Argus Leader printed at Sioux Falls, SD (Ph# 605-331-2200). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



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 5, 2006

The New Era
PO Box 579
Parker SD 57053-0579

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6705-3 to Appropriate Water to be published twice. Please publish the first notice on June 15, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 TM Rural Water District, % Ken Pedersen, PO Box 445, Parker SD (Ph # 605-297-3334).

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. 6705-3

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

Date _____

We are in receipt of your letter of June, 5, 2006 enclosing Notice to Appropriate Water by Application No. 6705-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 5, 2006

Bridgewater Tribune
PO Box 250
Bridgewater SD 57319-0250

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6705-3 to Appropriate Water to be published twice. Please publish the first notice on June 15, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 TM Rural Water District, % Ken Pedersen, PO Box 445, Parker SD (Ph # 605-297-3334).

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. 6705-3

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

Date _____

We are in receipt of your letter of June, 5, 2006 enclosing Notice to Appropriate Water by Application No. 6705-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 5, 2006

Miner Co Pioneer
PO Box 220
Howard SD 57349

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6705-3 to Appropriate Water to be published twice. Please publish the first notice on June 15, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 TM Rural Water District, % Ken Pedersen, PO Box 445, Parker SD (Ph # 605-297-3334).

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. 6705-3

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

Date _____

We are in receipt of your letter of June, 5, 2006 enclosing Notice to Appropriate Water by Application No. 6705-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



June 5, 2006

Freeman Courier
PO Box 950
Freeman SD 57029-0950

ATTENTION: Legal Public Notice

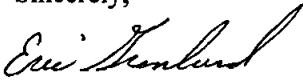
Enclosed is a Notice on Application No. 6705-3 to Appropriate Water to be published twice. Please publish the first notice on June 14, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 TM Rural Water District, % Ken Pedersen, PO Box 445, Parker SD (Ph # 605-297-3334).

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. 6705-3

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

Date _____

We are in receipt of your letter of June, 5, 2006 enclosing Notice to Appropriate Water by Application No. 6705-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Argus Leader
PO Box 5034
Sioux Falls SD 57117-0534

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6705-3 to Appropriate Water to be published twice. Please publish the first notice on June 14, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 TM Rural Water District, % Ken Pedersen, PO Box 445, Parker SD (Ph # 605-297-3334).

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 6705-3

Date _____

We are in receipt of your letter of June, 5, 2006 enclosing Notice to Appropriate Water by Application No. 6705-3 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 June 15, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6705-3 to Appropriate Water for Future Use

Notice is given that TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053 has filed an application for a water permit to appropriate and reserve for future use 1,900 acre-feet annually from Upper Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties. 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. 6705-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 A.M. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru

46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3. 1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA } :ss
COUNTY OF TURNER }

I, **Lisa Joffer** of the City of Parker, County of Turner, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, The affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

#4016- notice of application

see attached

printed copy of hereto attached, is 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:

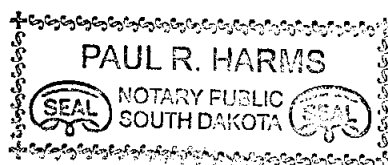
On Thursday, the 15th day of June, 2006;
On Thursday, the 22nd day of June, 2006;
On Thursday, the _____ day of _____, 200____;
On Thursday, the _____ day of _____, 200____;
On Thursday, the _____ day of _____, 200____;

That \$ 84.79 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Lisa Joffer
Subscribed and sworn to before me this 6th
day of July, 2006
Paul R. Harms
Notary Public, Turner County, South Dakota

My Commission
Expires:

2/10,
2012.



RECEIVED
JUL 10 2006
WATER RIGHTS
PROGRAM

Publication Fees \$._____

Notary Fees\$._____

Total\$ 84.79
1st wk 47.12, 2nd wk 32.67
Received Payment,

**Notice of application
No. 6705-3
to appropriate water for
future use**

Notice is given that TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053 has filed an application for a water permit to appropriate and reserve for future use 1,900 acre-feet annually from Upper Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties. 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. 6705-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 2006.

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

The Water Management Board will consider this application at 10:00 a.m. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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

Steven M. Pirner, Secretary,
Department of Environment
and Natural Resources.
(#4016, 6/15/06, The New Era)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was taken

from the Bridgewater
Tribune

printed and published in Bridgewater

County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 15, 2006

June 22, 2006

Cost of Printing \$ 78.80

Troy Schwans
 (Signature)

Owner
 (Title)

6/22/06
 (Date Signed)

RECEIVED
 JUL 10 2006
 WATER RIGHTS
 PROGRAM

Public Notice

NOTICE OF APPLICATION NO. 6705-3 to Appropriate Water for Future Use

Notice is given that TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053 has filed an application for a water permit to appropriate and reserve for future use 1,900 acre-feet annually from Upper Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties. 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. 6705-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 A.M. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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

Steven M. Pirner,
Secretary, Department of
Environment and
Natural Resources.
6-15,22

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340

Invoice Number: 943906

Water Rights Program

**Argus Leader
AFFIDAVIT OF PUBLICATION**

STATE OF SOUTH DAKOTA

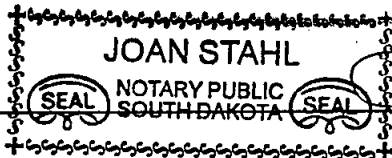
COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 14 day of June 2006 ,
 Wednesday, the 21 day of June 2006 ,
 _____, the _____ day of _____ 2006 ,
 _____, the _____ day of _____ 2006 ,
 _____, the _____ day of _____ 2006 ,
 _____, the _____ day of _____ 2006 ,
 _____, the _____ day of _____ 2006 ,

and that \$167.42 was charged for publishing the same

Linda Schulte
 Subscribed and sworn to before me 6/21/2006



Joan Stahl
 Notary Public, South Dakota

My Commission expires June 30, 2011

NOTICE OF APPLICATION
 NO. 6705-3 to Appropriate
 Water for Future Use
 Notice is given that TM Rural
 Water District, c/o Ken
 Pedersen, PO Box 445, Park-
 er SD 57053 has filed an ap-
 plication for a water permit to
 appropriate and reserve for fu-
 ture use 1,900 acre-feet annu-
 ally from Upper Vermillion
 Missouri Aquifer. The area to
 be reserved for future use is
 located in portions of Sections
 13, 14, 23, 24, 25, 26, 35 and
 36; T101N-R55W (McCook
 County) Sections 18, 19, 20,
 29, 30, 31 and 32; T101N-
 R54W (McCook County) Sec-
 tions 7, 8, 9, 16, 17, 18, 19,
 20, 29 and 30; T100N-R55W
 (Turner County). The water is
 to be reserved for future water
 supplies for rural water sys-
 tem use by the district in
 Turner, McCook, Hutchinson,
 Miner and Minnehaha coun-
 ties. This application does
 not authorize construction of
 works or application of water
 to beneficial use.
 Pursuant to SDCL 46-2A-2,
 the Chief Engineer recom-
 mends APPROVAL of Appli-
 cation No. 6705-3 because 1)
 unappropriated water is avail-
 able, 2) existing rights will not
 be unlawfully impaired, 3) it is
 a beneficial use of water, and
 4) it is in the public interest.
 Any person interested in op-
 posing or supporting this ap-
 plication must file a written
 petition with BOTH the appli-
 cant and Chief Engineer. The
 applicant must also file a peti-
 tion if opposed to the Chief
 Engineer's recommendation.
 The Chief Engineer's address
 is "Water Rights Program,
 Foss Building, 523 E Capitol,
 Pierre SD 57501 (605 773-
 3352)" and the applicant's
 mailing address is given
 above. A petition filed by ei-
 ther an interested person or
 the applicant must be filed by
 July 3, 2006. The petition
 may be informal, but must in-
 clude a statement describing
 the petitioner's interest in the
 application, the petitioner's
 reasons for opposing or sup-
 porting the application, and
 the signature and mailing ad-
 dress of the petitioner or the
 petitioner's legal counsel, if
 legal counsel is obtained.

The Water Management
 Board will consider this ap-
 plication at 10:00 A.M. July 12,
 2006 in the Matthew Training
 Center, Foss Building, 523 E
 Capitol Ave., Pierre SD. The
 Chief Engineer's recommen-
 dation is not final or binding
 upon the Board. The Board is
 authorized to 1) approve, 2)
 approve with qualifications, 3)
 defer, or 4) deny this applica-
 tion based on the facts pre-
 sented at the public hearing.
 The July 12, 2006 hearing
 date will be automatically de-
 layed for at least 20 days
 upon written request to the
 Chief Engineer from the appli-
 cant or any interested person
 opposing the application. The
 request for an automatic delay
 must be filed by July 3, 2006.
 Any hearing will be an adver-
 sary proceeding. Any person
 filing a petition and/or the ap-
 plicant have the right to be
 represented by a lawyer and
 may present evidence or
 cross-examine witnesses ac-
 cording to SDCL 1-26. These
 and other due process rights
 will be forfeited if not exer-
 cised. Decisions of the Board
 may be appealed to the Cir-
 cuit Court and State Supreme
 Court as provided by law.
 Contact Eric Gronlund by July
 3, 2006, at the above Water
 Rights Program address to re-
 quest copies of information
 pertaining to this application,
 to assure access to the hear-
 ing by the handicapped or to
 obtain an interpreter for the
 hearing impaired.
 Since this application does
 not involve a monetary contro-
 versy in excess of \$2,500.00
 or termination of a property
 right in accordance with SDCL
 1-28-18.3, the Chief Engineer
 has determined this contested
 case may not be referred to
 the Office of Hearing Examin-
 ers. If any party disagrees
 with this determination, the
 Chief Engineer shall be noti-
 fied by July 3, 2006.
 This application is made pur-
 suant to SDCL 46-1-1 thru 46-
 1-9, 46-1-12 thru 46-1-18; 46-
 2-3.1, 46-2-9, 46-2-11, 46-2-
 13, 46-2-17; 46-2A-1 thru 46-
 2A-10, 46-2A-12, 46-2A-14,
 46-2A-15, 46-2A-20, 46-2A-21;
 46-5-1 thru 46-5-11, 46-5-13
 thru 46-5-15, 46-5-24, 46-5-25,
 46-5-30.2, 46-5-30.4, 46-5-31;
 46-6-3, 46-6-3.1, 46-6-6.1, 46-
 6-10, 46-6-13, 46-6-14, 46-6-
 26; and Board Rules ARSD
 74:02:01:01 thru 74:02:01:15.
 Steven M. Pirper, Secretary,
 Department of Environment
 and Natural Resources,
 943905 June 14 & 21, 2006

RECEIVED

JUL 10 2006

**WATER RIGHTS
PROGRAM**

AFFIDAVIT OF PUBLICATION

County of Hutchinson)
) ss.
State of South Dakota)

Tim L. Waltner, of said county and state, beir sworn, on his oath, deposes and says: That th Courier is a weekly newspaper of general circ and a legal newspaper as required by law, pri published in the town of Freeman in said cour state by Tim L. Waltner, and has been such ne during the time hereinafter mentioned: That I, Waltner, the undersigned, am publisher of sai newspaper in charge of the advertising depar thereof, and have personal knowledge of all t stated in this affidavit, and that the advertise headed Application No. 6705-3

a printed copy of which is hereto attached, w and published in the said newspaper for two : issues to-wit:

The first publication on:
June 14, 2006
the second publication on:
June 21, 2006
and the third publication on:

That the full amount of the fees charged for p the same to-wit: The sum of \$72.13 insures s benefit of the publisher of the Freeman Courie agreement or understanding for any division t has been made with any other person whomsc the amount of \$72.13 is the rate for publishir notices.

T. L. Walt

Subscribed and sworn to before me this 30th c June 2006.

Linda Wif
Notary Public
Commission expires: 10/9/06

Publication fee: \$72.13
Notary fee:
Total: \$72.13

NOTICE OF APPLICATION NO. 6705-3 to Appropriate Water for Future Use

Notice is given that TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053 has filed an application for a water permit to appropriate and reserve for future use 1,900 acre-feet annually from Upper: Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties. 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. 6705-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD 57501 (605)773-3352" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 A.M. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineer's

recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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

2-12

RECEIVED

JUN 28 2006

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

NOTICE OF APPLICATION NO. 6705-3 to Appropriate Water for Future Use

Notice is given that TM Rural Water District, c/o Ken Pedersen, PO Box 445, Parker SD 57053 has filed an application for a water permit to appropriate and reserve for future use 1,900 acre-feet annually from Upper: Vermillion Missouri Aquifer. The area to be reserved for future use is located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is to be reserved for future water supplies for rural water system use by the district in Turner, McCook, Hutchinson, Miner and Minnehaha counties. 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. 6705-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Danny Schwans of said County and State, being duly sworn, on his oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Danny Schwans, and has been such newspaper during the time hereinafter mentioned; and that I, Danny Schwans, the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice

headed Notice of Application No 6705-3
to Appropriate Water for Future Use

a printed copy of which is hereunto attached, was printed and publishing in the regular and entire issue of said newspaper and not in a supplement, once each week for 2

successive weeks, the first publication being made on the 15th day of June 2006

and the last publication on the 22nd day of June 2006

The first publication being made on theday of.....20.....

The second publication being made on the.....day of.....20.....

The third publication being made on theday of.....20.....

The fourth publication being made on the.....day of.....20.....

The fifth publication being made on the..... day of.....20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$74.64 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Danny Schwans
Subscribed and swore to me this 22nd day of June 2006

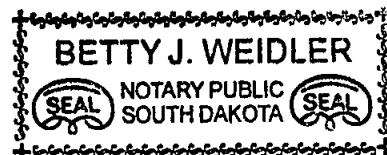
Betty J. Weidler

My Commission expires the 29th day of April 2010

RECEIVED

JUN 26 2006

WATER RIGHTS
PROGRAM



The Water Management Board will consider this application at 10:00 A.M. July 12, 2006 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 3, 2006.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be

appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program, address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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

(June 15 & 22)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 28 2006

TM Rural Water District
% Ken Pedersen
PO Box 445
Parker SD 57053

Dear Mr. Pedersen:

Enclosed is Future Use Permit No. 6705-3, as approved by the Water Management Board.

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

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 15, 2013

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

Dear Mr. Jorgensen:

I am writing in regard to the seven year review of Future Use Water Permit No. 6705-3 from the Upper Vermillion:Missouri Aquifer held by the rural water system. 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 rural water district. Currently, our records show that 210 acre-feet remain in reserve under this future use permit that was issued in 2006.

Please respond in writing by June 15, 2013 regarding the district's intention for the future use permit. If the district 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. 6705-3 will then be public noticed at your 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 210 acre-feet remain in reserve, the fee will be \$75.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

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

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3310

RECEIVED

JUN - 6 2013

WATER RIGHTS
PROGRAM

June 3, 2013

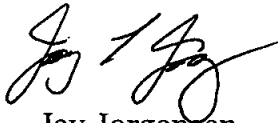
Karen Schlaak
Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Karen,

Please accept this letter as TM Rural Water District's official reply regarding future use permit 6705-3 for groundwater reserved in the Upper Vermillion Missouri Aquifer. TM Rural Water District wishes to retain this permit and included with this cover letter is our reasonable need and estimate of future needs.

If you have any questions please contact the TM office at 297-3334.

Sincerely,



Jay Jorgensen
Manager, TM Rural Water District
TM Rural Water District

2.2. SUMMARY OF EXISTING AND FUTURE DEMANDS

2.2.1 Summary of Existing Demands and Pumping Records: The pumping records and the water billing records provided by the District were used as a basis for the water demand projections for the T-M Rural Water System. The water pumping records used represent data for 1998 and 2010. According to this data, the average daily flow in 2010 was 1.740 MGD.

Table 2.3: Summary of Pumping Records

Year	Annual Average Water Demand* (MGD)	Maximum Monthly Water Demand* (MGD)	Maximum Daily Water Demand* (MGD)
1998	0.650	0.770	1.160
1999	0.670	0.810	1.040
2000	0.687	0.827	1.161
2001	0.687	0.821	1.036
2002	0.727	0.945	1.143
2003	0.782	0.965	1.255
2004	0.679	0.822	1.171
2005	0.716	1.000	1.261
2006	0.825	1.140	1.396
2007	0.710	1.030	1.360
2008	1.620	2.218	2.373
2009	1.394	2.190	2.462
2010	1.740	2.072	2.664

NOTE - * This water demand is supplied by T-M Rural Water and by B-Y Rural Water.

Historically the maximum daily demands have been approximately 1.5 times the maximum month demand; however, from Table 2.3 it can be seen that the ratio between Maximum daily and Maximum monthly values have come down since 2008. This is due to the sale of water to the ethanol plant. The ethanol plant takes a fairly constant flow rate of approximately 1,000 gpm regardless of time of year. If the sale of water to the Ethanol plant is

excluded from the water sales data, it can be seen that the ratio of maximum daily flow to maximum monthly flow is still right at 1.5.

T-M Rural Water maintains records of the amount of water produced at the water treatment plant and the amount of water actually sold to customers. The difference between the two is the amount of "Unsold" water. Most water that is not sold is still accounted for: flushing new pipe, flushing hydrants, and miscellaneous uses. The amount of water sold versus the amount of water produced for the years 1995-2010 are summarized in Table 2.4: Summary of Water Records in 1995-2010.

Table 2.4: Summary of Water Records in 1995-2007

Year	Total Water Pumped* (gal/yr)	Water Sold (gal/yr)	"Unsold" Water (%)
1995	226,780,000	202,719,000	11
1996	231,758,000	196,292,000	15
1997	248,075,000	200,078,000	19
1998	237,743,000	205,947,000	13
1999	245,735,000	206,581,000	16
2000	250,990,000	223,671,000	11
2001	250,721,000	225,985,000	9
2002	265,389,000	228,351,000	13
2003	292,805,000	239,478,000	18
2004	289,190,000	244,508,000	15
2005	298,413,000	257,642,000	13
2006	305,364,000	269,420,000	12
2007	290,792,482	256,324,000	12
2008	591,286,657	542,535,104	8.3
2009	508,971,256	476,745,625	6.4
2010	635,134,162	602,981,725	5.1

2.1.2 Projections of Future Water Demands: Water demand projections for T-M Rural Water were made based on the number of rural connections, pasture connections, and city connections. Projections of future rural water

demands can be made based on the number of new services in the service area. The District has added an average of 33 service connections per year for the past five years, therefore; this number will be used as the number of connections added per year for the next 20 years. In the year 2000, T-M Rural Water District added approximately 100 service connections in a new user construction project. These connections were added to that year and then the trend of 35 connections per year was continued. Table 2.5: Service Connection Projections shows the growth of the T-M Rural Water System.

Table 2.5: Service Connection Projection

Year	Connection Projection
1996	943
1997	958
1998	980
1999	998
2000	1,016
2001	1,105
2002	1,139
2003	1,197
2004	1,232
2005	1,260
2006	1,368
2007	1,386
2008	1,392
2009	1,406
2010	1,424
2020	1,780
2030	2,120

The water system presently serves 1,424 rural residences/farms, 24 pasture taps, and 7 cities. The cities that the District serves are: Canistota, Davis, Dolton, Hurley, Monroe, Viborg, and Marion. The existing and projected average water use for cities is presented in Table 2.6: Projected Average

Day City Water Use. The projected demands for the cities were made using the water demand records for the past five years and projecting them for the next twenty years.

Table 2.6: Existing and Projected Average Day Bulk Water Use

Year	Average Use in 2008 (gpd)	Average Use in 2009 (gpd)	Average Use in 2010 (gpd)	Average Use in 2020 (gpd)	Average Use in 2030 (gpd)
Canistota	49,532	49,471	46,236	60,300	61,500
Davis ¹					
Dolton	2,696	3,156	1,937	3,200	3,500
Hurley	21,058	22,934	24,252	34,000	34,000
Monroe ¹					
Viborg	66,307	64,000	60,222	73,000	74,000
Marion	63,797	58,636	55,532	78,300	80,400
Ethanol Plant	831,488	647,726	1,016,753	1,000,000	1,000,000
Hanson RWS	5,340	22,564	15,068	250,000 ²	250,000 ²
TOTAL	1,040,216	868,488	1,220,000	1,248,800	1,253,400

¹ Customers in Monroe and Davis are individually metered. TM sells water to each community but not as a bulk user.

² It is anticipated that Hanson Rural water will only use T-M water to help supplement their existing capacity. It is anticipated that this demand will not be part of an average day demand or the peak day demand. Peak water demands for Hanson Rural Water will be met by selling BY-water to them thru an interconnection constructed in 2008.

Probable future water demands were evaluated on the basis of population projections and an allowance for growth in the number of connections made to the water system. The projected water production rates required to meet the needs are based on the current water production rates required to meet the needs of the District. For projected water production rates, a peaking factor for the past 5 years between the average day demand and

the maximum day demand was determined. Historically, the maximum peaking factor determined was 2.00 in the year 1995; therefore, a peaking factor of 2.0 was used for projected water production rates. A summary of the projections is provided in Table 2.7: Projections of Future Water Demands.

Table 2.7: Projections of Future Water Demands

	2008	2009	2010	2020	2030
Number of Connections	1,392	1,406	1,424	1,780	2,120
Average City Demand (MGD)	1.035	0.846	1.205	1.249	1.253
Average Rural Demand (MGD)	0.585	0.548	0.535	0.704	0.838
Total Average Water Demand (MGD)	1.62	1.39	1.74	1.95	2.09
"Unsold Water"	0.13	0.09	0.09	0.14	0.15
Total Average Production (MGD)*	1.75	1.48	1.83	2.09	2.24
Peaking Factor	1.46	1.77	1.53	2.0 ¹	2.0 ¹
Maximum Day Production (MGD)	2.57	2.62	2.80	3.29	3.58

¹ A peaking factor of 2.0 was only used for the existing rural customers.

It should be noted that both the ethanol plant demand and the Hanson Rural water demand was not multiplied by 2.0 to obtain the maximum day demand.

Historical trends of the data provided indicate water demands for the T-M Rural Water District are likely to increase over the next twenty years. The existing water treatment plant capacity of 4.0 MGD would allow for a growth of approximately 50 rural water connections per year and a modest growth rate within the communities that T-M Rural Water serves.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6705-3, TM Rural Water District**

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. 6705-3, TM Rural Water District, PO Box 445, Parker SD 57053

The Chief Engineer is recommending that Future Use Permit No. 6705-3 REMAIN in EFFECT for 210 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6705-3, 2) the district has demonstrated a reasonable need for the water reserved by Permit No. 6705-3, 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. 6705-3 is subject to payment of the \$75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the district after the Board hearing.

Jeanne Goodman, Chief Engineer
June 12, 2013



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

June 12, 2013

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

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

Dear Mr. Jorgensen:

Future Use Permit No. 6705-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted and/or used. The notice of this review has been sent to the Publishers of the following papers:

Turner Co. – The New Era, Parker SD 605 297-4419
McCook Co. – Salem Special, Salem SD 605 425-2361
Hutchinson Co. – Freeman Courier, Freeman SD 605 925-7033
Miner Co. – Miner County Pioneer, Howard SD 605 772-5644
Minnehaha Co. – Argus Leader, Sioux Falls SD 605 331-2200

For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on June 19th or 20th. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

The New Era
PO Box 579
Parker SD 57053

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6705-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Salem Special
PO Box 220
Salem SD 57058

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6705-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Freeman Courier
PO Box 950
Freeman SD 57029

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6705-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Miner Co. Pioneer
PO Box 220
Howard SD 57349

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6705-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 6705-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334).

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

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper-Publish the following Notice on June 19 or 20, 2013. 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. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion:Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am July 11, 2013 at 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 1, 2013. 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. 6705-3 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 1, 2013. 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, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.

CUSTOMER NUMBER:	078111	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	1418232	
RUN DATES:	6/19, 2013	AMOUNT DUE: \$98.77

T M RURAL WATER
Attn: Jay Jorgenson
PO Box 445
Parker, SD 57053-0445

RECEIVED

JUN 20 2013

WATER RIGHTS PROGRAM

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078111
Invoice Number: 1418232

T M RURAL WATER

Argus Leader
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 19 day of June 2013,
_____, the _____ day of _____ 2013,
_____, the _____ day of _____ 2013,
_____, the _____ day of _____ 2013,
_____, the _____ day of _____ 2013,
_____, the _____ day of _____ 2013,
_____, the _____ day of _____ 2013,

and that \$98.77 was charged for publishing the same

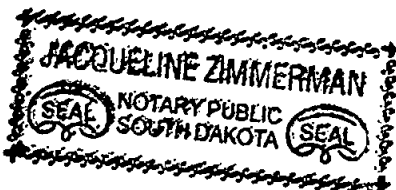
Linda Schulte

Subscribed and sworn to before me 6/19/2013

J. Zimmerman

Notary Public, South Dakota

My Commission expires December 22, 2015



NOTICE OF HEARING TO REVIEW FUTURE USE

WATER PERMIT NO. 6705-3
Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgenson, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion-Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN IN EFFECT for 210 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. 6705-3 at 10:00 am July 11, 2013 at 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 1, 2013. 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. 6705-3 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 ARSO 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 1, 2013. 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, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of \$98.77.
1418232 June 19, 2013

NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion:Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am July 11, 2013 at 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 1, 2013. 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. 6705-3 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.

RECEIVED

JUN 21 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Carla Poulson, and has been such newspaper during the time hereinafter mentioned: and that I, Carla Poulson the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing to Review Future
Use Water Permit No 6705-3

A printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in a supplement, once each week for 1 successive weeks, the first publication being made on the 20th day of June 2013.

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

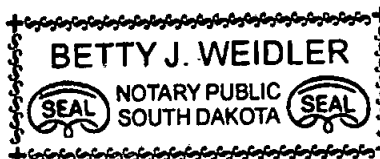
The fifth publication being made on the day of 20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in on office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$ 33.11... and insures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Subscribed and sworn to me this 20th day of June 2013.

Betty J Weidler

My commission expires the 29th day of April 2016.



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 1, 2013. 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, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of \$33.11.
(June 20) 

RECEIVED *TM Rural Water*

Form 8

JUN 24 2013

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was taken

from the Salem Special

printed and published in McCook Salem

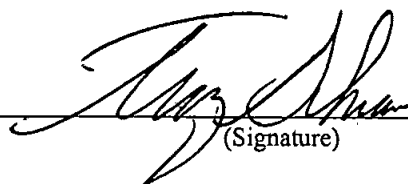
County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following date:

June 20, 2013

Cost of Printing \$39.38


(Signature)

Owner
(Title)

June 20, 2013
(Date Signed)

Public

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion:Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am July 11, 2013 at 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

Notice

permit owner and the Chief Engineer by July 1, 2013. 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. 6705-3 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 1, 2013. 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, 2013.

Steven M. Pirner,
Secretary, Department of
Environment and Natural Resources.
Published once at the total approximate
cost of \$39.38.

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 24 2013

WATER RIGHTS
PROGRAM

County of Hutchinson)

) ss.

State of South Dakota)

Tim L. Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Tim L. Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Tim L. Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Water Permit

a printed copy of which is hereto attached, was printed and published in the said newspaper for one successive issues to-wit:

The first publication on:
June 19, 2013

the second publication on:

and the third publication on:

That the full amount of the fees charged for publishing the same to-wit: The sum of \$37.94 insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$37.94 is the rate for publishing legal notices.



Subscribed and sworn to before me this 30th day of June 2013.



Notary Public

Commission expires: 10/9/18

Publication fee: \$37.94

Notary fee:

Total: \$37.94

NOTICE OF HEARING to Review Future Use Water Permit No. 6705.3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion:Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am July 11, 2013 at 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 1, 2013.

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. 6705-3 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 1, 2013. 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, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at an approximate cost of \$37.94
1-11FC

Affidavit of Publication

RECEIVED

JUN 28 2013

WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

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

#5650 Notice of Hearing to Review Future Use Water Permit No. 6705-3

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

On Thursday, the 20th day of June, 2013

That \$41.37 being the full amount of the fees for publication of the attached notices insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

See attached

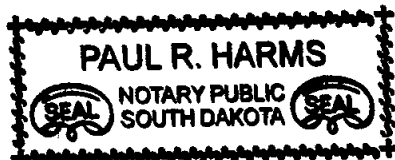
Robin Schneider 20th
Subscribed and sworn to before me this _____

Day of June 2013
Paul R Harms

Notary Public, Turner County, South Dakota

My Commission Expires: March 20, 2018

Publication Fee \$
Notary Fees \$
Total \$41.37



**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 6705-3**

Notice is given that the Water

Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Manager, PO Box 445, Parker SD 57053 for progress made in the development of the water reserved and future plans for development of the water reserved by the permit. This permit was approved 2006 and currently reserves 210 acre-feet annually from the Upper Vermillion/Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County). The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10 a.m. July 11, 2013 at 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 1, 2013. 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. 6705-3 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 1, 2013. 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, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of 41.37.

(#5650; 06/20/13, The New Era)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

July 15, 2013

NOTICE

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

Dear Mr. Jorgensen:

I am writing in response to action taken by the Water Management Board at the hearing on July 11, 2013 to review Future Use Permit No. 6705-3. The Board allowed the permit to remain in effect for 210 acre-feet of water annually. Future Use Permit No. 6705-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6705-3 is \$75.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

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

Sincerely,

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

CERTIFICATION

I hereby certify that on July 15, 2013, 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, 2013 regarding Future Use permits addressed as stated below:

Joint Wellfield, 47602 SD Hwy 28, Toronto SD 57268 **Water Right No's. 3982-3 & 3982A-3**

Kingbrook RWS, PO Box 299, Arlington SD 57212 **Water Right No. 5643-3**

City of Brandon, PO Box 95, Brandon SD 57005 **Water Right No's. 6696-3 & 6697-3**

TM RWD, PO Box 445, Parker SD 57053 **Water Right No. 6705-3**



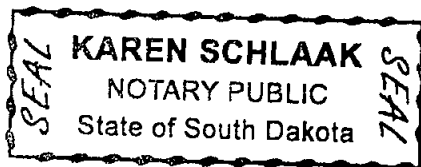
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of July, 20 13.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/31, 20 13

RECEIVED OF TM Rural Water District PO Box 445 Parker SD 57053

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	75	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>6705-3</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 _____	75	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	75 00

No. **06395**

By *James Goodman*
Chief Engineer

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



April 7, 2020

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

Dear Mr. Jorgensen:

I am writing in regard to the seven year review of Future Use Water Permit No. 6705-3 from the Upper Vermillion:Missouri Aquifer held by TM Rural Water Distric. 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 210 acre-feet remain in reserve under this future use permit that was issued in 2006 and last reviewed in 2013.

Please respond in writing by May 15, 2020 regarding the district's intention for the future use permit. If the district 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. 6705-3 will then be public noticed at the district'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 210 acre-feet remain in reserve, the fee will be \$75.00.

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

Sincerely,

Karen Schlaak

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

TM Rural Water District

Box 445, Parker, South Dakota 57053 • Phone (605) 297-3334 • Fax (605) 297-3332

May 15, 2020

Karen Schlaak
Department of Environment and Natural Resources
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Karen,

Please accept this letter as TM Rural Water District's official reply regarding future use permit 6705-3 for groundwater reserved in the Upper Vermillion Missouri Aquifer. TM Rural Water District wishes to retain this permit and included with this cover letter is our reasonable need and estimate of future needs.

If you have any questions, please contact the TM office at 297-3334.

Sincerely,



Jay Jorgensen
Manager, TM Rural Water District
TM Rural Water District

Summary Of Existing And Future Demands

The pumping records and the water billing records provided by the District were used as a basis for the water demand projections for the TM Rural Water District System. The water pumping records used represent data for 1998 thru 2018. According to this data, the average daily flow in 2017 was 2.089 MGD and a single day peak of 3.381 MGD in 2018.

Summary of Pumping Records

Year	Annual Average Water Demand (MGD)	Maximum Monthly Water Demand (MGD)	Maximum Daily Water Demand (MGD)
1998	0.650	0.770	1.160
1999	0.670	0.810	1.040
2000	0.687	0.827	1.161
2001	0.687	0.821	1.036
2002	0.727	0.945	1.143
2003	0.782	0.965	1.255
2004	0.679	0.822	1.171
2005	0.716	1.000	1.261
2006	0.825	1.140	1.396
2007	0.710	1.030	1.360
2008	1.620	2.218	2.373
2009	1.394	2.190	2.462
2010	1.740	2.072	2.664
2011	1.658	2.039	2.624
2012	1.931	2.585	2.869
2013	1.831	2.265	2.749
2014	1.826	2.092	2.597
2015	1.847	2.227	2.909
2016	1.973	2.378	2.697
2017	2.089	2.605	2.697
2018	1.912	2.355	3.381

The District's water loss hovers between 5 and 8% and we continue to work diligently to reduce this percentage.

Projections of Future Water Demands

Since 2010 the District has added 190 rural users making a grand total of 1614 metered connections. Although new users have been added to the system at an average of 25 new connections per year, much of the increase in water consumption has been and continues to be attributed to both the NuGen Ethanol Plant and the agricultural sector for use in spraying crops during the growing season and livestock production.

TM predicts that the existing agricultural sector will continue to grow with regards to water usage.

TM continues to see requests coming in for large CAFOs wanting to set up inside the District's boundaries which include dairies, cattle feed lots, egg laying facilities and swine facilities and we are hesitant to forfeit any Future Use Permits that we currently hold. Just one of these large CAFO facilities would require TM to utilize existing Future Use Permits.

Projected future demands based on the increases that we have seen over the last 10 years would look as follows.

Projected Future Demands			
2027	2.558	2.992	3.472
2037	3.027	3.379	4.035
2047	3.496	3.766	4.598



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 6705-3, TM Rural Water District**

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. 6705-3, TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053.

The Chief Engineer is recommending that Future Use Permit No. 6705-3 REMAIN in EFFECT for 210 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 6705-3, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 6705-3, 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. 6705-3 is subject to payment of the \$75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

A handwritten signature in blue ink that reads "Eric Gronlund".

Eric Gronlund, Chief Engineer
August 4, 2020

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says:
That the Miner County Pioneer is a legal newspaper of general circulation,
printed and published in Howard, said County and State, by Carla Poulson, and
has been such newspaper during the time hereinafter mentioned: and that I,
Carla Poulson the undersigned, am publisher of said newspaper, in charge of
the advertising department thereof, and have personal knowledge of all the
facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing

Permit No 6705-3

A printed copy of which is herewith attached, was printed and published in the
regular and entire issue of said newspaper and not in a supplement, once each
week for 1 successive weeks, the first publication being made on the
13 day of Aug 2020

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

The fifth publication being made on the day of 20.....

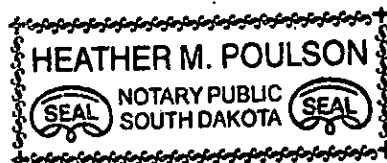
That said newspaper is a legal newspaper, and has a bona fide circulation of
more than two hundred copies weekly, and has been published within the
County of Miner, for more than fifty-two successive weeks next prior to the
first publication of said notice, and is printed in an office maintained in
Howard, South Dakota, the place of publication of said newspaper. That the
full amount of fees for publication of the annexed notice is \$ 37.67 and
insures solely to the benefit of said publisher; that no agreement or understand-
ing for a division thereof has been made with any person and that no part
thereof has been agreed to be paid to any person whomever.

CR

Subscribed and sworn to me this 30 day of Aug 2020

[Signature]

My commission expires the 10 day of Oct 2025



RECEIVED

SEP 04 2020

WATER RIGHTS
PROGRAM

**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 6705-3**

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion-Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any 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 September 28, 2020. 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. 6705-3 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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 August 24, 2020.

Published once at the
approximate cost of \$37.67.
(August 13, 2020)

Affidavit of Publication

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE CANISTOTA CLIPPER is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATT ANDERSON and has been such a newspaper during the times hereinafter mentioned: that it has a bona fide circulation of more than 200 copies weekly; that it has been published within said county of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of a publication: that I, the undersigned, am either the publisher or an employee of the said publisher of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Hearing to Review Future
Use Water Permit No. 6705-3

a printed copy of which is hereto attached, was printed and published in the said newspaper for one (1) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication be made on 8/13/2020

The second publication on _____

The third publication on _____

The fourth publication on _____

that \$4.61 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person who, sever, and that said newspaper is a local newspaper under the law of the state of South Dakota.

Subscribed and sworn to before me this 31

day of August 2020

Donna M. Diede
Notary Public, South Dakota

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion-Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and the Chief Engineer (Water Rights 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 September 28, 2020. 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.

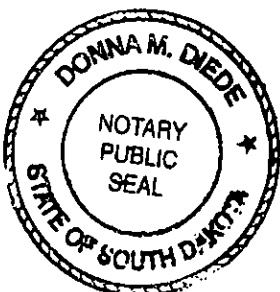
The hearing to review Future Use Permit No. 6705-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 hearing before the Board and the Chief Engineer (Water Rights 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 September 28, 2020. 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

Published once at the approximate cost of \$54.61. C0814-1



My commission expires 2/10/2022

RECEIVED

SEP 04 2020

WATER RIGHTS PROGRAM

RECEIVED

AUG 31 2020

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS

I, Dawn Rye

certify that the attached printed Notice was taken
from the The New Era

printed and published in The New Era

County of Turner and

state of South Dakota. The notice was published

in the newspaper on the following date:

Aug. 13, 2020

Cost of Printing \$55.44

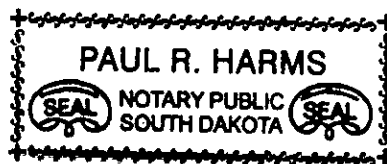
[Signature]
(Signature)

Office Manager
(Title)

8/27/2020
(Date Signed)

August 27 2020
Paul R Harms

My Commission expires



April 24
2024

**Notice of hearing to review
future use water permit No.
6705-3**

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion: Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3)

cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any 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 September 28, 2020. 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. 6705-3 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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 August 24, 2020.

Published once at the approximate cost of \$55.44
(N0813-3)

Argus Leader

P.O. Box 677349, Dallas, TX 75267-7349

TM RURAL WATER
110 N MAIN AVE
PARKER, SD 57053

Account No.: SFA-078111

Ad No.: 0004316116

PO #: 6705-3

Lines : 165

Ad Total: \$103.46

This is not an invoice

of Affidavits 1

Account No.: SFA-078111

Ad No.: 0004316116

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA

I being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

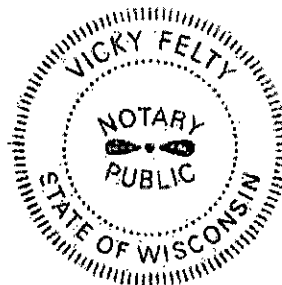
Thursday, August 13, 2020

Sworn to and subscribed before me this 13 day of August, 2020.

Legal Clerk

Notary Public, State of Wisconsin, County of Brown

My Commission expires



NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT
NO. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TAM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion-Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN IN EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any 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 September 28, 2020. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3351) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describ-

ing 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. 6705-3 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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 August 24, 2020. Published once at the approximate cost of \$103.45.

4316116 August 13, 2020

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 14 2020

WATER RIGHTS
PROGRAM

County of Hutchinson)

) ss.

State of South Dakota)

Jeremy Waltner, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Jeremy Waltner, and has been such newspaper during the time hereinafter mentioned: That I, Jeremy Waltner, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Water Permit

a printed copy of which is hereto attached, was printed and published in the said newspaper for one successive issues to-wit:

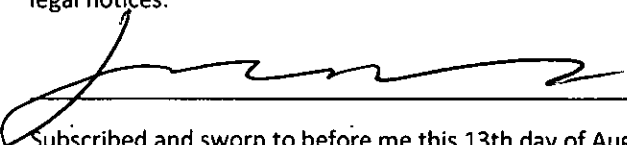
The first publication on:

August 13, 2020

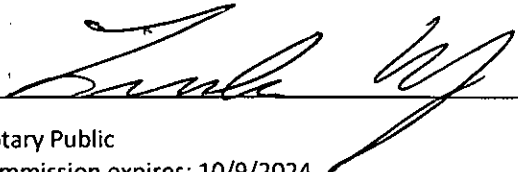
the second publication on:

and the third publication on:

That the full amount of the fees charged for publishing the same to-wit: The sum of \$42.71 insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$42.71 is the rate for publishing legal notices.


Subscribed and sworn to before me this 13th day of August 2020.

Notary Public

Commission expires: 10/9/2024 

Publication fee: \$42.71

Notary fee:

Total: \$42.71

TM RURAL WATER DISTRICT

Notice of Hearing to Review Future Use Water Permit No. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker, SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion: Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre, SD.

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

Any 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 September 28, 2020. 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 mail-

ing 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. 6705-3 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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 August 24, 2020.

Printed once at a cost of \$42.71
1-20FC



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 4, 2020

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

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

Dear Mr. Jorgensen:

Future Use Permit No. 6705-3 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 following papers.

- ✕ Turner Co. – The New Era, Parker SD 605 297-4419 –
- ✕ McCook Co. – Canistota Clipper, Canistota SD 605 296-3181 –
- ✓ Hutchinson Co. – Freeman Courier, Freeman SD 605 925-7033
- ✕ Miner Co. – Miner County Pioneer, Howard SD 605 772-5644 –
- ✕ Minnehaha Co. – Argus Leader, Sioux Falls SD 605 331-2200 –

For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on August 13, 2020. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Instruction to Newspaper - Publish the following Notice on August 13, 2020. TM Rural Water District is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 6705-3

Notice is given that the Water Management Board will review Future Use Permit No. 6705-3 held by TM Rural Water District, c/o Jay Jorgensen, Box 445, Parker SD 57053 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. 6705-3. This permit was approved 2006 and currently reserves 210 acre-feet from the Upper Vermillion:Missouri Aquifer located in portions of Sections 13, 14, 23, 24, 25, 26, 35 and 36; T101N-R55W (McCook County) Sections 18, 19, 20, 29, 30, 31 and 32; T101N-R54W (McCook County) Sections 7, 8, 9, 16, 17, 18, 19, 20, 29 and 30; T100N-R55W (Turner County) The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 6705-3 REMAIN in EFFECT for 210 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. 6705-3 at 10:00 am, October 7, 2020, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

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

Any 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 September 28, 2020. 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. 6705-3 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 Ron Duvall, Water Rights Program, (605 773-3352) by September 28, 2020. 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 September 28, 2020.

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 August 24, 2020. Published once at the approximate cost of _____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 4, 2020 9:55 AM
To: Jay Jorgensen (Jay.Jorgensen@tmruralwater.com)
Subject: Future Use Permit No. 6705-3
Attachments: 6705-3appl.doc; 6705-3.notice.doc; 6705-3.rec.doc

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

Karen Schlaak

Water Rights Program
(605) 773-3352



DENR
SOUTH DAKOTA

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 4, 2020 9:46 AM
To: 'sebeling@ncppub.com'
Subject: 6705-3. TM RWD
Attachments: 6705-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published on August 13, 2020.

TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334) 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

Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, August 5, 2020 8:33 AM
To: knorthern@ncppub.com
Subject: FW: 6705-3. TM RWD
Attachments: 6705-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published in the Canistota Clipper on August 13, 2020.

TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334) 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
Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 4, 2020 9:49 AM
To: 'courier@gwtc.net'
Subject: 6705-3. TM RWD
Attachments: 6705-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published on August 13, 2020.

TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334) 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

Water Rights Program
(605) 773-3352



DENR
SOUTH DAKOTA

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 4, 2020 9:50 AM
To: 'legals@argusleader.com'
Subject: 6705-3. TM RWD
Attachments: 6705-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published on August 13, 2020.

TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334) 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
Water Rights Program
(605) 773-3352



DENR
SOUTH DAKOTA

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, August 4, 2020 9:49 AM
To: 'ads@minercountypioneer.com'
Subject: 6705-3. TM RWD
Attachments: 6705-3.notice.doc; FORM8.FRM.doc

Attached is a notice to be published on August 13, 2020.

TM Rural Water District, c/o Jay Jorgensen, PO Box 445, Parker SD 57053 (605 297-3334) 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

Water Rights Program
(605) 773-3352



DENR
SOUTH DAKOTA



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 13, 2020

NOTICE OF ENTRY OF ORDER

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

Dear Mr. Jorgensen:

I am writing in response to action taken by the Water Management Board at the hearing on October 7, 2020 to review Future Use Permit No. 6705-3. The Board allowed the permit to remain in effect for 210 acre-feet of water annually. Future Use Permit No. 6705-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 6705-3 is \$75.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Karen Schlaak, if you have any questions.

Sincerely,

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

CERTIFICATION

I hereby certify that on October 13, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice of Entry of Order dated October 13, 2020 addressed as stated below:

Sioux Rural Water System Inc, c/o Heath Thompson, Mgr, 45703 176th St, Watertown SD 57201
TM RWD, c/o Jay Jorgenson, Mgr, PO Box 445, Parker SD 57053
Kingbrook RWS, Erin Hayes, Mgr, PO Box 299, Arlington SD 57212
Charles Werner, Water Supt, Town of South Shore, PO Box 57, South Shore SD 57263
Craig Nussbaum, Utilities Mgr, City of Garretson, PO Box 370, Garretson SD 57030
Patrick Callan, Mayor, City of Florence, PO Box 137, Florence SD 57235
Rick Nighbert, Water Supt, City of Madison, 116 W Center St, Madison SD 57042
Jon Verneulen, Utilities Mgr, 612 N Main St, Mitchell SD 57301
Steve Nafus, Interim City Eng, City of Belle Fourche, 511 6th Ave, Belle Fourche SD 57717



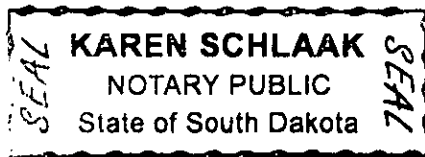
Eric Gronlund, Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of October, 2020



Karen Schlaak
Notary Public
My Commission expires April 1, 2025



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 2, 2020

RECEIVED OF TM Rural Water District c/o Jay Jorgensen, Manager PO Box 445 Parker SD 57053

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>6705-3</u> after period of seven years.	\$75.00
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	\$75.00

By Eric Bronlund
Chief Engineer

Urk