

WATER PERMIT NO. 6824-3

Name of Applicant: **WEB Water Development Assoc, Inc.**

Address: **PO Box 51, Aberdeen SD 57402** Phone: **605 229-4749**

Amount of Water Claimed: **7500 AF** Total Acres: **NA**

Source of Water Supply: **Missouri River**

Water to be used for: **irrigation** County: **Walworth**

Type of Waste Disposal System:

Location:

PRIORITY Date Received: **3-5-07** Application/License Fee: **\$1800**

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

Remarks: **Withdraw 2500 AF from Future Use Permit No. 2671-3 and 5000 AF from Future Use Permit No. 3428-3**

Diversion Point: **NW ¼ NE ¼ Sec 32-T123N-R78W**

Land to be Irrigated: **NA**

Depth of Well: **NA**

Well Driller:

Remarks:

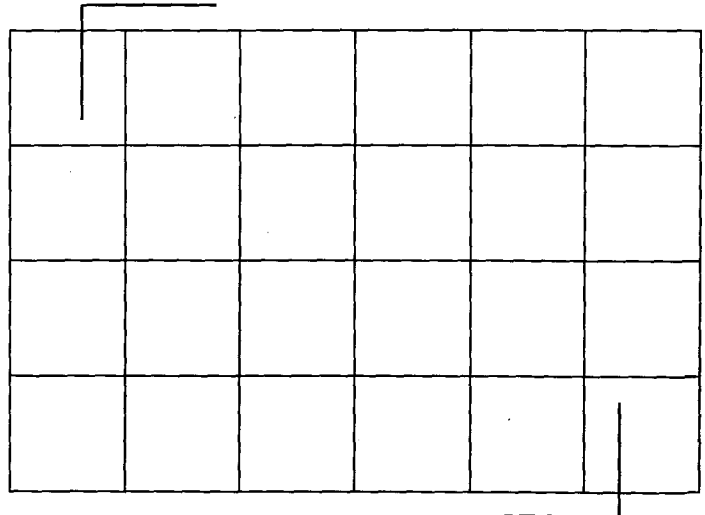
Type of Map: **aerial**

Prepared by: **Lynn Beck**

Reviewed and the Number Assigned on: **3-5-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SD EForm - 1585 V1
FORM 2: Application for uses other than irrigation
(type or print)

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

No. 6824-3 (office use only) Hydrologic Unit 10130102
Basin Missouri River
Newspaper See list

RECEIVED
MAR - 5 2007
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: (check one)

☐ New ☒ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☒ Place to Beneficial Use Water Reserved by Future Use Permit No. 2617-3 &
Amendment/Correction to Permit No. 3429-3

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

Expand Current Use Permit to increase rural water system's water use from 8 MGD to 16 MGD at WEB Intake Pump Station and Water Treatment Plant located 12 miles southeast of Mobridge, South Dakota.

- Name of Applicant WEB Water Development Association, Inc. Phone (605) 229-4749
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 38462 US Highway 12, P.O. Box 51 Aberdeen State SD 57402-0051
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 10.40 *CFS or 4,650 **GPM 7,500.00 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Missouri River (Lake Oahe Reservoir) 2500 AF from FU Permit 2671-3
5000 AF from FU Permit 3429-3
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Walworth
NEW
WEB Intake Pump Station (6 pumps) located in the NE1/4 of the NE 1/4 of Section 32-T123N-R78W,
Walworth County, South Dakota at Missouri River mile 1183.6
- County or counties where water will be used All or part of 17 counties (see Attachment "A")
- Annual period during which water is to be used year round water use, 365 days per year
- 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)

The Intake & Water Treatment Plant are being expanded to meet the growing needs of the existing 7,728 rural hookups, 100 towns/bulk users and 3 ethanol plants. Additional capacity is also needed to serve 2 new ethanol plants, hog confinement operations, commercial dairy, energy peaking plants, industrial use, and new rural hookups. Plans are on file with DENR, designed by Black & Veatch Engineers.

STATE OF SOUTH DAKOTA)

County of Brown

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, Curt Hohn, General Manager, 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 Curt Hohn

Subscribed and sworn to before me this 1st day of March 2007

Jahnae Reels
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6824-3**

Date of first receipt of application March 5, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6824-3 to WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402-0051 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6824-3 authorizes placing to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW ¼ NE ¼ Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users (see attachment in file of Town and Bulk Users Listing – March 21, 2007). This permit specifies that WEB serves these separate water distribution systems.
2. The water appropriated shall be used for the purpose of rural water system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6824-3 is April 23, 2007.
5. The dates from which applicant may claim right are April 7, 1976 (2,500 acre-feet) and December 30, 1976 (5,000 acre-feet).
6. One-fifth of the construction is to be completed on or before October 23, 2009.
7. All construction is to be completed on or before April 23, 2012.
8. Water is to be put to beneficial use on or before April 23, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

WEB Water Development Association shall report to the Chief Engineer annually the amount of water withdrawn from the Missouri River.

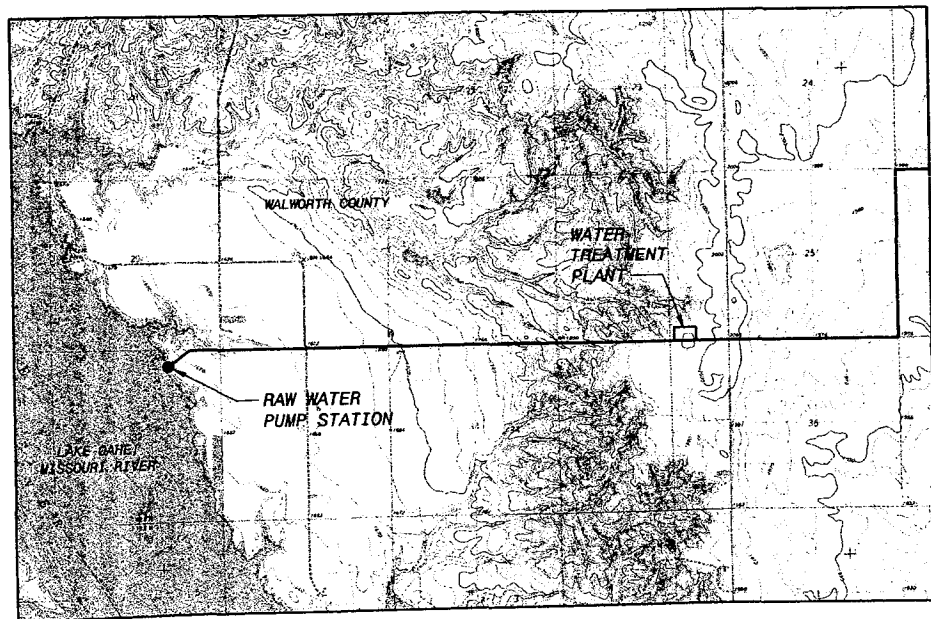
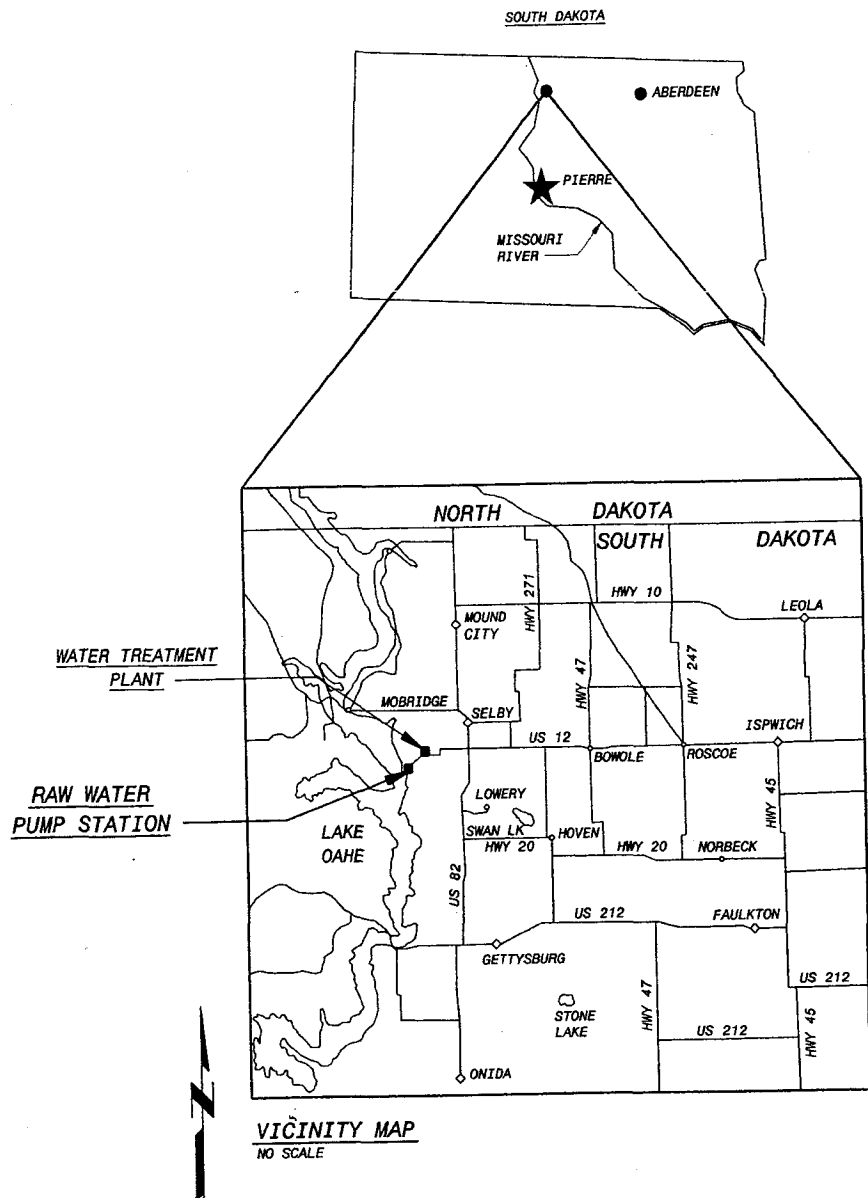
WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 30 2007
date





DRAWINGS FOR

WEB

WATER DEVELOPMENT ASSOC

RAW WATER PUMP STATION

EXPANSION

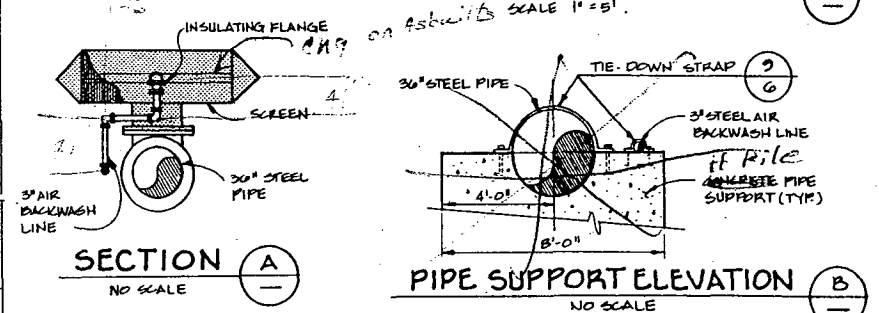
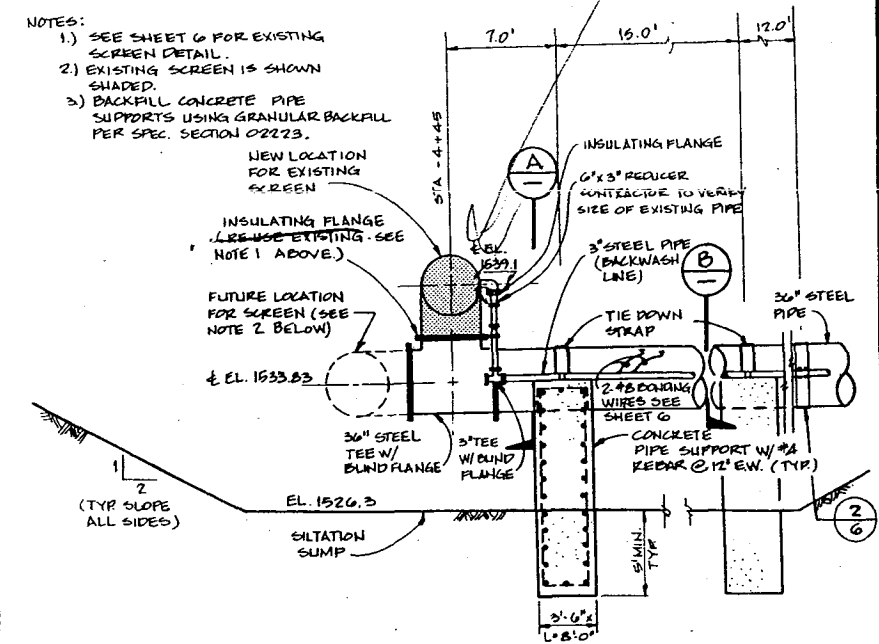
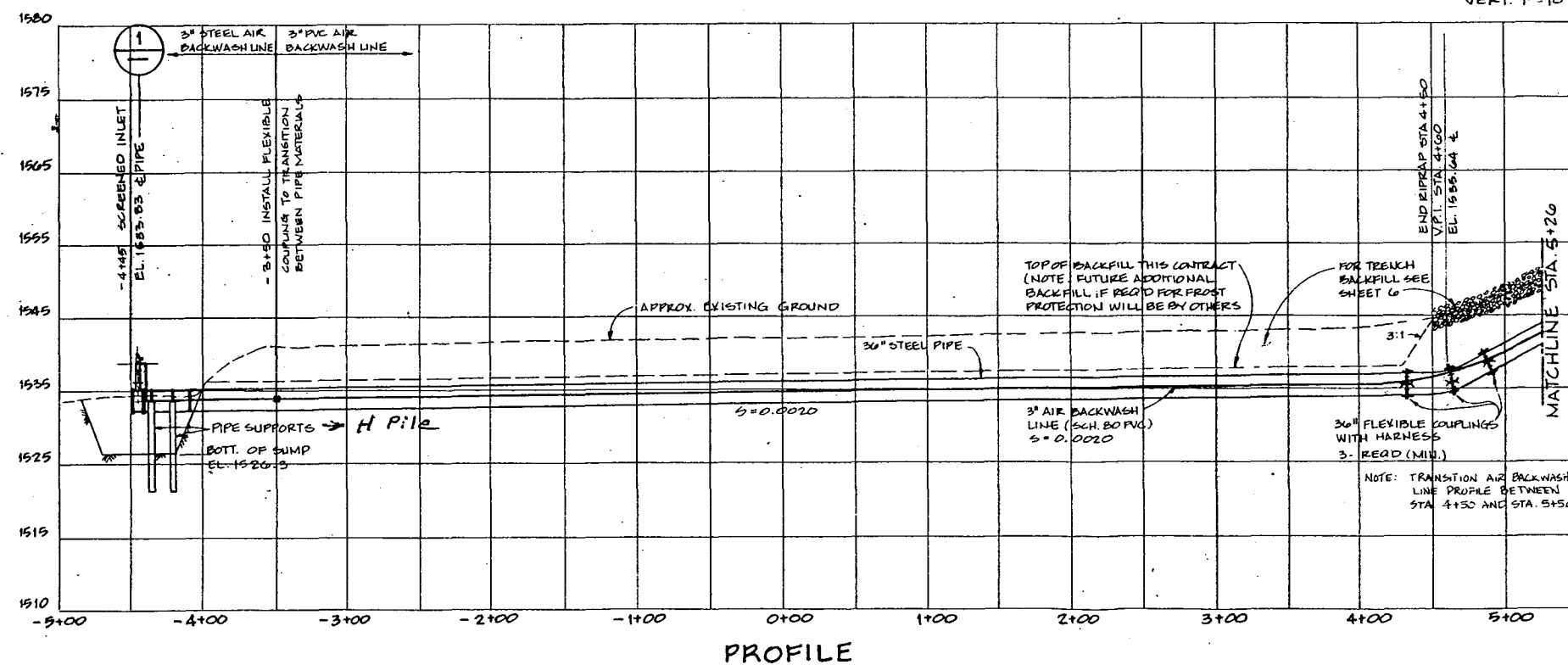
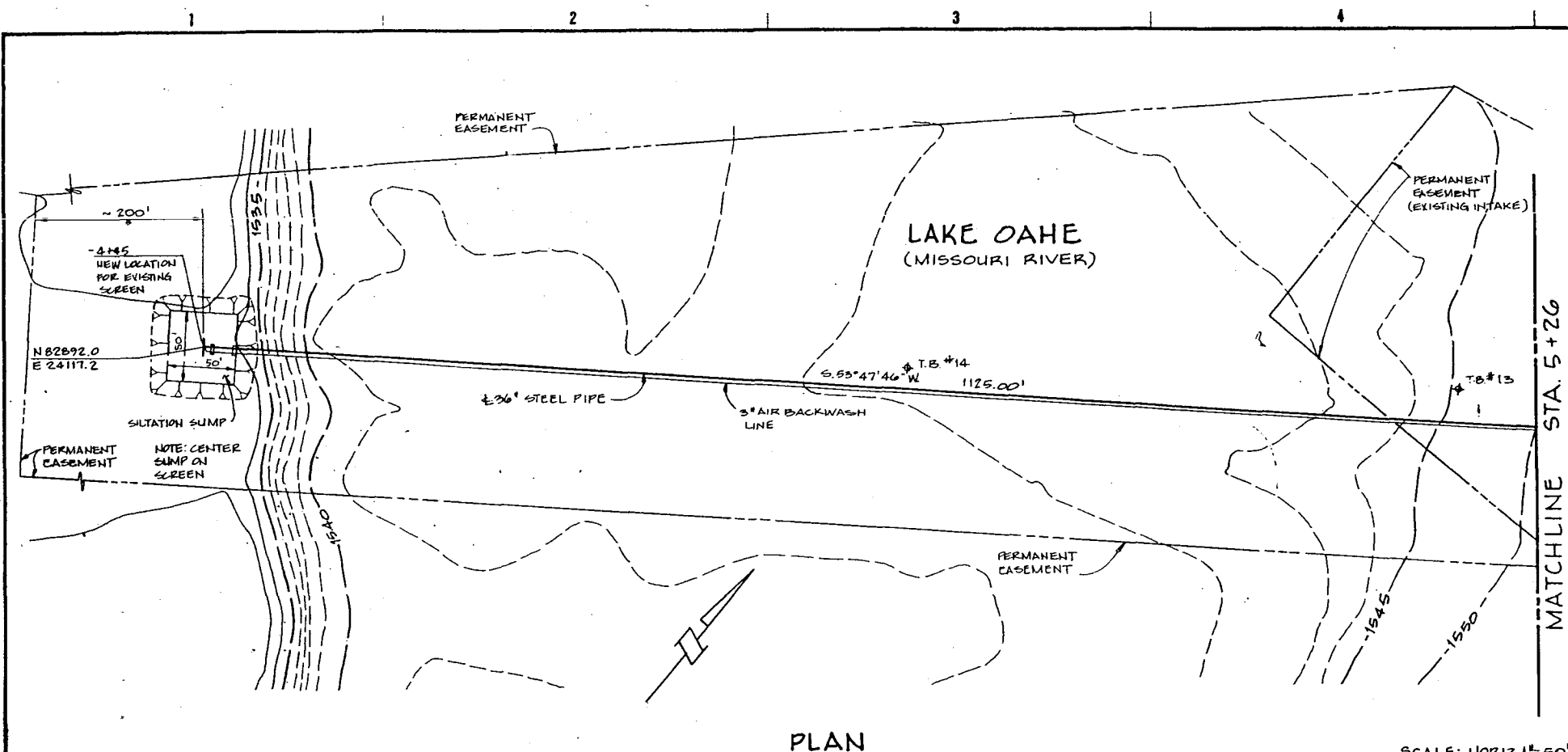
B&V PROJECT NO. 144065



Black & Veatch Corporation
Centennial, Colorado

2006

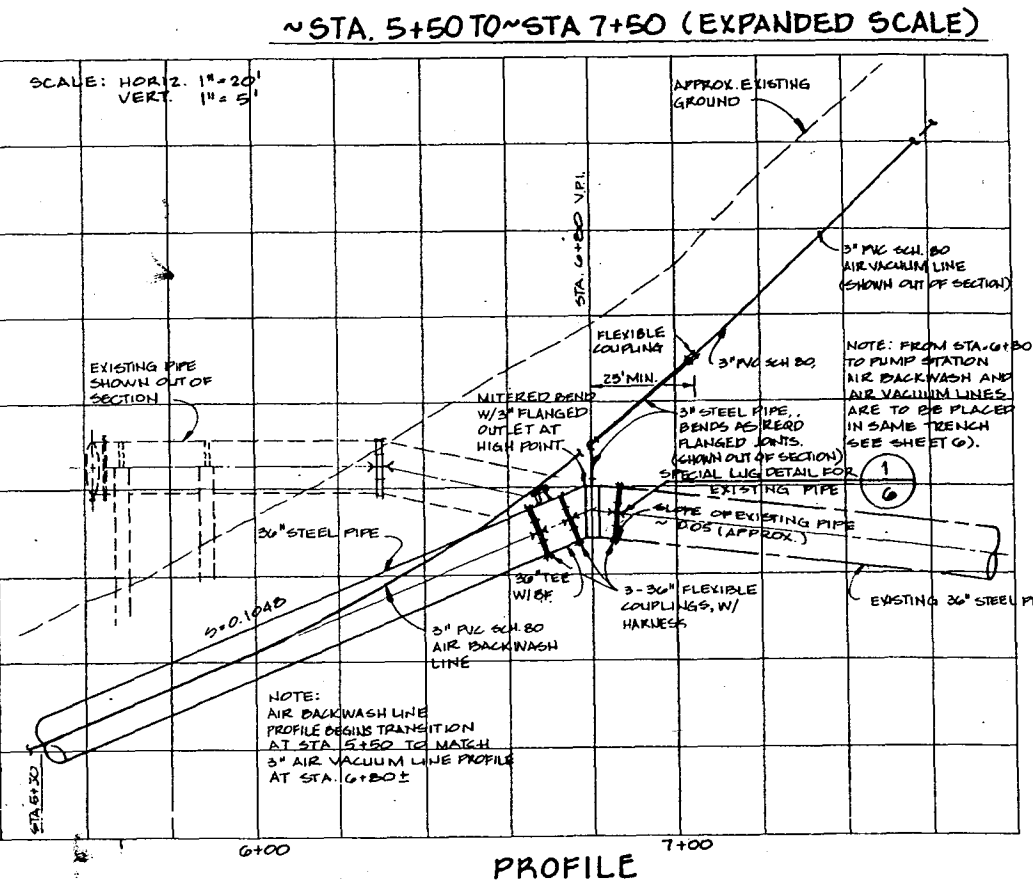
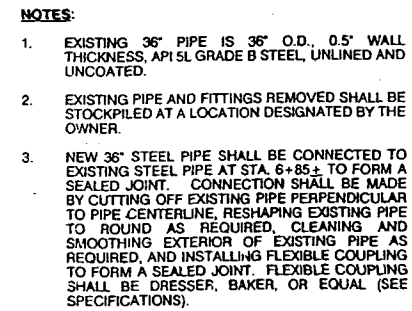
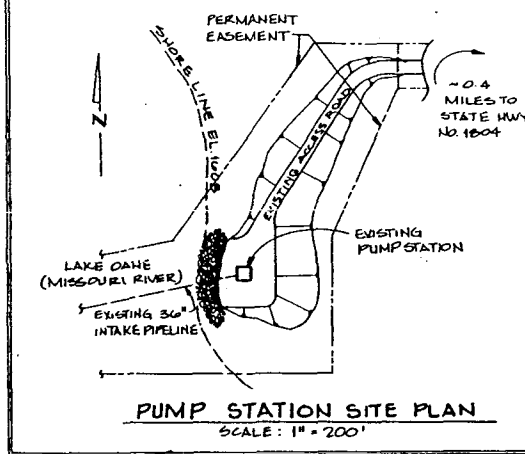




- NOTES:**

1. GROUND ELEVATION CONTOUR LINES SHOWN IN THE PLAN VIEWS ARE BASED ON USGS DATUM. THE CONTOURS BELOW APPROXIMATE ELEVATION 1608 WERE DRAWN FROM AN UNDERGROUND SURVEY PERFORMED IN 1983 USING A RAYTHEON CONSTANT RECORDING FATHOMETER WITH REPORTED ACCURACY OF PLUS OR MINUS ONE-FOOT. THE CONTOURS ABOVE APPROXIMATE ELEVATION 1608 WERE DRAWN FROM AERIAL SURVEY RECONNAISSANCE DATA (1983) AT 1" = 100' SUPPLEMENTED BY INFORMATION TAKEN FROM THE RECORD CONSTRUCTION DRAWINGS FOR THE EXISTING INTAKE FACILITY (1986). THIS TOPOGRAPHIC MAPPING IS PROVIDED FOR GENERAL INFORMATION ONLY AND IS NOT TO BE CONSIDERED EXACT.
2. SCREEN IS INTENDED TO BE RELOCATED IN THE FUTURE TO THE HORIZONTAL LEG OF THE TEE WHEN LAKE LEVEL DROPS TO APPROXIMATE ELEVATION 1555. THIS FUTURE WORK WILL BE BY OTHERS.
3. HORIZONTAL LOCATIONS OF TEST BORINGS (TB) #9 THROUGH #14 ARE SHOWN IN THE PLAN VIEWS. THESE BORINGS HAVE BEEN REPORTED ON BY TWIN CITY TESTING IN A REPORT DATED JUNE 22, 1983 (SEE SPECIFICATIONS).
4. PIPELINE ELEVATIONS SHOWN IN PROFILE VIEWS ARE TO THE CENTERLINE OF PIPE BARREL
5. HORIZONTAL COORDINATES SHOWN ARE BASED ON THE WEB PROJECT GRID SYSTEM.
6. INSTALL CONCRETE ANCHOR BLOCKS ON 3" PVC ARC BACKWASH PIPE BETWEEN STA. 4+50 AND SUMP (MINIMUM BLOCK SIZE = 1.5 CUBIC FEET; MAXIMUM SPACING = 20 LINEAR FEET); CONCRETE SHALL HAVE A MINIMUM DENSITY OF 145 POUNDS PER CUBIC FOOT.
7. INSTALLATION OF FLEXIBLE COUPLINGS AT LOCATIONS IN ADDITION TO THOSE SHOWN ON THE PLAN AND PROFILE DRAWINGS SHALL BE AT THE CONTRACTOR'S OPTION. FLEXIBLE COUPLINGS IN SUFFICIENT NUMBERS AND LOCATIONS SHALL BE INSTALLED TO ASSURE THAT PIPES ARE NOT DEFORMED OR OTHERWISE DAMAGED DURING INSTALLATION. *plus see ADDN #2*
8. SEE SPECIFICATION FOR LININGS AND COATINGS FOR STEEL PIPE AND FLEXIBLE COUPLINGS.

[illegible]



				APPROVALS _____ DATE _____		DESIGN BY <u>B.E.P.</u>				BW		Bartlett & West Engineers Inc.		WEB WATER DEVELOPMENT ASSOCIATION INC.		SHEET NUMBER	
						DRAWN BY <u>R.J.R.</u>		PROJECT MANAGER _____ DATE _____		BEC		Boyle Engineering Corporation		LAKE OAHE INTAKE EXTENSION		4	
						DATE <u>AUG 1989</u>		<u>Bernard E. Poppenga</u> <u>8/9/89</u>						PLAN & PROFILE (STA. 5+26 TO PUMP STATION)		4 OF 6 SHEETS	
REV DATE DESCRIPTION APP														FILE NUMBER		1-1F	



123N78W 33

123N78W 32

123N78W 28

123N78W 29

Howe

DRAWINGS FOR

WEB WATER DEVELOPMENT ASSOC WATER TREATMENT PLANT EXPANSION

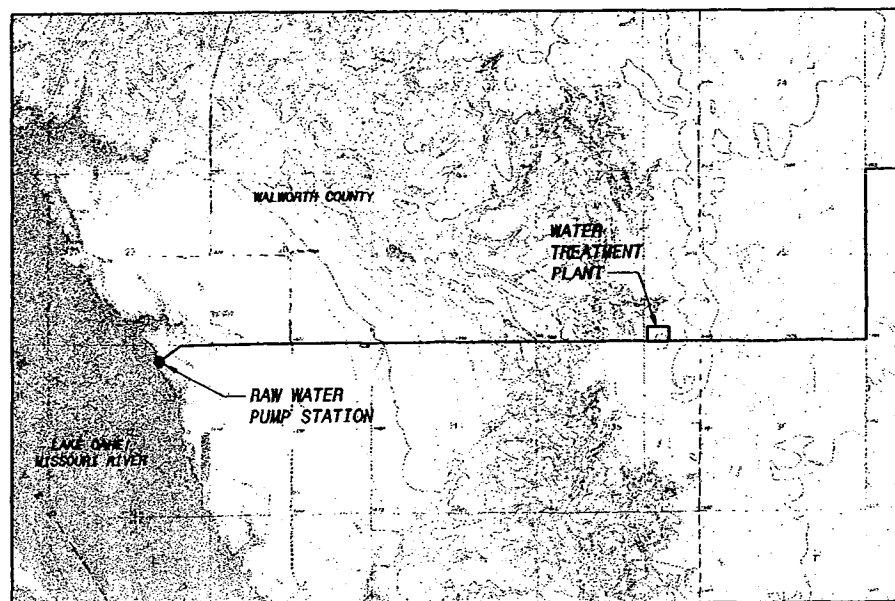
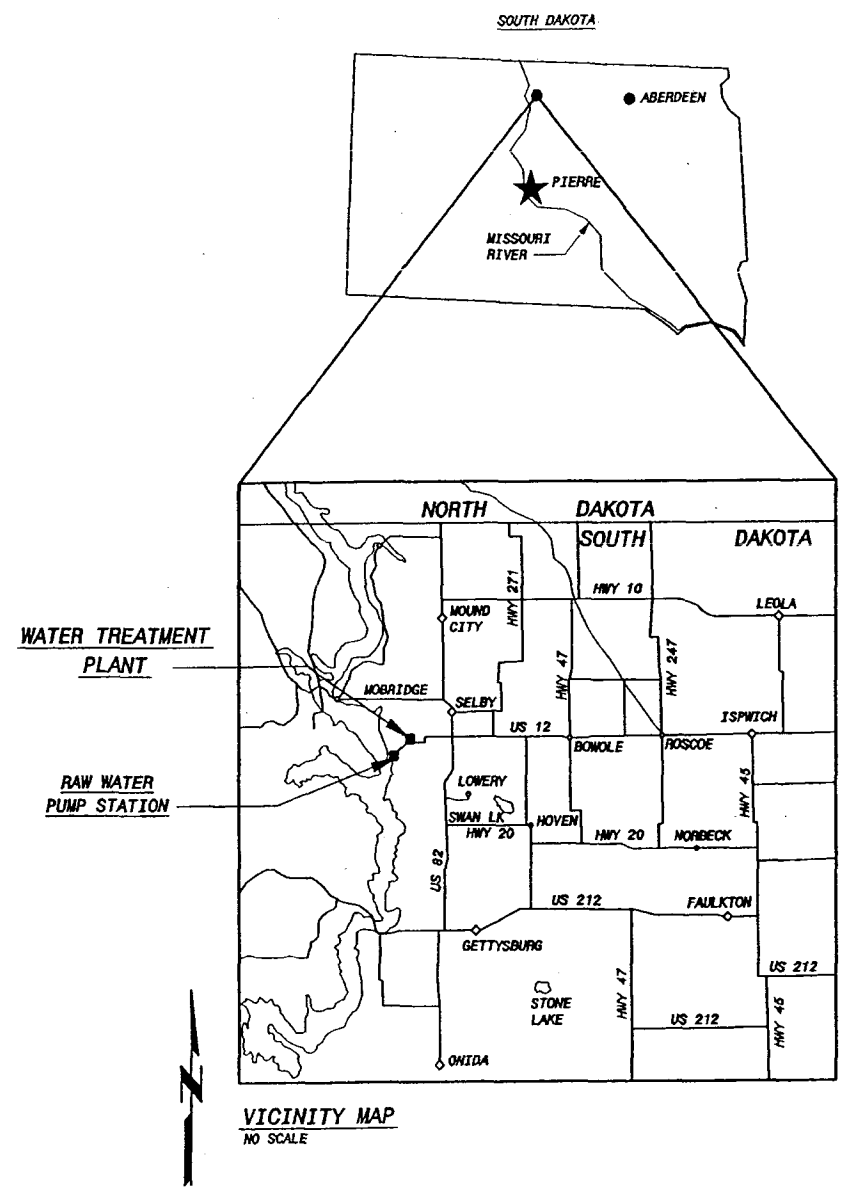
90% REVIEW SET

B&V PROJECT NO. 144065

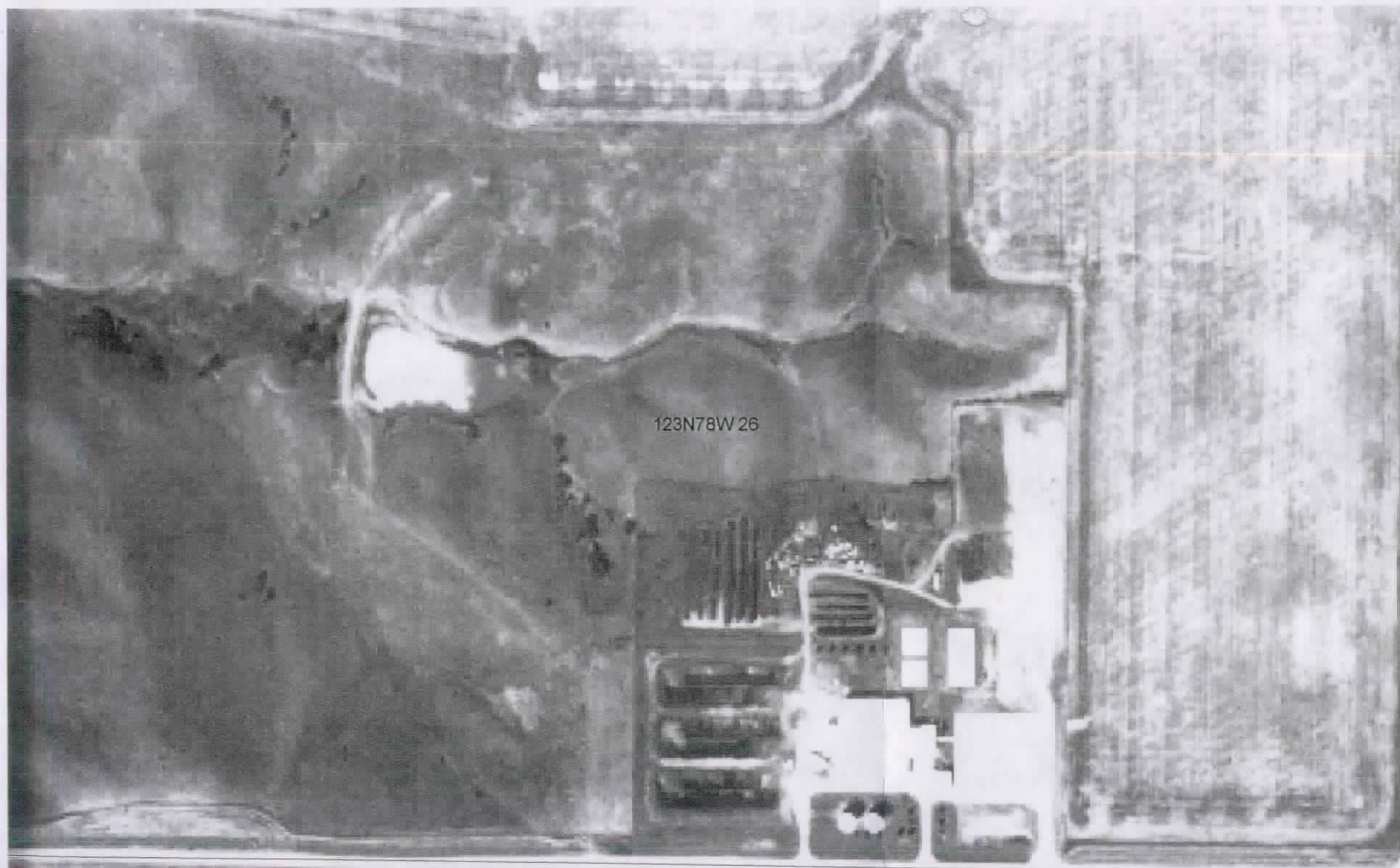


Black & Veatch Corporation
Centennial, Colorado

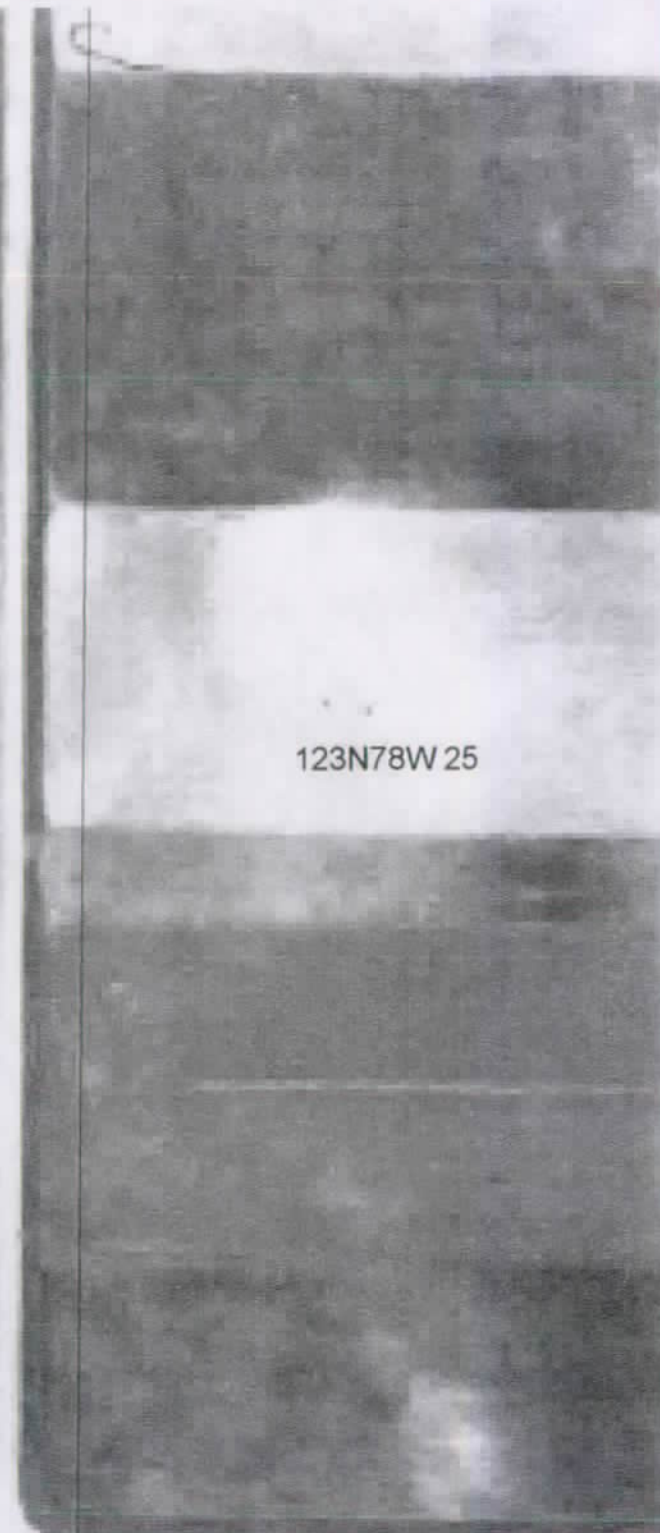
2007



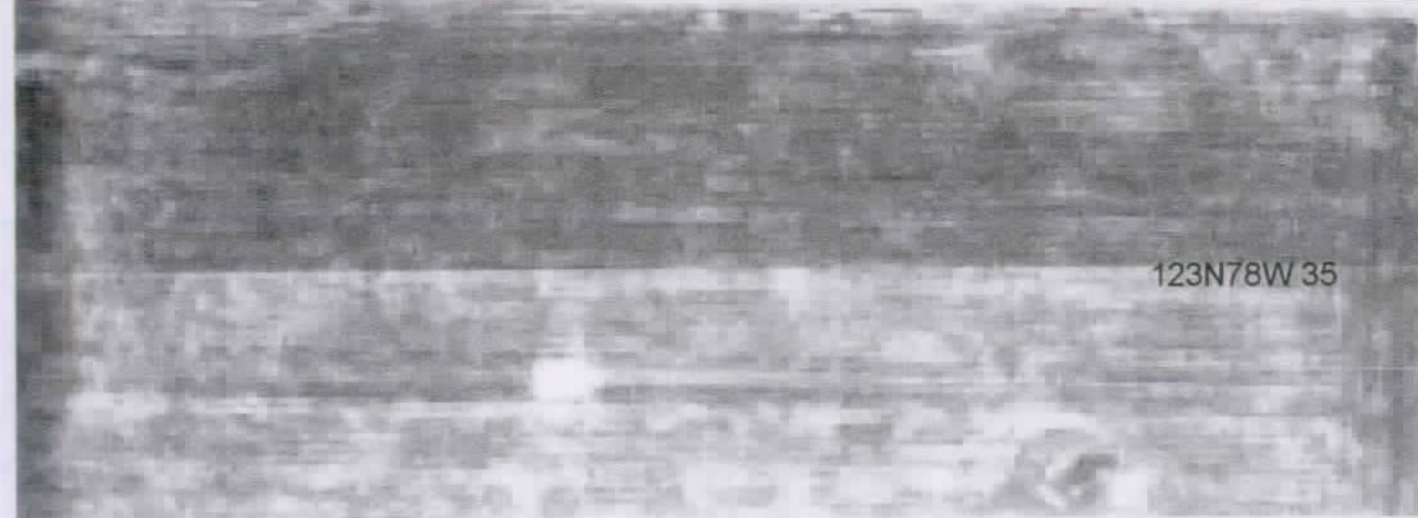
LOCATION MAP
1" = 3,000'



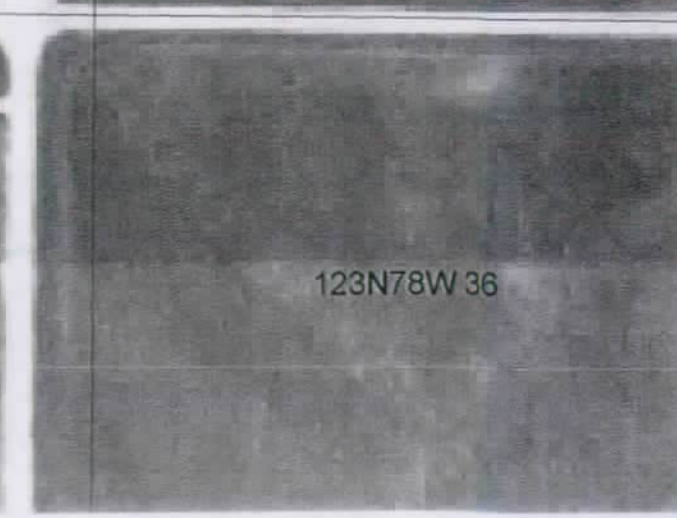
123N78W 26



123N78W 25



123N78W 35



123N78W 36

NOT TO SCALE

123-78

32

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123-78

41930-8

NOT TO SCALE

RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date 3/5, 20 07

RECEIVED OF WEB Water Development PO Box 51 Aberdeen SD 57401

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

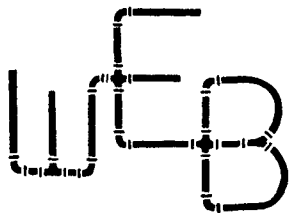
Fee for Application for Permit No. <u>6824-3</u> to Appropriate Water, to construct and to put water to beneficial use	1750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6824-3</u>	50	00
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	1800 00

No.

02979

By

Harland Erberle
Chief Engineer



Water Development Association, Inc.

P.O. Box 51 — 38462 US Hwy 12

Aberdeen, SD 57402-0051

(605) 229-4749 • Toll Free: 1-800-658-3957 • FAX: (605) 229-4492

Emergency/After Hours: (605) 229-4749 or 1-800-658-3957

email: office@webwater.org

CHAIRMAN

Paul Fischbach
38802 147th Street
Mansfield, SD 57460
887-3271
(Brown)

VICE CHAIRMAN

James Hendrickson
302 E. 3rd Street
Roslyn, SD 57261
486-4528
(Day, Clark & Marshall)

SECRETARY

Sheila Frey
12558 290th Avenue
Mobridge, SD 57601
762-3280
(Walworth & Potter)

TREASURER

Jerry Pulling
321 Main Street
Mellette, SD 57461
887-3701
(Municipal)

DIRECTORS

Derek Eisenbeisz
32512 127th Street
Bowdle, SD 57428
285-6738
(Edmunds & Faulk)

Greg Rahm
40604 161st Street
Turton, SD 57477
897-6628
(Spink, Beadle, & Hand)

Scott Campbell
PO Box 577
Frederick, SD 57441
329-2030
(Municipal)

Gordon Quaschnick
PO Box 656
Herried, SD 57632
437-2701
(Municipal)

Mike Neuharth
33839 107th Street
Eureka, SD 57437
284-2043
(Campbell, McPherson,
Emmons & Dickey)

STAFF:

Curt M. Hohn
General Manager

Tom Tollefson
*Water Treatment Plant
& Main Line Supt.*

Mark Lindseth
*Rural System
Operations Manager*

Cathi Podoll
Business Manager

March 1, 2007

Eric Gronlund

Water Rights Program - DENR

Joe Foss Building

523 East Capitol

Pierre, SD 57501-3181

Re: Current Use Permit Application

Dear Eric,

Included with this letter is our Application for Permit to expand the current water use for the WEB rural water system by 7,500 acre feet. Enclosed is our check in the amount of \$1,800.

If you have any questions or need any additional information please contact me.

Sincerely,

Curt Hohn

WEB General Manager

RECEIVED
MAR - 5 2007
WATER RIGHTS
PROGRAM

Gronlund, Eric

From: Curt Hohn [chohn@webwater.org]
Sent: Wednesday, March 21, 2007 4:59 PM
To: Gronlund, Eric
Cc: Curt Hohn; Cathi Podoll
Subject: RE: WEB's application for a water permit

Eric, 3/21/07

In response to your request, attached is a list of the **Town and Bulk Use customers** served by the WEB water system. Also, listed below is a count of the **meter hookups by county** as of 3/9/07. Let me know if you need any additional information.

Curt Hohn
WEB General Manager

Beadle	11
Brown	2,318
Campbell	553
Clark	3
Day	1,023
Edmunds	714
Faulk	575
Hand	57
Hyde	2
Marshall	6
McPherson	451
Potter	118
Spink	1090
Walworth	670
Dickey, ND	47
Emmons, ND	3
McIntosh, ND	2
 Total Rural Hookups	 7,643
Plus: Town & Bulk	107
Total	7,750

From: Eric.Gronlund@state.sd.us [mailto:Eric.Gronlund@state.sd.us]
Sent: Wednesday, March 21, 2007 12:57 PM
To: Curt Hohn
Subject: WEB's application for a water permit

Mr. Hohn:

The Water Rights Program has completed its staff report on WEB's water right permit application and Chief Engineer Garland Erbele is prepared to make his recommendation so we may go out to public notice. However, prior to doing that I request a listing of the 100 towns/bulk users of WEB water. If you'll recall when we met a few weeks back I mentioned the state administrative rule enacted in 1986 requiring a water permit to connect a

03/22/2007

separate water distribution system to the rural water system (ARSD 74:02:01:01.01). I mentioned that the processing of this application would be a good time to specify these connections in order to be in compliance with water rights regulations.

Please provide me a list of the towns and suburban housing developments that WEB serves as a bulk user.

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

03/22/2007

WEB WATER - TOWNS AND BULK USER LISTING - as provided by Curt Hohn on March 21, 2007

1	Aberdeen Estates, Aberdeen	45	Ipswich
2	Aman Estates - Richmond Lake	46	James Valley Ethanol, Groton
3	Baumgartner Farms, Pollock	47	Java
4	Basin Peaking Plant, Groton	48	Jobee Acres Subdiv., Aberdeen
5	Beadle Foral, Aberdeen	49	Lake Traverse Utility, Enemy Swim
6	Beales Resort, Pickeral Lake	50	Leola
7	Bowdle	51	Little Leola Resort, Herried
8	Braun Farms, Warner	52	Long Lake
9	Braun Feedlot, Warner	53	Mallard Pass Subdiv., Bath
10	Brentford	54	Melgaard Estates, Aberdeen
11	Bristol	55	Mellette
12	Camby Pass, Roscoe	56	Mina Lake RWS, Mina
13	Chelsea	57	Missouri River Sport Resort, Mobridge
14	Clark Colony, Raymond	58	Nelson Resort, Pickeral Lake
15	Conde	59	NeSoDak Camp, Pickeral Lake
16	Country Village, Aberdeen	60	Nilson Feedlot, Warner
17	Cresbard	61	Northville
18	Deerfield Colony, Ipswich	62	Northwestern School, Mellette
19	DeVaen Villa, Aberdeen	63	Northwood Park Subdiv., Aberdeen
20	Doland	64	Onaka
21	Eden	65	Pembroke Colony, Ipswich
22	Eilers Addition, Aberdeen	66	Pietz Feedlot, Roscoe
23	Elm Lake Assoc., Frederick	67	Pleasant Valley Subdiv., Aberdeen
24	Elm Lake Resort, Frederick	68	Pollock
25	Enemy Swim School, Waubay	69	Prairie Hills Resort, Mound City
26	Enemy Swim Water Users, Waubay	70	Prairewood Subdiv., Aberdeen
27	Eureka	71	Redfield
28	Farm Power Industry, Aberdeen	72	Richmond Heights Subdiv., Aberdeen
29	Farmers Union Coop, Chelsea	73	River Horse Estates, Aberdeen
30	Faulton	74	Rolling Meadows Subdiv., Aberdeen
31	Forbes, ND	75	Roscoe
32	Frederick	76	Roslyn
33	Gaikowski Subdiv., Webster	77	Rural Homeowners Subdiv., Aberdeen
34	Green Dairy, Aberdeen	54	Melgaard Estates, Aberdeen
35	Green Acres, Bath	55	Mellette
36	Green Acres Court, Redfield	56	Mina Lake RWS, Mina
37	Grenville	57	Missouri River Sport Resort, Mobridge
38	Groton	58	Nelson Resort, Pickeral Lake
39	Heartland Grain Fuels I, Aberdeen	59	NeSoDak Camp, Pickeral Lake
40	Heilman Dairy, Warner	60	Nilson Feedlot, Warner
41	Herried	61	Northville
42	Highview Homeowners, Waubay Lake	62	Northwestern School, Mellette
43	Hillside Colony, Doland	63	Northwood Park Subdiv., Aberdeen
44	Hosmer	64	Onaka

- 65 Pembroke Colony, Ipswich
- 66 Pietz Feedlot, Roscoe
- 78 Schuring Dairy, Andover
- 79 Selby
- 80 Seneca
- 81 Sharp's Dairy, Bath
- 82 Sieh Feedlot, Leola
- 83 SD Development Center, Redfield
- 84 SD GF&P Camp Ground, Pollock
- 85 Spring Creek Colony, Forbes
- 86 Stratford
- 87 State Line RWS, Strausburg, ND
- 88 Thorpe's Elm Lake Assoc, Frederick
- 89 Thunderbird Colony, Onaka
- 90 Vilhauer Farms, Leola
- 91 Warner
- 92 Webster
- 93 Wecota
- 94 Westport
- 78 Schuring Dairy, Andover
- 79 Selby
- 80 Seneca
- 81 Sharp's Dairy, Bath
- 95 Wetonka
- 96 Young Farms, Warner
- 97 Zeeland, ND
- 98 Casa Playa Subdiv., Richmond Lake
- 99 Coteau Hills Soy Processing, Webster
- 100 Blackstone Point, Pickeral Lake
- 101 Redfield Energy, Redfield
- 102 Coteau Hills Soybean Plant, Webster
- 103 Blackstone Point, Pickeral Lake
- 104 Heartland Grainfuels II, Aberdeen
- 105 Aberdeen Energy, Mina
- 106 Pig Improvement Corp, Java
- 107 Huttenville Colony, Stratford

WEB Service Area - Counties Served

South Dakota

Walworth

Edmunds

Brown

Campbell

Potter

McPherson

Faulk

Spink

Day

Marshall

Hand

Hyde

Clark

Beadle

North Dakota

Emmons

McIntosh

Dickey



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

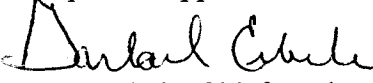
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6824-3, WEB Water Development Association, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6824-3, WEB Water Development Association, Inc., c/o Curt Hohn, General Manager, 38462 US Highway 12, PO Box 51, Aberdeen SD 57402-0051.

The Chief Engineer is recommending APPROVAL of Application No. 6824-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

WEB Water Development Association shall report to the Chief Engineer annually the amount of water withdrawn from the Missouri River.

See report on application for additional information.


Garland Erbele, Chief Engineer
March 28, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6824-3

WEB Water Development Association Inc.

March 15, 2007

Application No. 6824-3, WEB Water Development Association Inc., proposes to construct and place to beneficial use 7,500 acre-feet of water (ac-ft) annually at diversion rate of 10.36 cubic feet of water per second (cfs) from the Missouri River impounded in Oahe Reservoir. This water was appropriated and reserved under Future Use Permit Nos. 2671-3, priority date of April 7, 1976 for 2,500 ac-ft and 3429-3, priority date of December 30, 1976 for 5,000 ac-ft. The diversion point is to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 T123N-R78W. The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota.

Review of the Proposed Project

The Applicant holds Water Right No. 4930-3 authorizing the diversion of 12.0 cfs at an annual volume limit of 7,500 ac-ft. The applicant proposes an expansion of its Missouri River raw water pump station located adjacent to Oahe Reservoir. This application would allow for an increase in the diversion rate of 10.36 cfs to a total of 22.36 cfs. The annual volume would also be increased by, 7,500 ac-ft for a total of 15,000 ac-ft. If approved this permit would receive the priority dates of April 7, 1976 and December 30, 1976 that were reserved under the future use permits.

Review of the Water Source

The water source for these two applications is the Missouri River impounded behind Oahe Dam. The U.S. Army Corps of Engineers (USACE) constructed Oahe Dam in the 1950's and 1960's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is

included. Specifically Oahe Reservoir can impound up to 23.4 million acre-feet of water (MAF) when full. Due to an ongoing 7 year region wide drought, Oahe reservoir is currently 12.7 (MAF) below full and down 46.8 feet from full and down 34.3 feet below the top of the multiple use storage zone. Water availability is not a concern when using the Missouri River as a source, but accessing water due to declining water levels and receding shore line as reservoir levels drop can become an issue.

Review of Existing Water Rights

There are 216 existing water rights/permits appropriating water from the Missouri River in South Dakota. Since water availability is not an issue, approval of this permits would not adversely affect these existing water rights.

Conclusions

1. Application No. 6824-3 proposes to construct and place to beneficial use 7,500 ac-ft annually at diversion rate of 10.36 cfs from the Missouri River.
2. This water was appropriated and reserved under Future Use Permit Nos. 2671-3 and 3429-3.
3. If approved this permit would receive the priority dates of April 7, 1976 and December 30, 1976 that were reserved under the future use permits.
4. Water availability is not a concern when using the Missouri River as a source, but accessing water due to declining water levels and receding shore line as Oahe Reservoir levels drop can become an issue.



Mark D. Rath

Natural Resources Engineering Specialist

RECEIVED

APR 20 2007

WATER RIGHTS
PROGRAM

1 08:16

605 532 541

Clark County Courier
NOTICE OF APPLICATION
NO. 6824-3 to Develop
Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 778-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 23, 2007.

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. Contact Eric Gromlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

44-2t

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of _____)

I, Jessica Anderson

certify that the attached printed Notice was taken

from the Clark County
Courier

printed and published in Clark

County of Clark and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

4-4-07

4-11-07

Cost of Printing \$ 50.20

Jessica Anderson
(Signature)

Bookkeeper
(Title)

4-16-07
(Date Signed)

Affidavit of Publication

RECEIVED

STATE OF SOUTH DAKOTA,
County of Spink: ss.

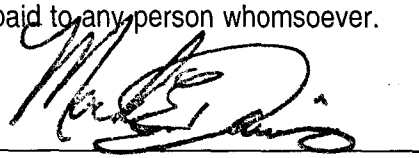
APR 12 2007

WATER RIGHTS
PROGRAM

I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, 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 legal or official notice entitled:

148 Notice of Application

A printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit: The first publication being made on April 4th, 2007 and the last publication being made on April 11th, 2007 that the full amount of Fifty One and .94/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 12th day of April, 2007.



Notary Public, South Dakota

My commission expires 06/20/2012

Legal Notices

serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(April 4, 11)

Notice of Application

#148

NOTICE OF APPLICATION NO. 6824-3 to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Marshall) SSI, Kim Buhl

certify that the attached printed Notice was taken

from the Britton Journalprinted and published in Britton
County of Marshall and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 4, 2007April 11, 2007Cost of Printing \$44.28Kim Buhl
(Signature)office assistant
(Title)4/11/07
(Date Signed)

2T(April 4-11)

NOTICE OF APPLICATION

NO. 6824-3 to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hook-ups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

RECEIVED

APR 12 2007

WATER RIGHTS
PROGRAM

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED
APR 16 2007
WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Campbell) SS

I, Leah Burke

certify that the attached printed Notice was taken

from the Prairie Pioneer

printed and published in Pollock

County of Campbell and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 5, 2007

April 12, 2007

Cost of Printing \$60.72

Leah Burke
(Signature)

Secretary
(Title)

4/12/07
(Date Signed)

Notice of Application No. 6824-3 To Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen, SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW1/4 NE1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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 inter-

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

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

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

No. 87, April 4 & 11, 2007
NOTICE OF APPLICATION
No. 6824-3
To Develop
Reserved Water Rights

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments, ethanol plants and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 68-24-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Grönlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED
APR 20 2007
WATER RIGHTS
PROGRAM

Affidavit of Publication

State of South Dakota

§

County of Faulk

James B. Moritz of said county, being first duly sworn, on oath says that he is the publisher of the **Faulk County Record**, a weekly newspaper printed and published in Faulkton in said County of Faulk and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Notice of Application No. 6824-3 To Develop Reserved Water Rights WEB

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

Two (2)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Wednesday, April 4, 2007

Wednesday, April 11, 2007

that the full amount of the fees for the publication of the annexed notice is **\$54.68**

James B. Moritz

Subscribed and sworn to before me this

Thursday, April 19, 2007



Notary Public
Faulk County, South Dakota

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA}

§

COUNTY OF BROWN}

Map Bury being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

Legal Notice # 146900

NO - 6824-3

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 thereof, once each

well for 2 successive weeks
The first publication being made on the 4 day of April, 2007.
The second publication being made on the 11 day of April, 2007.
The third publication being made on the _____ day of _____, 2007.
The fourth publication being made on the _____ day of _____, 2007.
The fifth publication being made on the _____ day of _____, 2007.
The sixth publication being made on the _____ day of _____, 2007;

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ 115.62, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

Map Bury

Subscribed and sworn to before me this 11 day of April, 2007.

Daily Circulation 18,000

R. Kelly

Notary Public, Brown County, SD

My commission expires March 20, 2013

(No. 1496800)
(April 4, 11, 2007 - 21)
NOTICE OF APPLICATION
NO. 6824-3
to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., 20 Box 51, Aberdeen SD 57402, has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annual at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R76W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties, South Dakota, and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,843 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A completed listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-2 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 52 E. Capitol, Pierre SD 57501 (805 773-3353)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. (Susan M. Pimer)

Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. (Published in the Potter County News, April 5 and 12, 2007. SNAXLP)

**NOTICE OF APPLICATION
NO. 6824-3**

to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Fault Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the

Affidavit of Publication

STATE OF SOUTH DAKOTA,
COUNTY OF POTTER, ss.

LACEY L. WESTPHAL being first duly sworn, on oath says, that she is the office manager of the POTTER COUNTY NEWS, a weekly newspaper published in Gettysburg, County of Potter, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned; that the

*Notice of Application to
Develop Reserved Water*

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 2 successive weeks, on the day of each week on which said newspaper was regularly published to-wit:

April 5 and 12, 2007

That the full amount of the fees for

the publication of the annexed notice is \$ 50.58

Lacey Westphal

Subscribed and sworn to before me this 12th

day of April, 2007

Carol D. Clausen

Carol D. Clausen, Notary Public

State of South Dakota

My commission expires October 15, 2010

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF WALWORTH

RECEIVED

APR 30 2007

WATER RIGHTS
PROGRAM

I, Cindi K. Volk, having first duly sworn under oath say: The Mobridge Tribune is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Bridge City Publishing, Inc., in Mobridge, in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of Application, No 6824 develop reserved water

WEB Water

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks upon the following dates, to-wit:

April 4 and 11, 2007

that the full amount of the fees charged for publishing the same to-wit: the sum of \$44.84 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Cindi K. Volk

Subscribed and sworn to before me this 12th day of April, 2007

Robert R. Atkinson

Seal expires 19th May, 2012

(Seal)

WEB applies for water permit

NOTICE OF APPLICATION

NO. 6824-3 to Develop Reserved Water
Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these

applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

-040407-01107

PRINTER'S AFFIDAVIT

RECEIVED

APR 30 2007

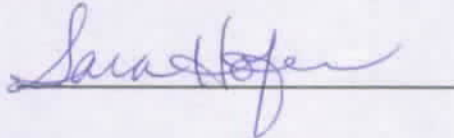
WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

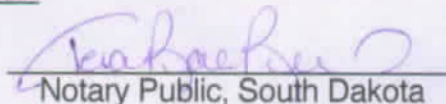
I, Sara Hofer, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

SD DENR - Notice of Appropriate Water
6824-3

Was published for Two days, once each week, on the same day, in said newspaper, and not in any supplement of the said 4th day of April, 2007 and the last publication was on the 11th day of April, 2007. That the full amount of the fee charged for publishing is Fifty Seven 10/00 Dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there of has been made with any other person, and that no part there of has been agreed to be paid to any person whom so ever.



Subscribed and sworn to before me this 27th day of April, 2007



Notary Public, South Dakota

My term expires 08/ 27/ 2010

LE #146

F.P. 04-04-07 L.P. 04-11-07

**NOTICE OF
APPLICATION
NO. 6824-3 to Develop
Reserved Water**

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to be beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Steve M. Piner,
Secretary, Department of
Environment and Natural
Resources
No. 146 (adv.)

RECEIVED

APR 30 2007

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Hyde)

I, Mary Ann Morford

certify that the attached printed Notice was
taken

from the Highmore Herald

printed and published in Highmore

County of Hyde and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

April 5, 2007

April 12, 2007

Cost of Printing \$55.65

Mary Ann Morford
(Signature)

Publisher
(Title)

4-27-07
(Date Signed)

The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, South Dakota 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

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

FPNO 32

LPNO 33

NOTICE OF APPLICATION NO. 6824-3

To Develop Reserved Water Rights

Notice is given that WEB Water Development Association, Inc. PO Box 51, Aberdeen, South Dakota 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acres of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments, ethanol plants and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Affidavit of Publication

RECEIVED

MAY - 2 2007

WATER RIGHTS
PROGRAM

COUNTY OF McPHERSON

STATE OF SOUTH DAKOTA

Arlo C. Mehlhaff of said county being duly sworn, on oath says that he is the publisher of The Northwest Blade, a weekly newspaper published in Eureka in said County of McPherson and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least 200 copies weekly, and has been published within said County for fifty-two successive weeks next to prior to the publication of the notice herein mentioned and was and is printed wholly or in part in an office maintained at said place of publication; that the advertisement, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this

Affidavit, was published in said newspaper at least once in each week for twice successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

April	4	2002	20
April	11	2002	20
	20		20
	20		20
	20		20
	20		20

that the full amount of the fees for the publication of the annexed notice is \$ 54.48

Arlo C. Mehlhaff

Subscribed and sworn to before me this 1st day of

May 20 07

Barry Lapp

Notary Public

County of McPherson, South Dakota

My commission expires June 5, 2010

NOTICE OF APPLICATION NO. 6824-3 TO DEVELOP RESERVED WATER

Notice is given that WEB Water Development Association, Inc., P. O. Box 51, Aberdeen, S. D. 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle counties in South Dakota and Emmons, McIntosh and Dickey counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pimer, secretary, Department of Environment and Natural Resources.

4-4-11-2007

AFFIDAVIT OF PUBLICATION

County of Day
State of South Dakota,

} ss.

RECEIVED

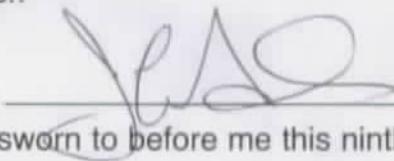
MAY - 2 2007

WATER RIGHTS
PROGRAM

John Suhr, of said county and state being duly sworn on oath, says: That the Reporter & Farmer is a legal weekly newspaper of general circulation, and an official newspaper as required by Session Laws of 1893, printed and published in Webster, in said county and state, by the Day County Printing Company and has been such newspaper during the time hereinafter mentioned, that I, John Suhr, the undersigned, am publisher of said newspaper, and have personal knowledge of all facts stated in this affidavit and that the advertisement headed Application Notice, WEB Water; Dept. of Environment & Natural Resources, a printed copy of which is hereunto attached, was printed and published in the said newspaper two successive and complete issues as follows:

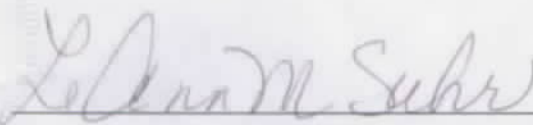
First Publication	April 2, 2007;
Second Publication	April 9, 2007;
Third Publication	;
Fourth Publication	;
Fifth Publication	;

That the full amount of fees for publication of the annexed notice is \$59.89 and inures solely to the Reporter & Farmer, published by The Day County Printing Company, 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 any person whomsoever.



Subscribed and sworn to before me this ninth day of April, 2007.

LeAnn M. Suhr
Day County, South Dakota
My Commission Expires November 2, 2011



Notary Public, Day County, South Dakota

Notice of a

(First April 2)
NOTICE OF APPLICATION
NO. 6824-3

to Develop Reserved Water

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RECEIVED

MAY - 3 2007

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

RECEIVED

County of Edmunds

D.E. Gibson

of said County and State, being first duly sworn on his oath says: The Ipswich Tribune; a weekly newspaper in general circulation, printed and published in Ipswich, in said County and State by the Gibson Publishing and Printing Company; and has been such newspaper during the times hereinafter mentioned; that said newspaper now has, and has had during the publication of the attached advertisement, a bonafide circulation of at least 200 copies weekly, and has been published within the said County of Edmunds fifty-two successive weeks prior to the publication of said attached advertisement, and was during the publications of said advertisement, and now is, printed in whole or in part, in an office maintained at said place of publication. That said newspaper is and has been during the publication of attached advertisement, a legal newspaper, as defined by the laws of the state of South Dakota.

That I, D.E. Gibson, the undersigned, am

Publisher

of said newspaper and am in charge of the advertising

thereof and have personal knowledge of all the facts stated in this affidavit and

that the advertisement headed

NOTICE OF APPLICATION NO. 6824-3

to Develop Reserved Water

a printed copy of which hereto attached, was printed and published in the said

newspaper for two successive issues.

The First publication being made on the 4 day of April, 2007

The Second publication being made on the 11 day of April, 2007

The Third publication being made on the day of ,

The Fourth publication being made on the day of ,

The Fifth publication being made on the day of ,

The Sixth publication being made on the day of ,

The Seventh publication being made on the day of ,

The Eighth publication being made on the day of ,

The Ninth publication being made on the day of ,

The Tenth publication being made on the day of ,

That the full amount of the fee charged for publication of said annexed notice inures to the benefit of the publisher of the The Ipswich Tribune; that no agreement or understanding for the division of the fee thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

The charges for said legal publications are Fifty-one

Dollars and eighty-four cents (\$51.84)

Subscribed and sworn to before me this 27 day of April, 2007

TENA M. GIBSON

Notary Public Seal, South Dakota
My Commission Expires February 26, 2013

Notary Public Edmunds County, South Dakota.

PUBLIC NOTICE

NOTICE OF APPLICATION

NO. 6824-3

to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen, SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW1/4 NE1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

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Steven M. Pimer, Secretary
Department of Environment
and Natural Resources
(Publish T 4-4, 11)

Form 8

84 lines

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hand) SS

I, Gary L McFarlane

certify that the attached printed Notice was taken

from the Miller Press

printed and published in Miller

County of Hand and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 4-07

April 11-07

Cost of Printing \$52.95 ^{.3502} Then .2802

(Signature)

(Title)

(Date Signed)

RECEIVED

APR - 5 2007

WATER RIGHTS
PROGRAM

WEB water application

NOTICE OF APPLICATION NO. 6824-3 to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW 1/4 NE 1/4 Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

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FPNO 33

LPNO 34



March 28, 2007

Newspapers (14)
See attached list

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6824-3 to Appropriate Water to be published twice. Please publish the first notice on April 4, 2007 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 WEB Rural Water Development, PO Box 151, Aberdeen SD 57402 (Ph # 605-229-4749).

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. 6824-3

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

Date _____

We are in receipt of your letter of March 28, 2007 enclosing Notice to Appropriate Water by Application No. 6824-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

WALWORTH COUNTY

Mobridge Tribune
PO Box 250
Mobridge SD 57601
605-845-3646

EDMUNDS COUNTY

Ipswich Tribune
PO Box 7
Ipswich SD 57451
605-426-6471

BROWN COUNTY

Aberdeen American News
PO Box 4430
Aberdeen SD 57401
605-225-4100

CAMPBELL COUNTY

Prairie Pioneer
PO Box 218
Pollock SD 57648
605-889-2320

POTTER COUNTY

Potter County News
110 Exene St
Gettysburg SD 57442
605-765-2464

MCPHERSON COUNTY

Northwest Blade
PO Box 797
Eureka SD 57437
605-284-2631

FAULK COUNTY

Faulk County Record
PO Box 68
Faulkton SD 57438
605-598-6525

SPINK COUNTY

The Redfield Press
PO Box 440
Redfield SD 57469
605-472-0822

DAY COUNTY

Reporter and Farmer
PO Box 30
Webster SD 57274
605-345-3356

MARSHALL COUNTY

Britton Journal
PO Box 69
Britton SD 57430
605-448-2281

HAND COUNTY

Miller Press
PO Box 196
Miller SD 57362
605-853-3575

HYDE COUNTY

Highmore Herald
PO Box 435
Highmore SD 57345
605-852-2927

CLARK COUNTY

Clark County Courier
119 1ST AVE E
Clark SD 57225
605-532-3654

BEADLE COUNTY

The Plainsman
PO Box 1278
Huron SD 57350
605-352-6401



March 28, 2007

**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 NEWSPAPERS RIGHT AWAY.**

WEB WATER DEVELOPMENT ASSOCIATION INC
38462 US HWY 12
PO BOX 51
ABERDEEN SD 57402

Dear Mr. Hohn:

Water Permit Application No. 6824-3 for rural water use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publishers of the papers on the attached list. You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the 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 Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publishers have 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on April 2, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6824-3 to Develop Reserved Water

Notice is given that WEB Water Development Association, Inc., PO Box 51, Aberdeen SD 57402 has filed an application for a water permit to construct and place to beneficial use 7,500 acre feet of water annually at a diversion rate of 10.4 cubic feet of water per second from the Missouri River located in the NW ¼ NE ¼ Section 32-T123N-R78W (Walworth County). This water was appropriated and reserved by Future Use Permit Nos. 2671-3 (2,500 acre-feet) and 3429-3 (5,000 acre-feet). The water will be used to supply the WEB service area which includes users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark, Beadle Counties in South Dakota and Emmons, McIntosh and Dickey Counties in North Dakota. WEB serves 7,643 rural hookups and provides water to 107 towns, suburban housing developments and other bulk users. This application and public notice serves to specify that WEB serves these separate water distribution systems. A complete listing of the towns and bulk users may be obtained by contacting the Water Rights Program.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6824-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 April 23, 2007.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 30 2007

WEB WATER DEVELOPMENT ASSOCIATION INC
PO BOX 51
ABERDEEN SD 57402-0051

Dear Sirs:

Enclosed is Water Permit No. 6824-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

**Permit No. 6824-3 & License No. 4930-3
Missouri - Water District**

Contact Person & Address: **Clayton Larsen, PO Box 51, Aberdeen SD 57402**

Report of Examination of Works

On, **September 16, 2015**, I made a thorough examination of the water use system constructed by **WEB Water Development Assoc, Inc** holder of License No. **4930-3**, bearing the priority of **April 6, 1976** authorizing the diversion of **12.0** cu. ft. per second and **up to 7500** ac-ft annually and Permit No. **6824-3**, authorizing the diversion of **10.4** cu. ft. per second bearing the priority of **April 7, 1976** for **2500** ac-ft and the priority of **December 30, 1976** for **5000** ac-ft annually of the waters of **surface water; Missouri River** for **rural water system** purposes, in **Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand Hyde, Clark, and Beadle Counties** in South Dakota and **Emmons, McIntosh and Dickey Counties** in North Dakota.

The system is in the following condition **good**. The point of diversion is located **From NE corner of Sec 32 T123N-R78W; 500 ft S and 1690 ft W** with latitude of **45.43370** and a longitude of **-100.29134** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **26.7** cu. ft. per second and **15000** ac-ft annually of water which is to be used for **rural water system use**. Water has been put to beneficial use and the license should be issued for **22.4** cfs and **15000** ac-ft annually.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Pump: #1

- 1) Make **Fairbanks-Morse** 2) Capacity **2000** GPM

Motor:

- 1) Make **General Electric** 2) Horsepower rating **400** hp

Pump: #2

- 1) Make **Fairbanks-Morse** 2) Capacity **2000** GPM

Motor:

- 1) Make **General Electric** 2) Horsepower rating **400** hp

Pump: #3

- 1) Make **Fairbanks-Morse** 2) Capacity **2000** GPM

Motor:

- 1) Make **General Electric** 2) Horsepower rating **400** hp

Pump: #4

- 1) Make Fairbanks-Morse 2) Capacity 2000 GPM

Motor:

- 1) Make General Electric 2) Horsepower rating 400 hp

Pump: #5

- 1) Make Fairbanks-Morse 2) Capacity 2000 GPM

Motor:

- 1) Make General Electric 2) Horsepower rating 400 hp

Pump: #6

- 1) Make Fairbanks-Morse 2) Capacity 2000 GPM

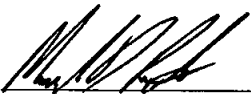
Motor:

- 1) Make General Electric 2) Horsepower rating 400 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type RWS distribution system

Comments : The system is designed to have backup pumping capacity so not all of the pumps are run at the same time.



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

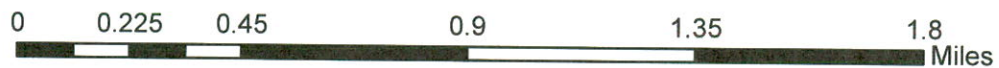
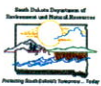
9-21-15

Date

6824-3



DIVERSION POINT
From the NE corner of
Sec 32 T123N-R78W
500 ft S; 1690 ft W



[Signature] 9-21-15
Mark D Rath
Natural Resources Engineer



6824-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

SEP 29 2015

4930-3
6824-3

WEB Water Development Association Inc
PO Box 51
Aberdeen SD 57402-0051

Dear Sir:

Enclosed is Water License No. 6824-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

Note: The applicable portions of Water Right No. 4930-3 were incorporated into Water License No. 6824-3.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6824-3**

(1) WEB Water Development Association Inc., PO Box 51, Aberdeen SD 57402-0051 made Application No. 6824-3, March 5, 2007 for a water permit to divert 10.4 cubic feet of water per second (7,500 acre feet annually) from the Missouri River, Walworth County, South Dakota for rural water system purposes. Permit No. 6824-3, with priority dates of April 7, 1976 (2,500 acre feet) and December 30, 1976 (5,000 acre feet) was approved April 23, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 23, 2012 and for the application to beneficial use of said water on or before April 23, 2016.

Water Permit No. 6824-3 authorized placing to beneficial use water that was reserved by Future Use Permit Nos. 2671-3 (priority date of April 7, 1976) and No. 3429-3 (priority date December 30, 1976). Water Right No. 4930-3 also placed to beneficial use water reserved under Future Use Permit No. 2671-3. The applicable portions of Water Right No. 4930-3 authorizing diversion of 12.0 cfs with an annual volume of 7,500 acre feet of water are incorporated into this Water License No. 6824-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 22.4 cubic feet of water per second for beneficial use with an annual volume of up to 15,000 acre feet of water.

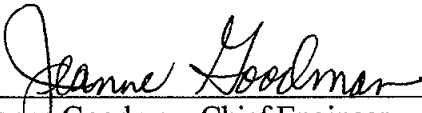
The location of the diversion point is 500 feet south and 1,690 feet west of the NE corner of Section 32, T123N, R78W (NW ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. WEB serves rural hookups, towns and bulk users in Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Spink, Day, Marshall, Hand, Hyde, Clark and Beadle Counties in South Dakota. Service also extends into Emmons, McIntosh and Dickey Counties in North Dakota.

(4) Pursuant to South Dakota Water Law 46-5-30.1 WEB Water Development Association Inc., PO Box 51, Aberdeen SD 57402-0051 the holder and/or owner of Incorporated Water Right No. 6824-3 is issued a license to appropriate water, the right to use 22.4 cubic feet of water per second (15,000 acre feet annually) from the Missouri River with priority dates of April 7, 1976 (10,000 acre feet) and December 30, 1976 (5,000 acre feet) from the location specified in (2) of this license for rural water system purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6824-3 and subject to the following qualifications:

- WEB Water Development Association shall report to the Chief Engineer annually the amount of water withdrawn from the Missouri River.



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

SEP 29 2015

date

