

WATER PERMIT NO. 7203-3

Name of Applicant: Lincoln County Rural Water System, Inc.

Address: PO Box 36, Harrisburg SD 57032 Phone: 605 767-2966

Amount of Water Claimed: no add'l Total Acres: NA

Source of Water Supply: groundwater (5 wells)

Water to be used for: RWS County: Lincoln & Minnehaha

Type of Waste Disposal System: NA

Location:

PRIORITY Date Received: 6-1-10 Application/License Fee: \$700

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: connect Lewis & Clark Water System to Lincoln Co RWS

Diversion Point: SW ¼ Sec 12, W ½ Sec 13; all in
T100N-R49W

Land to be Irrigated:

Depth of Well:

Well Driller:

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 6-1-10

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: PMB 2020 DNR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7203-3</u> (office use only) Hydrologic Unit <u>1070203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Argus Leader P.O. 5034 57117 331-2200</u>
	<u>Sioux Valley News, P.O. Box 255 Canton 57013 764-2000</u>

RECEIVED
JUN 01 2010
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application:

(check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. 6924-3 & 3454-3

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

Add Lewis & Clark Regional Water System as a customer of Lincoln County Rural Water System receiving up to 100,000 gallons daily under diversion rate authority of Water Permit No. 6924-3. & 3454-3

- Name of Applicant Lincoln County Rural Water System, Inc. Phone 605 767 2966
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 36 Harrisburg SD 57032
(Address) (City) (State) (Zip Code)
- Amount of water claimed no add'l *CFS or **GPM no add'l ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Big Sioux - South Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lincoln
5 wells to be completed, located in the SW 1/4 Section 12, W 1/2 Section 13,
; all in T100N R49W for rural water use.
1 well SE1/4SE1/4 Sec 11 T100N R49W
- County or counties where water will be used Lincoln County and Minnehaha County
- Annual period during which water is to be used January 1 to December 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)
County of Lincoln) SS

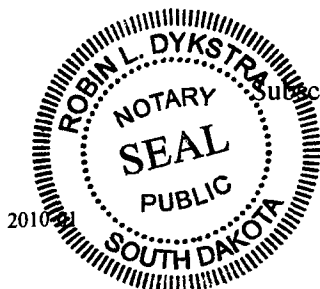
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Roger Lamp, 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

Subscribed and sworn to before me this 27th day of May 20 10

Rob L. Dykstra
Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 7203-3**

Date of first receipt of application June 1, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7203-3 to Lincoln County Rural Water System, Inc., PO Box 36, Harrisburg SD 57032 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. 7203-3 authorizes connecting a separate water distribution system to the rural water system as required by ARSD 74:02:01:03.01. Lincoln County RWS holds Water Right No. 3454-3 and Water Permit No. 6924-3. Water Right No. 3454-3 appropriates 0.5 cubic feet of water per second (cfs) from one well completed into the Big Sioux:South Aquifer located in the SE ¼ SE ¼ Section 11, T100N, R49W. Water Permit No. 6924-3 appropriates 1,344 acre-feet annually at a maximum diversion of 2.5 cfs from five wells to be completed into the Big Sioux:South Aquifer (approximately 30 feet deep) located in the SW ¼ Section 12, W ½ Section 13; all in T100N-R49W. This permit authorizes connecting the Lewis and Clark Regional Water System to the Lincoln County RWS distribution system.
2. The water appropriated shall be used for 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. 7203-3 is July 5, 2010.
5. One-fifth of the construction is to be completed on or before January 5, 2013.
6. All construction is to be completed on or before July 5, 2015.
7. Water is to be put to beneficial use on or before July 5, 2019.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

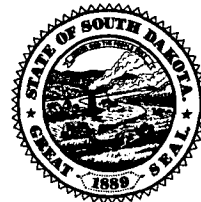
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 14 2010

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 1, 20 10

RECEIVED OF Lincoln County RWS, PO Box 36, Harrisburg SD 57032

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	500	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. _____	200	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	700.00

No. 04565

By Harland Erbe
Chief Engineer (KS)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7203-3, Lincoln County Rural Water System, 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. 7203-3, Lincoln County Rural Water System, Inc., c/o Roger Lamp, PO Box 36, Harrisburg, SD 57032.

The Chief Engineer is recommending APPROVAL of Application No. 7203-3 because 1) the proposed connection of a separate water distribution system can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest.

See report on application for additional information.

A handwritten signature in black ink, which appears to read "Garland Erbele".

Garland Erbele, Chief Engineer
June 9, 2010

WATER PERMIT APPLICATION NO. 7203-3
LINCOLN COUNTY RURAL WATER SYSTEM
June 3, 2010

Water Permit Application No. 7203-3 requests authorization to connect Lewis and Clark Regional Water to the Lincoln County Rural Water System (RWS) distribution system. Pursuant to ARSD 74:02:01:03.01, a new water permit is require to connect a separate water distribution system to the RWS.

Lincoln County RWS holds Water Right No. 3454-3 and Water Permit No. 6924-3. Water Right No. 3454-3 appropriates 0.5 cubic feet of water per second (cfs) from one well completed into the Big Sioux:South Aquifer located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T100N, R49W. Water Permit No. 6924-3 appropriates 1,344 acre feet annually at a maximum rate of 2.5 cubic feet of water per second from five wells to be completed into the Big Sioux:South Aquifer located in the SW $\frac{1}{4}$ Section 12 and W $\frac{1}{2}$ Section 13, T100N, R49W. Water Permit No. 6924-3 was issued April 29, 2008 with a date to complete construction of March 10, 2013 and put water to beneficial use on or before March 10, 2017. The permit is still within its construction phase. In addition, the RWS holds a water right to receive service through the city of Sioux Falls system and a water right from the Dakota Aquifer.

Approval of this application will result in the Lincoln County Rural Water System diverting more water. However, because of the RWS water permit (ie – the permit is quantified by diversion rate and annual volume), this additional water can be supplied under existing diversion rate authority. The RWS is not seek to develop additional diversion rate authority to serve Lewis and Clark Rural Water System. Since the application does not change the RWS's authorized diversion rate, seek to increase the annual volume of water and Permit No. 6924-3 is still within the time to complete construction and place water to beneficial use, approval of this permit will not increase the potential for adverse impact to existing water rights and does not affect water availability.



Eric Gronlund
Water Rights Engineering Specialist
Water Rights Program, DENR

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JUL - 1 2010

WATER RIGHTS
PROGRAM

CUSTOMER NUMBER:	078340	Argus Leader P.O. Box 5034, Sioux Falls, S.D. 57117-5034
INVOICE NUMBER:	1275803	
RUN DATES	6/17, 6/24, 2010	AMOUNT DUE: \$125.82

Dept of Environment & Natural Resources
Division of Environmental Services
Water Rights Program
523 E Capitol Avenue, Joe Foss Building
Pierre, SD 57501

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340

Dept of Environment & Natural Resources

Invoice Number: 1275803

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

Thursday, the 17 day of June 2010 ,
 Thursday, the 24 day of June 2010 ,
 _____, the _____ day of _____ 2010 ,
 _____, the _____ day of _____ 2010 ,
 _____, the _____ day of _____ 2010 ,
 _____, the _____ day of _____ 2010 ,
 _____, the _____ day of _____ 2010 ,

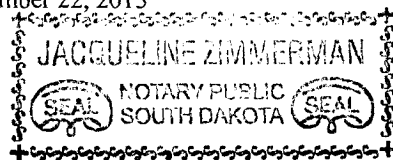
and that \$125.82 was charged for publishing the same

Linda Schulte
 Subscribed and sworn to before me 6/28/2010

J. Zimmerman

Notary Public, South Dakota

My Commission expires December 22, 2015

NOTICE OF APPLICATION
NO. 7203-3 to Appropriate
Water

Notice is given that Lincoln County Rural Water System (RWS) Inc., PO Box 36, Harrisburg SD 57032 has filed an application for a water permit to connect a separate water distribution system to the rural water system as required by ARSD 74:02:01:03.01.

Lincoln County RWS holds

Water Right No. 3454-3 and this application. Notice of the Water Permit No. 6924-3. Wa- hearing will be given to the ap-
 ter Right No. 3454-3 appropri- plicant and any person filing a
 ates 0.5 cubic feet of water per petition.
 second (cfs) from one well Any person interested in op-
 completed into the Big posing or supporting this applica-
 Sioux South Aquifer located in tion or recommendation
 the SE 1/4 SE 1/4 Section 11, must file a written petition with
 T100N, R49W. Water Permit BOTH the applicant and Chief
 No. 6924-3 appropriates 1,344 Engineer. The applicant must
 acre-feet annually at a maxi- file a petition if contesting the
 mum divert of 2.5 cfs from five Chief Engineer's recommenda-
 wells to be completed into the tion. The Chief Engineer's ad-
 Big Sioux South Aquifer (ap- dress is "Water Rights Pro-
 proximately 30 feet deep) lo- gram, Foss Building, 523 E
 cated in the SW 1/4 Section Capitol, Pierre SD 57501 (605
 12, W 1/2 Section 13; all in 773-3352) and the applicant's
 T100N-R49W. This application mailing address is given
 requests authorization to con- above. A petition filed by ei-
 nect the Lewis and Clark Re- ther an interested person or
 gional Water System to the applicant must be filed by
 Lincoln County RWS distribu- July 5, 2010.
 tion system.

The petition may be informal. Pursuant to SDCL 46-2A-2, 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.
 Published twice at the total cost of \$125.82. June 17 & 24, 2010
 the application or contest- ing the recommendation is
 ment Board will consider

*pd. by
Lincoln
County Rural
Water System*

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

ANDY WILCOX

being first duly sworn on his oath says; that the Sioux Valley News 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 Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that he is and during all of said time was publisher of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

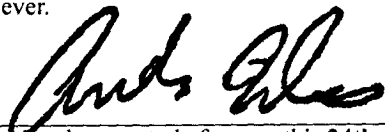
**Lincoln County Rural Water
Notice of Application No. 7203-3
to Appropriate Water**

a printed copy of which is hereto attached, was printed and published in said newspaper for TWO successive week(s) upon the following dates, to-wit:

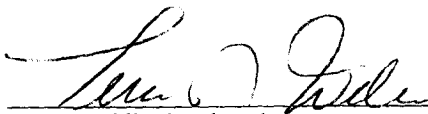
June 17, 2010

June 24, 2010

that the full amount of the fees charged for publishing the same to-wit: the sum of \$49.39 insures 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.



Subscribed and sworn to before me this 24th day of
June, 2010.



Notary Public, South Dakota

(Seal)



**My Commission Expires
12/9/2014**

RECEIVED

JUN 28 2010

WATER RIGHTS PROGRAM

NOTICE OF APPLICATION NO. 7203-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7203-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider 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, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the

applicant must be filed by July 5, 2010. 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 Sioux Valley News on June 17 and 24, 2010 at the total approximate cost of \$49.39.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 11, 2010

Argus Leader
PO Box 5034
Sioux Falls SD 57717

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7203-3 to Appropriate Water to be published twice. Please publish the first notice on June 17, 2010 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 Lincoln County Rural Water System, c/o Roger Lamp, PO Box 36, Harrisburg SD 57032 (Ph # 605-767-2966).

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/KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 7203-3

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

Date _____

We are in receipt of your letter of June 11, 2010 enclosing Notice to Appropriate Water by Application No. 7203-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 11, 2010

Sioux Valley News
PO Box 255
Canton SD 57013

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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No. 7203-3

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

Date _____

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

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

June 11, 2010

Lincoln County Rural Water System
Roger Lamp
PO Box 36
Harrisburg SD 57032

Dear Mr. Lamp:

Water Permit Application No. 7203-3 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 Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200), and the Sioux Valley News printed at Canton SD (Ph # (605-764-2000). 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 Notice and to arrange for payment. Early contact with the papers 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 application.

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
(605) 773-3352
eric.gronlund@state.sd.us

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 June 17, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7203-3 to Appropriate Water

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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, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 5, 2010.

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 twice at the total approximate cost of_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

JUL 14 2010

Lincoln County Rural Water System Inc.
c/o Roger Lamp
PO Box 36
Harrisburg SD 57032

Dear Mr. Lamp:

Enclosed is Water Permit No. 7203-3 authorizing connection of the Lewis & Clark Regional Water System to the Lincoln County RWS Distribution system

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.

Sincerely,

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

enclosures