

WATER PERMIT NO. 7245-3

Name of Applicant: Mid-Dakota RWS

Address: PO Box 318, Miller SD 57362

Phone: 605 853-3159

Amount of Water Claimed: 7.95 cfs

Total Acres:

Source of Water Supply: Missouri River

Water to be used for: rural water system use

County: Hughes

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: 4-12-11

Application/License Fee: \$700

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks: Increasing diversion capacity from 16.49 cfs to a total of 24.5 cfs. The annual volume of 9,999 AF is not being increased.

Diversion Point: NE ¼ SE ¼ Sec 16-T112N-R80W

Land to be Irrigated: NA

Depth of Well: NA

Well Driller:

Remarks:

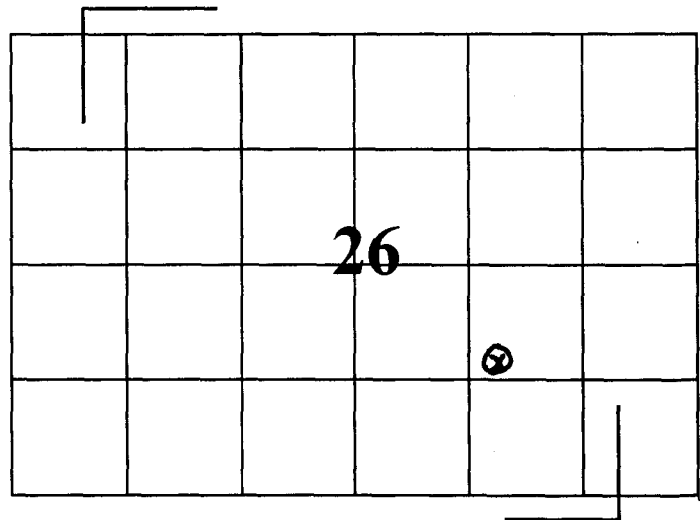
Type of Map: aerial

Prepared by: Mark Rath, PE

Reviewed and the Number Assigned on: 4-12-11

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SD EForm - 1585LD V3

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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)	
	No. <u>7245-3</u>	Hydrologic Unit <u>10130105</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>see attached list</u>	

RECEIVED

APR 12 2011

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 <u>Wetlands enhancement</u> | |

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. 5809A-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
 Additional diversion rate authority to Water Right No. 5809A-3

1. Name of Applicant Mid-Dakota Rural Water System, Inc. Phone (605) 853-3159
 (check one) ☐ Owner ☐ Tenant/lessee
 Mailing Address PO Box 318 Miller SD 57362-0318
 (Address) (City) (State) (Zip Code)
2. Amount of water claimed 7.95 *CFS or *** GPM AF
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Missouri River
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hughes
NE 1/4 SE 1/4 Section 26, T112N, R80W
5. County or counties where water will be used See attached list of SD Counties served.
6. Annual period during which water is to be used January 1 - December 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Water Right No. 5809A-3 currently appropriates 16.55 cfs with an annual volume limit of 9,999 acre feet of water annually. Application is to increase diversion capability by 7.95 cfs to a total of 24.5 cfs. The annual volume is not being increased. See attached list of SD Communities (or Community Systems) served.

STATE OF SOUTH DAKOTA)

County of Hand)

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, Kurt Pfeifle, 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 Kurt PfeifleSubscribed and sworn to before me this 7th day of April 20 11Linda C. Beauer

Notary Public signature

Linda C. Beauer

My comm. expires 5-24-11

**SOUTH DAKOTA
WATER PERMIT NO. 7245-3**

Date of first receipt of application April 12, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7245-3 to Mid-Dakota Rural Water System, Inc., PO Box 318, Miller SD 57362 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. 7245-3 increases the diversion rate authorized by Water Right No. 5809A-3 and the connection of additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This permit authorizes additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. This permit results in combined diversion rate authority totaling 24.5 cfs.

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.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey.

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. 7245-3 is May 23, 2011.

5. The date from which applicant may claim right is April 12, 2011.

6. One-fifth of the construction is to be completed on or before November 23, 2013.

7. All construction is to be completed on or before May 23, 2016.

8. Water is to be put to beneficial use on or before May 23, 2020.

9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The Mid-Dakota Rural Water System, Inc. 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

SEP 01 2011

date



Mid-Dakota Rural Water System, Inc.
Water Right Permit No. 5809A-3
Attachment

Counties Served [14]:

Aurora
Beadle
Buffalo
Clark
Faulk
Hand
Hughes
Hyde
Jerauld
Kingsbury
Potter
Sanborn
Spink
Sully

Communities (Community Systems Served) [35]:

Agar
Alpena
Blunt
Broadland
Cavour
Del Acres Trailer Park
Gettysburg
Harrold
Highmore
Hitchcock
Holabird
Hoven
Huron
Lane
Lebanon
Miller
Miller Dale Colony
Oahe Acres Development
Oahe Plains Rural Water System
Onida
Orient
Our Home Inc.
Polo
Ree Heights
St. Lawrence
Sunshine Bible Academy
Spring Creek San. System
Spring Valley Colony
Strola
Tolstoy
Tulare
Virgil
Wessington
Wolsey
Yale

5751-3, 5809-3, & 5809A-3



0 320 640 1,280 1,920 2,560 Feet



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

Date 4-12, 2011

RECEIVED OF Mid-Dakota Rural Water System, PO Box 318, Miller SD 57362

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

Fee for Application for Permit No. <u>7245-3</u> 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. <u>7245-3</u>	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.

04966

By

Garland Eibeley
Chief Engineer

115

Schlaak, Karen

From: Gronlund, Eric
Sent: Wednesday, April 06, 2011 4:01 PM
To: 'kurt.pfeifle@mdrws.com'
Subject: RE: Mid-Dakota Water Right 5809A-3

Kurt - Garland Erbele asked that I respond to your email.

Sounds like you have a good handle on what Mid-Dakota has and where you need to go as far as water rights. A water permit application will need to be filed for additional diversion rate authority to WR No. 5809A-3. There will be no increase in the annual volume authorized of 9,999 acre feet. Attached is an example I put together for illustrative purposes on what the application should look like. See discussion below for further information.

The application form entitled
Application for a Water Right Permit for Nonirrigation uses (e.g. Municipal, Rural Water System, Commercial, Industrial, Recreation uses) may be downloaded at:
<http://denr.sd.gov/des/wr/watrightsapps.aspx>

A few issues to keep in mind:

- 1) the application/licensing fee to increase diversion rate authority without any increase in the annual volume is \$700. The application will also need to be public noticed once a recommendation is made in the 13 counties served by the RWS. If service has extended to any additional counties the application should reflect those additional counties. Mid-Dakota will be prompted to contact newspapers when the application is ready for public notice.
- 2) No map will be required. The existing map on file will suffice since the diversion point location has not changed.
- 3) Does the 20.89 cfs diversion rate reflect the maximum diversion rate from the Missouri River? I bring this issue up because the calculation below appears back calculate the diversion rate based on the daily output for the water treatment plant. This has the potential to represent the average diversion rate and not peak diversion from the source. The authorized diversion rate on the water rights should reflect the peak diversion rate. On my example I left Item No. 2 amount of water claimed blank. If 20.89 cfs is the peak diversion rate this line item should be filled in with 4.34 cfs (20.89 minus 16.55). If the peak diversion rate is greater, then this blank should be for whatever the incremental increase of 16.55 cfs in diversion rate authority will be.
- 4) There is an administrative rule that requires a new permit if Mid-Dakota RWS connects a separate water distribution system to its system. The original permit listed 23 communities. Then permit No. 5809-3 added four others. Please review those communities shown on pages 2 & 3 of the attachment. If Mid-Dakota has added any other separate water distribution system's to it service, this application is an ideal time to include those in order to meet that regulation instead of having to go through the permitting process again in the future.

I hope this is understandable. If you have any questions, please feel free to contact me.

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

-----Original Message-----

From: Kurt Pfeifle [mailto:kurt.pfeifle@mdrws.com]
Sent: Wednesday, April 06, 2011 10:11 AM

04/12/2011

To: Erbele, Garland

Subject: Mid-Dakota Water Right 5809A-3

Garland:

I was reviewing Mid-Dakota's water right (5809A-3) and saw that the permit authorizes 16.55 cubic feet per second (cfs) (9,999 acre feet) to be withdrawn from the Missouri River. Current water diversion from Mid-Dakota annually is <1.6 billion gallons, using about half of the 9,999 acre feet limitation, and should pose no problem. However the 16.55 cfs limitation is equal to approximately 7,428 gallons per minute (gpm). When complete, our water treatment plant will have a nominal output of 13.5 million gallons per day or 9,375 gpm or approximately 20.89 cfs. Should Mid-Dakota be requesting an amendment to water right 5809A-3?

Thanks.

Kurt Pfeifle, General Manager

Mid-Dakota Rural Water System, Inc.



608 West 14th Street P. O. Box 318
Miller, South Dakota 57362-0318
Phone (605) 853-3159 Fax (605) 853-3245
email: office@mdrws.com
Website: www.mdrws.com

Board of Directors

Robert Jones, Chairman, Huron
James McGillvrey, Vice-Chairman, Wolsey
Dwight Gutzmer, Secretary-Treasurer, Highmore

Rick Benson, Wolsey
Leslie Brown, Harrold
Lennis Fagerhaug, Wessington Springs
Jeffrey McGirr, Huron
Steve Robbennolt, Gettysburg
Gary Strasburg, Rockham

Kurt Pfeifle, General Manager, Miller

April 7, 2011

PMB 2020 Dept. of Environment & Nat. Resources
Water Rights Program
Attn: Mr. Eric Gronlund
523 East Capitol Ave.
Pierre, SD 57501-3182

RECEIVED
APR 12 2011
WATER RIGHTS
PROGRAM

Re: Water Right No. 5809A-3

Dear Mr. Gronlund:

Enclosed is an application to amend Water Right No. 5809A-3. Also enclosed is a check for \$700, the fee for increasing the diversion rate authority without any increase in the annual volume (per your email to me dated 4-6-2011).

I have attached a list of all Counties to which Mid-Dakota currently provides water service or may provide water service in the foreseeable future. The list also includes Communities and Community systems served by Mid-Dakota.

I understand that Mid-Dakota will be required to publish public notices in each of the counties listed. DENR will prompt Mid-Dakota to contact various newspapers when the application is ready for public notice.

Please let me know if there is more information you need, or if there are things Mid-Dakota needs to further address in our application.

Sincerely,

MID-DAKOTA RURAL WATER SYSTEM, INC.


Kurt Pfeifle
General Manager

Enclosures:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7245-3, Mid-Dakota 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. 7245-3, Mid-Dakota Rural Water System Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362.

The Chief Engineer is recommending APPROVAL of Application No. 7245-3 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:

The Mid-Dakota Rural Water System, Inc. 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
April 20, 2011

REPORT ON WATER PERMIT APPLICATION NO. 7245-3
Mid-Dakota Rural Water System Inc.
April 19, 2011

Application No.7245-3, Mid-Dakota Rural Water System, Inc., has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. The diversion point is located in the NE ¼ SE ¼ Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Review of the Proposed Project and Water Source

The applicant currently holds Water Right No. 5809A-3 with an authorized diversion rate of 16.55 cfs from the Missouri River. The applicant proposes to increase the authorized diversion rate by 7.95 cfs to a total of 24.5 cfs without a requested increase in the annual volume limit of 9,999 acre-feet of water.

The water source for this application is from the natural flows of the Missouri River in the area upstream of 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 water supply is included. Specifically Oahe Reservoir can impound up to 23.4 million acre-feet of water (MAF) when full. Water availability is not a concern when using the natural flows of the Missouri River as a source, but accessing the Missouri River natural flow water in times of declining reservoir levels can become an issue.

Review of Existing Water Rights

There are 260 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1269.46 cfs. Since water availability is not an issue, approval of this permit would not adversely affect these existing water rights.

Conclusions

1. This application proposes to appropriate an additional 7.95 cubic feet of water per second (cfs) from the natural flow of the Missouri River for rural water system purposes.
2. The application is to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems.
3. There is not a requested increase in the annual volume limit of 9,999 acre-feet of water authorized by Water Right No. 5809A-3.
4. The water source for this application is from the natural flows of the Missouri River in the area upstream of Oahe Dam.
5. Approval of this permit would not adversely affect existing water rights



Mark D. Rath
Engineer III

RECEIVED

MAY 19 2011

PRINTER'S AFFIDAVIT

WATER RIGHTS PROGRAM

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

I, Ashley Neuharth, 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:

MID DAKOTA RURAL WATER - NOTICE TO APPROPRIATE WATER

Was published for Two days, once each week, on the same day, in said newspaper, and not in any supplement of the said newspaper. The first publication being the 4th day of MAY 2011 and the last publication was on the 11th day of MAY 2011. That the full amount of the fee charged for publishing is: EIGHT FIVE & 53/100 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 whomsoever.

Subscribed and sworn to before me this 18th day of MAY 2011

[Signature]
Notary Public, South Dakota

My term expires

Legal # 191

F.P. 05-04-11
L.P. 05-11-11

NOTICE OF APPLICATION NO. 7245-3 to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stortia, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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. 191 (adv.)
Published two times at the total approximate cost of \$85.53.

RECEIVED

MAY 13 2011

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Aurora) SS

I, J.P. Studeny, Jr., Publisher

certify that the attached printed Notice was taken

from the South Dakota Mail
Newspaper

printed and published in Plankinton

County of Aurora and

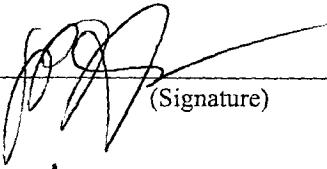
state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 5, 2011

May 12, 2011

Cost of Printing \$74.48


(Signature)

Publisher
(Title)

5-12-11
(Date Signed)

**NOTICE OF
APPLICATION
NO. 7245-3 to
Appropriate Water**

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird,

Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stolar, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 two times at an approximate cost of \$74.48.)

**AFFIDAVIT OF PUBLICATION
RECEIVED**

State of South Dakota

ss

MAY 19 2011

County of Brule

**WATER RIGHTS
PROGRAM**

Debi Ruiz of said county, being, first duly sworn, on oath, says: That she is the publisher of *Central Dakota Times*, a weekly newspaper, published in the City of Chamberlain, in said County of Brule, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Brule and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the Notice of Application

No. 7245-3 To Appropriate
Water

a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for five successive week(s) to wit:

May 4, 2011: May 11, 2011;
_____, 20____: _____, 20____;
_____, 20____: _____, 20____;

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

\$ 53.57

Signed: Debi Ruiz

Subscribed and sworn to before me this 13th day
of May, 2011.

Janet L. Petrak

Notary Public in and for the County of Brule,
South Dakota

JANET L. PETRAK
Notary Public
SEAL
South Dakota

**NOTICE OF APPLICATION NO. 7245-3
TO APPROPRIATE WATER**

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, P.O. Box 318, Miller, SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid-Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 East 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 May 23, 2011.

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 two consecutive weeks, May 4, 2011, and May 11, 2011, at a total approximate cost of \$53.57.)

(May 4/11 May 11)

**NOTICE OF APPLICATION
NO. 7245-3 to Appropriate Water**

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 \$61.65.
5-4-2t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark 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

**MID DAKOTA RURAL WATER
SYSTEM, INC**

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

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

**MAY 4, 2011
MAY 11, 2011**

that the full amount of the fees for the publication of the annexed notice is

61.65

William J. Krikac

Subscribed and sworn to before me this

18TH DAY OF MAY, 2011

Ann D. Helke

RECEIVED

MAY 19 2011

**WATER RIGHTS
PROGRAM**

Notary Public
Clark County, South Dakota

My Commission expires: 06/04/2013

RECEIVED

MAY 12 2011

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Faulk)

I, James B. Moritz

certify that the attached printed Notice was
taken

from the Faulk County Record

printed and published in Faulkton

County of Faulk and

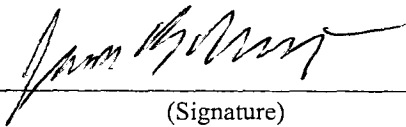
state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Wednesday, May 4, 2011

Wednesday, May 11, 2011

Cost of Printing \$61.06


(Signature)

Publisher

(Title)

Thursday, May 12, 2011

(Date Signed)

No. 101, May 4 & May 11, 2011

NOTICE OF APPLICATION NO. 7245-3 to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller, SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

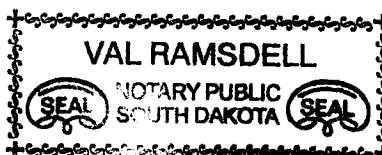
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accor-

Wednesday, May 4, 2011
dence 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 applica-

tion. 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 May 23, 2011. 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 ob-

tained. 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 \$61.06.



My Commission Expires
Jan. 17, 2017

RECEIVED

MAY 24 2011

WATER RIGHTS
PROGRAM

Length of line 10 lines
Size of type 8 pt
Number of lines
Line rate

AFFIDAVIT OF
PUBLICATION
The Miller Press

STATE OF SOUTH DAKOTA

JSS

County of Hand

Michael G. Caviness of said county being first duly sworn, on oath, says that he is the publisher of *The Miller Press*, a weekly newspaper printed and published in Miller, said County of Hand by Hand County Publishing Co., Inc. and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bonafide 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

Water permit

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 each week for 2 successive week(s), on the day of each week on which said newspaper was regularly published, to wit:

5/4 20 11; 5/11 20 11

20 ; 20

20 ; 20

that the full amount of the fees for the publication of the annexed notice is

\$ 54.83

Michael G. Caviness, Publisher

Subscribed and sworn to before me

this 19 day of May 2011

Janet L. Kittelson, Notary Public
My Commission expires 6-26-13

Water permit filed

NOTICE OF APPLICATION NO. 7245-3 to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 5-04 and 5-11-2011 at an approximate cost of \$54.83

RECEIVED

MAY 19 2011

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marylin Baker

certify that the attached printed Notice was taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

4-27-11

5-4-11

Cost of Printing 76.01

Mary L Baker
(Signature)

Backkeeping
(Title)

5-18-11
(Date Signed)

**NOTICE OF
APPLICATION
NO. 7245-3 to
Approprate
Water**

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit

of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulara, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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

RECEIVED

MAY 23 2011

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hyde) SS

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:

May 5, 2011

May 12, 2011

Cost of Printing \$64.38

Mary Ann Morford
(Signature)

Owner/Publisher
(Title)

May 19, 2011
(Date Signed)

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, 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 May 23, 2011.

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 \$64.38.
FPNO 37 LPNO 38

NOTICE OF
APPLICATION NO. 7245-
3 TO APPROPRIATE
WATER

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller, South Dakota 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid-Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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

RECEIVED

MAY 24 2011

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA, COUNTY OF JERAULD, SS.

Karen Wenzel

being first duly sworn, deposes and says: that he/she is a resident of the County of Jerauld and State of South Dakota; and the True Dakotan is a weekly newspaper of general circulation, published in Wessington Springs, in said county by J. Craig and Dennis P. Wenzel; and is now and has been such newspaper continuously, during all the times hereafter mentioned; that the affiant is, and was during all the times hereafter mentioned, the business manager of said newspaper, in charge of the advertising department thereof; and has personal knowledge of all facts stated in this affidavit:

And that the notice and advertisement headed Mid Dakota
Application of No 7245-3

a printed copy of which is hereunto attached and made a part hereof, was printed and published in said newspaper in 2 successive issues. That the first publication of said notice in said newspaper aforesaid was on Tuesday, the 3 day of May 2011; and that the succeeding publications were:

On Tuesday, the 10 day of May, 2011

On Tuesday, the _____ day of _____, 20____

On Tuesday, the _____ day of _____, 20____

That the fee charged for the printing and publishing of said notice and advertisement in said newspaper aforesaid, was 69 dollars and 23 cents, and for this affidavit; and that said fee for printing and publishing said notice and advertisement in said newspaper has been full paid; that the full amount of fees charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publisher of the said True Dakotan; and no agreement or understanding for the division thereof has been made with any person whomsoever; that the said newspaper is a legal newspaper as provided by law.

Signed: Karen Wenzel

Subscribed and sworn to before me, this 23 day of May 2011.

Penny Wenzel Notary Public in and for
Jerauld County, South Dakota

AFFIDAVIT EX REL PUBLICATIONS FEES STATE OF SOUTH DAKOTA, COUNTY OF JERAULD, SS.

_____ being first duly sworn on his oath, says that he is one of the authorized attorneys of the
In the action mentioned and described in the annexed notice; that the affiant directed the publication of the annexed notice; that no agreement or understanding for any division of the fees therefore has been made with any person whomsoever; and that no part therefore has been refunded or rebated by the party publishing said notice.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public, Jerauld County, South Dakota

NOTICE OF APPLICATION NO. 7245-3

to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs. The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 two times at an approximate cost of \$69.23

c-31-32

RECEIVED

MAY 13 2011

Form 8

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION

NO. 7245-3

TO APPROPRIATE WATER

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, P.O. Box 318, Miller, SD 57362, has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS

County of Kingsbury

I, Kurt Pfeifle

certify that the attached printed Notice was taken

from the De Smet News

printed and published in De Smet

County of Kingsbury and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 4, 2011

May 11, 2011

Cost of Printing 66.96

Kurt Pfeifle
(Signature)

Editor
(Title)

5-12-2011
(Date Signed)

100 li x 37.2 = 37.20
x 80% wk 22 79.76
66.96

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 May 23, 2011.

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 at an approximate cost of \$66.96.

5-4-2wc-5-11

RECEIVED

MAY 20 2011

WATER RIGHTS
PROGRAM

Notice of application to appropriate water

NOTICE OF APPLICATION NO.
7245-3 to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller, SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 \$63.68.

-050511-051211

Affidavit of Publication

STATE OF SOUTH DAKOTA,
COUNTY OF POTTER, ss.

I, Elizabeth Rische being first duly sworn, on oath says, that she is the bookkeeper 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, Appropriate Water,
Application #7245-3

Mid Dakota Rural Water System

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

May 5th and 12th, 2011

That the full amount of the fees for the
publication of the annexed notice is \$63.68

Elizabeth Rische

Subscribed and sworn to before me this ____ 13th ____

day of ____ May ____, 2011

Linda Meyer

Linda Meyer, Notary Public
State of South Dakota

My commission expires October 28th, 2015

LINDA LEE MEYER
Notary Public
SEAL
South Dakota

RECEIVED

MAY 24 2011

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF SANBORN

Hillary L. Lister
being the firm duly sworn, depose and say: That she is a resident of the County of Sanborn and State of South Dakota, that the Sanborn Weekly Journal, Inc. is a weekly newspaper of general circulation, printed and published in the City of Woomersley, in said County and State by:

Hillary L. Lister
and she now and has been said newspaper continuously during all the time hereinafter mentioned; that the affiant is and was during all the time hereinafter mentioned the printer and publisher of said newspaper in charge of the advertising department thereof; and has personal knowledge of all the facts stated in this affidavit, and that the notice and advertisement inserted:

Notice of application

No. 7245-3 to appropriate
water

a printed copy of which is herewith attached and made a part thereof, was printed and published in the said newspaper once a week for 2 consecutive issues.

That the first publication of said notice in said newspaper was on Thursday, the 5 day of May A.D., 2011 and that the succeeding publication was severally -

on Thursday, the 12 day of May A.D. 2011

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

on Thursday, the _____ day of _____ A.D. _____

that the fees charged for printing and publication of said notice and advertisement in said newspaper as aforesaid were 59 Dollars and 04 Cents, and that said fees for the printing and publishing of said notice and advertisement, have been fully paid; that the full amount of the fee charged for the publishing of said attached and annexed notice and advertisement inures to the benefit of the publishers of the said newspaper that no agreement or understanding for the division thereof has been made with any other person; and that no part thereof has been agreed to be paid to any person, whomever. That the said newspaper is a legal newspaper as provided in Section 65.0503, South Dakota Code, as amended.

Subscribed and sworn to before me this 18 day of May 2011

Bryan Ziff
Notary Public, Sanborn County, South Dakota

My Commission Expires
December 2015

NOTICE OF APPLICATION NO. 7245-3 TO APPROPRIATE WATER

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid-Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home, Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare and Wolsey. The application serves to add these separate systems to Mid-Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends **APPROVAL** of Application No. 7245-3 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 May 23, 2011.

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 an approximate cost of \$58.00.

SJ36-2tb

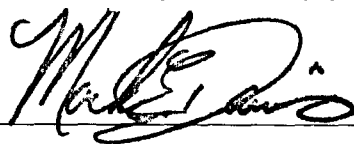
MAY 12 2011

WATER RIGHTS
PROGRAM**Affidavit of Publication**STATE OF SOUTH DAKOTA,
County of Spink: ss.

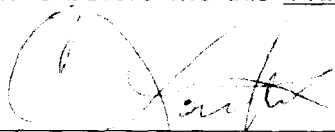
I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield,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

#309 Notice

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 May 4th and the last publication being made on May 11th, that Fifty-eight and .59/100 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 11th day of May, 2011.



Notary Public, South Dakota

My commission expires 04/06/2016**Notice**

#309

NOTICE OF APPLICATION**NO. 7245-3 to Appropriate Water**

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 an approximate cost of \$58.59. (May 4, 11)

RECEIVED

MAY 23 2011

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Sully) SS

I, Marileen Tilberg

certify that the attached printed Notice was
taken

from the Onida Watchman

printed and published in Onida

County of Sully and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

May 5, 2011

May 12, 2011

Cost of Printing \$59.95

Marileen Tilberg
(Signature)

Managing Editor
(Title)

5-18-2011
(Date Signed)

**NOTICE OF
APPLICATION
NO. 7245-3 to**

Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural

Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Stora, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 May 5 & 12, 2011, at an approximate cost of \$59.95. 18-19



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

South Dakota Mail
PO Box 367
Plankinton SD 57368

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 5, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Central Dakota Times
PO Box 125
Chamberlain SD 57325

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Faulk County Record
PO Box 68
Faulkton SD 57438

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159** for the cost of the publication.

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Miller Press
PO Box 196
Miller SD 57362

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Capital Journal
PO Box 878
Pierre SD 57501

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Highmore Herald
PO Box 435
Highmore SD 57345

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 5, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159** for the cost of the publication.

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

True Dakotan
PO Box 358
Wess Springs SD 57382

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 3, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

DeSmet News
PO Box 69
DeSmet SD 57231

ATTENTION: Legal Public Notice

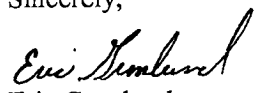
Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Potter County News
110 S Exene St
Gettysburg SD 57442

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 5, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 21, 2011

Sanborn Weekly Journal
PO Box 218
Woonsocket SD 57385

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 5, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159** for the cost of the publication.

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Redfield Press
PO Box 440
Redfield SD 57469

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 4, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 2011

Onida Watchman
PO Box 245
Onida SD 57564

ATTENTION: Legal Public Notice

Enclosed is Notice of Application No. 7245-3 to Appropriate Water to be published twice. Please publish the first notice on May 5, 2011 with the second publication 7 days later. The text of the notice has been emailed to your paper. If you have questions regarding the text contact Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

Mid-Dakota Rural Water System Inc. must verify to you that the notice is to be published, before you make the first publication. **Please BILL the Mid Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 (Phone # 605 853-3159 for the cost of the publication.**

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. 7245-3

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

Date _____

We are in receipt of your letter of April 21, 2011 enclosing Notice to Appropriate Water by Application No. 7245-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 21, 2011

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

Mid-Dakota Rural Water System Inc.
c/o Kurt Pfeifle
PO Box 318
Miller SD 57362-0318

Dear Mr. Pfeifle:

Water Permit Application No. 7245-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. 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.

The notice has been emailed and sent to each of the papers on the attached list with instructions to publish the first two weeks of May, 2011. You will need to contact each of the newspapers to authorize publication and arrange for payment of this notice.

Early contact with the paper can eliminate delays. Upon receiving authorization from you, the papers have been instructed to publish the notice once each week for two consecutive weeks. The papers 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.

If you have questions, please contact me.

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. The Water Management Board will then consider your concerns during a hearing on the application.

NOTICE OF APPLICATION NO. 7245-3 to Appropriate Water

Notice is given that Mid-Dakota Rural Water System, Inc., c/o Kurt Pfeifle, Manager, PO Box 318, Miller SD 57362 has filed an application for a water permit to increase the diversion rate authorized by Water Right No. 5809A-3 and connect additional separate water distribution systems. Water Right No. 5809A-3 appropriates 9,999 acre feet of water from the Missouri River at a rate of 16.55 cubic feet of water per second (cfs). The diversion point is located in the NE 1/4 SE 1/4 Section 26-T112N-R80W in Hughes County. This application requests additional diversion rate authority of 7.95 cfs for use at the water treatment plant with no increase in the annual volume limit of 9,999 acre-feet of water annually authorized by Water Right No. 5809A-3. Approval of this application results in diversion rate authority totaling 24.5 cfs.

The rural water system serves users in Aurora, Beadle, Buffalo, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties. The additional water distribution systems not currently listed on Water Right No. 5809A-3 that are served by Mid Dakota Rural Water System are Cavour, Del Acres Trailer Park, Hitchcock, Holabird, Miller Dale Colony, Oahe Acres Development, Our Home Inc., Sunshine Bible Academy, Spring Creek Sanitary System, Spring Valley Colony, Storla, Tulare, and Wolsey. The application serves to add these separate systems to Mid Dakota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7245-3 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 May 23, 2011.

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 at an approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 01 2011

Mid-Dakota Rural Water System
Kurt Pfeifle
PO Box 318
Miller SD 57362

Dear Mr. Pfeifle:

Enclosed is Water Permit No. 7245-3 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

RECEIVED

7245-3

FEB 26 2014

MID-DAKOTA RURAL WATER SYS., INC.
PO Box 318 ♦ Miller, SD ♦ 57362
Ph: (605) 853-3159 Fax: (605) 853-3245

WATER RIGHTS PROGRAM **LETTER OF TRANSMITTAL**

To: Water Rights Program, DENR

523 E. Capitol

Pierre, SD 57501-3181

Date:	February 24, 2014
Contract #:	
Attn:	Garland Erbele
Re:	Water Permit No. 7245-3

WE ARE SENDING YOU: ☒ Attached ☐ Under separate cover the following items:

Copies	Date	No.	Description
1	2/24/14		Form 10 for Water Permit No. 7245-3
1	2/24/14		Copy of Water Permit No. 7245-3

THESE ARE TRANSMITTED as checked below: ☒

☒ For your information ☒ For your records ☐ For your use ☐ For your approval
☐ For review and comment ☐ As requested ☐

Remarks:

Wayne Ruhnke
O&M Coordinator
Mid-Dakota Rural Water System, Inc.

CC:

Signed:

Wayne Ruhnke

File: permits & licenses 2.1.3

7245-3

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
FEB 26 2014
WATER RIGHTS
PROGRAM

Date February 24, 2014

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Mid-Dakota Rural Water System, Inc.
(name)

P.O. Box 318

(address)

Miller, SD 57362

(city, state, zip)

(605) 853-3159

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7245-3 states that the water use system is to be constructed by

May 23, 2016
(date)

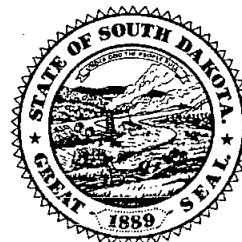
, and water is to be put to beneficial use by May 23, 2020
(date)

The water use system was completed on October 12, 2012
(date)

Applying the water to beneficial use was completed on October 12, 2012
(date)

You may schedule an investigation so that the water license may be issued.

[Signature]
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 28, 2014

7245-3

Wayne Ruhnke
O & M Coordinator
Mid Dakota Rural Water System Inc
PO Box 318
Miller SD 57362

Dear Mr. Ruhnke:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you submitted for Water Permit No. 7245-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of the project and the staff inspection has no bearing on the water permit. Someone from our office will contact you prior to the inspection to set up a time that is convenient for you.

For informational purposes, Garland Erbele retired from the Water Rights Program as of April, 2013. Jeanne Goodman is our new chief engineer.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Water Permit No. 7245-3
Missouri River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 1, 2016, made a thorough examination of the water use system constructed by Mid-Dakota RWS, Inc of PO Box 318, Miller, SD 57362 holder of Permit No. 7245-3, bearing the priority of April 12, 2011 authorizing the diversion of an additional 7.95 cu. ft. per second of the waters of the Missouri River for Rural Water purposes, in Hughes County.

Inspection contact & relationship **Bill Sarringar (945-0437)**
to permit holder, if applicable:

A. Works used to divert the water:

Pumps:

- 1) Make (4) Goulds
- 2) Model MAPS
- 3) Size 16 DMC
- 4) Capacity 3,500 GPM

Motor:

- 1) Make (4) US Motor
- 2) Type PV 14-47 VPA
- 3) Horsepower rating 400 hp

B. Works used to transport water to place of use:

- 1) Type Rural Water Distribution System

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 1,550 feet north and 1,180 feet west of the SE corner of Section 26-T112N-R80W
(N 44.479797, W -100.415278) (NE ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 24.5 cu. ft. per second of water which is to be used for the Rural Water System.

The license should be issued for 24.5 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

Water Permit No. 7245-3 authorizes an increase of 7.95 cfs in the diversion rate authorized by Water Right No. 5809A-3, and adds additional water distributions systems with no increase of annual volume. Water Right No. 5809A-3 authorizes the diversion rate of 16.55 cfs, and 9,999 acre-feet annually.

Water Permit No. 7245-3, and Water Right No. 5809A-3 should be incorporated while retaining priority dates of May 11, 1993 (16.49 cfs), March 14, 1994 (0.06 cfs), and April 12, 2011 (7.95 cfs).


Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: August 24, 2016



7245-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

7245-3
5809A-3

OCT 24 2016

Mid-Dakota Rural Water System Inc.
Kurt Pfeifle, Manager
PO Box 318
Miller SD 57362-0318

Dear Mr. Pfeifle:

Enclosed is Water License No. 7245-3. This is the final water right document completing the process of obtaining a Water Right. Also, included with the license is a map prepared by the staff engineer who conducted the investigation.

As long as the system uses the water beneficially, as stated in the Water License, the State Water Laws provide that the system has a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

Note: The applicable portions of No. 5809A-3 are incorporated into Water License No. 7245-3.

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7245-3

(1) Mid-Dakota Rural Water System, Inc. PO Box 318, Miller SD 57326 made Application No. 7245-3, April 12, 2011 for a water permit to divert 7.95 cubic feet of water per second (cfs) from the Missouri River, Hughes County, South Dakota for rural water system use purposes. Permit No. 7245-3, with a priority date of April 12, 2011 was approved May 23, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 23, 2016 and for the application to beneficial use of water on or before May 23, 2020.

No. 7245-3 increased the diversion rate authorized under Water Right No. 5809A-3 and the connection of additional separate water distribution systems. Water Right No. 5809A-3, with priority dates of May 11, 1993 and March 14, 1994 authorizes 16.55 cfs from the Missouri River. The applicable portions of No. 5809A-3 have been incorporated into this Water License No. 7245-3.

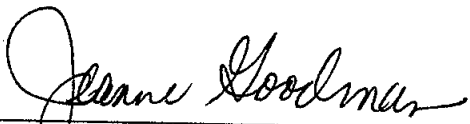
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 7245-3 is issued a license, bearing priority dates of May 11, 1993 (16.49 cfs), March 14, 1994 (0.06 cfs), and April 12, 2011 (7.95 cfs) to appropriate a total of 24.5 cfs (9,999 acre-feet annually) from the Missouri River.

The rural water system serves communities and rural hook-ups located in Aurora, Beadle, Clark, Faulk, Hand, Hughes, Hyde, Jerauld, Kingsbury, Potter, Sanborn, Spink and Sully Counties.

The diversion point is located: 1,550 feet N and 1,180 feet W of the SE corner of Section 26-T112N-R80W (NE 1/4 SE 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 7245-3 including the following qualification:

- The Mid-Dakota Rural Water System, Inc. shall report to the Chief Engineer annually the amount of water withdrawn from the Missouri River. ***Water use reports are submitted annually and on file with the Water Rights Program.***



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

OCT 24 2016

date

