

WATER PERMIT NO. 8321-3

Name of Applicant: **Grant-Roberts Rural Water System, Inc.**

Address: **PO Box 145, Milbank SD 57252** Phone: **605 432-6793**

Amount of Water Claimed: **307 AF** Total Acres: **NA**

Source of Water Supply: **6 wells**

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

Type of Waste Disposal System:

Location: **1 mile north of South Shore**

PRIORITY Date Received: **12-4-17** Application/License Fee: **\$ 1050.00**

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

Remarks: **Requesting an additional 307 AF to Water Right No. 6654-3 and to connect Big Stone City to the system**

Diversion Point: **Sec 10-T119N-R51W**

Land to be Irrigated: **NA**

Depth of Well: **105 -147 feet deep**

Well Driller:

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: **12-20-17**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8321-3**

Date of first receipt of application December 20, 2017.

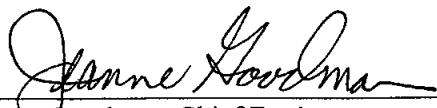
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8321-3 to Grant-Roberts Rural Water System, Inc., PO Box 145, Milbank SD 57252 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Grant-Roberts Rural Water System, Inc. holds Water Right No. 6654-3 which appropriates 1,074 acre-feet of water annually at a maximum diversion rate of 3.56 cubic feet of water per second from six wells completed into the Antelope Valley Aquifer located in the NE 1/4 SE 1/4, S 1/2 NE 1/4, NE 1/4 NW 1/4 Section 10-T119N-R51W which is located one mile north of South Shore SD. This permit authorizes appropriation of an additional 307 acre-feet of water annually from the six existing wells authorized by Water Right No. 6654-3 for a total appropriation of 1,381 acre-feet of water annually. No increase in the diversion rate authorized by Water Right No. 6654-3 is allowed. This permit also authorizes connecting Big Stone City to the Grant-Roberts Rural Water System, Inc. The system serves users in Codington, Grant, Roberts, and Deuel Counties in South Dakota and Lac Qui Parle County in Minnesota.
2. The water appropriated shall be used for the purpose of rural water system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8321-3 is March 5, 2018.
5. The date from which applicant may claim right is December 20, 2017.
6. One-fifth of the construction is to be completed on or before September 5, 2020.
7. All construction is to be completed on or before March 5, 2023.
8. Water is to be put to beneficial use on or before March 5, 2027.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under Water Right No. 6654-3 and Water Permit No. 8321-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Antelope Valley aquifer.
3. Water Right No. 6654-3 and Water Permit No. 8321-3, combined, authorize a total annual diversion of 1,381 acre feet of water.

WATER MANAGEMENT BOARD

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

MAR 19 2018

date



RECEIVED

DEC 20 2017

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8321-3</u>	(office use only) Hydrologic Unit <u>07020001</u>
	Basin <u>Minnesota-Whetstone</u>	
	Newspaper <u>see 1/84</u>	

Application For Permit To Appropriate Water Within The State Of South Dakota**Check use(s) of water:**

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

Type of Application:
(check one)

☒ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☒ Amendment/Correction to Permit No. <u>6654-3</u>		

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

Increase usage to included water service to Big Stone City.1. Name to Appear on Water Permit Grant-Roberts Rural Water System, Inc.Mailing Address PO Box 145 Milbank SD 57252
(Address) (City) (State) (Zip Code)Phone 605-432-6793 Mobile _____ Email rwater1981@tnics.com2. Amount of water claimed no add'l *CFS or 307 additional **GPM and 307 ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)3. Source of water supply Wells in Antelope Valley Aquifer4. Location of point of diversion N 1/2 Section 10-119n-51w County Codington
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ NoIf "Yes," where will water be used? _____
(example - NW1/4 section 12-T104N-R53W)5. County or counties where water will be used Codington, Grant, Roberts, Deuel in South Dakota
and Lac Qui Parle Co. in Minnesota6. Annual period during which water is to be used January 1st - December 31st

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 system will be supplying water to Big Stone City. Requesting additional 307 AFI, Wendy Storm Manager, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

Replaced by application
Submitted 12/20/17

RECEIVED
DEC 04 2017
WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

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

Check use(s) of water:

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

Type of Application: (check one)

☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☒ Amendment/Correction to Permit No. 6654-3		

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

Change in usage to include water service to Big Stone City

1. Name to Appear on Water Permit Grant-Roberts Rural Water System, Inc.
Mailing Address PO Box 145 Milbank SD 57252
(Address) (City) (State) (Zip Code)
Phone 605-432-6793 Mobile _____ Email rwater1981@tnics.com

2. Amount of water claimed _____ *CFS or _____ **GPM and 1074 ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply Wells in Antelope Valley Aquifer

4. Location of point of diversion N 1/2 Sec. 10-119n-51W County Codington
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No

If "Yes," where will water be used? _____

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Codington, Grant, Roberts, Deuel in South Dakota
and Lac Qui Parle Co. in Minnesota

6. Annual period during which water is to be used January 1st - December 31st

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 system will be supplying water to Big Stone City. System is not requesting additional water, but utilizing appropriated water already permitted.

I, Wendy Storm Manager, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

Codington ✓ Public Opinion, Watertown
886-6901

Grant ✓ Grant County Review (Wed)
Milbank 432-4516

Roberts Sisseton Courier (Tues)
689-7642

Deuel ✓ Clear Lake Courier (Wed)
874-2499

Gronlund, Eric

From: Gronlund, Eric
Sent: Wednesday, December 20, 2017 1:52 PM
To: 'rwater1981@tnics.com'
Subject: water permit application for Grant-Robers RWS

Wendy Storm:

DENR received Grant-Roberts RWS's updated application that includes increasing the annual volume of water withdrawn by 307 acre feet of water annually & adds the connection to supply Big Stone City. Two things just to make sure we are on the same page.

1. The application checks the box indicating this is an amendment to Water Right No. 6654-3. However, since the application requests an additional annual volume of water this application is considered "new" and not an amendment.
2. This application requests to increase the annual volume withdrawn by 307 ac-ft/annually without an increase in the current pump rate authority of 3.56 cubic feet of water per second (1,600 gpm). This application does not purport to increase the instantaneous pump rate above 3.56 cfs. If the RWS pumps (or in the foreseeable future wants to pump) at a rate greater than this 3.56 cfs from the six existing wells now is the time to include it in this application.

Please let me know if you have any questions. DENR will proceed with processing the application.

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 4, 20 17

RECEIVED OF Grant Roberts Rural Water System 1209 South Dakota St PO Box 145 Milbank

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

Fee for Application for Permit No. <u>8321-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	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>8321-3</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	300 00

No. **08382**

By

Jeanne Goodman
Chief Engineer

27m

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 20, 2017

RECEIVED OF Grant Roberts Rural Water System, LLC 1209 south Dakota St Milbank

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

Fee for Application for Permit No. <u>8321-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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. _____		
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	750 00

No. **08399**

By

Jeanne Goodman
Chief Engineer

772

8321-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 8321-3, Grant-Roberts Rural
Water System

ADDRESS: COUNTY:

DATE: December 21, 2017 TELEPHONE:

RE: call from Wendy Storm, Manager

COMMENTS:

Ms. Storm called in response to my December 20, 2017.

She agreed the application should be considered "new" since it requests additional volume.

Ms. Storm stated that the rural water system is not requesting additional pump rate authority above the 3.56 cfs currently authorized from the six wells.

NAME: Eve Henderson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8321-3, Grant-Roberts 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 8321-3, Grant-Roberts Rural Water System, Inc., PO Box 145, Milbank SD 57252.

The Chief Engineer is recommending APPROVAL of Application No. 8321-3 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 qualifications:

1. The wells approved under Water Right No. 6654-3 and Water Permit No. 8321-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Antelope Valley aquifer.
3. Water Right No. 6654-3 and Water Permit No. 8321-3, combined, authorize a total annual diversion of 1,381 acre feet of water.

See report on application for additional information.

Jeanne Goodman, Chief Engineer

February 13, 2018

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 8321-3
GRANT-ROBERTS RURAL WATER SYSTEM, INC.
FEBRUARY 13, 2018

Water Permit Application No. 8321-3 proposes to connect a separate water distribution system, Big Stone City, SD, to the rural water system as required by ARSD 74:02:01:03.01 and to increase the annual volume of water appropriated for the rural water system by 307 acre-feet per year (ac-ft/yr.). Grant-Roberts Rural Water System, Inc. holds Water Right No. 6654-3, which appropriates 1,074 ac-ft/yr. at a maximum diversion rate of 3.56 cubic feet of water per second (cfs) from six wells completed into the Antelope Valley aquifer. The wells are located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1-T119N-R51W in Codington County approximately one mile north of South Shore, SD. Combined, this application, if approved, and Water Right No. 6654-3 would authorize the annual appropriation of 1,381 ac-ft/yr. at a maximum diversion rate of 3.56 cfs. This application, if approved, would not authorize an increase of the maximum diversion rate authorized by Water Right No. 6654-3.

AQUIFER: Antelope Valley (AV)

Aquifer Characteristics:

The Antelope Valley aquifer is a glacial-outwash aquifer that lies at or near land surface and is generally under unconfined conditions (Hansen, 1990). The aquifer is primarily comprised of brown, very coarse sand to coarse gravel (Hansen, 1990). The aquifer underlies portions of Codington, Grant, and Deuel Counties (Hedges et. al, 1982). The aquifer underlies approximately 28,700 acres and contains an estimate 64,580 ac-ft of recoverable water in storage (Hedges et. al, 1982). The Antelope Valley aquifer is hydraulically connected to numerous small lakes and sloughs that overlie or are directly adjacent to the aquifer (Hansen, 1990). The aquifer is generally under unconfined conditions. However, there are areas of the aquifer that are buried under up to 50 feet of till, such as the area of the wells used by Grant-Roberts Rural Water System. The aquifer is under confined conditions in those areas.

In Grant and Codington Counties, the depth to the top of the aquifer ranges from ground surface to 57 feet below ground surface (Hansen, 1990). The average thickness of aquifer materials is 34 feet (Hansen, 1990). The well completion reports on file for the wells authorized by Water Right No. 6654-3 show the top of the aquifer is approximately 50 feet below ground surface with an average aquifer thickness of approximately 60 ft (Water Rights, 2018c). The well completion reports show the wells are under confined conditions with artesian head pressure up to 50 feet (Water Rights, 2018c). Figure 1 is a map of the water rights/permits authorized to withdraw water from the Antelope Valley aquifer, the future use area for the Town of South Shore's Future Use Permit Nos. 4053-3 and 4053B-3, and the three Antelope Valley aquifer observation wells in the immediate vicinity of the water rights/permits. Table 1 lists the water rights/permits shown in Figure 1.

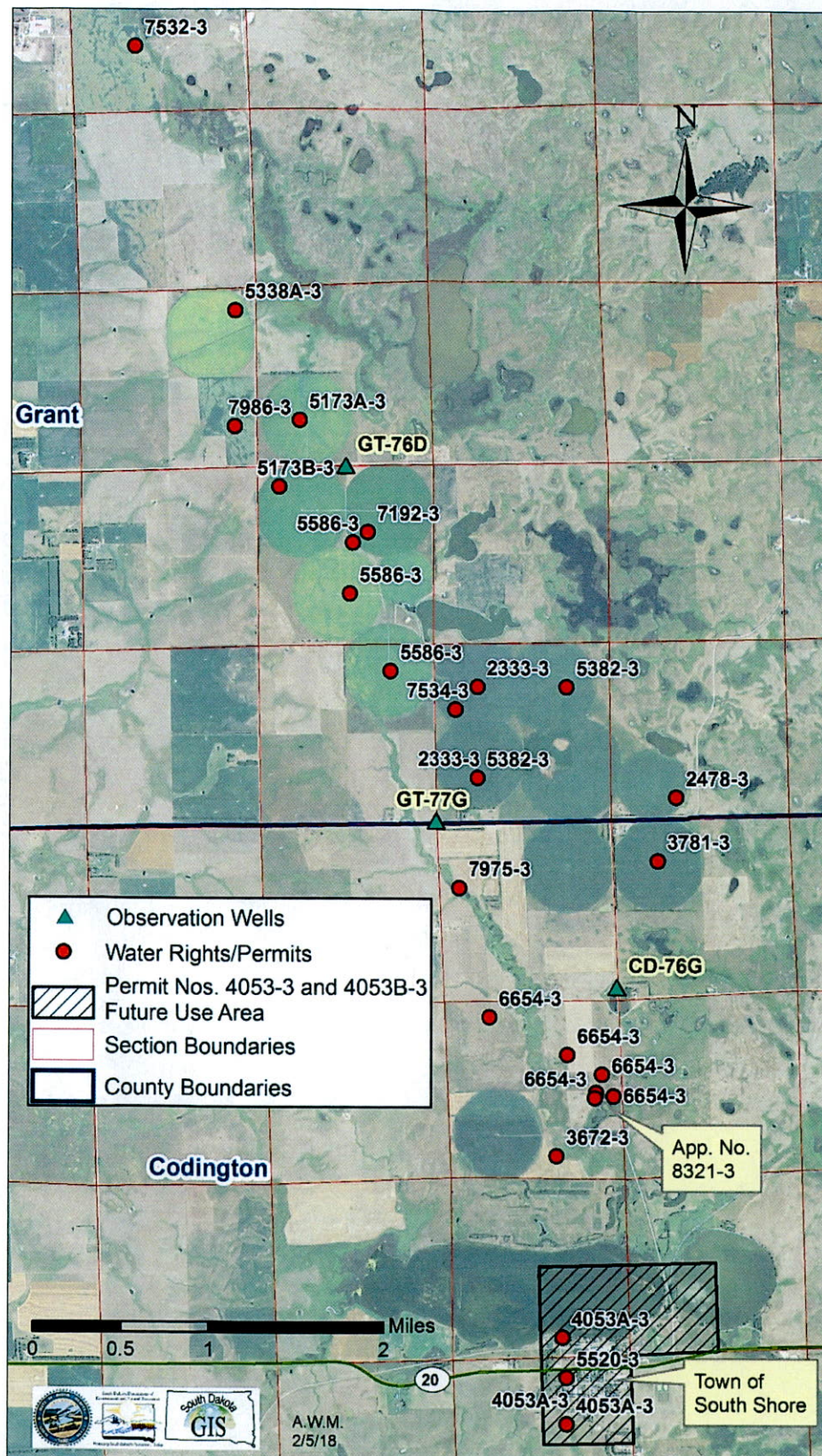


Figure 1- Map of water rights/permits with observation wells for the Antelope Valley aquifer (Water Rights, 2018a and 2018b)

Table 1- Water rights/permits and future use permits in the Antelope Valley aquifer (Water Rights, 2018b)

Permit No.	Name	County	Status	Use	CFS	Acres
2333-3	Joe/John Arthur	GT	LC	IRR	4	500
2478-3	Joe/John Arthur	GT	LC	IRR	1.07	75
3672-3	Coast Properties Investors LLC	CD	LC	IRR	1.78	132
3781-3	Joe/John Arthur	CD	LC	IRR	3.75	264
4053-3	Town of South Shore	CD	FU	MUN	n/a	n/a
4053A-3	Town of South Shore	CD	LC	MUN	0.58	0
4053B-3	Town of South Shore	CD	FU	MUN	n/a	n/a
5173A-3	Willow Run Farms FLP	GT	LC	IRR	2.44	166
5173B-3	Willow Run Farms FLP	GT	LC	IRR	1.78	136
5338A-3	Willow Run Farms FLP	GT	LC	IRR	1.78	130
5382-3	John & Joe Arthur	GT	PE	IRR	3.14	55
5520-3	Town of South Shore	CD	LC	MUN	0.09	n/a
5586-3	Willow Run Farms FLP	GT	LC	IRR	6	420
6654-3	Grant Roberts RWS INC	CD	LC	RWS	3.56	n/a
7192-3	Willow Run Farms FLP	GT	PE	IRR	1.11	55
7532-3	Matthew P Lowe	GT	PE	IRR	1.78	145
7534-3	Joe/John Arthur	GT	PE	IRR	1.78	0
7975-3	Jim & Dan Thyen	CD	PE	IRR	1.89	148.8
7986-3	Brian Meyer	GT	PE	IRR	1.93	135
GT= Grant, CD= Codington, LC= Water Right, FU= Future Use, PE= Water Permit, IRR= Irrigation, MUN= Municipal, RWS= Rural Water System, n/a= not applicable						

SOUTH DAKOTA CODIFIED LAW (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for this applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and effects on existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

This application proposes to appropriate water from the Antelope Valley aquifer. The probability of unappropriated water available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source." If the source of the water is older or lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not consider the recharge/withdrawal issue. While the applicant is a water distribution system, the aquifer is not stratigraphically lower than the Greenhorn Formation. Therefore, the recharge/withdrawal issue does need to be considered.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that the Water Management Board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.

The DENR-Water Rights Program monitors four observation wells completed into the Antelope Valley aquifer (Water Rights, 2018a). Figures 2 through 5 show the hydrographs for the observation wells completed into the Antelope Valley aquifer. Observation wells GT-77G, GT-76D, and GT-81A are under unconfined conditions and CD-76G is under confined conditions. Observation wells GT-77G, GT-76D, and GT-81A show stable to slightly rising water levels over the period of record (Water Rights, 2018a). However, observation well CD-76G shows a slight decline over the period of record. Observation well CD-76G is within one-half mile of the well field for Grant-Roberts Rural Water System, Inc. and is under confined conditions. The slight decline is a small reduction in the artesian head pressure of the aquifer at the well. It does not represent a reduction in recoverable water in storage in the aquifer nor does it represent withdrawals exceeding recharge on an average annual basis. It shows the aquifer in this area is equilibrating to an increase of pumping over the period of record. Even at the lowest recorded water level in CD-76G, there was still 19 feet of artesian head pressure above the top of the aquifer at that location. Furthermore, observation well GT-77G is approximately 1.4 miles northwest of CD-76G and shows a stable water level over the same period of record.

The water levels of the observation wells completed into the Antelope Valley aquifer are representative of the water level in the aquifer. The water levels in the observation wells document the cyclic changes in water level caused by climatic conditions, rising water levels during wetter periods and slowly declining levels during drier periods. The three unconfined observation wells, GT-77G, GT-76D, and GT-81A, do not show any effects of pumping on water level. Observation CD-76G shows that pumping reduces artesian head pressure during the irrigation season, but also shows the water level recovers at the end of the season. This means that climatic conditions dominate changes in water level. Dominance of climatic conditions means recharge to and natural discharge from the aquifer significantly exceeds well withdrawals. Recognizing natural discharge can be captured for pumping, the hydrographs document there is a reasonable probability unappropriated water is available for this proposed appropriation.

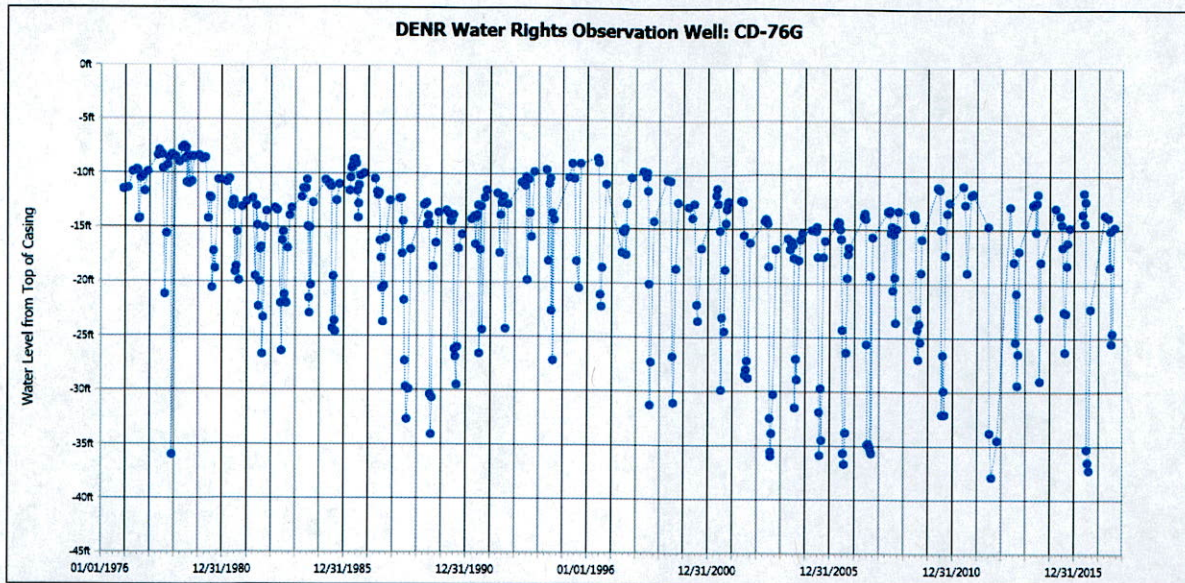


Figure 2- Hydrograph for CD-76G, approximately 0.5 miles north of the wells Application No. 8321-3 proposes to use (Water Rights, 2018a)

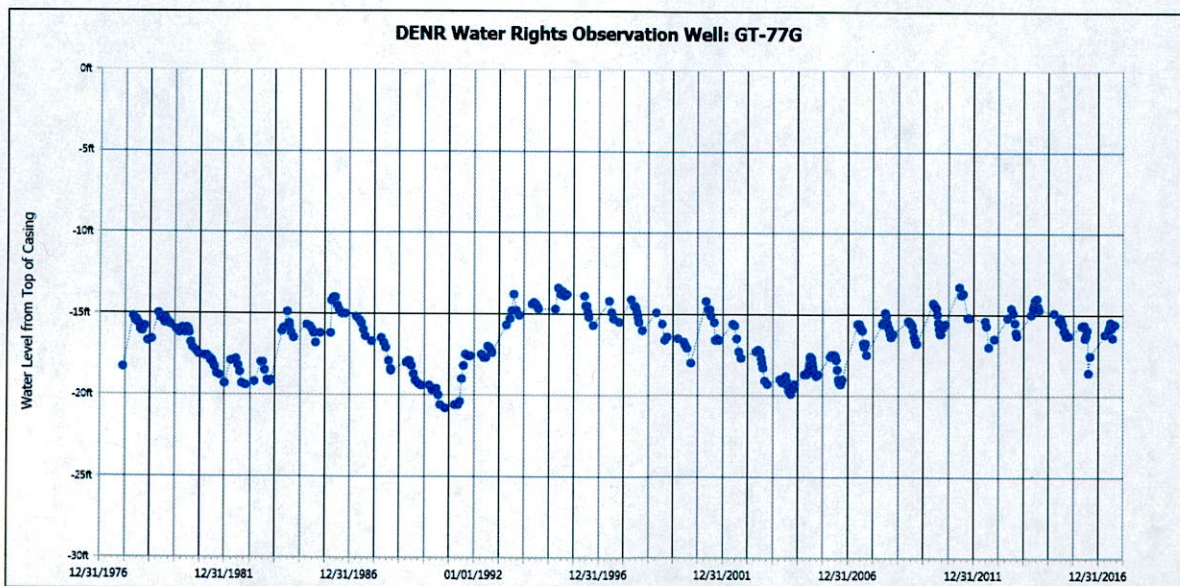


Figure 3- Hydrograph for GT-77G, approximately 1.7 miles northwest of the wells Application No. 8321-3 proposes to use (Water Rights, 2018a)

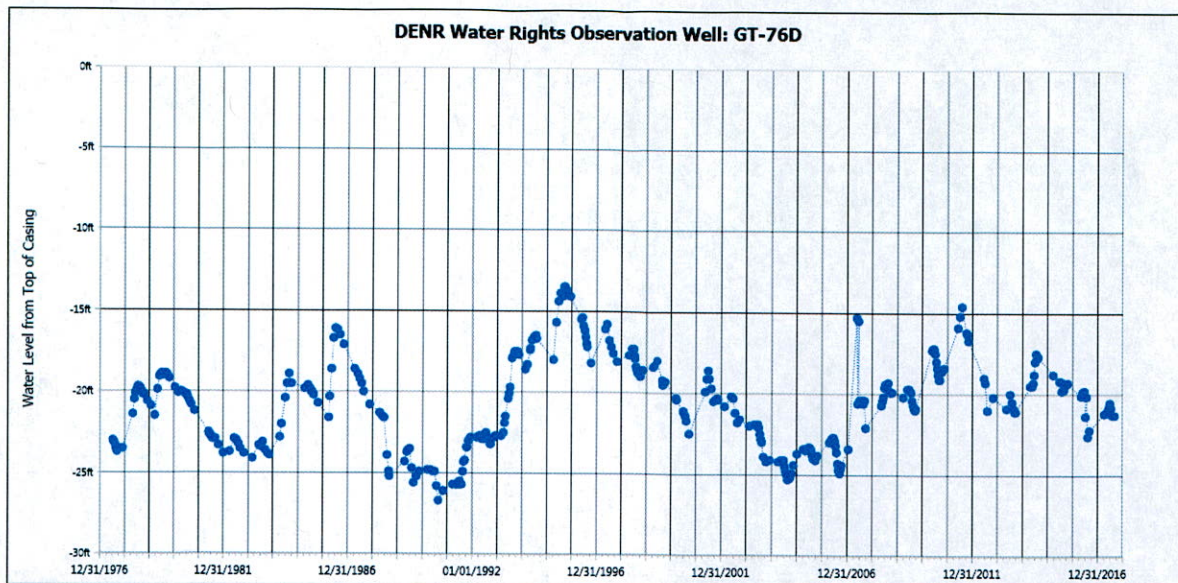


Figure 4- Hydrograph for GT-76D, approximately 3.7 miles northwest of the wells Application No. 8321-3 proposes to use (Water Rights, 2018a)

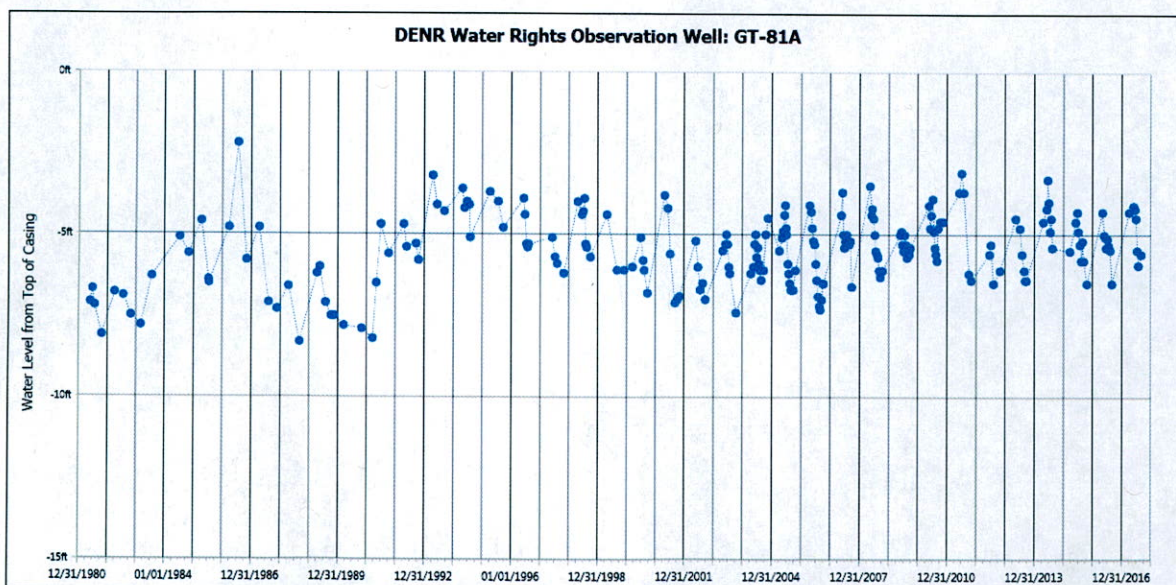


Figure 5- Hydrograph for GT-81A, approximately 9.2 miles southeast of the wells Application No. 8321-3 proposes to use (Water Rights, 2018a)

Hydrologic Budget:

Recharge:

Recharge to the Antelope Valley aquifer is primarily through direct infiltration and percolation of rainfall and snowmelt where the aquifer is at or near land surface (Hansen, 1990). Hedges and others (1985) estimated the recharge rate to the Antelope Valley aquifer to be 2.3 inches per year (in/yr.) using observation well analysis. Applying that recharge rate to Hedges and others (1982) area, the estimated average annual recharge to the Antelope Valley aquifer is 5,500 ac-ft/yr. It should be noted that Hedges and others' (1985) observation well analysis method assumed a rise in water level of an aquifer is the product of recharge only. In actuality, a water level rise is the

result of recharge to the aquifer exceeding discharge from the aquifer. Therefore, that method of observation well analysis may be conservative when estimating a recharge rate.

Withdrawals:

Discharge from the Antelope Valley aquifer is from well withdrawals, evaporation where the aquifer is at or near land surface, outflow to hydraulically connected lakes and sloughs including Punished Woman's, Round, and Crooked Lakes (Hansen, 1990). There are 17 water rights/permits authorized to withdraw water from the aquifer and 2 future use permits (Future Use Permit Nos. 4053-3 and 4053B-3) authorized to reserve water from the Antelope Valley aquifer (Water Rights, 2018b). There are also a number of domestic wells on file with the Water Rights Program that appear to be completed into the Antelope Valley aquifer (Water Rights, 2018c). The relatively low diversion rate by domestic users and the presence of Grant-Roberts Rural Water System over almost all of the extent of the aquifer means the amount of water withdrawn by domestic users from the Antelope Valley aquifer is not a significant portion of the overall withdrawals from the aquifer.

Historically, average annual water use by non-irrigation appropriations has been less than 60 percent of fulltime pumping. Therefore, non-irrigation water rights/permits are estimated to pump at their maximum permitted diversion rate for 60 percent of the time unless otherwise limited by their water right/permit. The estimated annual pumpage by Water Right Nos. 4053A-3 and 5520-3 for the Town of South Shore are limited only by diversion rate. Water Right No. 6654-3 is limited to pumping an annual volume of 1,074 ac-ft/yr. and is assumed to pump that volume. Table 2 lists the non-irrigation water rights authorized to withdraw water from and the future use permits reserving water from Antelope Valley aquifer along with estimated annual or permitted consumptive volumes and reservation volumes. Non-irrigation water rights and future use permits use or reserve 1,557 ac-ft/yr from the Antelope Valley aquifer.

Table 2- Non-irrigation water rights and future use permits from the Antelope Valley aquifer with estimated or permitted water use or water reservation (Water Rights, 2018b)

Permit No.	Name	County	Status	Use	CFS	Ac-ft
4053A-3	Town of South Shore	CD	LC	MUN	0.58	252*
5520-3	Town of South Shore	CD	LC	MUN	0.09	39*
6654-3	Grant Roberts RWS INC	CD	LC	RWS	3.56	1074
Non-irrigation pumpage						1365
4053-3	Town of South Shore	CD	FU	MUN		0
4053B-3	Town of South Shore	CD	FU	MUN		192
Future Use Reservation						192
Estimated non-irrigation pumpage plus future use reservation						1557
CD= Codington County, LC= Water Right, FU= Future Use Permit, MUN= Municipal, RWS= Rural Water System, *= Based on diversion rate						

The historic irrigation pumpage from the Antelope Valley aquifer as reported to the SD DENR-Water Rights Program through annual irrigation questionnaires is shown in Table 3. The average annual irrigation pumpage from the Antelope Valley aquifer is 1,072 ac-ft/yr.

Table 3- Historic annual irrigation pumpage from the Antelope Valley aquifer (Water Rights, 1979-2017)

Year	No. of Permits Reporting	Appropriation (ac-ft/yr.)	Pumpage (ac-ft/yr.)
2016	14	6114.6	2019.07
2015	14	6114.6	748.91
2014	14	6114.6	748.91
2013	12	5547	2003.03
2012	10	5257	2163.54
2011	10	5257	886.68
2010	10	5257	1419.22
2009	9	5147	1281.3
2008	9	4727	989.29
2007	9	5425	1299.29
2006	9	5425	1937.34
2005	9	5425	1740.32
2004	9	5425	1595.86
2003	9	5425	2000.65
2002	9	5425	1533.72
2001	9	5425	1808.88
2000	9	5425	1608.24
1999	9	5425	1378.77
1998	9	5425	1136.25
1997	8	3925	932
1996	8	4198	1029.32
1995	10	5698	469.31
1994	10	5698	699.46
1993	11	5917	310
1992	11	5917	650
1991	12	5927	988.5
1990	10	4466	1606
1989	7	4096	1427
1988	7	4914.1	1826.8
1987	6	4866.1	645
1986	6	5106.1	41
1985	6	5106.1	49
1984	6	5106.1	136
1983	6	5276.1	542.79
1982	5	4194	60.75
1981	7	4881	513
1980	8	4881	435
1979	7	4735	73
Min	5	3925	41
Max	14	6114.6	2163.54
Avg.	9	5229	1072

Hydrologic Budget:

The estimated average annual recharge to the Antelope Valley aquifer is 5,500 ac-ft/yr. The estimated average annual use plus future use reservation from the aquifer is 2,629 ac-ft/yr. This

application proposes to pump 307 ac-ft/yr. Current estimated pumpage plus the pumpage proposed by this application (2,936 ac-ft/yr.) is much less than the estimated average annual recharge to the Antelope Valley aquifer. These numbers agree with the observation well data. Therefore, there is a reasonable probability unappropriated water is available for this proposed appropriation.

EXISTING WATER RIGHTS:

There are six water rights/permits with diversion points within approximately 1.5 miles of the well sites authorized by Water Permit No. 6654-3, which this application intends to use (Water Rights, 2018b). There are several well completion reports on file with the SD DENR-Water Rights Program for domestic wells within approximately 1.5 miles of the wells this application proposes to use (Water Rights, 2018c).

This application does not propose to increase the permitted maximum diversion rate. However, the withdrawal of more water will increase the average diversion rate. The increase in average diversion rate will be 0.42 cfs, if this application is approved. That would bring the applicants average diversion rate, assuming pumping all of the permitted volume, to 1.91 cfs which is approximately 53 percent of their permitted maximum diversion rate. In simple terms if this application is approved, the applicant if constantly pumping would need to pump at a rate of 1.91 cfs to pump their permitted volume (1,074 ac-ft) plus the volume proposed by this application (307 ac-ft) in one year.

The Antelope Valley aquifer can be found under confined and unconfined conditions within approximately one mile of the wells this application proposes to use (Water Rights, 2018c). Observation well GT-77G is approximately 1.7 miles northwest of the well sites for this application and is within 1.5 miles of nine high capacity irrigation wells in an unconfined portion of the aquifer. Observation well GT-76D is approximately 3.7 miles northwest of the well sites and is within 1.5 miles of five high capacity irrigation wells in an unconfined portion of the aquifer. The hydrographs for both observation wells (see Figures 3 and 4) show no effects of pumping on the water level in the aquifer. Where the Antelope Valley aquifer is under unconfined conditions, drawdown is not expected to be significant as shown in the hydrographs for observation wells GT-76D and GT-77G.

Observation well CD-76G is within 0.75 miles of all of the wells authorized by Water Right No. 6654-3 as well as within 1.5 miles of the wells for six high capacity irrigation water rights/permits in the confined portion of the aquifer. The hydrograph for CD-76G, see Figure 2, shows there was at least 20 feet of artesian head pressure above the top of the aquifer when the lowest recorded water level in the observation well was measured. Furthermore, the location of the applicant's wells means any increase in drawdown created by pumping more water will impact their wells first. This means the applicant will likely manage their system to minimize impacts to themselves and therefore to other appropriative users.

In the past, the Water Management Board has recognized to place water to maximum beneficial use, a certain amount of drawdown may occur. Since the aquifer is under confined conditions at the well site, drawdown due to pumping may extend some distance from the well site even though it is not expected to do so. The Water Management Board has promulgated rules that

allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an "adversely impacted domestic well" in ARSD 74:02:04:20(7) as:

"a well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs".

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use of water issued for Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Water Management Board adopted Findings of Facts and Conclusions of Law that noted reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, "general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable..." (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered an adverse impact it would also be in conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to lower their pumps to accommodate for deeper water levels depending on the specific characteristics of the Antelope Valley aquifer. However, when considering the statutes (SDCL 46-1-4 and 46-6-6.1), rule (ARSD 74:02:04:20(7)), the artesian head pressure at the well site, and the limited diversion rate proposed by this application, well interference from this proposed diversion is not expected to cause an adverse impact. Therefore, there is a reasonable probability that any interference created by pumping for this proposed appropriation will not be adverse.

CONCLUSIONS:

1. Application No. 8321-3 proposes to appropriate 307 ac-ft/yr. from the Antelope Valley aquifer using the wells and diversion rate authority authorized under Water Right No. 6654-3.
2. Water Right No. 6654-3 authorizes the withdrawal of 1,074 ac-ft/yr. from six wells completed into the Antelope Valley aquifer at maximum diversion rate of 3.56 cfs for rural water system use.
3. Based on the observation well data and a hydrologic budget, there is a reasonable probability unappropriated water is available for this proposed appropriation.
4. There is a reasonable probability the appropriation proposed by this application can be made without adversely impacting existing appropriative or domestic users.



Adam Mathiowetz, PE
SD DENR-Water Rights Program

REFERENCES:

- Hansen, D.S. 1990. Water Resources of Codington and Grant Counties, South Dakota. Water-Resources Investigations Report 89-4147. U.S. Geological Survey. Huron, SD.
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-water Resources in Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Water Rights. 1979-2017. "1979-2016 Irrigation Questionnaires": SD DENR-Water Rights Program, Joe Foss Building, Pierre, South Dakota.
- Water Rights. 2018a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 1995. Findings of Fact, Conclusions of Law, and Final Decision in the Matter of Water Permit Application No. 2313-2, Coca-Cola Bottling Company of the Black Hills. DENR-Water Rights Program file for Water Right No. 2313-2. Pierre, South Dakota.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

February 13, 2018

Grant-Roberts RWS, Inc.
PO Box 145
Milbank SD 57252

Dear Sir:

Water Permit Application No. 8321-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the following papers:

Codington County	Public Opinion, Watertown – 605 886-6901
Grant County	Grant County Review, Milbank – 605 432-4516
Roberts County	Sisseton Courier, Sisseton – 605 689-7642
Deuel County	Clear Lake Courier, Clear Lake – 605 874-2499

You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on February 21 or 22, 2018. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8321-3 to Appropriate Water

Notice is given that Grant-Roberts Rural Water System, Inc., PO Box 145, Milbank SD 57252 has filed an application to increase the annual volume of water appropriated for the rural water system and to connect a separate water distribution system to the rural water system as required by ARSD 74:02:01:03.01.

Grant-Roberts Rural Water System, Inc. holds Water Right No. 6654-3 which appropriates 1,074 acre-feet of water annually at a maximum diversion rate of 3.56 cubic feet of water per second from six wells completed into the Antelope Valley Aquifer located in the NE 1/4 SE 1/4, S 1/2 NE 1/4, NE 1/4 NW 1/4 Section 10-T119N-R51W which is located one mile north of South Shore SD. This application requests to appropriate an additional 307 acre-feet of water annually from the six existing wells authorized by Water Right No. 6654-3 for a total appropriation of 1,381 acre-feet of water annually. No increase in the diversion rate authorized by Water Rights No. 6654-3 is requested. This application also requests authorization to connect Big Stone City to the Grant-Roberts Rural Water System, Inc. The system serves users in Codington, Grant, Roberts, and Deuel Counties in South Dakota and Lac Qui Parle County in Minnesota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8321-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 5, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, February 13, 2018 10:28 AM
To: clprint2@itctel.com
Subject: 8321-3, Grant-Roberts RWS
Attachments: 8321-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on February 21, 2018.

Grant-Roberts Rural Water System, Inc. PO Box 145, Milbank SD 57252 (605 432-6793) has been notified to contact you to authorize publication and arrange for payment.

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

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

Karen Schlaak

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, February 13, 2018 10:27 AM
To: Sisseton Courier (news@sissetoncourier.com)
Subject: 8321-3, Grant-Roberts RWS
Attachments: 8321-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on February 20, 2018.

Grant-Roberts Rural Water System, Inc. PO Box 145, Milbank SD 57252 (605 432-6793) has been notified to contact you to authorize publication and arrange for payment.

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

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

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, February 13, 2018 10:25 AM
To: Julie Madison, Grant County Review (gcreview@itcmilbank.com)
Subject: 8321-3, Grant-Roberts RWS
Attachments: 8321-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on February 21, 2018.

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

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, February 13, 2018 10:24 AM
To: legals@thepublicopinion.com
Subject: 8321-3, Grant-Roberts RWS
Attachments: 8321-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on February 21, 2018.

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

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



RECEIVED

MAR 09 2018

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA }
County of Roberts ss.

Kevin H. Deutsch of said county, being first duly sworn, on oath says, that he is Editor of THE SISSETON COURIER, a weekly newspaper printed and published in Sisseton, in said county of Roberts, 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 52 successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Notice of Notice Of Application No. 8321-3-Appropriate water, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Feb. 20, 2018

that the full amount of the fee is charged for publication of said Notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever and that the fees charged for the publication there of are \$ 30.84

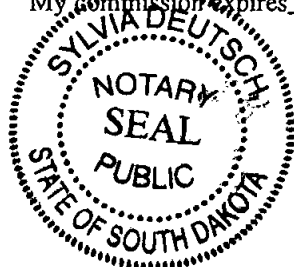
Kevin H. Deutsch

Subscribed and sworn to before me this 20th day of

February, A.D., 2018

Sylvia Deutsch

Notary Public, Roberts County, South Dakota
My commission expires February 3, 2022



NOTICE OF APPLICATION NO. 8321-3 TO

APPROPRIATE WATER

Notice is given that Grant-Roberts Rural Water System, Inc., PO Box 145, Milbank SD 57252 has filed an application to increase the annual volume of water appropriated for the rural water system and to connect a separate water distribution system to the rural water system as required by ARSD 74:02:01:03.01.

Grant-Roberts Rural Water System, Inc. holds Water Right No. 6654-3 which appropriates 1,074 acre-feet of water annually at a maximum diversion rate of 3.56 cubic feet of water per second from six wells completed into the Antelope Valley Aquifer located in the NE 1/4 SE 1/4, S 1/2 NE 1/4, NE 1/4 NW 1/4 Section 10-T119N-R51W which is located one mile north of South Shore SD. This application requests to appropriate an additional 307 acre-feet of water annually from the six existing wells authorized by Water Right No. 6654-3 for a total appropriation of 1,381 acre-feet of water annually. No increase in the diversion rate authorized by Water Rights No. 6654-3 is requested. This application also requests authorization to connect Big Stone City to the Grant-Roberts Rural Water System, Inc. The system serves users in Codington, Grant, Roberts, and Deuel Counties in South Dakota and Lac Qui Parle County in Minnesota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8321-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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

Published once at the total approximate cost of \$30.84.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Codington) SS

I, Jackie Wettstad

certify that the attached printed Notice was taken

from the Watertown

Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was published

in the newspaper on the following date:

February 21, 2018

Cost of Printing \$70.23

Jackie Wettstad
(Signature)

Accounting Clerk
(Title)

2/21/18
(Date Signed)

DEPT OF ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF APPLICATION NO. 8321-3 to Appropriate Water

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Published once at the total approximate cost of \$65.23.
7c.23 (February 21, 2018)

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FEB 26 2018

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

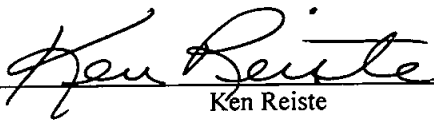
Ken Reiste being first duly sworn, on oath says: That he is publisher of the Clear Lake Courier, a weekly newspaper published in the City of Clear Lake, Deuel County, South Dakota; that he has full and personal knowledge of all facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Deuel and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the

Grant-Roberts Rural Water System, Inc Notice Of Application No. 8321-3 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 one successive week(s) to wit:

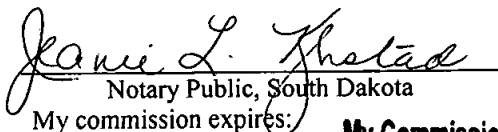
February 21, 2018

That the full amount of the fee charged for publication of the attached public notice insures to the sole benefit of the publisher; 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: \$36.17


Ken Reiste

Subscribed and sworn to before me

this 21st day of February,
2018


Notary Public, South Dakota
My commission expires:

My Commission Expires
JEANIE L. KJENSTAD
1/20/2023
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

NOTICE OF APPLICATION NO. 8321-3

to Appropriate Water

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If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose

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FEB 26 2018

WATER RIGHTS
PROGRAM

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Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources
Published once at the total approximate cost of \$36.17. (1-1/107)

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FEB 23 2018

WATER RIGHTS
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Affidavit of Publication

STATE OF SOUTH DAKOTA
County of Roberts

ss.

Kevin H. Deutsch of said county, being first duly sworn, on oath says, that he is Editor of THE SISSETON COURIER, a weekly newspaper printed and published in Sisseton, in said county of Roberts, 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 52 successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Notice of Notice Of Application No. 8321-3-Appropriate Water, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Feb. 20, 2018.

that the full amount of the fee is charged for publication of said Notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever and that the fees charged for the publication there of are \$ 30.84

Kevin H. Deutsch

Subscribed and sworn to before me this 20th day of

February, A.D., 2018

Stefan Deutsch

Notary Public, Roberts County, South Dakota
My commission expires February 3, 2022

NOTICE OF APPLICATION NO. 8321-3 TO APPROPRIATE WATER

Notice is given that Grant-Roberts Rural Water System, Inc., PO Box 145, Milbank SD 57252 has filed an application to increase the annual volume of water appropriated for the rural water system and to connect a separate water distribution system to the rural water system as required by ARSD 74:02:01:03.01.

Grant-Roberts Rural Water System, Inc. holds Water Right No. 6654-3 which appropriates 1,074 acre-feet of water annually at a maximum diversion rate of 3.56 cubic feet of water per second from six wells completed into the Antelope Valley Aquifer located in the NE 1/4 SE 1/4, S 1/2 NE 1/4, NE 1/4 NW 1/4 Section 10-T119N-R51W which is located one mile north of South Shore SD. This application requests to appropriate an additional 307 acre-feet of water annually from the six existing wells authorized by Water Right No. 6654-3 for a total appropriation of 1,381 acre-feet of water annually. No increase in the diversion rate authorized by Water Rights No. 6654-3 is requested. This application also requests authorization to connect Big Stone City to the Grant-Roberts Rural Water System, Inc. The system serves users in Codington, Grant, Roberts, and Deuel Counties in South Dakota and Lac Qui Parle County in Minnesota.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8321-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public>

or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 5, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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<http://denr.sd.gov>

MAR 19 2018

Grant-Roberts Rural Water System Inc.
Brent Hoffmann, Manager
PO Box 145
Milbank SD 57252

Dear Mr. Hoffmann:

Enclosed is Water Permit No. 8321-3 authorizing construction of the 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,

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