

WATER PERMIT NO. 8391-3

Name of Applicant: Big Sioux Community Water System Inc.

Address: 23343 479th Ave, Egan SD 57024 Phone: 605 864-1417

Amount of Water Claimed: 300 AF Total Acres: NA

Source of Water Supply: Big Sioux: Aquifer

Water to be used for: rural water system use County: Moody

Type of Waste Disposal System:

Location: 8 miles southeast of Madison

PRIORITY Date Received: 1-22-19 Application/License Fee: \$1050

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

Remarks: Withdrawal from Future Use Permit No. 3984B-3

Diversion Point: NW 1/4 Sec 8-T106N-R48W

Land to be Irrigated: NA

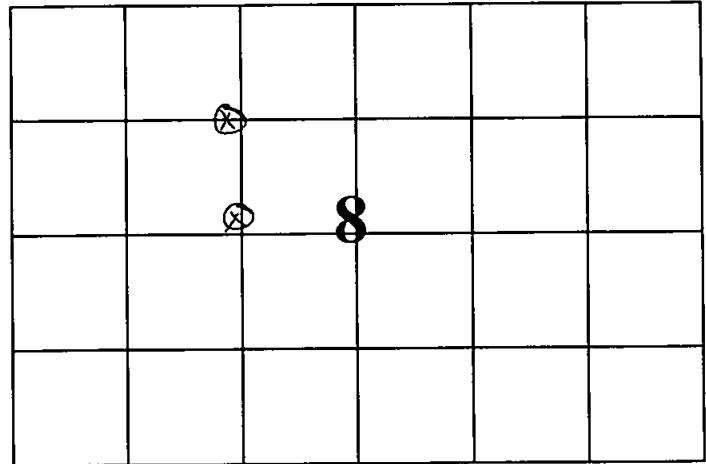
Depth of Well:

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 1-23-19

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

PAID

JAN 22 2019

Ck# 257850

RECEIVED

JAN 22 2019

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8391-3</u> (office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Sec 1st</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. <u>3984A-3</u>		
☐ Amendment/Correction to Permit No. _____		

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

1. Name to Appear on Water Permit Big Sioux Community Water System. inc.

Mailing Address 23343 479th Avenue Egan SD 57024
(Address) (City) (State) (Zip Code)

Phone 605-997-2098 Mobile 605-864-1417 Email bscws@bigsiouxews.com

2. Amount of water claimed 0.67 *CFS or 300 **GPM and 300 ***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 Ground water - Middle Big Sioux

4. Location of point of diversion 2 wells in NW 1/4, Section 8, T106N, R48W County Moody
(example - 3 wells in SW 1/4 NE 1/4 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? NE 1/4 Section 30, T106N R48W
(example - NW 1/4 section 12-T104N-R53W)

5. County or counties where water will be used Moody

6. Annual period during which water is to be used Jan. 1st - Dec. 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)

2 wells, one as a backup designed to pump 300 gpm for 15 hours per day to new 5,000 head Dairy located in NE 1/4, Section 30, T106N R48W.

I, Martin Jarrett General 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.

SOUTH DAKOTA
WATER PERMIT NO. 8391-3

Date of first receipt of application January 22, 2019.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8391-3 to Big Sioux Community Water System, Inc., 23343 479th Ave, Egan SD 57024 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. 8391-3 authorizes to construct and place to beneficial use 300 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from two wells to be completed into the Big Sioux:Moody Aquifer (30 and 36 feet deep) located in the W 1/2 NW 1/4 Section 8-T106N-R48W. The water was appropriated and reserved by Future Use Permit Nos. 3984-3, 3984A-3 and 3984B-3. The water will be used to supply a dairy operation located in the NE 1/4 Section 30-T106N-R48W. The site of the new wells is approximately 1/2 mile east of Egan SD.
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. 8391-3 is March 18, 2019.
5. The date from which applicant may claim right is June 6, 1977 (established by No. 3984-3).
6. One-fifth of the construction is to be completed on or before September 18, 2021.
7. All construction is to be completed on or before March 18, 2024.
8. Water is to be put to beneficial use on or before March 18, 2029.
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 this Permit 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 Big Sioux:Moody aquifer.
3. Water Permit No. 8391-3 authorizes a total annual diversion of 300 acre foot of water.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*

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

MAY 03 2019

date



1. Well Information

(check one or both as applicable)

☒ Drilling new well(s)

☒ Using existing well(s)

- a) If new wells, how many 2 Have test holes been drilled ☒ Yes ☐ No Drilled by Lacey Well Drilling #111
(if yes, please provide copies of logs)
- b) If existing wells, how many _____ Provide copy of log(s), if available. Drilled by _____

For either Existing or Proposed Wells:

North 30'

North 2'

North 9'

- c) Well Depth (required) South 36' Depth to Top of Water Bearing Material South 4' Depth to Water from Surface South 16'
- d) Distance to nearest domestic well on applicant's property 2,000' Property owned by others NA

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

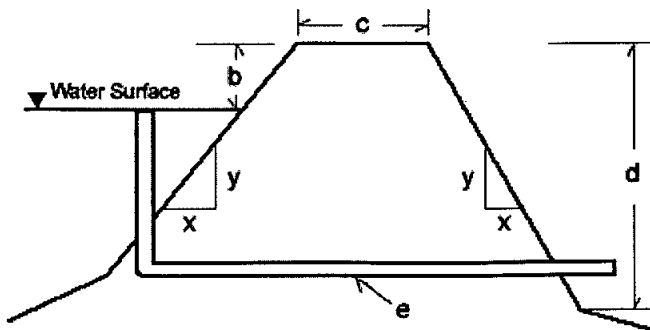
4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

[illegible]

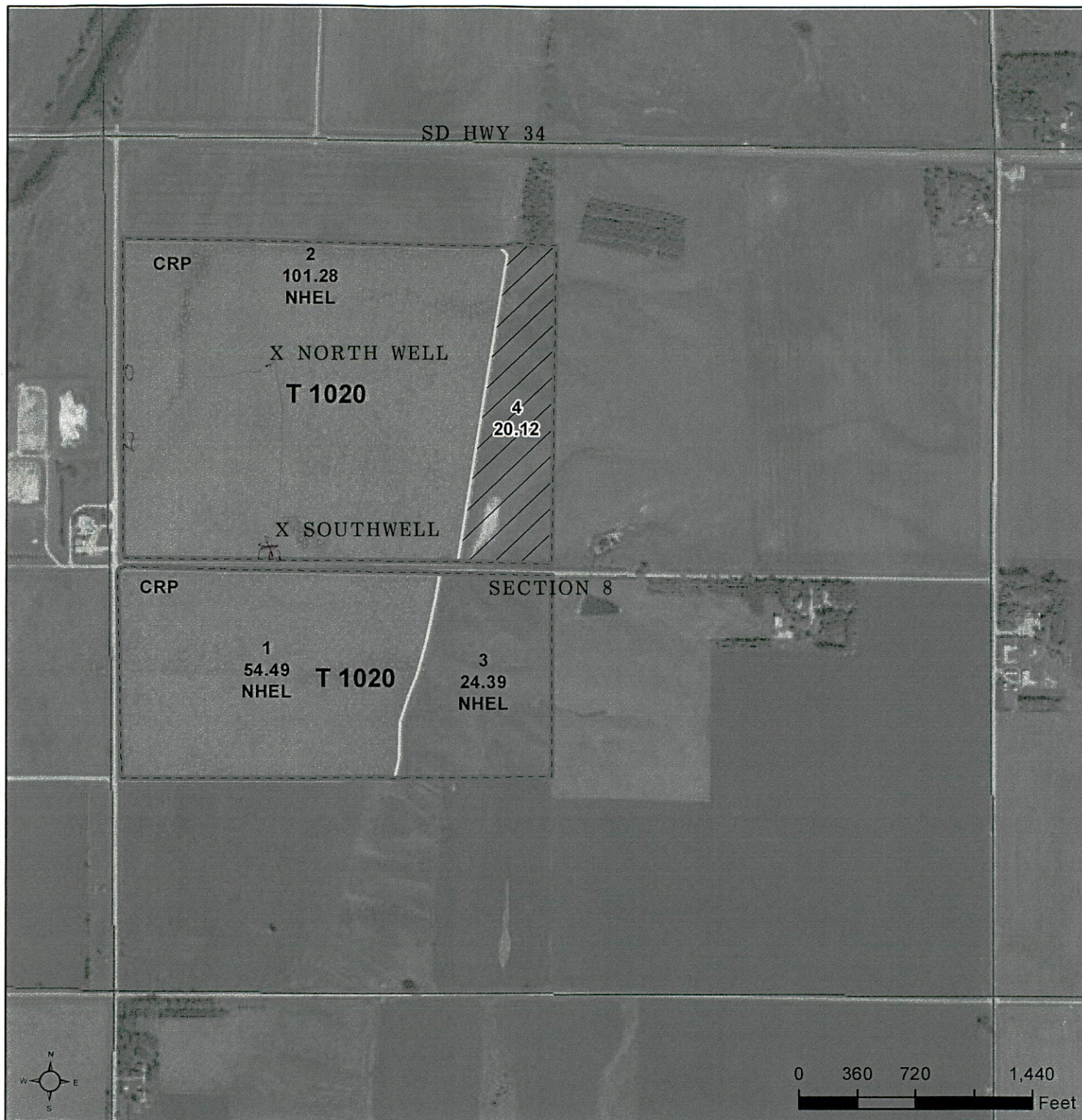
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres





United States
Department of
Agriculture

Moody County, South Dakota



Common Land Unit

Non-Cropland
Cropland

CRP

Tract Boundary
PLSS

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

2018 Program Year

Map Created November 21, 2017

Farm 3657

8 -106N -48W

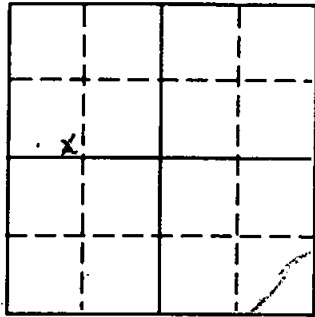
United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 D1W 1/4 Sec 8 Twp 106-N Rg 18-W

County Moody



Please mark well location with an "X"

Well completion Date

10-16-18

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

3/4 mile ft. from River (Identify source)

PROPOSED USE:

- ☐ Domestic/Stock
☐ Irrigation
☒ Municipal
☒ Industrial
☐ Business
☐ Institutional
☐ Test Holes
☐ Monitoring

METHOD OF DRILLING:

Bucket False Casing

CASING DATA:

- ☒ Steel
☐ Plastic
☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50 LB/FT</u>	<u>12 IN</u>	<u>+1 1/2" FT</u>	<u>21 1/2" FT</u>	<u>21 1/2 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Grout</u>	<u>12</u>	<u>Lb/gal</u>	<u>8' Ft</u>	<u>15' Ft</u>
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

- ☐ Perforated pipe
☒ Manufactured

Diameter 12 Inches Length 5 Feet

Material Stainless Steel

Slot Size Set From 2 1/2 Feet to 3 1/2 Feet

Other information

WAS A PACKER OR SEAL USED?

- ☐ Yes
☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

- ☒ Yes, How?

- ☐ No, Why Not?

Lab sample sent to for water quality analysis

Big Sioux

Please return **WHITE COPY** to: **DENR Water Rights**

Well Owner:

Business Name:

Big Sioux RW

Address:

Box 158

City, State, Zip:

EGAN, SD 57024

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>4</u>
<u>Yellow Sandy clay</u>	<u>4</u>	<u>10</u>
<u>Brown sand</u>	<u>10</u>	<u>13</u>
<u>Coarse Open Gravel</u>	<u>13</u>	<u>36 1/2"</u>

STATIC WATER LEVEL

16 1/2"

FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve

☐ Reducers

☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

- ☒ Pumped

Describe:

Sub

- ☐ Bailed

- ☐ Other

Pumping Level Below Land Surface

30 1/2"

Ft. After

3

Hrs. pumped

500

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

300 GPM

GPM

REMARKS

This well was drilled under license #

111

And this report is true and accurate.

Drilling firm:

Lacey Well Drilling, Inc.

Signature of License Representative:

RECEIVED

Signature of Well Owner or Equitable Property Holder:

JAN 22 2019

WATER RIGHTS PROGRAM

Date:

10/21/2018

523 E Capitol Ave.

Pierre SD 57501

In Water Since 1946

RECEIVED

Wells — Pumps
Dewatering Work
Test Drilling

LACEY WELL DRILLING, INC.
47582 - 240th St.
Dell Rapids, South Dakota 57022
Telephone (605) 428-5979

JAN 22 2019

Down-Hole Camera
WATER RIGHTS PROGRAM Water Specialists
Irrigation Supplies

9-17-18

Test Holes
Big Sioux RW

East of Plant

So. Site

0-4 Topsoil

4-10 Yellow Sandy Clay

10-13 Brown Sand

13-36' Coarse open Gravel

SWL-16'

No. Site

0-4 Topsoil

4-10 Yellow Sandy Clay

10-30 Coarse open Sand

SWL-10'

Drilled by: Lacey Well Drilling Inc.

Driller: Jim Lacey

L.N. = III



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JAN 28 2019

WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 22, 2019

Big Sioux Community Water System Inc
c/o Martin Jarrett, Manager
23343 479th Ave
Egan SD 57024

PAID

JAN 28 2019

Ck# 257852

Dear Mr. Jarrett:

Thank you for submitting the two *Applications for a Permit to Appropriate Water* for rural water system use. In order to complete the applications, the following is required.

A check for \$950 was submitted with the applications. The fee for the application to amend future use Permit No. 3984A-3 to include additional area is \$850, plus \$200 license fee. The fee for the application to place water to beneficial use is \$100.

Please submit an additional \$200.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

Sorry about the error

Sincerely

[Handwritten signature]

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 22, 20 19

RECEIVED OF Big Sioux Community Water System, Inc. 23343 479th Avenue Egan SD 57024

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

Fee for Application for Permit No. <u>8391-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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	850 00

No. **08975**

By

Jeanne Goodman
Chief Engineer
JMG

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 28, 20 19

RECEIVED OF Big Sioux Community Water System inc. 23343 479th Ave Egan SD 57024

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	200	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>8391-3</u>		
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	200 00

No. **08985**

By

Jeanne Goodman
Chief Engineer

zm



**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. 8391-3, Big Sioux Community 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. 8391-3, Big Sioux Community Water System, Inc., c/o Martin Jarrett, General Manager, 23343 479th Avenue, Egan SD 57024.

The Chief Engineer is recommending APPROVAL of Application No. 8391-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The wells approved under this Permit 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 Big Sioux:Moody aquifer.
3. Water Permit No. 8391-3 authorizes a total annual diversion of 300 acre foot of water.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
February 26, 2019

Report to the Chief Engineer
Water Permit Application No. 8391-3
Big Sioux Community Water System
c/o Martin Jarrett, Manager

February 7, 2019

Water Permit Application No. 8391-3 proposes to construct and place to beneficial use 300 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from two wells to be completed into the Big Sioux: Moody aquifer management unit (30 and 36 feet deep) located in the W ½ NW ¼ Section 8-T106N-R48W. Construction of the project is subject to approval of Application No. 3984B-3 to expand the future use area. The water was appropriated and reserved by Future Use Permit No. 3984A-3. The water will be used to supply a dairy operation located in the NE ¼ Section 30-T106N-R48W. The site of the new wells is approximately ½ mile east of Egan, SD.

Aquifer: Big Sioux: Moody (BS: M)

Applicable South Dakota codified law

Pursuant to SDCL 46-5-38.1 the owner of a future use permit must apply for a water permit when they decide to place the future use permit to beneficial use.

Pursuant to SDCL 46-2A-9

"A permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the 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 examines the availability of water without unlawful impairment of existing rights only.

Hydrogeologic information and aquifer characteristics

The Big Sioux: Moody aquifer management unit is a surficial outwash of sand and gravel with an aerial extent of 58 square miles (Hansen, 1986). The aquifer management unit extends from a line near the Moody-Brookings county line and follows the Big Sioux River in Moody and Minnehaha counties, ending at Dell Rapids where the aquifer narrows dramatically (Hedges, et al., 1982). It has an average thickness of 22 feet and stores approximately 163,000 acre-feet (ac-ft) of water (Hansen, 1986). The aquifer is mostly under unconfined (water table) conditions and generally flows from north to south (Hansen, 1986). The Big Sioux: Moody aquifer management unit is hydrologically connected to the Big Sioux: Brookings aquifer (Hedges, et al., 1982) and the Big Sioux River (Hansen, 1986).

Report on Water Permit Application No. 8391-3

Two wells for this application were completed into the aquifer in SW ¼ NW ¼ Section 8-T106N-R48W by Lacey Well Drilling on October 16, 2018 (Figure 1). For the north well, the driller reported topsoil up to 1 foot deep, sandy clay from 1 to 2 feet deep, brown sand from 2 to 10 feet, and grey gravel from 10 to 30 feet below the surface. The water level was 9 feet below the surface at the north well at the time of drilling. For the south well, the driller reported topsoil up to 4 feet deep, sandy clay from 4 to 10 feet, brown sand from 10 to 13 feet, and gravel from 13 to 36 feet 6 inches below the surface. The water level was 16 feet 6 inches below the surface at the south well at the time of drilling.

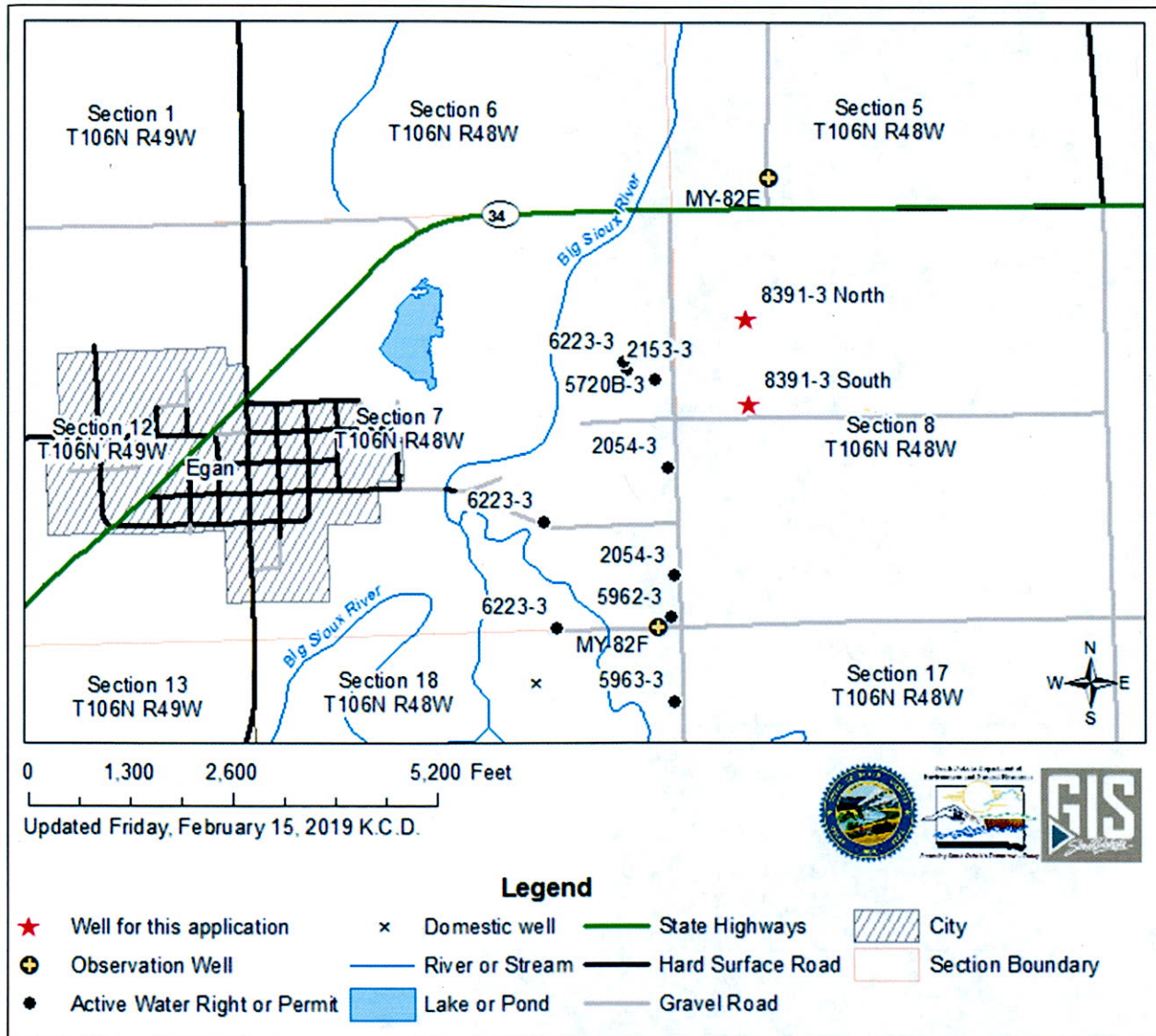


Figure 1: Layout of wells for this application, active water rights (SD Water Rights, 2019a), observation wells (SD Water Rights, 2019b), and known domestic wells (SD Water Rights, 2019c)

Water availability

Observation well data

South Dakota Administrative Rule 74:02:05:07 requires that “the 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 to the aquifer.”

The SD DENR Water Rights Program monitors 22 observation wells in the Big Sioux: Moody aquifer. The nearest observation well is MY-82E, which is about 2,000 feet from the north well and about 2,800 feet from the south well. The hydrograph of MY-82E (Figure 2) is characteristic of the other observation wells in the aquifer, with water levels rising and falling corresponding to wet and dry periods (SD Water Rights, 2019b), indicating the aquifer is not being depleted.

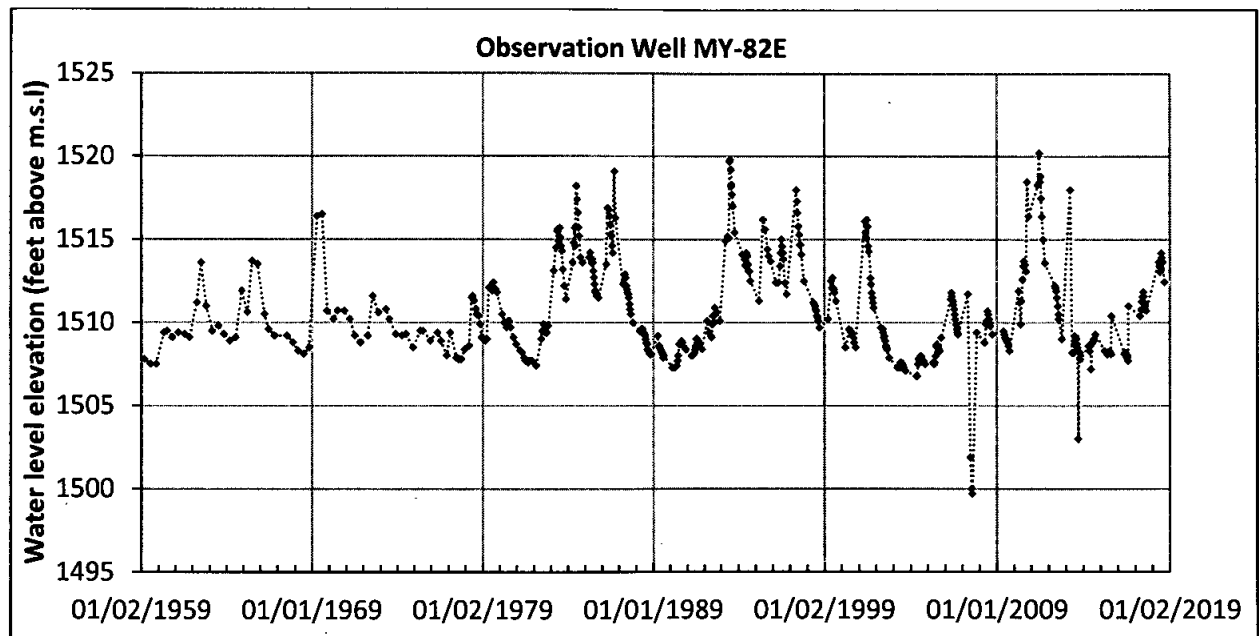


Figure 2: Hydrograph of MY-82E (SD Water Rights, 2019b)

Hydrologic budget

To confirm the findings of the observation well analysis, a hydrologic budget can be analyzed using water use data collected by the SD DENR Water Rights program and recharge rates found in water resource studies.

Recharge:

Natural recharge of the Big Sioux: Moody aquifer management unit is from infiltration of precipitation, the Big Sioux River when its potentiometric surface is above the potentiometric surface of the aquifer, and groundwater inflow from the Big Sioux: Brookings aquifer management unit (Hansen, 1988). Hansen (1988) used observation well analysis and a specific

yield of 0.15 to estimate the recharge rate to be between 2.7 and 7.02 inches, with an average of 4.86 inches. These recharge rates in inches, applied over the 58 square miles of aquifer (37,120 acres) mean the recharge is between 8,352 and 21,715 ac-ft/yr and the average of 4.86 in/yr over the area would yield 15,034 ac-ft/yr. Hansen (1988) found that using a specific yield of 0.15 matched a simulation of the aquifer to measured data better than the specific yield of 0.20, which was suggested by Hedges et. al. (1985). Hedges et. al. (1985) used observation well data to estimate the average recharge rate for Big Sioux: Moody to be between 2.7 and 6.9 in/yr with an average of 4.9 in/yr over 35,500 acres of delineated aquifer (14,496 ac-ft/yr). Using the smaller aquifer area mentioned in Hedges, et. al. (1982), the smallest estimate of annual recharge to the aquifer would be 7,988 ac-ft/yr.

Withdrawals:

Natural discharge of the aquifer is by flow to the Big Sioux River when the potentiometric surface of the aquifer is higher than that of the river and evapotranspiration where the water table is at or near the surface of the land (Hansen, 1988). Human-caused discharge is by domestic and appropriative wells. Because of their low diversion rates and prevalence of rural water systems, domestic wells are not considered to be a significant part of the hydrologic budget. Therefore, only appropriative wells will be considered. There are currently 42 water rights or permits in the Moody management unit, including 3 future use permits, 6 commercial rights, 26 irrigation permits or rights, 2 municipal rights, and 5 rural water system rights (SD Water Rights, 2019a).

Irrigation permit/right holders are required to report their water use every year (Figure 3). Average annual reported pumping for the period of record from 1979 to 2017 was 874 ac-ft/yr with a standard deviation of 466 ac-ft/yr. The wide variance in annual usage is caused by varying need to irrigate from year to year due to precipitation, crop prices, and other factors.

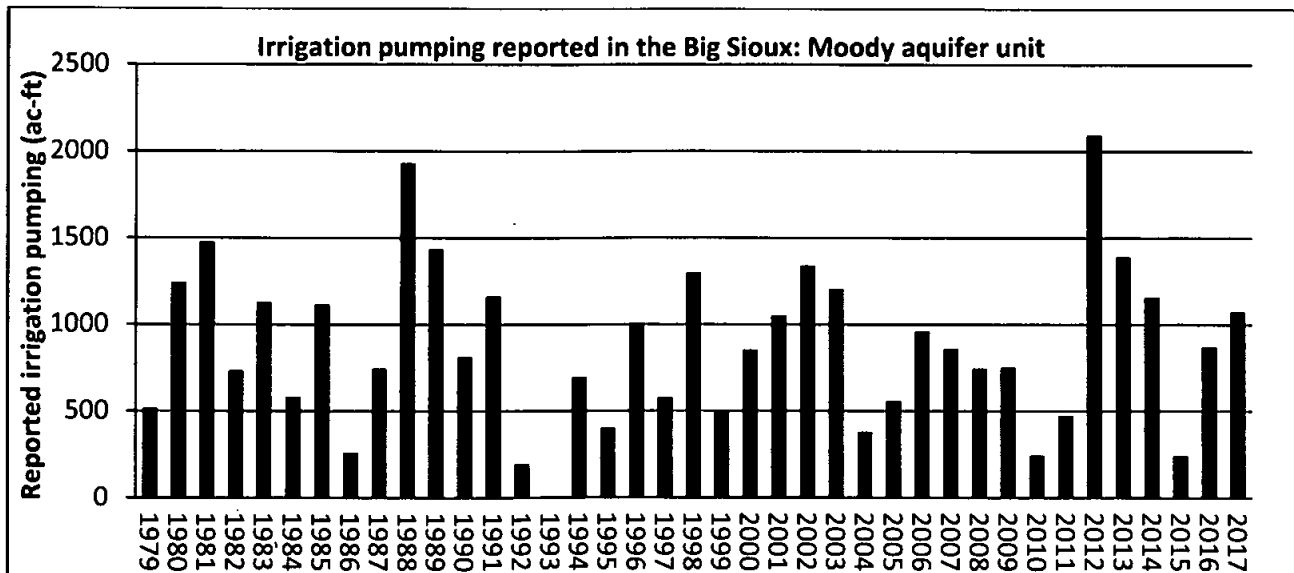


Figure 3: Irrigation pumping reported (SD Water Rights, 2018a)

Report on Water Permit Application No. 8391-3

Some non-irrigation users are required to report their annual water use. Within the Big Sioux: Moody aquifer, Big Sioux Community Water System is the only non-irrigation user required to report their use. Records are available for their water use in Big Sioux: Moody from 2003 through 2017 (Table 1). The total usage by Big Sioux Community Water System in 2004 was not separated by management unit when reported, so was excluded from the average (SD Water Rights, 2018b). For non-reporting right/permit holders, annual use is estimated by assuming they pump at their maximum instantaneous pump rate 60% of the time (Table 2).

The three future use permits are Nos. 3984A-3 and 3984-3 (Big Sioux Community Water System) and 3977-3 (City of Flandreau) and reserve a total of 1,719 ac-ft/yr from the Big Sioux: Moody aquifer.

Table 1: Pumping reported by Big Sioux Community Water System in Big Sioux: Moody (SD Water Rights, 2018b)

Year	Pumping (ac-ft)
2003	1387
2005	1419
2006	1456
2007	1538
2008	1542
2009	1429
2010	728
2011	1420
2012	1552
2013	1540
2014	1687
2015	1512
2016	1439
2017	1316
Average	1426
Sample standard deviation	221

Table 2: Water use estimates for non-reporting right/permit holders (SD Water Rights, 2019a)

Permit No:	Name/Business:	Type of use:	Pump rate (cfs)	Annual use (ac-ft/yr)
1182-3	City of Flandreau	MUN	3.42	1486
1800-3	Town of Trent	MUN	0.25	109
5083-3	L. G. Everist, Inc.	COM	0.05	22
6026-3	Pleasant Valley Colony	COM,DOM	0.27	117
6317-3	Dakota Layers, LLP	COM	0.39	169
6549-3	Ben Pearson	COM	0.167	73
6625-3	Ron Randall	COM	0.033	14
6632-3	Golden Dakota Farms, LLC	COM	1.34	582
Total estimated use:				1086

MUN - Municipal, COM - Commercial, DOM - Domestic

Balance of hydrologic budget

The withdrawals from the Big Sioux: Moody aquifer management unit are summarized in Table 3. The total estimated average annual withdrawal, including the amount currently allocated for future use, is 5,105 ac-ft/yr while the recharge to the aquifer is at least 7,988 ac-ft/yr.

Table 3: Summary of estimated average annual withdrawals from the Big Sioux: Moody aquifer unit

Use Type	Avg. Pumping (ac-ft/yr)
Irrigation	874
Non-irrigation, reporting	1426
Non-irrigation, non-reporting	1086
Future use	1719
Total use	5105

Water Permit Application No. 8391-3 (this application) would subtract 300 ac-ft/yr from the amount reserved by Future Use Permit No. 3984A-3, reducing the amount of water reserved across all future use permits to 1,419 ac-ft/yr, but keeping the total average annual use the same, assuming Big Sioux Community Water System fully utilizes the water allocated to this application. Therefore, there is a reasonable probability that water is available for this permit without depleting the aquifer.

Existing users

The nearest appropriative user to either well for this application is Water Right 5720B-3, located approximately 1,200 feet west of the south well for this application. Water Right 5720B-3 is also owned by Big Sioux Community Water System. The nearest appropriative user to either well is Water Right No. 2153-3, owned by Lawrence Piersol, located approximately 1,600 feet southwest of the south well (SD Water Rights, 2019a). No wells associated with non-appropriative users within a half mile of either well for this application are on file at the Water Rights Program (SD Water Rights, 2019c).

The Big Sioux: Moody aquifer management unit is under unconfined conditions at the location of the wells for this application. Although precise drawdown behavior cannot be known without performing a pumping test on-site, drawdown due to pumping in unconfined aquifers is not significant far from a production well.

Conditions can occur where withdrawal exceeds recharge to the aquifer. A decline in water levels during an extended drought in addition to the cumulative impact of well withdrawals may result in reduced yields of wells completed into thinner portions of the Big Sioux: Moody aquifer, such as near the edges of the aquifer. If the saturated thickness is reduced to the extent that water rights/permits can no longer pump at their developed or historically established diversion rates, that may be considered an adverse impact and could require this application, if

approved, and other water rights/permits with newer priority dates to cease pumping in favor of water rights/permits with older priority dates.

To protect domestic well users, the Water Management Board defined an “adversely impacted adequate 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.”

There are no complaints on record regarding groundwater interference in Moody County (SD Water Rights, 2019d). One water permit application within the aquifer (No. 6632-3) was contested in 2005, but the Water Management Board ruled in favor of the application’s approval (SD Water Rights, 2019a). Considering the unconfined nature of the aquifer and the lack of history in the area with groundwater interference, there is a reasonable probability development of this permit application will not adversely impact existing domestic and appropriative users with prior water rights.

Conclusions

1. This application proposes to place to beneficial use 300 ac-ft/yr of water that was reserved by Future Use Permit No. 3984A-3.
2. Future Use Permit No. 3984A-3 reserves 889 ac-ft/yr from the Big Sioux: Moody aquifer.
3. Construction of this project is subject to approval of Application No. 3984B-3, which would expand the future use area authorized by Future Use Permit No. 3984A-3.
4. Based on observation well data and a hydrologic budget, there is reasonable probability water is available to put to beneficial use from Future Use Permit 3984A-3.
5. There is a reasonable probability the proposed diversion can be made without unlawfully impairing existing appropriative users with prior water rights and domestic users with adequate wells.



Kimberly C. Drennon
Natural Resources Engineer I

References

- Hansen, D. S., 1986. *Water Resources of Lake and Moody counties, South Dakota (Water Resources Investigation 84-4209)*, Huron, South Dakota: U.S. Geological Survey.
- Hansen, D. S., 1988. *Appraisal of the water resources of the Big Sioux Aquifer, Moody County, South Dakota (Water Resources Investigation 87-4057)*, Huron, South Dakota: U.S. Geological Survey.
- 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*, Omaha, Nebraska: U.S. Army Corps of Engineers.
- Hedges, L. S. et al., 1982. *Evaluation of ground-water resources: eastern South Dakota and upper Big Sioux River - South Dakota and Iowa Tasks 1-4*, Omaha, Nebraska: U.S. Army Corps of Engineers.
- SD Water Rights, 2017a. *Irrigation Questionnaire Summaries*, Joe Foss Bldg., Pierre, South Dakota: SD DENR Water Rights Program.
- SD Water Rights, 2017b. *Non-Irrigation Questionnaire Summaries*, Joe Foss Bldg., Pierre, South Dakota: SD DENR Water Rights Program.
- SD Water Rights, 2019a. *Water Right/Permit File Database*, Joe Foss Bldg., Pierre, South Dakota: SD DENR Water Rights Program.
- SD Water Rights, 2019b. *Observation well data*, Joe Foss Bldg., Pierre, South Dakota: SD DENR Water Rights Program.
- SD Water Rights, 2019c. *Well Completion Reports Database*, Joe Foss Bldg., Pierre, South Dakota: SD DENR Water Rights Program.
- SD Water Rights, 2019d. *County Files*, Joe Foss Bldg. Pierre, South Dakota: SD DENR Water Rights Program.

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, February 27, 2019 11:05 AM
To: Big Sioux Community Water System (bscws@bigsiouxcws.com)
Subject: Water Permit Applications
Attachments: Big Sioux applications.pdf

Martin Jarrett,

Attached is the letter and the two public notices regarding your 4 water permit applications. I have emailed each of the papers the two notices to be published on March 6, 2019. This is just a heads up to contact the papers ASAP to authorize publication and arrange for payment.

The reports and recommendations for each of the applications and the above are being mailed to you today.

Karen Schlaak

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



Argus Leader

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

Account No: 6059972098

Ad No: 0003413889

PO #: 3984B-3

Lines : 151

Ad Total \$95.53

BIG SIOUX COMMUNITY WATER SYSTEM INC
23343 479TH AVE
EGAN, SD 57024

of Affidavits: 1

Account No.: 6059972098

Ad No.: 0003413889

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

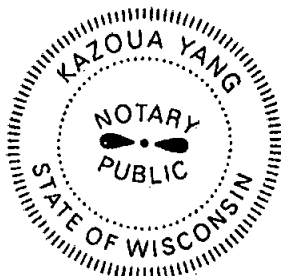
Thursday, March 7, 2019

Sworn to and subscribed before me this 18 day of March, 2019.

Legal Clerk

Notary Public, State of Wisconsin, County of Brown

My Commission expires



NOTICE OF APPLICATION NO. 3984B-3
To Amend Future Use Area
of Future Use Permit
No. 3984A-3
and No. 8391-3 to Construct
and Place to Beneficial Use
Reserved Water

Notice is given that Big Sioux Community Water System Inc., do Martin Jarrett, 23343 479th Ave, Egan SD 57024 has filed the following applications for water permits. The Big Sioux Community Water System serves users in Lake, Moody, Minnehaha and Brookings Counties. Application No. 3984B-3 proposes to amend Future Use Permit No. 3984A-3 by expanding the area reserved for future use. Permit No. 3984A-3 reserves 889 acre-feet of water annually from the Big Sioux:Moody Aquifer

located in the E 1/2 E 1/2 SE 1/4, E 1/2 NE 1/4 Section 7, SW 1/4 SW 1/4 Section 8; provided below.

Any person interested in application requests including posing or supporting these the entire W 1/2 Section applications or recommending T106N-R48W to the future date must file a written use area with no increase in petition with BOTH the amount of water reserved for future use by No. The applicant must file a petition if contesting the

Pursuant to SDCL 46-2A-2, Chief Engineer's recommendations. 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 18, 2019.

The petition may be informed by the applicant's maximum pump rate of 0.67 msi, but must include a statement describing the second from two wells to be completed into the Big Sioux:Moody Aquifer (30 reasons for opposing or supporting the applications, the W 1/2 NW 1/4 Section 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 applications pursuant to the recommendations with the new wells to approximately 1/2 mile east of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8391-3 with the following qualifications because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. The Chief Engineer's recommendations with qualifications, the applications, and staff reports are available at <http://denr.sd.gov/wub> or contact Eric Gronlund for this information, or other

March 7, 2019

Affidavit of Publication

State of South Dakota

ss

County of Brookings

Katherine Foiles of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

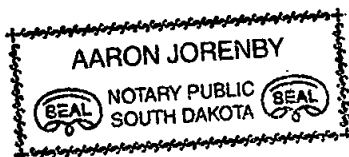
Leg#089 Notice of Application

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

March 6, 2019

said Exhibit "A" inures to the sole benefit for the publishers of 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 whomsoever; that the fees charged for the publication thereof are:

Forty-One Dollars and Fifty-Nine Cents \$41.59



March

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2020.

Legal 089, 1x, 3/6
NOTICE OF APPLICATION NO. 3984B-3 to Amend Future Use Area of Future Use Permit No. 3984A-3 and No. 8391-3 to Construct and Place to Beneficial Use Reserved Water

Notice is given that Big Sioux Community Water System Inc., c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 has filed the following applications for water permits. The Big Sioux Community Water System serves users in Lake, Moody, Minnehaha and Brookings Counties. Application No. 3984B-3 proposes to amend Future Use Permit No. 3984A-3 by expanding the area reserved for future use. Permit No. 3984A-3 reserves 889 acre-feet of water annually from the Big Sioux:Moody Aquifer located in the E 1/2 E 1/2 SE 1/4, E 1/2 NE 1/4 Section 7, SW 1/4 SW 1/4 Section 8; all in T106N-R48W. This application requests including the entire W 1/2 Section 8-T106N-R48W to the future use area with no increase in the amount of water reserved for future use by No. 3984A-3. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Application No. 8391-3 proposes to construct and place to beneficial use 300 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from two wells to be completed into the Big Sioux:Moody Aquifer (30 and 36 feet deep) located in the W 1/2 NW 1/4 Section 8-T 1 0 6 N - R 4 8 W. Construction of the project is subject to

approval of Application No. 3984B-3 to expand the future use area. The water was appropriated and reserved by Future Use Permit No. 3984A-3. The water will be used to supply a dairy operation located in the NE 1/4 Section 30-T106N-R48W. The site of the new wells is approximately 1/2 mile east of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8391-3 with qualifications because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. The Chief Engineer's recommendations with qualifications, the applications, and staff reports 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 these applications 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 recommendations. 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 18, 2019.

RECEIVED

APR 04 2019

WATER RIGHTS PROGRAM

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications pursuant to the recommendations with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 \$41.59.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF MOODY) SS

MARY LYNN HEADRICK, of said county, being first duly sworn on oath says that she is the bookkeeper of the Moody County Enterprise, a weekly newspaper printed and published in said county of Moody and State of South Dakota, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least 200 copies weekly, and has been published within said county for 52 consecutive 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 advertisement headed:

Notice of Application Nos.

3984B-3 to amend Future Use

Area of Future Use Permit No.

3984A-3 and No. 8391-3

a printed copy of which, taken from the newspaper 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 1 successful weeks, on the day of each week on which said newspaper was regularly published, to wit:

3-6-19

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

\$ 38³⁸

M. Headrick bookkeeper

Subscribed and sworn to before me this

7th day of March AD 2019

Roger W. Janssen
Notary Public, County Moody, South Dakota

ROGER W. JANSSEN
NOTARY PUBLIC
SOUTH DAKOTA

My commission expires 2/14/24

NOTICE OF APPLICATION NO. 3984B-3 to Amend Future Use Area of Future Use Permit No. 3984A-3 and No. 8391-3 to Construct and Place to Beneficial Use Reserved Water

Notice is given that Big Sioux Community Water System Inc., c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 has filed the following applications for water permits. The Big Sioux Community Water System serves users in Lake, Moody, Minnehaha and Brookings Counties.

Application No. 3984B-3 proposes to amend Future Use Permit No. 3984A-3 by expanding the area reserved for future use. Permit No. 3984A-3 reserves 889 acre-feet of water annually from the Big Sioux:Moody Aquifer located in the E 1/2 E 1/2 SE 1/4, E 1/2 NE 1/4 Section 7, SW 1/4 SW 1/4 Section 8; all in T106N-R48W. This application requests including the entire W 1/2 Section 8-T106N-R48W to the future use area with no increase in the amount of water reserved for future use by No. 3984A-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Application No. 8391-3 proposes to construct and place to beneficial use 300 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from two wells to be completed into the Big Sioux:Moody Aquifer (30 and 36 feet deep) located in the W 1/2 NW 1/4 Section 8-T106N-R48W. Construction of the project is subject to approval of Application No. 3984B-3 to expand the future use area. The water was appropriated and reserved by Future Use Permit No. 3984A-3. The water will be used to supply a dairy operation located in the NE 1/4 Section 30-T106N-R48W. The site of the new wells is approximately 1/2 mile east of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8391-3 with qualifications because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. The Chief Engineer's recommendations with qualifications, the applications, and staff reports 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 these applications 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 recommendations. 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 18, 2019.

RECEIVED

MAR 11 2019

WATER RIGHTS
PROGRAM

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications pursuant to the recommendations with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 cost of \$38.38

RECEIVED

AFFIDAVIT OF PUBLICATION

MAR 11 2019

Wednesday, March 6

STATE OF SOUTH DAKOTA }
 } ss.
 County of Lake }

WATER RIGHTS
PROGRAMNOTICE OF APPLICATION
NO. 3984B-3

to Amend Future Use Area of
 Future Use Permit No. 3984A-3
 and No. 8391-3 to Construct and
 Place to Beneficial Use
 Reserved Water

Notice is given that Big Sioux
 Community Water System Inc., c/o
 Martin Jarrett, 23343 479th Ave,
 Egan SD 57024 has filed the
 following applications for water
 permits. The Big Sioux
 Community Water System serves
 users in Lake, Moody, Minnehaha
 and Brookings Counties.

Aubrey Larsen of the City of Madison, County of Lake,
 State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation,
 printed and published in the City of Madison, in said County of Lake, by Hunter
 Publishing, Inc., Jon M. Hunter, publisher, and has been such legal newspaper
 during the times hereinafter mentioned; that the said Madison Daily Leader has
 been in existence as such legal newspaper for more than one year prior to the
 publication of the notice hereunto attached, and has during all of said time had, and
 how has, more than 200 bona fide subscribers; that the undersigned, the affiant,
 is the Secretary of the said newspaper, in charge of the advertis-
 ing department thereof and has personal knowledge of all the facts stated in this
 affidavit and the advertisement headed

Big Sioux Community Water System, Inc.

App. 3984B-3 to Amend Future Use Water Permit No 3984A-3

printed copy of which hereunto attached, was printed and published in the said
 newspaper for One successive weeks, once each week and on the
 same day of the week, on the following dates, to-wit:

On Wednesday, the 6th day of March, 2019;

On , the day of , 2019;

On , the day of , 2019;

On , the day of , 2019;

On , the day of , 2019;

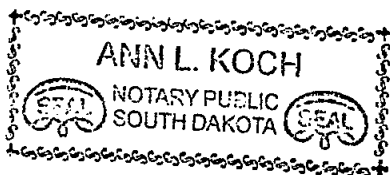
On , the day of , 2019;

On , the day of , 2019;

On , the day of , 2019;

That \$ 42.17 being the full amount of the fees for publication of the
 attached notice inures solely for the benefit of the publisher of the said newspaper;
 that no arrangement or understanding for a division thereof has been made with
 any other person and that no part thereof has been agreed to be paid to any other
 person whomsoever.

Aubrey Larsen
 Subscribed and sworn to before me this 7th day of
 March, 2019



Ann L. Koch
 Notary Public, Lake County, South Dakota
 Exp. 11-14-19

Application No. 3984B-3
 proposes to amend Future Use
 Permit No. 3984A-3 by expanding
 the area reserved for future use.
 Permit No. 3984A-3 reserves 889
 acre-feet of water annually from
 the Big Sioux: Moody Aquifer
 located in the E 1/2 E 1/2 SE 1/4, E
 1/2 NE 1/4 Section 7, SW 1/4 SW 1/4
 Section 8; all in T106N-R48W. This
 application requests including the
 entire W 1/2 Section 8-T106N-R48W
 to the future use area with no
 increase in the amount of water
 reserved for future use by No.
 3984A-3.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends
 APPROVAL of Application No.
 3984B-3 because 1) existing rights
 will not be unlawfully impaired, 2)
 it is a beneficial use of water, and
 3) it is in the public interest.

Application No. 8391-3 proposes
 to construct and place to beneficial
 use 300 acre-feet of water annually
 at a maximum pump rate of 0.67
 cubic feet of water per second
 from two wells to be completed
 into the Big Sioux: Moody Aquifer
 (30 and 36 feet deep) located in the
 W 1/2 NW 1/4, Section 8-T106N-
 R48W. Construction of the project
 is subject to approval of
 Application No. 3984B-3 to expand
 the future use area. The water was
 appropriated and reserved by
 Future Use Permit No. 3984A-3.
 The water will be used to supply a
 dairy operation located in the NE
 1/4 Section 30-T106N-R48W. The
 site of the new wells is
 approximately 1/2 mile east of
 Egan SD.

Publication Fees \$

Notary Fees \$

Total \$

Received Payment,

In Court
County of

AFFIDAVIT OF PUBLICATION

Filed in the office of on the
..... day of

20

Attorneys for

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8391-3 with qualifications because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. The Chief Engineer's recommendations with qualifications, the applications, and staff reports are available at <http://denr.sd.gov/public> or contact Eric Grönlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting these applications 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 recommendations. 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 18, 2019.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications pursuant to the recommendations with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 \$42.17

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, February 27, 2019 10:13 AM
To: ads@madisondailyleader.com
Subject: 3984B-3 and 6834A-3, Big Sioux Community Water System
Attachments: 3984B-3public.short.docx; 6834A-3public.short.docx; FORM8.FRM.doc

Attached are TWO notices to be published on March 6, 2019.

Big Sioux Community Water System Inc, c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 (605 997-2098 or 605 864-1417) has been notified to contact you to authorize publication and arrange for payment.

Please send an affidavit for each publication 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: Wednesday, February 27, 2019 10:14 AM
To: mce6@mcisweb.com
Subject: 3984B-3 and 6834A-3, Big Sioux Community Water System
Attachments: 3984B-3public.short.docx; 6834A-3public.short.docx; FORM8.FRM.doc

Attached are TWO notices to be published on March 6, 2019.

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Please send an affidavit for each publication 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: Wednesday, February 27, 2019 10:14 AM
To: allegals@argusleader.com
Subject: 3984B-3 and 6834A-3, Big Sioux Community Water System
Attachments: 3984B-3public.short.docx; 6834A-3public.short.docx; FORM8.FRM.doc

Attached are TWO notices to be published on March 6, 2019.

Big Sioux Couumity Water System Inc, c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 (605 997-2098 or 605 864-1417) has been notified to contact you to authorize publication and arrange for payment.

Please send an affidavit for each publication 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: Wednesday, February 27, 2019 10:15 AM
To: registerclassifieds (registerclassifieds@brookingsregister.com)
Subject: 3984B-3 and 6834A-3, Big Sioux Community Water System
Attachments: 3984B-3public.short.docx; 6834A-3public.short.docx; FORM8.FRM.doc

Attached are TWO notices to be published on March 6, 2019.

Big Sioux Couumity Water System Inc, c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 (605 997-2098 or 605 864-1417) has been notified to contact you to authorize publication and arrange for payment.

Please send an affidavit for each publication 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





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 NEWSPAPERS RIGHT AWAY.**

February 27, 2019

Big Sioux Community Water System Inc.
c/o Martin Jarrett
23343 479 Ave
Egan SD 57024

Dear Mr. Jarrett:

Water Permit Application Nos. 3984B-3, 8391-3, 6834A-3 and 8387-3 for rural water system use have been examined and found to comply with the South Dakota Water Laws and applicable rules. Two separate notices have been sent to the following papers:

Madison Daily Leader 605 256-4555
Argus Leader 605 331-2200

Moody County Enterprise 605 997-3725
Brookings Register 605 692-6271

You will need to contact the newspapers and authorize publication of each of the notices. For your information, copies of the notices, the recommendations of the Chief Engineer and reports on each application are enclosed. Please review the notices prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish the Notice on March 6, 2019. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 3984B-3
to Amend Future Use Area of Future Use Permit No. 3984A-3
and No. 8391-3 to Construct and Place to Beneficial Use Reserved Water

Notice is given that Big Sioux Community Water System Inc., c/o Martin Jarrett, 23343 479th Ave, Egan SD 57024 has filed the following applications for water permits. The Big Sioux Community Water System serves users in Lake, Moody, Minnehaha and Brookings Counties.

Application No. 3984B-3 proposes to amend Future Use Permit No. 3984A-3 by expanding the area reserved for future use. Permit No. 3984A-3 reserves 889 acre-feet of water annually from the Big Sioux:Moody Aquifer located in the E 1/2 E 1/2 SE 1/4, E 1/2 NE 1/4 Section 7, SW 1/4 SW 1/4 Section 8; all in T106N-R48W. This application requests including the entire W 1/2 Section 8-T106N-R48W to the future use area with no increase in the amount of water reserved for future use by No. 3984A-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3984B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Application No. 8391-3 proposes to construct and place to beneficial use 300 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from two wells to be completed into the Big Sioux:Moody Aquifer (30 and 36 feet deep) located in the W 1/2 NW 1/4 Section 8-T106N-R48W. Construction of the project is subject to approval of Application No. 3984B-3 to expand the future use area. The water was appropriated and reserved by Future Use Permit No. 3984A-3. The water will be used to supply a dairy operation located in the NE 1/4 Section 30-T106N-R48W. The site of the new wells is approximately 1/2 mile east of Egan SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8391-3 with qualifications because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. The Chief Engineer's recommendations with qualifications, the applications, and staff reports 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 these applications 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 recommendations. 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 18, 2019.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 applications pursuant to the recommendations with no hearing held before the Water Management Board. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. 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 _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 03 2019

Big Sioux Community Water System, Inc.
c/o Martin Jarrett, Manager
23343 479th Ave
Egan SD 57024

Dear Mr. Jarrett:

Enclosed are Future Use Permit Nos. 3984B-3 and 6834A-3 authorizing expanding the area reserved for future use and Water Permit Nos. 8391-3 and 8387-3 authorizing construction of the water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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

enclosures