

FUTURE USE WATER PERMIT NO. 8512-3

Name of Applicant: City of Aberdeen

Address: 123 S Lincoln, Aberdeen SD 57401

Phone: 605 626-7010

Amount of Water Claimed: 8.5 cfs (6,154 AF)

Total Acres: NA

Source of Water Supply: James River

Water to be used for: municipal use

County: Brown

Type of Waste Disposal System:

Location: 10 miles northwest of Aberdeen

PRIORITY

Date Received: 4-27-21

Application/License Fee: \$ 575

Corrected Application Received:

Period of Annual Use: Jan 1 - Dec 31

Remarks: Future use reservation

Diversion Point: SE 1/4 Sec 14-T124N-R62W

Land to be Irrigated: NA

Depth of Well: NA

Well Driller:

Remarks:

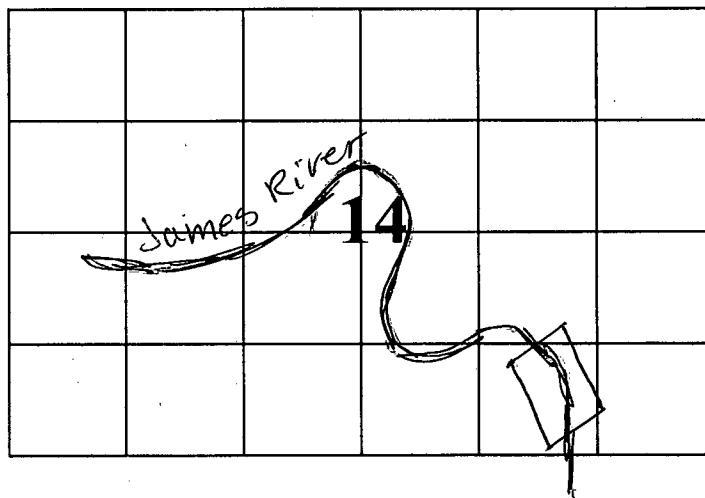
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 4-27-21

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
FUTURE USE PERMIT NO. 8512-3**

Date of first receipt of application April 27, 2021.

The Water Management Board approved Future Use Permit No. 8512-3 on October 6, 2021, for the City of Aberdeen, 123 S Lincoln, Aberdeen SD 57401 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 8512-3 appropriates 8.5 cubic feet of water per second and reserves for future use 6,154 acre-feet of water from the James River located in the SE 1/4 Section 14-T124N-R62W. This permit does not authorize construction of works or application of water to beneficial use. The James River diversion site is located approximately 10 miles northeast of Aberdeen SD.
2. The water appropriated shall be used for the purpose of future water supplies for municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is reserved for use during the following described annual period: January 1 – December 31.
4. The date from which applicant may claim right is April 27, 2021.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Future Use Permit No. 8512-3 reserves 6,154 acre-feet of water annually from the James River.
2. Future Use Permit No. 8512-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

OCT 25 2021
date



RECEIVED

APR 27 2021

PAID

APR 27 2021

Ck# 152010

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8512-3</u>	(office use only) Hydrologic Unit <u>10160003</u>	WATER RIGHTS PROGRAM
	Basin <u>James River</u>		
	Newspaper <u>American News</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. _____		

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
_____1. Name to Appear on Water Permit City of Aberdeen

Mailing Address 123 S Lincoln Aberdeen SD 57401
 (Address) (City) (State) (Zip Code)

Phone 605-626-7010 Mobile _____ Email bob.braun@aberndeen.sd.us

2. Amount of water claimed 8.5 *CFS or 6154 ***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 James River

4. Location of point of diversion Pumping station in SE 1/4 section 14-T124-R62 County Brown
 (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 Brown6. Annual period during which water is to be used Year round based on need.

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)

Potential pumping station to divert water from the James river to the City of Aberdeen's Water treatment plant located approximately 8 miles west. This would help to supplement future demand increases in the city and may help with current demand during times of low flow on the Elm River. The exact location and design has not been determined as this is a project for the future once water rights are established.

I, Robert Braun Superintendent, 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.

Potential Pump Site Map



SE 14-124-62

SW 13-124-62

399 AVE



127 ST

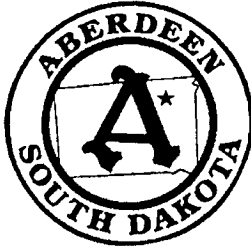
NE 23-124-62

NW 24-124-62

UNKNOWN



Created By Jeremiah Maxfield
March 6th, 2021



City of
ABERDEEN
OFFICE OF THE CITY MANAGER
JOE GAA

123 South Lincoln Street
Aberdeen, SD 57401
Office 605-626-7025
joe.gaa@aberndeen.sd.us
www.aberndeen.sd.us

To: State and Regional Stakeholders

From: Joe Gaa, City Manager

Subject: Water and Wastewater Needs in Aberdeen

Date: May 12, 2021

Upon my arrival as City Manager in June 2020, I quickly learned that if positive community growth in Aberdeen is to continue in the future, a variety of water and wastewater issues must be addressed. One of those issues is the need for additional raw water sources. In the summer of 2020, an economic development prospect was lost due to the lack of water that would be needed for the operation. Late in 2020, the owner of ORE 1, Todd Ochsner, (the site of the lost economic development prospect) approached City staff about looking into the possibility of bringing water from the Missouri River to both the Ochsner site west of Aberdeen and the Aberdeen Water Treatment Plant. In January 2021, I briefed City Council members on these initial discussions and the consensus was this was an opportunity worth looking into.

During the first quarter of 2021, City staff and ORE 1 representatives worked together in conducting preliminary research into the possible construction of a water transmission line from Lake Oahe to the Aberdeen Water Treatment Plant. With the initial review looking promising, City staff made a recommendation to hire the engineering firm of Bartlett & West to conduct a feasibility study of the project. This action was approved by the Aberdeen City Council on May 3, 2021.

On April 29, 2021, the Aberdeen City Council met for a bi-annual goal setting session in advance of the 2022 budget planning process. The Council identified "Water and Wastewater Improvements" as the number one priority facing the City of Aberdeen. In an effort to address that priority, three specific objectives have been developed.

1. Complete a feasibility study to tap the Missouri River as the new water source for the City of Aberdeen.
2. Implement the Improvements set forth in the 2020 Water Treatment Plant Facility Plan.
3. Complete the 2021 Wastewater Treatment Plant Feasibility Study currently underway.

Completing these objectives will position the City of Aberdeen for substantial growth in the future.

The need for additional source water is essential for economic development and overall community growth in the City of Aberdeen. Not only will additional growth be beneficial for the City, but also Brown County and the State of South Dakota. In recent years the City has been successful in bringing two value added agriculture producers to the City. They are both prospering and poised for growth. The City's water and wastewater systems must expand for that economic growth to occur. That expansion will then allow for additional agricultural based producers to locate in the region.

The construction of a pipeline from the Missouri River to provide drinking water for the citizens of Aberdeen will also create opportunities for economic development. But it comes at a cost. The City and ORE 1 will need both funding partners for construction and additional water users. Preliminary discussions indicate there are several strong prospects for additional users. While we are early in the planning process we do believe this project has the potential to be a transformative endeavor that will open the doors to many opportunities in the future that will strengthen the economy of Aberdeen, Brown County and the State of South Dakota.

1 Executive Summary

The City of Aberdeen Water Treatment Plant (WTP) is in the process of facility planning to evaluate the WTP facility and recommend improvements to meet future demands. HR Green conducted an on-site workshop with WTP staff to identify concerns. HR Green reviewed previous documentation, studies, and reports to evaluate the existing facility.

1.1 Project Development

1.1.1 EXISTING WATER DEMANDS

Plant records were evaluated to determine existing water demand. A summary of the past 10 years of water treatment plant production is shown in the table below.

TABLE 1: ANNUAL AVERAGE AND MAXIMUM DAY FLOWS: 2009 - 2018

Year	Average (MGD)	Maximum (MGD)
2009	2.63	5.35
2010	2.71	5.91
2011	2.65	5.7
2012	3.39	8.07
2013	3.25	6.77
2014	2.96	6.68
2015	3.09	6.32
2016	3.16	7.78
2017	3.83	8.69
2018	3.78	8.34

The table of flow shows that both the average water demand and maximum day demand have fluctuated over the past 10 years, but the trend is for increased water demand. Each year since 2012, the peak day demand has exceeded 6 MGD. 6 MGD is the WTP capacity with one Solids Contact Unit (SCU) out of service, or the **firm capacity** of the plant. During these peak times, plant staff cannot perform maintenance on the SCUs, as both SCUs are in-use for water production.

1.1.2 PROJECTED WATER DEMANDS

Current flow demand and current population were evaluated to determine the per-capita water demand in Aberdeen. Future population estimates are based on the Comprehensive Growth Plan the City recently conducted. The per-capita water demand was applied to the projected population to determine the future water demand summarized in the table below:

TABLE 2: FLOW PROJECTIONS BY POPULATION

Year	2017	2030	2045
Population	28,415	34,400	40,000
Average Day Use (MGD)	3.83	4.64	5.40
Per-Capita Average Use (gal/pers/day)	135	135	135
Maximum Month Production (MGD)	6.47	7.84	9.12
Per-Capita Max Month Use (gal/pers/day)	228	228	228
Maximum Day Production (MGD)	8.69	10.52	12.23
Per-Capita Max Day Use (gal/pers/day)	306	306	306
Anticipated Additional Industrial Demand (MGD)	--	2.5	2.5
Treatment Plant Capacity Required (MGD)	9.12	13.55	15.34

The flow projection shows that prior to the year 2045, the maximum day demand will have exceeded the existing capacity of the plant. Expansion of industrial water users will also contribute additional water demand. For example, AGP is currently expanding and anticipates an additional 0.5 MGD of water demand; further expansions for biodiesel and expansion of DemKota Ranch could contribute up to an additional 2.0 to 2.5 MGD of water demand, for a total additional industrial water demand of 2.5 to 3.0 MGD.

The 2017 flows and 2030 and 2045 projected flows are shown graphically in below. This figure shows how the average day demand will exceed the existing firm capacity, and the maximum day demand will exceed the current maximum capacity of the plant. The 0.5 MGD increase in industrial demand for AGP has already occurred and is added to the demand in 2019. The remaining industrial increase is shown in the figure to occur in 2030, but this date has not been established by the City or industrial water users.

Aberdeen**Reported Annual Average and Maximum Day Flows: 2009-2018**

Year	Average MGD	Average Day CFS	Average MGD	Maximum Day CFS	Average Ann AF
2009	2.63	4.07	5.35	8.28	2946
2010	2.71	4.19	5.91	9.14	3036
2011	2.62	4.05	5.7	8.82	2935
2012	3.39	5.25	8.07	12.49	3797
2013	3.25	5.03	6.77	10.47	3641
2014	2.96	4.58	6.68	10.34	3316
2015	3.09	4.78	6.32	9.78	3461
2016	3.16	4.89	7.78	12.04	3540
2017	3.83	5.93	8.69	13.45	4290
2018	3.78	5.85	8.34	12.90	4234

Projected Flow Projections By Populaton

Year	2017	2030	2045
Population	28,415	34,400	40,000
Average Daily Use (MGD)	3.83	4.64	5.4
Average Daily Use (CFS)	5.93	7.18	8.35
Per-Capita Average Use (gal/pers/day)	135	135	135
Maximum Month Production (MGD)	6.47	7.48	9.12
Maximum Month Production (CFS)	10.01	11.57	14.11
Per-Capita Maximum Use (gal/pers/day)	228	228	228
Maximum Day Production (MGD)	8.69	10.52	12.23
Maximum Day Production (CFS)	13.45	16.28	18.92
Per-Capita Maximum Use (gal/pers/day)	306	306	306
Anticipated Additional Industrial Demand (MGD)	*	2.5	2.5
Anticipated Additional Industrial Demand (CFS)	*	3.87	3.87
Treatment Plant Capacity Required (MGD)	9.12	13.55	15.34
Treatment Plant Capacity Required (CFS)	14.11	20.96	23.73

Here is the Additional 10 dollars for Aberdeen's future water rights application.



Bob Braun

Superintendent

Aberdeen Water Treatment Plant

bob.braun@aberdeen.sd.us

605-626-7074

RECEIVED

MAY 07 2021

WATER RIGHTS
PROGRAM

PAID

MAY 7 2021

Ck# 2356

Breakdown of the fees for future water rights application with SD DENR. Initial numbers and instructions on page one of application page.

724 Acre Feet equals 1 cfs

Requested CFS	8.5
Requested Acre Feet	6154
Number of 120 acre feet increments requested (rounded up)	52
1 st 12 acre feet Fee	\$ 500.00
2nd 120 acre feet fee	\$ 250.00
Remaining fee for 49 (120 acre feet) units	\$ 4,900.00
Total Fee	\$ 5,650.00
10% of Total Fee due to it being a Future Water Right	\$ 565.00

6154
/120

→ 5000

→ 5750

Amount needed for application.

\$ 575.00

50

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, April 27, 2021 9:36 AM
To: Bob Braun (bob.braun@aberdeensd.us)
Subject: Future Use permit application fee
Attachments: 1108.pdf

Bob

As stated in our phone conversation an additional \$10.00 is required for the application fee. This will not delay our process of reviewing the application.

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date April 27, 2021

RECEIVED OF City of Aberdeen 123 S Lincoln Aberdeen SD 57401

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	\$
Fee for Application for Permit No. <u>8512-3</u> to Appropriate Water for Future use	\$65.00
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. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$565.00

By Eric Gronlund
Chief Engineer
VM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date May 7, 2021

RECEIVED OF Robert J. Braun/City of Aberdeen 1214 Plum Ln. Aberdeen SD 57401

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	\$ _____
Fee for Application for Permit No. <u>8512-3</u> to Appropriate Water for Future use	\$ <u>10.00</u>
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. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>10.00</u>

By *Eric Gronlund*
Chief Engineer
vm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

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

July 29, 2021

City of Aberdeen
Robert Braun, Supt
123 S Lincoln
Aberdeen SD 57401

Dear Mr. Braun:

Water Permit Application No. 8512-3 for future water supplies for municipal use by the city has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the American News printed at Aberdeen SD (Ph # 605 225-4100). You will need to contact the newspaper 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 newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has 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,

Karen Schlaak

Karen Schlaak
Water Rights Program
(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.

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, July 28, 2021 3:00 PM
To: Aberdeen News Legals (aan-legals@aberdeennews.com)
Subject: 8512-3, City of Aberdeen
Attachments: 8512-3public.wmbFUnewappl_final.docx; FORM8.FRM.doc

Attached is a notice to be published on August 4, 2021.

The City of Aberdeen, Robert Braun, Supt, 123 S Lincoln, Aberdeen SD 57401 (605 626-7010) 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.

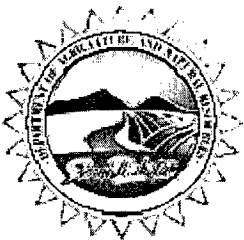
Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

Website: <https://danr.sd.gov>



NOTICE OF HEARING on Application No. 8512-3 to Appropriate Water

Notice is given that the City of Aberdeen, c/o Robert Braun, Water Supt, 123 S Lincoln, Aberdeen SD 57401 has filed an application for a future use permit. Application No. 8512-3 proposes to appropriate 8.5 cubic feet of water per second and reserve for future use 6,154 acre-feet of water from the James River located in the SE 1/4 Section 14-T124N-R62W. The water is reserved for future water supplies for municipal use by the city. This application does not authorize construction of works or application of water to beneficial use. The James River diversion site is located approximately 10 miles northeast of Aberdeen SD.

South Dakota Codified Law (SDCL) 46-2A-4(10) provides that “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 Chief Engineer’s recommendation and no hearing may be held before the board, unless the Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board.” In this case, the Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8512-3 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 Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will consider this application at 10:00 am (central time) on October 6, 2021 in the Legislative Conf. Room 414, State Capitol Bldg, 500 E. Capitol Ave. Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

Any interested person who intends to participate in the hearing shall file a petition to oppose or support the application and the petition shall be filed with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 27, 2021.

The petition may be informal, but shall be in writing and shall 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. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The October 6, 2021 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any person who has filed a petition to oppose or support the application. The request for an automatic delay must be filed by September 27, 2021. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to all petitioners regarding the time, date and location.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if

you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that “if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17.” This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is August 16, 2021. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at an approximate cost of_____.

Schlaak, Karen

From: Naysmith, Kathleen <KNAYSMI@localiq.com>
Sent: Thursday, August 19, 2021 7:06 AM
To: Schlaak, Karen
Subject: [EXT] Ad 6122821 8/4 Notice of Hearing on App 8512-3

I was just informed that this ad did not run as indicated. I do not know why it was eliminated from the publication list. Please let me know what day you would like to run. I apologize for this error.

Thank you

Kathleen Naysmith
Regional Legal Clerk



LOCALiQ

1.888.516.9220 x 5412 knaysmith@localiq.com

*****Please note: An Affidavit of Publication (which is your notarized affidavit along with a digital copy of your notice, is proof that you legally published your notice in the newspaper) will be charged and automatically added to your invoice unless you let us know in writing that you do not wish to have one.***

•

Please include your account number when requesting legal notices to ensure proper billing.

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, August 19, 2021 8:03 AM
To: Naysmith, Kathleen
Subject: RE: [EXT] Ad 6122821 8/4 Notice of Hearing on App 8512-3
Attachments: 8512-3.notice.docx

Kathleen,

Because of time sensitive dates within the notice, please do not publish the notice that was to be published on August 4th.

Please publish the attached notice on August 25th. As stated previously the City of Aberdeen, c/o Robert Braun, Water Supt, 123 S Lincoln, Aberdeen SD 57401 (605 626-7010) is to be billed for this publication.

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

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



From: Naysmith, Kathleen <KNAYSMI@localiq.com>
Sent: Thursday, August 19, 2021 7:06 AM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: [EXT] Ad 6122821 8/4 Notice of Hearing on App 8512-3

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NOTICE OF HEARING on Application No. 8512-3 to Appropriate Water

Notice is given that the City of Aberdeen, c/o Robert Braun, Water Supt, 123 S Lincoln, Aberdeen SD 57401 has filed an application for a future use permit. Application No. 8512-3 proposes to appropriate 8.5 cubic feet of water per second and reserve for future use 6,154 acre-feet of water from the James River located in the SE 1/4 Section 14-T124N-R62W. The water is reserved for future water supplies for municipal use by the city. This application does not authorize construction of works or application of water to beneficial use. The James River diversion site is located approximately 10 miles northeast of Aberdeen SD.

South Dakota Codified Law (SDCL) 46-2A-4(10) provides that "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 Chief Engineer's recommendation and no hearing may be held before the board, unless the Chief Engineer makes a finding that an application, even if uncontested, presents important issues of public policy or public interest that should be heard by the board." In this case, the Chief Engineer finds that this application presents important issues of public interest that should be heard by the Water Management Board.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8512-3 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 Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will consider this application at 10:00 am (central time) on October 6, 2021 in the Legislative Conf. Room 414, State Capitol Bldg, 500 E. Capitol Ave. Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

Any interested person who intends to participate in the hearing shall file a petition to oppose or support the application and the petition shall be filed with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 27, 2021.

The petition may be informal but shall be in writing and shall 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. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The October 6, 2021 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any person who has filed a petition to oppose or support the application. The request for an automatic delay must be filed by September 27, 2021. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to all petitioners regarding the time, date and location.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if

you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is September 7, 2021. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01.

Published once at an approximate cost of_____.

LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

PROOF OF PUBLICATION

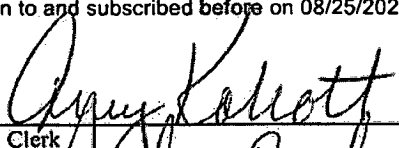
Sd Dept Of Agriculture
523 CAPITOL AVE E
Foss Building
Pierre SD 57501-3182

STATE OF SOUTH DAKOTA, COUNTY OF BROWN

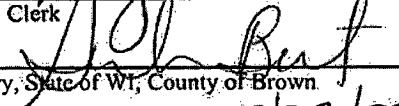
The AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, and has been such a newspaper during the times hereinafter mentioned; and personal knowledge of the facts herein state that the notice hereto annexed was Published in said newspapers in the issue dated:

08/25/2021

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper.
Sworn to and subscribed before on 08/25/2021



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

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Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin

NOTICE OF HEARING on
Application No. 8512-3 to
Appropriate Water

Notice is given that the
City of Aberdeen, c/o
Robert Braun, Water Supt,
123 S Lincoln, Aberdeen SD
57401 has filed an applica-
tion for a future use
permit. Application No.
8512-3 proposes to appropri-
ate 8.5 cubic feet of water
per second and reserve for
future use 6,154 acre-feet of
water from the James
River located in the SE 1/4
Section 14-T124N-R62W.
The water is reserved for
future water supplies for
municipal use by the city.
This application does not
authorize construction of
works or application of
water to beneficial use.
The James River diversion
site is located approxi-
mately 10 miles northeast
of Aberdeen SD.

South Dakota Codified Law
(SDCL) 46-2A-4(10)

provides that "If the appli-
cant does not contest the
recommendation of the
Chief Engineer and no peti-
tion to oppose the applica-
tion is received, the Chief
Engineer shall act on the
application pursuant to the
Chief Engineer's recom-
mendation and no hearing
may be held before the
board, unless the Chief
Engineer makes a finding
that an application, even if
uncontested, presents
important issues of public
policy or public interest
that should be heard by the
board." In this case, the
Chief Engineer finds that
this application presents
important issues of public
interest that should be
heard by the Water
Management Board.

Pursuant to SDCL 46-2A-2,
the Chief Engineer recom-
mends APPROVAL of
Application No. 8512-3 with
qualifications because 1)
unappropriated water is
available, 2) existing rights
will not be unlawfully
impaired, 3) it is a benefi-
cial use of water, and 4) it
is in the public interest.
The Chief Engineer's
recommendation with qual-
ifications, the application,
and staff report are avail-
able at
<http://denr.sd.gov/public> or
contact Ron Duvall for this
information, or other infor-
mation, at the Water
Rights Program address
provided below.

The Water Management
Board will consider this
application at 10:00 am
(central time) on October
6, 2021 in the Legislative
Conf. Room 414, State
Capitol Bldg, 500 E. Capitol
Ave, Pierre SD. The Chief
Engineer's recommenda-
tion is not final or binding
upon the Board. The Board
is authorized to 1) approve,
2) approve with qualifica-
tions, 3) defer, or 4) deny
this application based on
the facts presented at the
public hearing.

Any interested person who
intends to participate in
the hearing shall file a
petition to oppose or
support the application and
the petition shall be filed
with BOTH the applicant

applicant must also file a petition if opposed to 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 September 27, 2021. The petition may be informal but shall be in writing and shall 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. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing and decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The October 6, 2021 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any person who has filed a petition to oppose or support the application. The request for an automatic delay must be filed by September 27, 2021. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to all petitioners regarding the time, date and location.

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Under SDCL 1-26-17(7) notices must state that "If the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is September 7, 2021. However, since this particular matter is a water permit application and not a monetary controversy in excess of \$2,500.00 or

right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board. As applicable, the following provides the legal authority and jurisdiction under which the hearing will be held and the particular statutes and rules pertaining to this application: SDCL 1-26-16 thru 1-26-28; SDCL 46-1-1 thru 46-1-9, 46-1-13 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-2A-23; 46-5-1.1, 46-5-2 thru 46-5-26, 46-5-30.2 thru 46-5-30.4, 46-5-31, 46-5-32 thru 46-5-34.1, 46-5-38 thru 46-5-39, 46-5-46, 46-5-47, 46-5-49; 46-6-1 thru 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:25.02; 74:02:01:35.01. Published once at an approximate cost of \$70.52..

August 25, 2021 6196710

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, July 28, 2021 3:42 PM
To: Bob Braun (bob.braun@aberndeen.sd.us)
Subject: Water Permit Application No. 8512-3
Attachments: 1574.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper as soon as possible to authorize publication and arrange for payment. This information is being mailed to you tomorrow.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
APPLICATION NO. 8512-3, City of Aberdeen**

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 Future Use Water Permit Application No. 8512-3, City of Aberdeen, 123 S Lincoln, Aberdeen SD 57401.

The Chief Engineer is recommending APPROVAL of Application No. 8512-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Aberdeen has demonstrated a reasonable need for the water reserved, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Future Use Permit No. 8512-3 reserves 6,154 acre-feet of water annually from the James River.
2. That Future Use Permit No. 8512-3 is approved with the stipulation that this Permit is subject to review by the Water Management Board as to accomplishment in developing reserved water upon expiration of seven (7) years. This Permit shall be subject to cancellation if the Water Management Board determines during the review that the holder cannot demonstrate a reasonable need for the Permit.
3. At such time as definite plans are made to construct works and put the water reserved by this permit to beneficial use, specific application for all or any part of the reserved water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.

See report on application for additional information.

Eric Gronlund
Eric Gronlund, Chief Engineer
June 21, 2021

REPORT ON FUTURE USE PERMIT APPLICATION NO. 8512-3

City of Aberdeen

June 16, 2021

Future Use Permit Application No. 8512-3, proposes to reserve for future use 6,154 acre-feet of water at a diversion rate of 8.5 cubic feet of water per second (cfs) from the James River located in the SE 1/4 Section 14-T124N-R62W. The water is to be reserved for future water supplies for municipal use by the city. This application does not request authorization of the construction of works or to put water to beneficial use. The James River diversion site is located approximately 10 miles northeast of Aberdeen SD in Brown County.

South Dakota Codified Law (SDCL) 46-2A-10 and 46-5-38.1 sets out the criteria and conditions under which a future use permit may be approved and Administrative Rule 74:02:01:24.01 defines the limits the Water Management Board may place on a future use permits. SDCL 46-2A-10 allows a future use permit may be approved only if 1) there is reasonable probability unappropriated water is available for appropriation; 2) the quantity of water reserved will be needed by the entity; 3) the proposed use will be a beneficial use; and 4) the proposed use is in the public interest. This report will address the first two criteria.

Review of the Proposed Water Source

Originating in North Dakota, the James River flows southward to the Missouri River near Yankton, SD. Approximately 475 miles of the James River are in South Dakota. During extended periods of low precipitation, the James River experiences extremely low flows and cannot be considered a reliable source of water.

The United States Geological Survey (USGS) operates a streamflow gaging station network in South Dakota. The USGS collects realtime stream flow data and retains a historical record of the flow data for each of these stations (USGS. 2021). Water Rights staff uses this flow data to help regulate water usage during dry periods and for performing flow analyses in determining the likelihood of water availability at a particular location. The USGS provides an online statistical package to help analyze the flow data.

Two of the measures considered are Mean, often referred to as average, and Median, otherwise referred to as 50-percentile, are statistical terms having a similar role in understanding the central tendency of a set of statistical results. Mean, often used to describe the middle value of a dataset, is calculated by determining the sum of the entries composing the dataset and then dividing that sum by the total number of entries in the dataset. Median, is the central value separating the higher half of values in a dataset from the lower half. The disadvantage of using mean to describe flow

is the mean value can be significantly affected by any single value in the data set being very high or very low compared to the rest of the data values. In the analysis of long-term flow data, large flood event data values skew the calculated mean value giving an unreasonable expectation of a higher flow value over a period of time.

The USGS operates stream flow gaging station No. 06473000, on the James River at Ashton, SD (USGS, 2021). Figure 1 shows plots of historical percentile data from 1945 to 2020 for this stream flow gage. Looking at the requested period of use at the 50th percentile, with flows at or below this level on average one out of two years, the mean daily flow values range from over 650 cfs throughout May before steadily dropping to a low of 60 cfs at the end of August. During the period of proposed use, the 25th percentile level, at this level or below on average one out of four years, shows the daily flow values ranging between 160 cfs in May before dropping below 20 cfs by mid-August. At the 10th percentile with flows expected at this level or below on average one out of ten years, flow is above 20 cfs only for a short time in late April and early May.

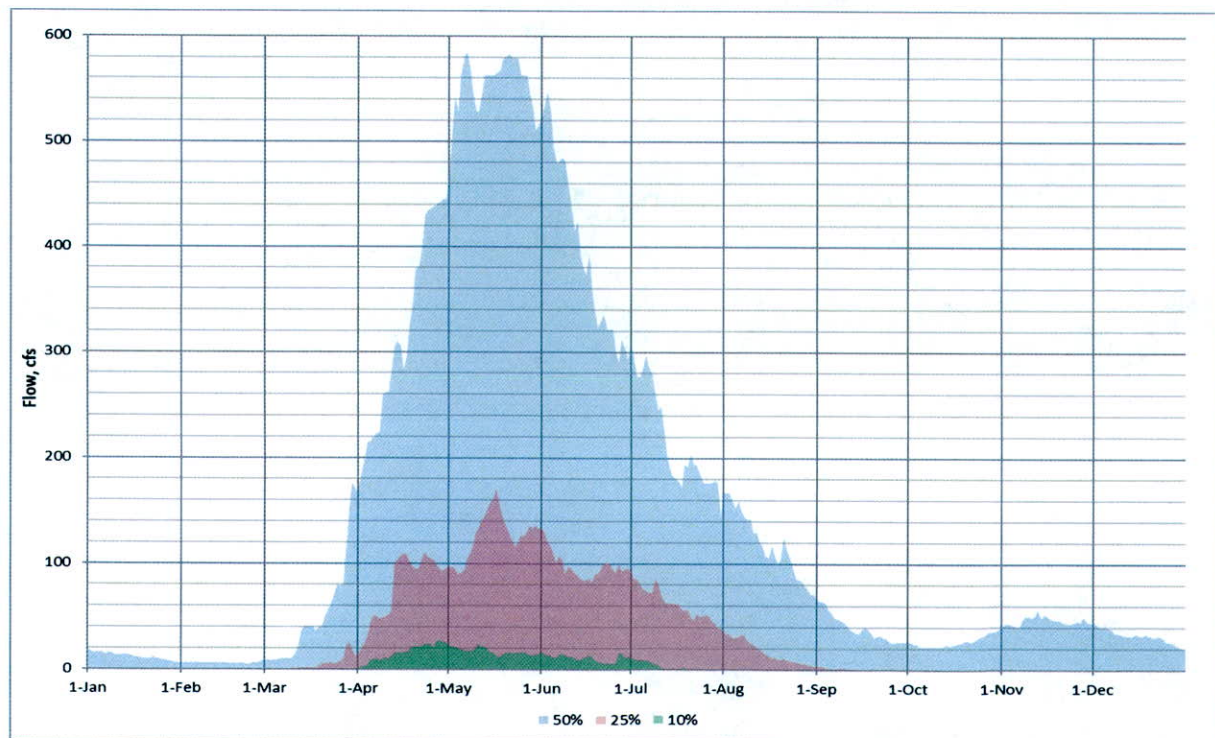


Figure 1. Daily percentile flow hydrograph for the USGS gaging station No. 06473000, 1945-2020, on the James River at Ashton, SD, contributing drainage area 8,333 mi², (USGS, 2021).

Review of the James River Water Management Regulation

In 1965, the SD Water Rights Commission, a predecessor to the SD Water Management Board, placed maximum diversion limits over sections of the James River in South Dakota. A 300 cfs

diversion limit restriction applies to the river reach between the North Dakota border to the Yankton-Hutchinson County Line (Water Rights. 2021). Of this restriction, a 200 cfs diversion limit restriction was placed from the North Dakota border to the USGS gaging station in Huron, SD. The SD Water Management Board has adopted these diversion limits.

In 2007, the SD Water Management Board adopted standardized qualifications and amended the existing water rights/permits for current and future James River water rights/permits. In order to address times when water availability is scarce from the James River, the Water Management Board has placed the following qualifications on James River permits with diversions located above the Ashton gaging station:

- This permit does not authorize diversion of water from the James River after August 10th of each calendar year unless written orders have been issued by the Chief Engineer. Diversions under this permit are subject to senior water rights and any written orders issued by the Chief Engineer.
- This permit does not authorize diversions from the James River when there is less than 20 cfs by-passing the gage at Ashton, SD, after pumping.

If this future use permit is approved, any water permit obtained the City of Aberdeen utilizing water reserved by this permit would contain these same qualifications.

Review of Existing Water Rights/Permits

Currently there are 74 water rights/permits appropriating 187.26 cfs of the 200 cfs diversion limit between North Dakota border and the USGS gaging station at Huron, SD, and there are 117 water rights/permits appropriating 290.39 cfs of the 300 cfs diversion limit between the North Dakota border and the Yankton-Hutchinson County Line. At the time this report was written there is 9.61 cfs available from the James River for appropriation (Water Rights. 2021)

There is Future Use Permit No. US594-3 bearing a priority date of November 7, 1963, held by the US Bureau of Reclamation for the reservation of 500 cfs from the James River and other sources. The majority of the water reserved by this permit and attributed to the James River would have come from runoff created by the defunded and non-constructed Oahe Project with the water being diverted at the James River pumping plant. Originally the reservation of water was by Future Use Permit No. 1067-3 held by the Oahe Conservancy Sub-District but was transferred to the Bureau of Reclamation under Future Use Permit No. US594-3 in 1974. The remainder of Future Use Permit No. 1067-3 was cancelled by the Water Management Board in 2012. The status of this future use permit should be reviewed since the source of the majority of the water reserved was to

be from a federal irrigation project that was never constructed and has been defunded (Water Rights. 2021).

Reported and Projected Water Use by the City of Aberdeen

As part of the application, the City provided an executive summary of a report completed by a consultant containing the City's recent water use information and projected needs up to the year 2045. The consultant compiled the actual water use by the City for the 10-year period 2009-2018. They found the year with the highest annual use occurred in 2017, which was used as the baseline for the study analysis (HR Green. 2020).

Table 1 shows the population served and water used for the year 2017 and projected served population projections and water use for the years 2030 and 2045 (HR Green. 2020). The analysis demonstrates the average annual use is expected to increase from 4,290 ac-ft in 2017 to 6,090 ac-ft by 2045.

Table 1. Reported and projected water use by the City of Aberdeen. (HR Green. 2020),

Reported and Projected Flow Projections By Populaton			
Year	2017	2030	2045
Population	28,415	34,400	40,000
Per-Capita Average Use (gal/pers/day)	135	135	135
Average Daily Use (MGD)	3.83	4.64	5.40
Average Daily Use (CFS)	5.93	7.18	8.35
Average Annual Use (Ac-Ft)	4,290	5,198	6,049
Per-Capita Maximum Use (gal/pers/day)	306	306	306
Maximum Day Production (MGD)	8.69	10.52	12.23
Maximum Day Production (CFS)	13.45	16.28	18.92

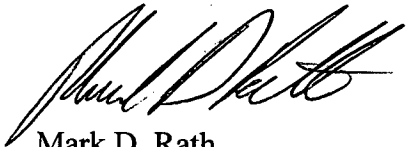
Discussion

The City of Aberdeen is requesting to reserve 8.5 cfs and 6,154 acre-feet of James River water under a future use permit. The water is to be reserved for future water supplies for municipal use by the city. In addressing the first two requirements specified in SDCL 46-2A-10 on whether a future use permit may be approved, first is there reasonable probability unappropriated water is available for appropriation? A review of USGS stream gaging data indicates a reasonable probability unappropriated water is available. In addition, the Water Management Board has continued to uphold a 300 cfs diversion limit restriction to the river reach between the North Dakota border to the Yankton-Hutchinson County Line and a 200 cfs diversion limit restriction from the North Dakota border to the USGS gaging station in Huron, SD as originally adopted in 1965. Currently 290.39 cfs of the 300 cfs diversion limit between the North Dakota border and the Yankton-Hutchinson County Line is appropriated leaving 9.61 cfs available. Second, will the

quantity of water to be reserved be needed by the entity? Current water use and future water needs provided by the applicant demonstrate that in order for the City to meet projected future water needs, the community needs to secure additional water supplies from water sources other than those currently being used.

Conclusions

1. The applicant proposes to reserve for future use 6,154 acre-feet of water at a diversion rate of 8.5 cubic feet of water per second (cfs) from the James River.
2. The water source for the proposed future use reservation is the James River in Brown County. Approval of this permit will leave 1.1 cfs of the 300 cfs limit, set by the Water Management Board, remaining for future appropriation for the river reach from the North Dakota border to the Yankton-Hutchinson County Line.
3. Based upon a review of USGS stream gaging data for the James River, the review indicates a reasonable probability unappropriated water is available for reservation of water while remaining under the Water Management Board set diversion limits.
4. The applicant has demonstrated that in order for the City of Aberdeen to meet projected future water needs, the community needs to secure additional water supplies from water sources other than those currently being used.



Mark D. Rath

Natural Resources Engineer III

References

1. HR Green. 2020. Executive Summary, Aberdeen Water Treatment Plant Facility Plan – 2020. HR Green, Inc. 431 N Phillips Ave, Sioux Falls SD.
2. Water Rights. 2021. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
3. USGS. 2021. United States Geological Survey, National Water Information System – Stream Gaging Station Network for South Dakota.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

OCT 25 2021

City of Aberdeen
c/o Robert Braun, Water Supt
123S Lincoln
Aberdeen SD 57401

Dear Mr. Braun:

Enclosed is Future Use Permit No. 8512-3, as approved by the Water Management Board.

When plans for facilities are prepared to put any portion of the water granted in the future use permits to beneficial use, an application covering such facilities and water use should be submitted to this office before construction is initiated.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure