

FUTURE USE WATER PERMIT NO. 8651-3

Name of Applicant: Shared Resources

Address: 47381 248th St, Dell Rapids SD 57022

Phone: 605 428-3374

Amount of Water Claimed: 9,415 AF

Total Acres: NA

Source of Water Supply: Big Sioux:Moody Aquifer

Water to be used for: rural water system use

County: Moody

Type of Waste Disposal System:

Location: 3 miles west of Trent SD

PRIORITY Date Received: 8-1-22

Application/License Fee: \$845

Corrected Application Received: 8-10-22

Period of Annual Use: Jan 1- Dec 31

Remarks: future use reservation

Future Use Area: NW 1/4 Sec 15 and SE 1/4 Sec 9;
all in T105N-R49W

Land to be Irrigated: NA

9		10			
16		15			

Depth of Well:

Well Driller:

Remarks:

Type of Map: topo

Prepared by:

Reviewed and the Number Assigned on: 8-11-22

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
FUTURE USE PERMIT NO. 8651-3**

Date of first receipt of application August 1, 2022.

Date of return to applicant for corrections, amendments or changes August 8, 2022.

Date of receipt of corrected application August 10, 2022.

The Water Management Board approved Future Use Permit No. 8651-3 on December 7, 2022 for Shared Resources, 47381 248th St, Dell Rapids SD 57022 subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 8651-3 reserves 9,415 acre-feet of water annually from the Big Sioux:Moody Aquifer. The area to be reserved for future water use is located in the NW 1/4 Section 15 and SE 1/4 Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users located in Lake, Minnehaha, Moody and Brookings Counties. The site of the future use area is located approximately 2 miles west of Trent 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 date from which applicant may claim right is August 1, 2022.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

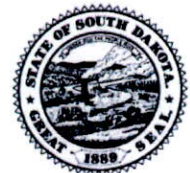
QUALIFICATIONS

1. Future Use Permit No. 8651-3 reserves 9,415 acre-feet of water annually from the Big Sioux:Moody aquifer.
2. That Future Use Permit No. 8651-3 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 Environment and Natural Resources

JAN 19 2023
date



RECEIVED

AUG 01 2022

PAID

AUG 1 2022

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8651-3</u> (office use only) Hydrologic Unit <u>10170203</u>	OFFICE OF WATER
	Basin <u>Sioux River</u>	
	Newspaper: _____	

Ck# 1026
Rec# _____

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.)

Phone: 428-3374 Contact: Scott Buss, Minnehaha CWC
email: mcwc@siouxvalley.net

1. Name to Appear on Water Permit Shared Resources

Mailing Address 47381 248th Street Dell Rapids SD 57022
(Address) (City) (State) (Zip Code)
Phone 605 428 3374 Mobile _____ Email _____

2. Amount of water claimed _____ *CFS or 5,833 **GPM and 9,415 ***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 Big Sioux Moody Aquifer

4. Location of point of diversion NW 1/4 of Sec 15, SE 1/4 of Sec 9 - T105N R49W County Moody

(example - 3 wells in SW 1/4 NE 1/4 section 12 T.04N R.01W)

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 - NW 1/4 section 12 T.04N R.01W)

5. County or counties where water will be used Lake, Minnehaha, Moody, Brookings

6. Annual period during which water is to be used Continuous

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)

See Attachment A

1. Scott Buss Chairman, 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.

2015-10

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

(type or print)

(check one or both as applicable)

☐ Using existing well(s)

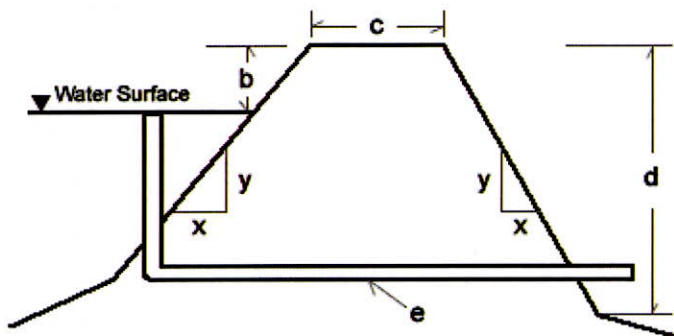
- For either Existing or Proposed Wells: Refer to Attachment A for specific information on the test wells.

- ## 2. Wastewater Disposal System Information

- ### 3. Dugout Information

- #### 4. Water Storage Dams

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



- 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

8651-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

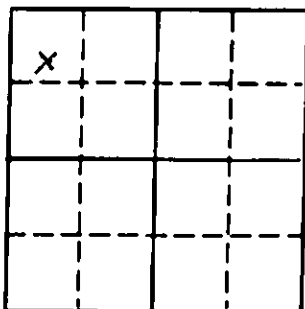
Location NW 1/4 NW 1/4 Sec 15 Twp 11S-11 Rg 49

Well Owner:

County

Pierre

North



Please mark well location with an "X"

Well completion Date

4-26-22

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

7400' ft. from 14112 N. 4th Ave. (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket - Fake Casing

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
50 LB/FT	12 IN	+1 FT	47 FT	20" IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Premix</u>	<u>4</u>	Lb/gal	<u>0</u> FT	<u>15</u> FT
		Lb/gal	FT	FT

Describe grouting procedure Perforated pipe withYellow Clay Portland Cement

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12 Inches Length 12 FeetMaterial Stainless SteelSlot Size 100 Set From 47 Feet to 59 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?
Chlorine bleach
☐ No, Why Not?

Lab sample sent to for water quality analysis

Sioux Falls

Please return WHITE COPY to: DENR Water Rights

Business Name:

Shared Resources

Address:

47381 248th St.

City, State, Zip:

Pell Rapids SD 57022

WELL LOG:

DEPTH

FORMATION

FROM

TO

Black Tongue02Yellow Clay211Sand Creek1117Silt Yellow Clay1724Sand2443Coarse G. Sand4359

STATIC WATER LEVEL

24'

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:
Surge
☐ Bailed

☐ Other

Pumping Level Below Land Surface

42'

FT. After

5

Hrs. pumped

750

GPM

FT. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

This well was drilled under license #

111

And this report is true and accurate.

Drilling firm:

Lacey, W. D. Drilling Co.

Signature of License Representative:

Juan Rodriguez

Signature of Well Owner or Equitable Property Holder:

John J. J.

RECEIVED

MAY 27 2022

Date:

5-23-22

OFFICE OF

523 E Capitol Ave.

Pierre SD 57501

WATER

Attachment A.

Number 7.

The Big Sioux Community Water System (BSCWS) and the Minnehaha Community Water Corporation (MCWC) are forming a joint rural water system, named *Shared Resources*, in response to future system demands. The BSCWS currently produces up to 2 million gallons per day (MGD) with a supplemental allocation amount of 1 MGD from MCWC. MCWC currently produces up to 6 MGD, with a supplemental allocation amount of 2.2 MGD from the Lewis and Clark Rural Water System. Both BSCWS and MCWC have dealt with increasing water demands in recent years in response to increasing populations/customers and drought conditions. It is estimated that peak demands will exceed the existing water treatment capacity of both facilities by 2025.

In response to increasing demands and to ensure both systems will be able to serve current and future customers, Shared Resources is proposing a project consisting of:

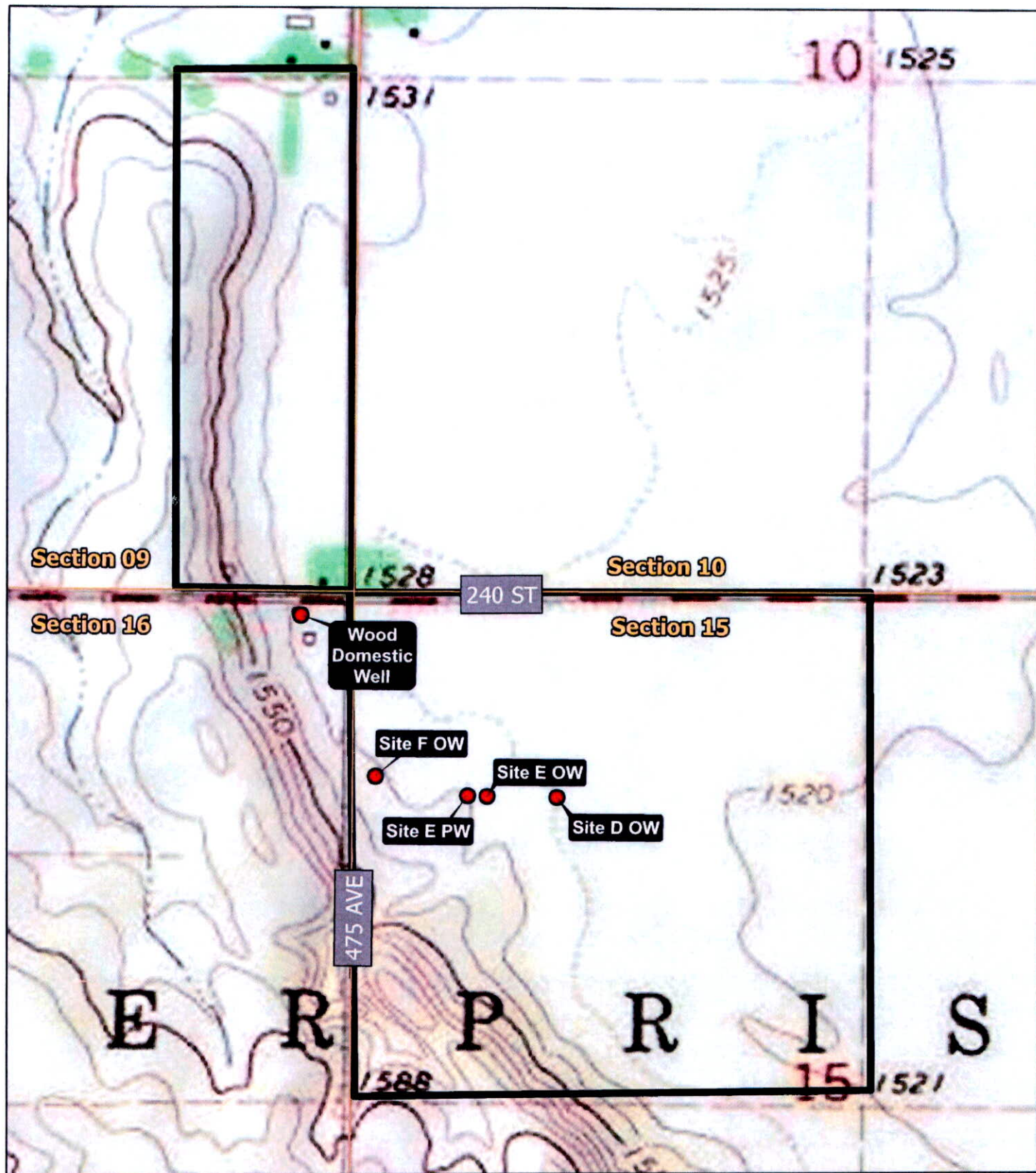
- New water treatment plant facility with production value of 8 MGD firm (8.4 MGD total)
- Development of a groundwater well field consisting of raw water pipelines and 8-11 wells to supply the new water treatment plant. Wells will pump approximately 700 gallons per minute.
- Construction of one groundwater storage tank
- Construction of one elevated water storage tank
- Construction of one booster pump station
- Installation of approximately 85 miles of treated water distribution pipe

Test pumping on the potential well locations was completed in the Spring of 2022. Preliminary results of the aquifer pumping tests are attached. A hydrogeological report is also being completed for the new well field. The estimated date for completion of the report is August 31, 2022.

As well locations are finalized, Shared Resources will provide SDDANR with the information in Table 1 and Table 2 below:

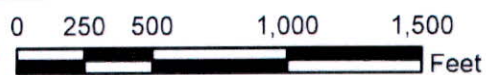
Table 1. Well Locations

[illegible]



Shared Resources

Future Wellfield Locations
Moody County, South Dakota



Legend

- Well Sites
- Section Lines
- Future Wellfield Locations

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 1, 2022

RECEIVED OF Shared Resources 47381 248th Street, Dell Rapids SD 57022

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>8651-3</u> to Appropriate Water for Future use	<u>\$845.00</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>\$845.00</u>

By Eric Gronlund
Chief Engineer
em

State of South Dakota

Office of the Secretary of State

Certificate of Incorporation

Domestic Nonprofit Corporation

I, **Steve Barnett**, Secretary of State of the State of South Dakota, hereby certify that the ARTICLES OF INCORPORATION for

Shared Resources, Inc.

BUSINESS ID# NS211977

with an effective date of: October 9, 2021, duly signed and verified, SDCL 47-22-6 has been received in this office and is found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Incorporation and attach hereto a duplicate of the ARTICLES OF INCORPORATION.

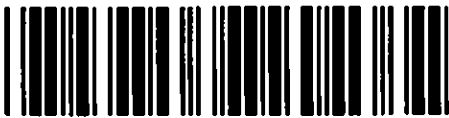


IN TESTIMONY WHEREOF, I have hercunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, October 9, 2021.

Steve Barnett

Steve Barnett
Secretary of State

10/09/2021 11:03 AM



NS211977

ARTICLES OF INCORPORATION

DOMESTIC NONPROFIT CORPORATION
SDCL 47-22-6

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

Filing Fee: \$30

Total Fee: \$30

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Article I

The name of the Company: **Shared Resources, Inc.**

Article IA

The purpose(s) for which the corporation is organized:

The purposes for which this Corporation is organized are to acquire, construct, maintain and operate a system for the diversion, supply, storage and distribution of water to the members of the Corporation for domestic or commercial purposes within the geographic area served by the Corporation; to acquire by appropriation or otherwise, and to lease, sell or dispose of water and water rights for domestic or commercial purposes; and to exercise any and all other powers incidental to or conducive to the aforesaid objectives.

Article II

The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is:

Article III

Will this corporation have members?: **YES**

Article IV

The address of the principal office in or out of the State of South Dakota where the company conducts it's business:

Actual Street Address
**23343 479TH AVE.
EGAN, SD 57024**

Mailing Address
**23343 479TH AVE.
EGAN, SD 57024**

Article V

SDCL 59-11-6

The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent, (b) a commercial registered agent, or (c) an office holder.

(a) The South Dakota Noncommercial Registered Agent's name
Name JARED I GASS

Actual Street Address in this State
**212 5TH AVE
BROOKINGS, SD 57006**

Mailing Address in this State
**PO BOX 486
BROOKINGS, SD 57006**

B0195-6716 10/09/2021 11:03AM Rec'd by SD SOS



Article VI

The name and address of each incorporator (one or more persons - person includes an individual or entity)

Name	Address
Dan Dannenbring	57 N. Gulch Ln., Wentworth, SD 57075
Andy Groos	47004 233rd St., Colman, SD 57017
Vince Nelson	205 S. Perry Ave., Colman, SD 57017
Lloyd Rave	47936 245th St., Dell Rapids, SD 57022
Rod VanDerVliet	46037 248th St., Dell Rapids, SD 57022
David Howard	7301 E. Mystic Dr., Sioux Falls, SD 57110

Article VII

The name and address of each director (three or more persons - person includes an individual or entity)

Name	Address
Dan Dannenbring	57 N. Gulch Ln., Wentworth, SD 57075
Andy Groos	47004 233rd St., Colman, SD 57017
Vince Nelson	205 S. Perry Ave., Colman, SD 57017
Lloyd Rave	47936 245th St., Dell Rapids, SD 57022
Rod VanDerVliet	46037 248th St., Dell Rapids, SD 57022
David Howard	7301 E. Mystic Dr., Sioux Falls, SD 57110

Article VIII

There shall be no capital stock issued by the Corporation and membership in the Corporation shall be limited to non-profit corporations purchasing bulk water from this Corporation. Applicants for membership must be approved by the Board of Directors and must pay such membership fees as are fixed by the Board of Directors from time to time.

Article IX

The By-Laws of the Corporation for the management of its affairs shall be adopted by the Board of Directors and said Board of Directors shall be empowered to amend or repeal said By-Laws from time to time by means of a majority vote at any regular or special meeting thereof.

Article X

Neither cumulative nor proxy voting shall be allowed. Each member shall be permitted only one (1) vote.

Article XI

Section 1. No officer, director or member shall at any time receive or become entitled to receive any pecuniary profit from the operations of the Corporation, either by dividends or other distribution, or by payment of any salary, wage or reward of any kind in excess of reasonable compensation for services actually rendered by any officer, agent, director, employee or member of the Corporation.

Section 2. No dividend or distribution of the funds or other property of the Corporation shall be made until all debts are fully paid and then only upon its final dissolution, nor shall any distribution be made except by a vote of a quorum of the Board of Directors, as provided herein. The Board of Directors shall have authority and power upon a majority vote thereof to transfer all of the assets, liabilities, contracts and other obligations of the Corporation to



one (1) or more non-profit corporations, providing for the sale and distribution of water to its members.

Article XII

This Corporation may be dissolved upon a majority vote of the Board of Directors. In the event of dissolution, any and all funds remaining in the Corporation shall be transferred to any other or several non-profit organizations or political subdivisions having one (1) or more purposes in common with this Corporation.

Article XIII

To the fullest extent permitted by South Dakota Codified Laws as the same exist or may hereafter be amended, a Director of this Corporation shall not be personally liable to the Corporation or its members for monetary damage or breach of fiduciary duty as a Director.

Article XIV

The Board of Directors of the Corporation shall consist of six (6) Directors, or such other number of Directors as shall be fixed by the By-Laws of this Corporation from time to time. The names and addresses of the persons that shall constitute the first Board of Directors of the Corporation upon filing of these Articles of Incorporation are set forth herein. Said named Directors shall serve as such until their terms end and their successors are elected in accordance with the By-Laws.

Article XV

No member's individual liability shall extend beyond the consideration paid by each member for its membership herein.

Signature/Authorization

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a civil and/or criminal penalty (SDCL 22-39-36).

Jared Gass

PRINTED NAME

Jared Gass

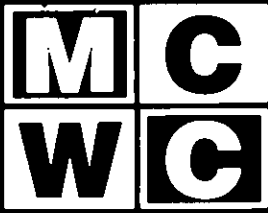
SIGNATURE

Attorney

TITLE

10/09/2021

DATED



MINNEHAHA COMMUNITY WATER CORP.

47381 248th St.
Dell Rapids, SD 57022

Phone : 605-428-3374
Fax : 605-428-3395
Web : www.minnehahacommunitywater.com
Email : mcwcbilling@siouxvalley.net

RECEIVED

AUG 01 2022

OFFICE OF
WATER

July 28, 2022

Mr. Eric Gronlund, Chief Engineer
South Dakota Department of Agriculture and Natural Resources, Water Rights Division
523 East Capitol Avenue
Pierre, SD 57501

Dear Mr. Gronlund,

The Minnehaha County Water Corporation and the Big Sioux Community Water System have recently formed a corporation, named *Shared Resources*. In response to increasing future water demands, Shared Resources is proposing a joint venture rural water system project in Lake, Minnehaha, and Moody Counties.

The project will consist of the construction and operation of a new water treatment plant facility with a production value of 8 million gallons per day, development of a new groundwater well field consisting of raw water pipelines and 8 to 11 wells, and the construction and installation of groundwater storage tanks, a booster pump station, and approximately 85 miles of treated water distribution pipe.

It is the intent of Shared Resources to apply for a future use water right in the amount of 8.4 MGD (9,415 acre-feet/year) to supply the system. It is anticipated that the water treatment plant and associated infrastructure will be completed by the year 2025.

Pursuant to SDCL §46-2A-10, enclosed is an application requesting to reserve water for future use within the State of South Dakota. Unappropriated water is available according to the most recent water right issued within the Big Sioux : Moody aquifer (Water Right No. 8457-3), and the quantity of water requested by the future use reservation will be needed by the entity to supply water to users in southeast South Dakota.

Thank you for your consideration. If you have questions or need additional information, please contact - our engineer Joe Munson of Banner Associates, Inc. at 605.696.9136 or joem@bannerassociates.com.

Sincerely,

Lloyd Rave
Chairman, Shared Resources



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 8, 2022

Shared Resources
c/o Lloyd Rave, Chairman
47381 248th St
Dell Rapids SD 57022

Dear Mr. Rave:

Thank you for submitting the *Application for a Permit to Appropriate Water* for future use by your recently formed corporation. To complete the application, the following is required.

- Please include an email address if available.
- The application identifies the location of point of diversion as NW 1/4 Sec 15 and SE 1/4 Sec 9; all in T105N-R49W. The map has the NW 1/4 Sec 15 and the E 1/2 SE 1/4 Sec 9; all in T105N-R49W outlined. Please clarify.
- The application needs to be signed near the bottom.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosures

Schlaak, Karen

From: Scott Buss <mcwc@siouxvalley.net>
Sent: Wednesday, August 10, 2022 10:55 AM
To: Schlaak, Karen
Subject: [EXT] Share Resources Water Rights Application
Attachments: Application.pdf

Karen,

I received your response letter for the water rights application for Shared Resources. I have attached the signed copy of the application.

You can list me as the primary contact on the application and use my email address – mcwc@siouxvalley.net

To clarify the diversion points, Shared Resources plans to put the treatment plant and wells in the NW 1/4 of Section 15. We are waiting on the consultant's report to identify the needed well spacing. If additional land is needed, Shared Resources plans to work with the land owner on the E ½ of the SE ¼ of Section 9. Ultimately, we may need more land in the W ½ of the SE ¼ of Section 9. It looks like the engineers wrote the application as broadly as possible. Hope that helps to explain.

Please let me know if you need any additional information.

Thanks.

Scott J. Buss
Executive Director
Minnehaha Community Water Corp.
47381 248th St, Dell Rapids, SD 57022
Phone: (605) 428-3374
Fax: (605) 428-3395

MCWC is an equal opportunity employer and provider.



**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. 8651-3, Shared Resources**

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. 8651-3, Shared Resources, c/o Lloyd Rave, Chairman, 47381 248th Street, Dell Rapids SD 57022.

The Chief Engineer is recommending APPROVAL of Application No. 8651-3 for reservation of 9,415 acre feet of water annually because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Shared Resources has demonstrated a reasonable need to reserve water in the amount of 9,415 acre feet of water annually, 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. 8651-3 reserves 9,415 acre-feet of water annually from the Big Sioux:Moody aquifer.
2. That Future Use Permit No. 8651-3 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, Chief Engineer
September 15, 2022

NOTE: Approval of Future Use Permit No. 8651-3 does not preclude approval of subsequent appropriations by other persons within the future use area identified on No. 8651-3. Approval of any such appropriations will have a priority date junior to No. 8651-3. However, future siting of wells by the Shared Resources to place water to beneficial use within the future use area will be subject to review during the application process to place to beneficial use regarding the likelihood of well interference between Shared Resources wells and wells of other users within the future use area.

Report to the Chief Engineer
On Future Use Permit Application No. 8651-3
Shared Resources

September 15, 2022

Future Use Permit Application No. 8651-3 proposes to appropriate and reserve 9,415 acre-feet of water annually from the Big Sioux: Moody aquifer. The area to be reserved for future use is in the NW ¼ of Section 15 and SE ¼ of Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users in Brookings, Lake, Minnehaha, and Moody Counties. This application does not authorize the construction of works or application of water to beneficial use. The site of the future use area is located in Moody County approximately two miles west of Trent, SD.

AQUIFER: Big Sioux: Moody (BS:M)

HYDROGEOLOGY:

The Big Sioux aquifer is primarily composed of meltwater stream and glacial outwash deposits that range from fine to medium, poorly sorted sand to a well-sorted sand and medium gravel and occurs mostly in the floodplains of the Big Sioux River and its major tributaries (Hamilton, 1989; Hansen, 1986). The Big Sioux aquifer is divided into twelve management units that have been historically recognized by the DANR-Water Rights Program and SD Water Management Board (Water Rights, 2022c). The water proposed to be reserved is within the Moody management unit of the Big Sioux aquifer.

In Minnehaha and Moody Counties, the Big Sioux: Moody aquifer is estimated to underly approximately 35,500 acres and contain an estimated 133,130 acre-feet of recoverable water in storage (shown in Figure 1) (Hedges et al., 1982). In Moody County, the Big Sioux: Moody aquifer has an average saturated aquifer thickness of approximately 22 feet, and a documented maximum thickness of approximately 54 feet (Hansen, 1986). The aquifer is generally unconfined near the Big Sioux River and along major tributary valleys, but is elsewhere confined beneath till (Hamilton, 1989; Hansen, 1986). Groundwater movement in the Big Sioux aquifer is generally to the south towards the Big Sioux River (Hansen, 1986).

No water well or test hole completion report was submitted with Future Use Permit Application No. 8651-3. Within approximately two miles of the applicant's proposed future use area, water well and test hole completion reports on file for wells completed into the Big Sioux: Moody aquifer have saturated aquifer thicknesses ranging from approximately 5 to 25 feet, with the depth to the top of aquifer materials ranging from approximately 5 to 20 feet below the ground surface, and static water levels varying between 5 to 20 feet below the ground surface at the time of well completion (Water Rights, 2022b and 2022d). Based on the water well and test hole completion reports on file near the proposed future use area, and the lithologic logs on file for nearby observation wells, the Big Sioux: Moody aquifer is expected to be unconfined near the proposed future use area (SDGS, 2022; Water Rights, 2022b and 2022d).

Figure 1 displays a map of the approximate Big Sioux: Moody aquifer boundary (modified from Hansen, 1986 and 1988; Hedges et al., 1982) with the water rights/permits currently authorized to appropriate water from the Big Sioux: Moody aquifer (Water Rights, 2022c), and the proposed future use area for Future Use Permit Application No. 8651-3 (Water Rights, 2022c).

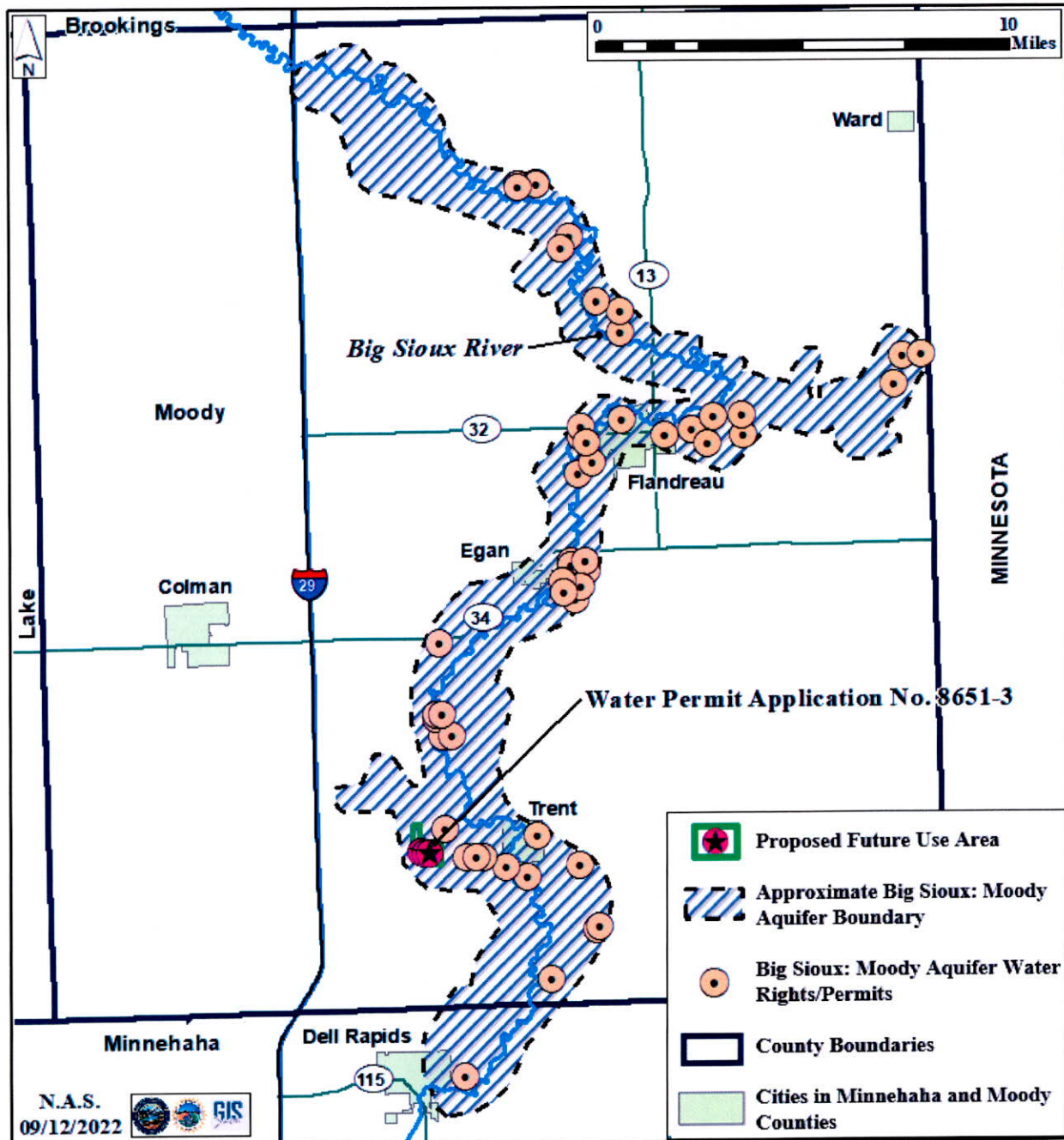


Figure 1. Map of the approximate Big Sioux: Moody aquifer boundary (modified from Hansen, 1986 and 1988; Hedges et al., 1982) with the water rights/permits currently authorized to appropriate water from the Big Sioux: Moody aquifer (Water Rights, 2022c), and the proposed future use area for Future Use Permit Application No. 8651-3 (Water Rights, 2022c)

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

Pursuant to SDCL 46-2A-10, “A reservation for a future use may be approved only if there is a reasonable probability that unappropriated water is available for appropriation, that the quantity of water reserved will be needed by the entity and that the proposed use will be a beneficial use and in the public interest.” This report will address the availability of unappropriated water from the Big Sioux: Moody aquifer. This report will also discuss potential for unlawful impairment of existing domestic water users and water rights within the Big Sioux: Moody aquifer for the information of the Chief Engineer and Water Management Board.

SDCL 46-5-38

Shared Resources is a joint rural water system formed by Minnehaha Community Water Corporation and Big Sioux Community Water System in 2021. Shared Resources is an entity that may reserve water for future use pursuant to SDCL 46-5-38(4). An entity that may reserve water for future use must show future need for the water, and unappropriated water must be available for the proposed appropriation pursuant to SDCL 46-2A-10.

Shared Resources indicated that the future use reservation is needed to support increasing water demands and future growth. The applicant has provided justification in Future Use Permit Application No. 8651-3 for the volume of water requested to be reserved as required under Administrative Rule of South Dakota (ARSD) 74:02:04:24.01.

WATER AVAILABILITY:

Future Use Permit Application No. 8651-3 proposes to reserve and appropriate water from the Big Sioux: Moody aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The Big Sioux: Moody aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010). Therefore, even though the applicant’s proposed use is for use in a water distribution system as defined by SDCL 46-1-6(17), the average annual recharge and average annual withdrawal rates to and from the Big Sioux: Moody aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Big Sioux: Moody aquifer is primarily through the infiltration of precipitation where the aquifer is at or near the ground surface, leakage from adjacent till, and seepage from the Big Sioux River and its tributaries (Hamilton, 1989; Hansen, 1986).

Utilizing observation well analysis and a specific yield of 15 percent, Hansen (1988) estimated a recharge rate range of 2.7 to 7.02 inches per year, with an average recharge rate of 4.86 inches per year to the Big Sioux: Moody aquifer. The Big Sioux: Moody aquifer has an estimated areal extent of approximately 35,500 acres (Hedges et al., 1982); therefore, the estimated annual recharge rate ranges between approximately 7,988 to 20,768 acre-feet per year, with an average annual recharge rate of approximately 14,378 acre-feet per year.

Discharge

Discharge from the Big Sioux: Moody aquifer is primarily through well withdrawals (Water Rights, 2022d), evapotranspiration where the aquifer is at or near the ground surface, and seepage to the Big Sioux River and adjacent lakes (Hamilton, 1989; Hansen, 1986).

Currently, there are 38 water rights/permits authorized to appropriate water from Big Sioux: Moody aquifer (Water Rights, 2022c). Additionally, there are three future use permits (Nos. 3984-3, 3984A-3, and 3984B-3) reserving 589 acre-feet of water annually from the Big Sioux: Moody aquifer (Water Rights, 2022c). For the purpose of estimating average annual withdrawals, the future use permits are assumed to be fully developable for a total of 589 acre-feet per year.

Table 1 summarizes the 14 non-irrigation water rights/permits authorized to appropriate water from the Big Sioux: Moody aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method generally used by the DNR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2022c). Two municipal water rights were identified as being connected to a rural water system and likely maintain their wells for standby purposes (Drinking Water Program, 2022; Water Rights, 2022c); as such, the average annual water use for these water rights has been estimated to be zero acre-feet per year on Table 1. Overall, the estimated average annual withdrawal rate from the Big Sioux: Moody aquifer by the non-irrigation water rights/permits is approximately 2,937 acre-feet per year (Table 1) (Water Rights, 2022c).

Table 1. Summary of the non-irrigation water rights/permits authorized to appropriate from the Big Sioux: Moody aquifer with estimated annual use determined by their respective authorized diversion rate or annual volume (Drinking Water Program, 2022; Water Rights, 2022c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet/year)	Total Estimated Use (acre-feet/year)
1182-3	City of Flandreau	LC	MUN	3.42		0*
1800-3	Town of Trent	LC	MUN	0.25		0*
2054-3	Big Sioux Community Water	LC	RWS	1.16		503.9
5083-3	I.G Everist Inc	LC	COM	0.05		21.7
5720B-3	Big Sioux Community Water	LC	RWS	0.67	291	291
5962-3	Big Sioux Community Water	LC	RWS	0.44	120	120
5963-3	Big Sioux Community Water	LC	RWS	0.95	240	240
6026-3	Pleasant Valley Colony	LC	COM, DOM, LCO	0.27		117.3
6223-3	Big Sioux Community Water	LC	RWS	0.67		291
6317-3	Dakota Layers LLP	LC	COM, LCO	0.39		169.4
6549-3	Ben Pearson	LC	COM, LCO	0.167		72.5
6632-3	Golden Dakota Farms LLC	LC	COM, LCO	1.34		582.1
8391-3	Big Sioux Community Water	PE	RWS	0.67	300	300
8457-3	River Bend Dairy LLC	PE	COM, LCO	0.637	228	228
					TOTAL:	2,937
LC Licensed Water Right, PE Water Permit, COM Commercial, DOM Domestic, LCO Livestock Confinement Operation						
MUN Municipal, RWS Rural Water System *Identified as being connected to a rural water system						

There are six non-irrigation water rights/permits (held by Big Sioux Community Water) that are required to report their annual usage from the Big Sioux: Moody aquifer (listed on Table 2) (Water Rights, 2022c and 2022f). The average annual withdrawal volume estimated for the six water rights/permits (held by Big Sioux Community Water) on Table 1 totals to approximately 1,746 acre-feet per year (Water Rights, 2022c). The average annual withdrawal volume based on the withdrawals reported over the period of record (2003 to 2021) by the six water rights/permits (held by Big Sioux Community Water) on Table 2 averages to approximately 1,499 acre-feet per year (Water Rights, 2022c). The reported withdrawals listed on Table 2 are for comparison purposes only to show historically the average annual use has been less than the annual use volume that is estimated on Table 1 (Water Rights, 2022c and 2022f). The estimated use for the non-irrigation water rights/permits calculated on Table 1 will be used in the analysis.

Table 2. Average annual withdrawal rate for the Big Sioux: Moody aquifer non-irrigation water rights/permits required to report their annual usage (Water Rights, 2022c and 2022f)

	Big Sioux Community Water
Permit Nos.	2054-3, 5720B-3, 5962-3, 5963-3, 6223-3, 8391-3
	(acre-feet)
Year	
2003	1,387
2004	2,079
2005	1,419
2006	1,456
2007	1,538
2008	1,542
2009	1,429
2010	1,364
2011	1,420
2012	1,552
2013	1,540
2014	1,687
2015	1,512
2016	1,439
2017	1,316
2018	1,481
2019	1,251
2020	1,485.3
2021	1,579.9
Min	1,251
Max	2,079
Average	1,499

Currently, there are 24 irrigation water rights/permits authorized to appropriate water from the Big Sioux: Moody aquifer (Water Rights, 2022c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The estimated average annual withdrawal rate for the Big Sioux: Moody aquifer irrigation water rights/permits that have reported over the period of record is approximately 850 acre-feet per year (Table 3) (Water Rights, 2022a). To reflect the current development of the Big Sioux: Moody aquifer irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2012 to 2021, approximately 933 acre-feet per year, will be used for the hydrologic budget (Table 3) (Water Rights, 2022a).

Table 3. Reported historic irrigation use from the Big Sioux: Moody aquifer (Water Rights, 2022a)

Year	No. of Water Rights/Permits Reporting	Reported Pumpage (acre-feet)
1979	35	517
1980	35	1,243
1981	36	1,478
1982	26	733.54
1983	27	1,127.99
1984	26	582
1985	28	1,113.5
1986	29	260
1987	30	743.5
1988	31	1,931
1989	31	1,434.95
1990	25	812.5
1991	25	1,163.1
1992	24	193.5
1993	25	7
1994	26	693.93
1995	24	402.27
1996	22	1,006.37
1997	20	575
1998	19	1,299.52
1999	19	499.44
2000	19	851.75
2001	19	1,050.62
2002	20	1,339.73
2003	20	1,203.97
2004	21	379.62
2005	21	556.6
2006	21	960.18
2007	23	860.22
2008	24	745.66
2009	24	753.24
2010	25	245.55
2011	26	474.86
2012	26	2,094.44
2013	26	1,390.41
2014	26	1,158.68
2015	27	243.76
2016	26	869.84
2017	26	1,073.24
2018	26	207.02
2019	26	79.11
2020	24	673.39
2021	24	1,537.96
Min	19	7
Max	36	2,094.44
Avg (1979 to 2021)	25	850
Avg (2012 to 2021)	26	933

There are domestic wells completed into the Big Sioux: Moody aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2022d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Big Sioux: Moody aquifer is the uppermost aquifer available; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Big Sioux: Moody aquifer.

Hydrologic Budget Summary

The estimated average annual recharge rate to the Big Sioux: Moody aquifer is approximately 14,378 acre-feet per year. The estimated average annual withdrawal rate from the Big Sioux: Moody aquifer plus the proposed future use reservation for this application is approximately 13,874 acre-feet per year (non-irrigation: 2,937 acre-feet/year; irrigation (avg 2012 to 2021): 933 acre-feet/year; future use permit reservations: 589 acre-feet/year; Future Use Permit Application No. 8651-3 (if approved, assuming full volume): 9,415 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Big Sioux: Moody aquifer for the proposed appropriation.

OBSERVATION WELL DATA:

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

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DNR-Water Rights Program monitors 22 observation wells completed into the Big Sioux: Moody aquifer (Water Rights, 2022b). The four closest observation wells to the proposed future use area are MY-77A (approximately one mile east of Section 9, approximately one mile northeast of Section 15; all in T105N-R49W), MY-77B (approximately 1.5 miles east of Section 9, approximately one mile southeast of Section 15; all in T105N-R49W), MY-82G (approximately three miles east of Section 9, approximately three miles east of Section 15; all in T105N-R49W), and MY-78E (approximately five miles east of Section 9, approximately four miles southeast of Section 15; all in T105N-R49W) (as shown in Figure 6) (Water Rights, 2022b). The hydrographs for these observation wells are displayed in Figures 2 to 5 (Water Rights, 2022b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing. It is worth noting the hydrograph titles display DNR Water Rights Observation Well on the hydrographs when the titles should display DNR Water Rights Observation Well on the hydrographs.

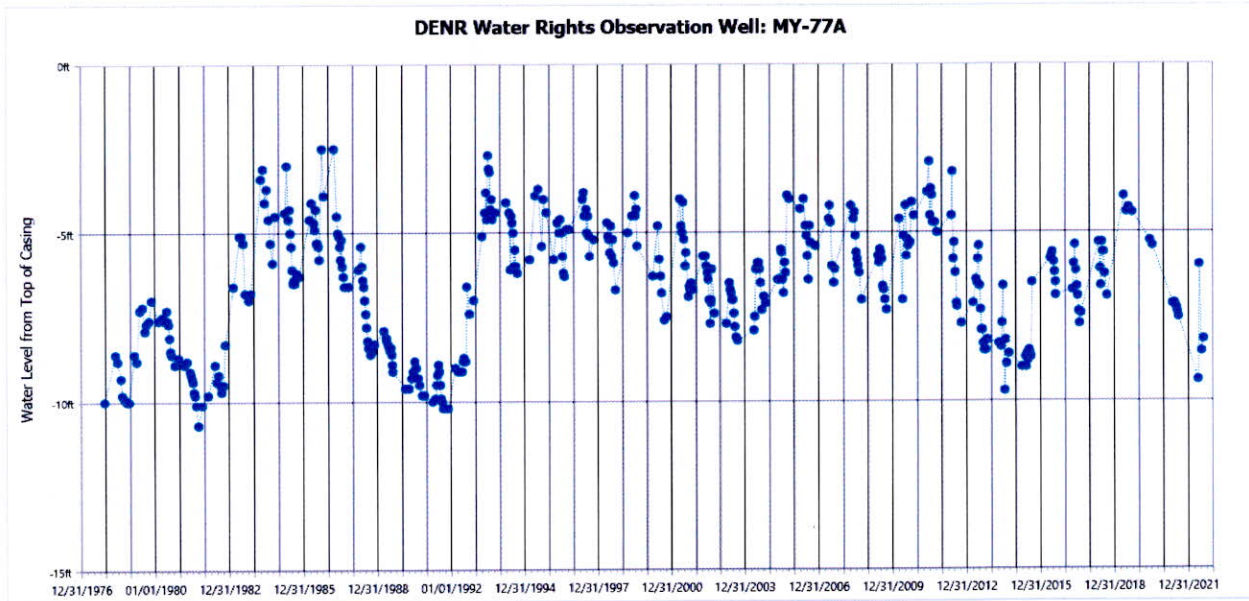


Figure 2. Hydrograph for observation well MY-77A (Water Rights, 2022b)

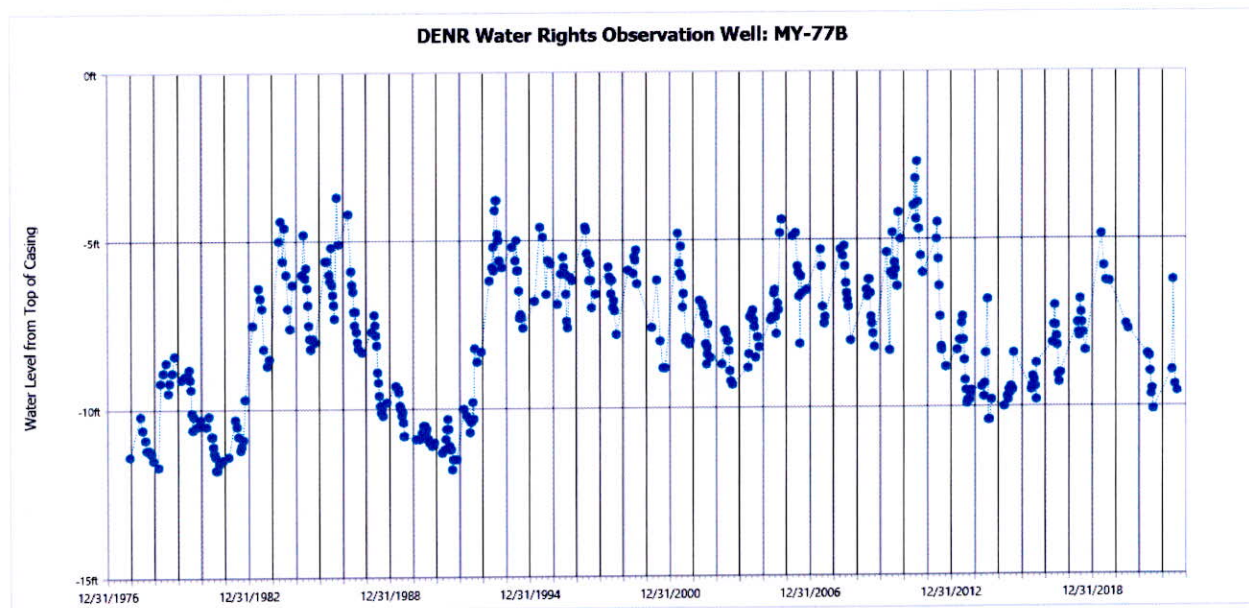


Figure 3. Hydrograph for observation well MY-77B (Water Rights, 2022b)

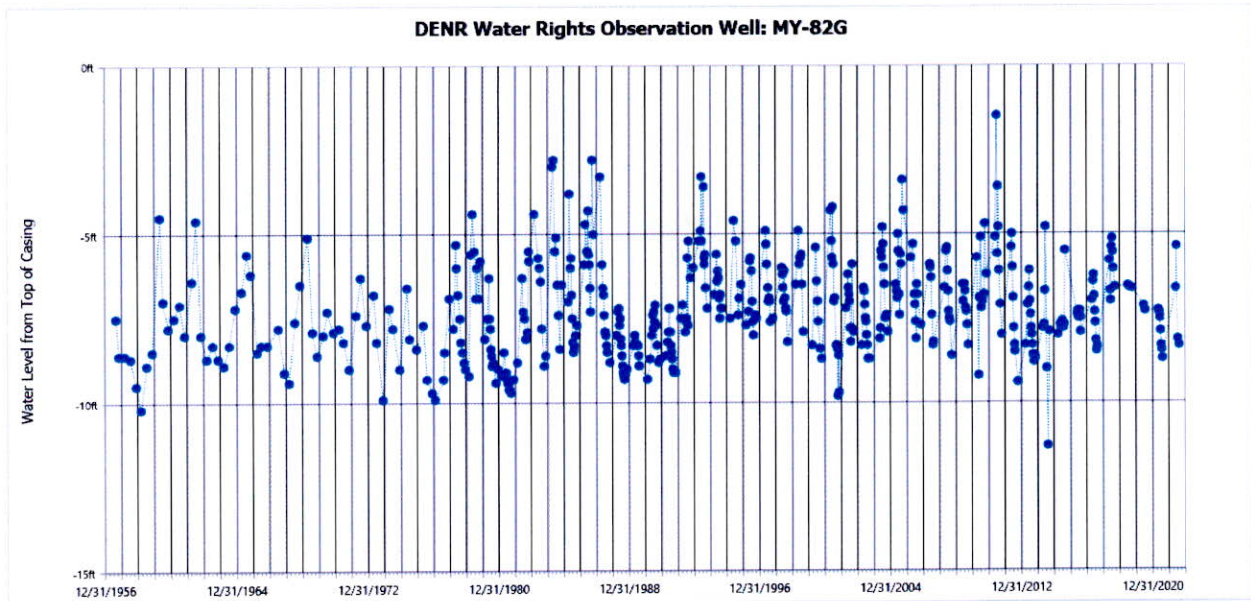


Figure 4. Hydrograph for observation well MY-82G (Water Rights, 2022b)

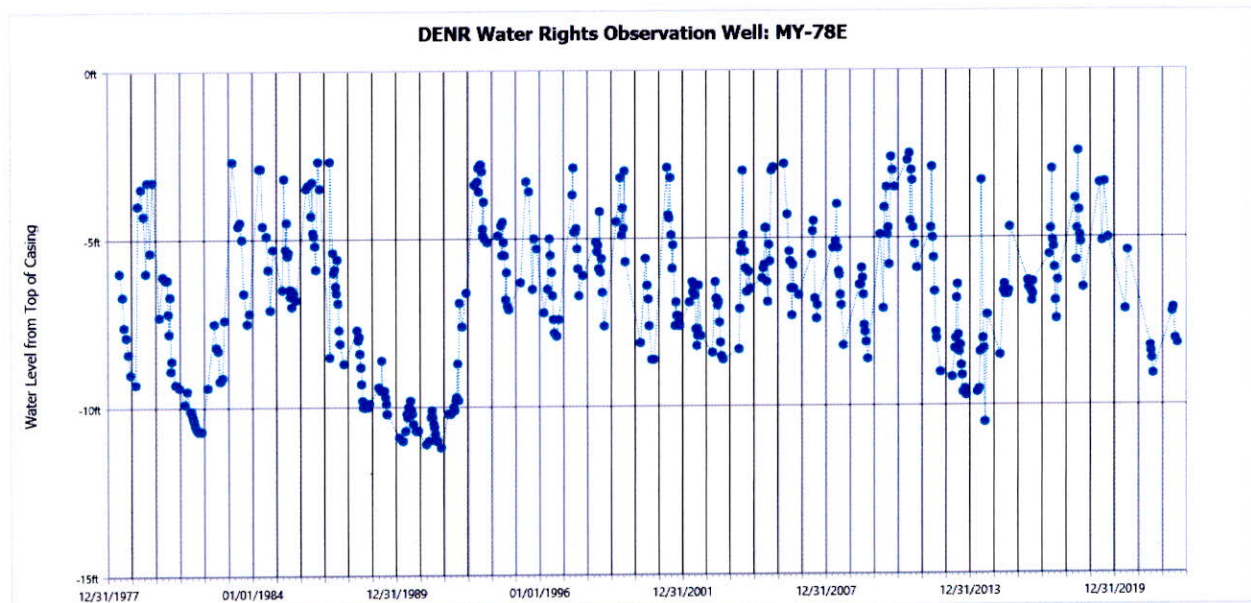


Figure 5. Hydrograph for observation well MY-78E (Water Rights, 2022b)

The hydrographs for the observation wells display stable to slightly rising water levels over their respective periods of record. The hydrographs for these four observation wells were compared to the hydrographs for the other observations wells completed into the Big Sioux: Moody aquifer and each displayed a generally similar trend as shown on the hydrographs displayed in Figures 2 to 5 (Water Rights, 2022b). The hydrographs for the Big Sioux: Moody aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Big Sioux: Moody aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

While SDCL 46-2A-10 does not require a review of the potential for unlawful impairment to existing water rights and no well is being drilled nor water put to use under this application, this report will review existing water rights/permits and domestic users in the area of the future use area this application proposes to use for the information of the Chief Engineer and the Water Management Board.

Currently, there are 38 water rights/permits authorized to appropriate water from the Big Sioux: Moody aquifer (Water Rights, 2022c). The closest water right/permit to the proposed future use area (SE ¼ of Section 9-T105N-R49W) is Water Right No. 1909-3, which is held by James J Lacey. The diversion point for Water Right No. 1909-3 is located approximately 0.9 miles east of the proposed future use area (SE ¼ of Section 9-T105N-R49W) for this application (Water Rights, 2022c). The closest water right/permit to the other proposed future use area (NW ¼ of Section 15-T105N-R49W) for this application is Water Right No. 3293-3, which is held by Michael I. Schmidt. The diversion point for Water Right No. 3293-3 is located approximately one mile east of the proposed future use area (NW ¼ of Section 15-T105N-R49W) for this application (Figure 6) (Table 4) (Water Rights, 2022c).

There are domestic wells on file with the DNR-Water Rights Program that are completed into the Big Sioux: Moody aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.3 miles southeast of the proposed future use area (SE ¼ of Section 9-T105N-R49W), and the other closest domestic well on file (not held by the applicant) approximately 0.2 miles west of the other proposed future use area (NW ¼ of Section 15-T105N-R49W) for this application (Water Rights, 2022d). There could potentially be other domestic wells completed into the Big Sioux: Moody aquifer near or within the proposed future use area that are not on file with the DNR-Water Rights Program.

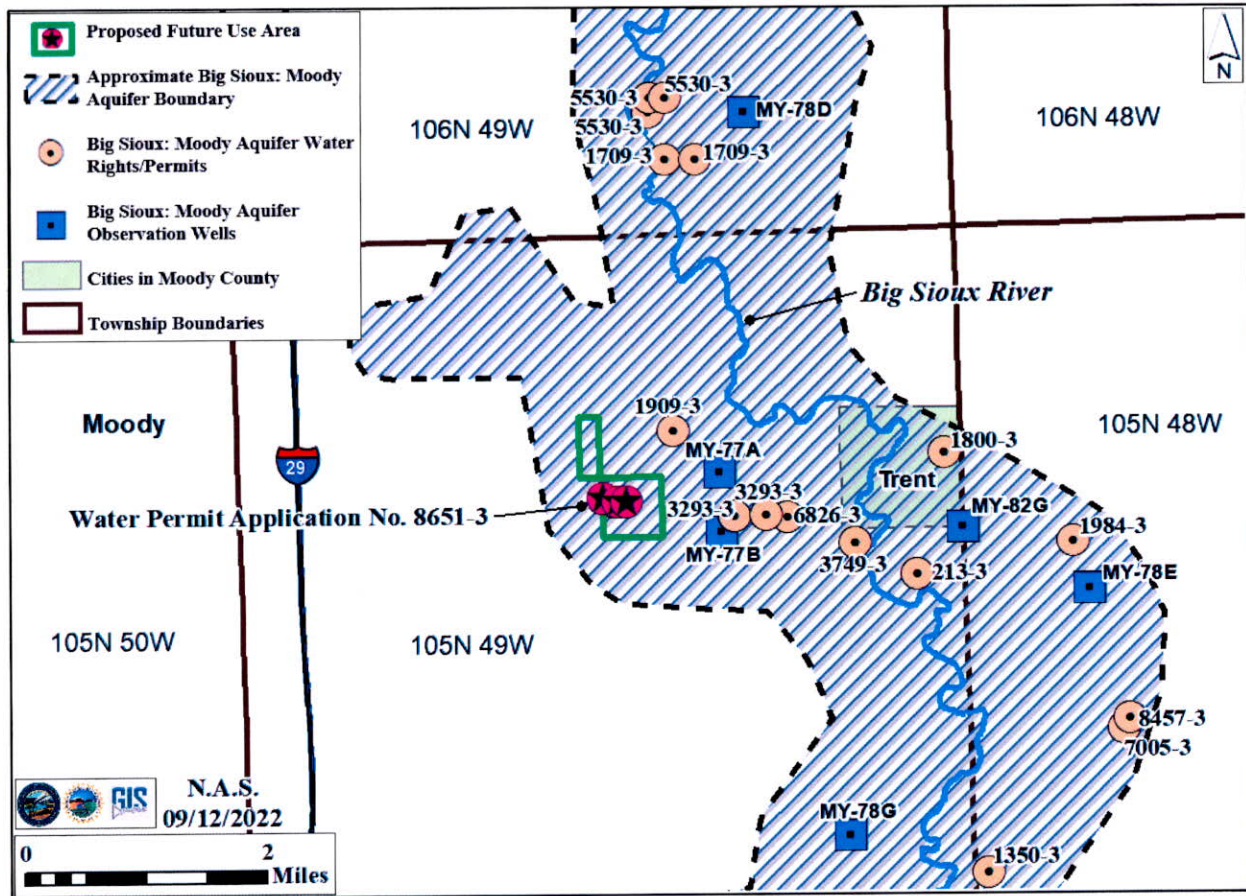


Figure 6. Location of the proposed future use area for Future Use Permit Application No. 8651-3 with the Big Sioux: Moody aquifer water rights/permits and observation wells within approximately four miles (Water Rights, 2022b and 2022c)

Table 4. Water rights/permits authorized to withdraw water from the Big Sioux: Moody aquifer within approximately four miles of the proposed future use area, as shown in Figure 6 (Water Rights, 2022c)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Acres if IRR
213-3	Ted or Bev Lacey	LC	IRR	4.65		252
1350-3	Raymond D Jensen	LC	IRR	1.78		158
1709-3	Mitchel L Rydberg and Jerry Heinricy	LC	IRR	1.67		132
1800-3	Town of Trent	LC	MUN	0.25		
1909-3	James J Lacey	LC	IRR	2		151.7
1984-3	Gerald Elsinger	LC	IRR	1.34		144.8
3293-3	Michael L Schmidt	LC	IRR	1.69		136
3749-3	Larry J Jorgenson	LC	IRR	0.42		30
5530-3	Terry L Anderson	LC	IRR	2.67		320
6826-3	Joseph Nemmers	LC	IRR	1.2		83.8
7005-3	Randall Enterprise LLC	LC	IRR	1		70.9
8457-3	River Bend Dairy LLC	PE	COM	0.637	228	
LC: Licensed Water Right; PE: Water Permit; COM: Commercial; IRR: Irrigation; MUN: Municipal						

The Big Sioux: Moody aquifer is generally unconfined near the Big Sioux River and along major tributary valleys, but is elsewhere confined beneath till (Hamilton, 1989; Hansen, 1986). Based on the water well and test hole completion reports on file near the proposed future use area, the Big Sioux: Moody aquifer is expected to be unconfined near the proposed future use area (Water Rights, 2022b and 2022d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test.

In Moody County, the Big Sioux: Moody aquifer has an average saturated aquifer thickness of approximately 22 feet (Hansen, 1986). Within approximately two miles of the proposed future use area, water well and test hole completion reports on file for wells completed into the Big Sioux: Moody aquifer have saturated aquifer thicknesses ranging from approximately 5 to 20 feet (Water Rights, 2022b and 2022d). There are no complaints on file with the DNR-Water Rights Program regarding well interference for adequate wells completed into the Big Sioux: Moody aquifer (Water Rights, 2022c).

CONCLUSIONS:

1. Future Use Permit Application No. 8651-3 proposes to appropriate and reserve 9,415 acre-feet of water annually from the Big Sioux: Moody aquifer. The area to be reserved for future use is in the NW $\frac{1}{4}$ of Section 15 and SE $\frac{1}{4}$ of Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users in Brookings, Lake, Minnehaha, and Moody Counties. This application does not authorize the construction of works or application of water to beneficial use. The site of the future use area is located in Moody County approximately two miles west of Trent, SD.
2. Shared Resources indicated that the future use reservation is needed to support increasing water demands and future growth. The applicant has provided justification in Future Use Permit Application No. 8651-3 for the volume of water requested to be reserved as required under ARSD 74:02:04:24.01.
3. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: Moody aquifer to supply the proposed appropriation.
4. At the time Shared Resources applies to construct and place to beneficial use water reserved by Future Use Permit No. 8651-3, if approved, an assessment based on the proposed well location(s) will need to be conducted to determine if the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights.

Nakaila Steen

Nakaila Steen
Natural Resources Engineer II
SD DANR - Water Rights Program

Reviewed by:

Adam Mathnowetz

Adam Mathnowetz, PE
Natural Resources Engineer IV
SD DANR - Water Rights Program

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Water Rights, 2022e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2022f. "2003-2021 Non-Irrigation Yearly Reports", SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 11, 2022 9:21 AM
To: 'Scott Buss'
Cc: Becky Baker; 'lesliem@bannerassociates.com'
Subject: Water Permit Application No. 8651-3
Attachments: 4177.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(s) as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

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



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 11, 2022 8:42 AM
To: registerclassifieds@brookingsregister.com
Subject: 8651-3, Shared Resources
Attachments: 8651-3public.wmbFUnewappl_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 19, 2022.

Shared Resources, c/o Scott Buss, 47381 248th St, Dell Rapids SD 57022 (605 428-3374) 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>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 11, 2022 8:41 AM
To: 'legals@argusleader.com'
Subject: 8651-3, Shared Resources
Attachments: 8651-3public.wmbFUnewappl_final.docx; FORM8.FRM.doc

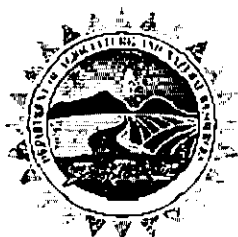
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Karen Schlaak
DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 11, 2022 8:42 AM
To: mce6@mcisweb.com
Subject: 8651-3, Shared Resources
Attachments: 8651-3public.wmbFUnewappl_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 19, 2022.

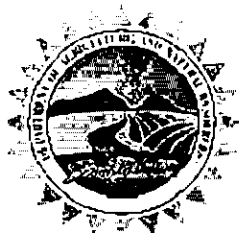
Shared Resources, c/o Scott Buss, 47381 248th St, Dell Rapids SD 57022 (605 428-3374) has been notified to contact you to authorize publication and arrange for payment.

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>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 11, 2022 8:40 AM
To: Ann Koch (ann@madisondailyleader.com)
Subject: 8651-3, Shared Resources
Attachments: 8651-3public.wmbFUnewappl_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 19, 2022.

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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

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

October 11, 2022

Shared Resources
c/o Scott Buss
47381 248th St
Dell Rapids SD 57022

Dear Mr. Buss:

Water Permit Application No. 8651-3 for a future use permit has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the following papers:

Daily Leader, Madison	256-4555
Argus Leader, Sioux Falls	331-2200
Moody County Enterprise, Flandreau	997-3725
Brookings Register, Brookings	692-6271

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

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

Sincerely,

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.

NOTICE OF APPLICATION NO. 8651-3 to Appropriate Water

Notice is given that Shared Resources, c/o Scott Buss, 47381 248th St, Dell Rapids SD 57022 has filed an application for a future use permit. Application No. 8651-3 proposes to reserve 9,415 acre-feet of water annually from the Big Sioux:Moody Aquifer. The area to be reserved for future water use is located in the NW 1/4 Section 15 and SE 1/4 Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users located in Lake, Minnehaha, Moody and Brookings Counties. This application does not authorize construction of works or application of water to beneficial use. The site of the future use area is located approximately 2 miles west of Trent 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. 8651-3 with qualifications because 1) there is reasonable probability that there is unappropriated water available for the applicant’s proposed use, 2) Shared Resources has demonstrated a reasonable need to reserve water in the amount of 9,415 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer’s recommendation with qualifications, the application, and staff report are available at <https://danr.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 10:15 am (Central Time) on December 7, 2022, in the Matthew Training Center, Joe Foss Bldg, 523 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 person who intends to participate in the hearing shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer’s address is “Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501” or call (605) 773-3352. The applicant’s mailing address is given above. If contesting the Chief Engineer’s recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by October 31, 2022.

The petition shall be in writing and shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner’s reasons for opposing the application, and the name 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 December 7, 2022, 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 the application. The request for an automatic delay must be filed by October 31, 2022. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to the applicant and all petitioners regarding the time, date, and location.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by October 31, 2022.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture 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 October 31, 2022. 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.

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Published once at an approximate cost of ____.

Affidavit of Publication

State of South Dakota

Exhibit "A"

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

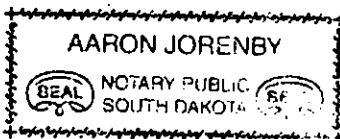
LEG#19660 Notice of Hearing

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

October 19, 2022

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.

Eighty Dollars and Eighty-Eight Cents \$80.88



Katherine Foiles

31 day of

October

2022

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires February 22, 2026

Ag

RECEIVED

NOV 04 2022

OFFICE OF
WATER

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. 8651-3 with qualifications because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Shared Resources has demonstrated a reasonable need to reserve water in the amount of 9,415 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by October 31, 2022.

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Notice is given to individuals with disabilities

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Legal 19660 1X
10/19

NOTICE OF APPLICATION NO. 8651-3 TO APPROPRIATE WATER

Notice is given that Shared Resources, c/o Scott Buss, 47381 248th St, Dell Rapids SD 57022 has filed an application for a future use permit. Application No. 8651-3 proposes to reserve 9,415 acre-feet of water annually from the Big Sioux/Moody Aquifer. The area to be reserved for future water use is located in the NW 1/4 Section 15 and SE 1/4 Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users located in Lake, Minnehaha, Moody and Brookings Counties. This application does not authorize construction of works or application of water to beneficial use. The site of the future use area is located approximately 2 miles west of Trent 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

Argus Leader

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

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NOV 03 2022

OFFICE OF
WATER

Account No.: SFA-0000000742

Ad No.: 0005446964

PO #: 8651-3

Lines 281

Ad Total \$82.86

MINNEHAHA COMMUNITY WATER CORP
47381 248TH ST
DELL RAPIDS, SD 57022

This is not an invoice

of Affidavits: 1

Account No.: SFA-0000000742

Ad No.: 0005446964

Argus Leader AFFIDAVIT OF PUBLICATION

State of Wisconsin

County of Brown

I being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper 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 issue(s) :

Wednesday, October 19, 2022

Sworn to and subscribed before me this 3 day of November, 2022.

Legal Clerk

Notary Public, State of Wisconsin, County of Brown

My Commission expires

8-21-26
NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF
APPLICATION NO 8651-3
to Appropriate Water

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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, 46-6-4.1, 46-6-10,
46-6-13, 46-6-14, 46-6-21,
46-6-26; and Board Rules
ARSD 74:02:01.01 thru
74:02:02:01:01:02:02:
74:02:01:35.01.
Published once at the total
approximate cost of \$82.06
and may be viewed free of
charge at www.sdsouth.com.
5448964 Oct 19, 2022

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF MOODY) SS

KAYLA CHARLES, of said county, being first duly sworn on oath says that she is the bookkeeper of the Moody County Enterprise, 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 5 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:

Shared Resources

Legal

a printed copy of which, taken from the newspaper in which the same was published, 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:

10/19/22

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

\$ 82.99

Subscribed and sworn to before me this

October 20, 2022

Notary Public, County Moody, South Dakota

ROGER W. JANSSEN

NOTARY PUBLIC
SOUTH DAKOTA

My commission expires 2-16-2024

RECEIVED

OCT 26 2022

OFFICE OF
WATER

Notice of Application

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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 person who intends to participate in the hearing shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by October 31, 2022.

The petition shall be in writing and shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name 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 December 7, 2022, 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 the application. The request for an automatic delay must be filed by October 31, 2022. If an automatic delay is requested, the hearing will be rescheduled for a future Board meeting and personal notice will be provided to the applicant

and all petitioners regarding the time, date, and location.

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Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture 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 October 31, 2022. 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.

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RECEIVED

OCT 24 2022

AFFIDAVIT OF PUBLICATION

OFFICE OF
WATER

Madison Daily Leader 1M

AFFIDAVIT OF PUBLICATION

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

Michelle Albers, 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 Wick Communications, Michelle Albers, Business Manager, 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 Business Manager of the said newspaper, a member of the Daily Leader staff thereof, and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

NTC OF APP- #8651-3
WATER RIGHTS PROGRAM

printed copy of which hereunto attached, was printed and published in the said newspaper for 1 successive week(s), once each week and on the same day of the week, on the following dates, to-wit:

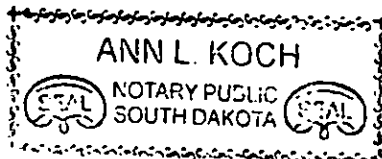
10/19/2022

That \$ 83.43 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publication 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.

Michelle Albers

Subscribed and sworn before me this 19th day of

October, 2022



Ann L. Koch
Notary Public, Lake County, South Dakota
Exp. 11-14-25

Wednesday, Oct. 19

**NOTICE OF APPLICATION
NO. 8651-3 to Appropriate
Water**

Notice is given that Shared Resources, c/o Scott Buss, 47381 248th St, Dell Rapids SD 57022 has filed an application for a future use permit. Application No. 8651-3 proposes to reserve 9,415 acre-feet of water annually from the Big Sioux: Moody Aquifer. The area to be reserved for future water use is located in the NW 1/4 Section 15 and SE 1/4 Section 9; all in T105N-R49W. The water is reserved for future supplies for rural water system use serving users located in Lake, Minnehaha, Moody and Brookings Counties. This application does not authorize construction of works or application of water to beneficial use. The site of the future use area is located approximately 2 miles west of Trent 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. 8651-3 with qualifications because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) Shared Resources has demonstrated a reasonable need to reserve water in the amount of 9,415 acre feet of water annually, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications, the application, and

staff report are available at <https://danr.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 10:15 am (Central Time) on December 7, 2022, in the Matthew Training Center, Joe Foss Bldg, 523 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.

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Published Oct. 13, 2022 at the total approximate cost of \$83.43 and may be viewed free of charge at www.sdpublicnotices.com



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JAN 19 2023

Shared Resources
c/o Scott Buss
47381 248th St
Dell Rapids SD 57022

Dear Mr. Buss:

Enclosed is Future Use Permit No. 8651-3 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 permit 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 8651-3

Name of Applicant: Shared Resources, Scott Buss

Date of Posting: 10/17/2022

Date of Removal: 1/19/2023



Ron Duvall, Water Rights Permitting Administrator

1/19/23

Date

Subscribed and sworn to before me, a notary public, this 19th day of Jan, 2023.



Notary Public - South Dakota
My commission expires: 4/1/2025

