

WATER PERMIT NO. 8985-3

Name of Applicant: **City of Sioux Falls Water Division**

Address: **2100 N Minnesota Avenue, Sioux Falls SD 57104**

Phone: **605-373-6944**

Amount of Water Claimed: **5,041 AF**

Total Acres: **N/A**

Source of Water Supply: **Groundwater**

Water to be used for: **Municipal**

County: **Minnehaha/Lincoln**

Type of Waste Disposal System:

Location: **In the east of Sioux Falls**

PRIORITY

Date Received: **09-02-25**

Application/License Fee: **\$485.00**

Corrected Application Received: **09-18-25**

Period of Annual Use: **January 1 – December 31**

Remarks: **Future Use Reservation**

Diversion Point: **Sections 1, 2, 9-12, 15, 16, 19, 21, 22, 26-30, 31-34 T101N-R49W; Sections 24, 25, 36 T101N-R50W; Sections 9-10 T100N-R50W; Sections 25 and 36 T102N-R49W; Sections 29-32 T102N-R48W; Sections 9-12, 13-16, 21-23, 26-28, 33-35 T101N-R48W; and Sections 11-14, 22-24 T100N-R49W**

Land to be Irrigated: **N/A**

Depth of Well:

Well Driller:

Remarks:

Type of Map: **aerial**

Reviewed and the Number Assigned on: **09-18-25**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
FUTURE USE PERMIT NO. 8985-3**

Date of first receipt of application September 2, 2025.

Date of return to applicant for corrections, amendments, or changes September 17, 2025.

Date of receipt of corrected application September 18, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Future Use Permit No. 8985-3 to the City of Sioux Falls Water Division, 2100 N Minnesota Avenue, Sioux Falls SD 57104, subject to the following limitations, conditions and qualifications:

1. Future Use Permit No. 8985-3 reserves for future use 5,041 acre-feet of water annually from the Big Sioux: South Aquifer. The area reserved for future use is located in Sections 1, 2, 9 through 12, 15, 16, 19, 21, 22, 26 through 30, 31 through 34, all in T101N-R49W; Sections 24, 25, 36, all in T101N-R50W; Sections 9 and 10, both in T100N-R50W; Sections 25 and 36, both in T102N-R49W; Sections 29 through 32, all in T102N-R48W; Sections 9 through 12, 13 through 16, 21 through 23, 26 through 28, 33 through 35, all in T101N-R48W; and Sections 11 through 14, 22 through 24, all in T100N-R49W. The water is reserved for future water supplies for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties. This permit does not authorize construction of works or application of water to beneficial use. This future use area is located partially within the city limits of Sioux Falls and west and south of Brandon SD.
2. The water reserved shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8985-3 is December 15, 2025.
5. The date from which applicant may claim right is September 2, 2025.
6. 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. 8985-3 reserves 5,041 acre-feet of water annually from the Big Sioux: South Aquifer.
2. Future Use Permit No. 8985-3 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. The future use area approved under this Permit encompasses other wells which obtain water from the same aquifer. Any future water withdrawals from this reservation shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate existing wells for other water rights in place at the time an application to construct and place reserved water is filed.
4. 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: Adam Mathiowetz
Adam Mathiowetz, PE
Acting Chief Engineer, Water Rights Program
Department of Agriculture and Natural Resources

FEB 24 2026

date



RECEIVED

SEP 02 2025

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8985-3</u> Hydrologic Unit <u>10170203</u> Basin <u>Big Sioux</u> Newspaper <u>Argus Leader</u> <u>Canton Sioux Valley News</u> (office use only)
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Application for Permit to Appropriate Water in 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 Sioux Falls Water Division

Mailing Address	<u>2100 N Minnesota Ave</u>	<u>Sioux Falls</u>	<u>SD</u>	<u>57104</u>	
	(Address)	(City)	(State)	(Zip Code)	
Phone	<u>605-373-6944</u>	Mobile	<u>605-999-6591</u>	Email	<u>chris.myers@siouxfalls.gov</u>

2. Amount of water claimed _____ *CFS or _____ **GPM and 5,041 ***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 South Management Unit of the Big Sioux Aquifer

4. Location of point of diversion Locations provided below (No. 7) & enclosed map County Minnehaha & Lincoln
(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 Minnehaha & Lincoln

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

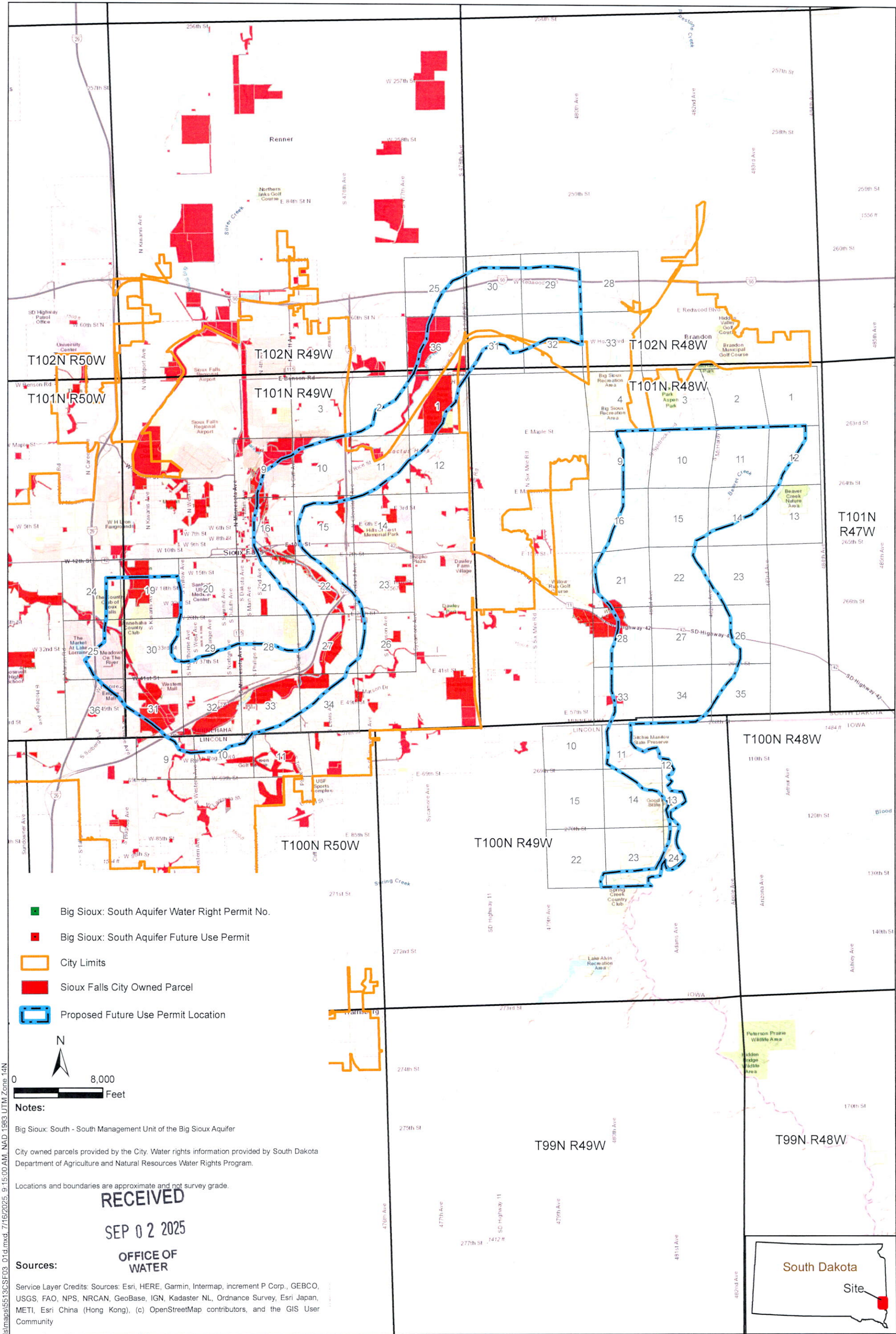
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The purpose of this application is to reserve groundwater near the City to provide raw water to support the continued growth of Sioux Falls. Please see enclosed letter for additional information.

4. Location of point of diversion (continued): Those portions of the following sections in which the South Management Unit of the Big Sioux Aquifer is present: Sections 1, 2, 9-12, 15, 16, 19, 21, 22, 26-30, 31-34 of **T101N, R49W**; Sections 24, 25, 36 of **T101, R50W**; Sections 9 and 10 of **T100N R50W**; Section 25 and 36 of **T102N, R49W**; Sections 29, 30, 31 and 32 of **T102N, R48W**; Sections 9-12, 13-16, 21-23, 26-28, 33-35 of **T101, R48W**; Sections 11-14 and 22-24 of **T100N R49W**, see enclosed map.

I, Chris Myers Water 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.



D:\GIS\GIS\City of Sioux Falls\maps\5513CSF03_01d.mxd, 7/16/2025, 9:15:00 AM, NAD 1983 UTM Zone 14N



Prepared By:
LRE Water

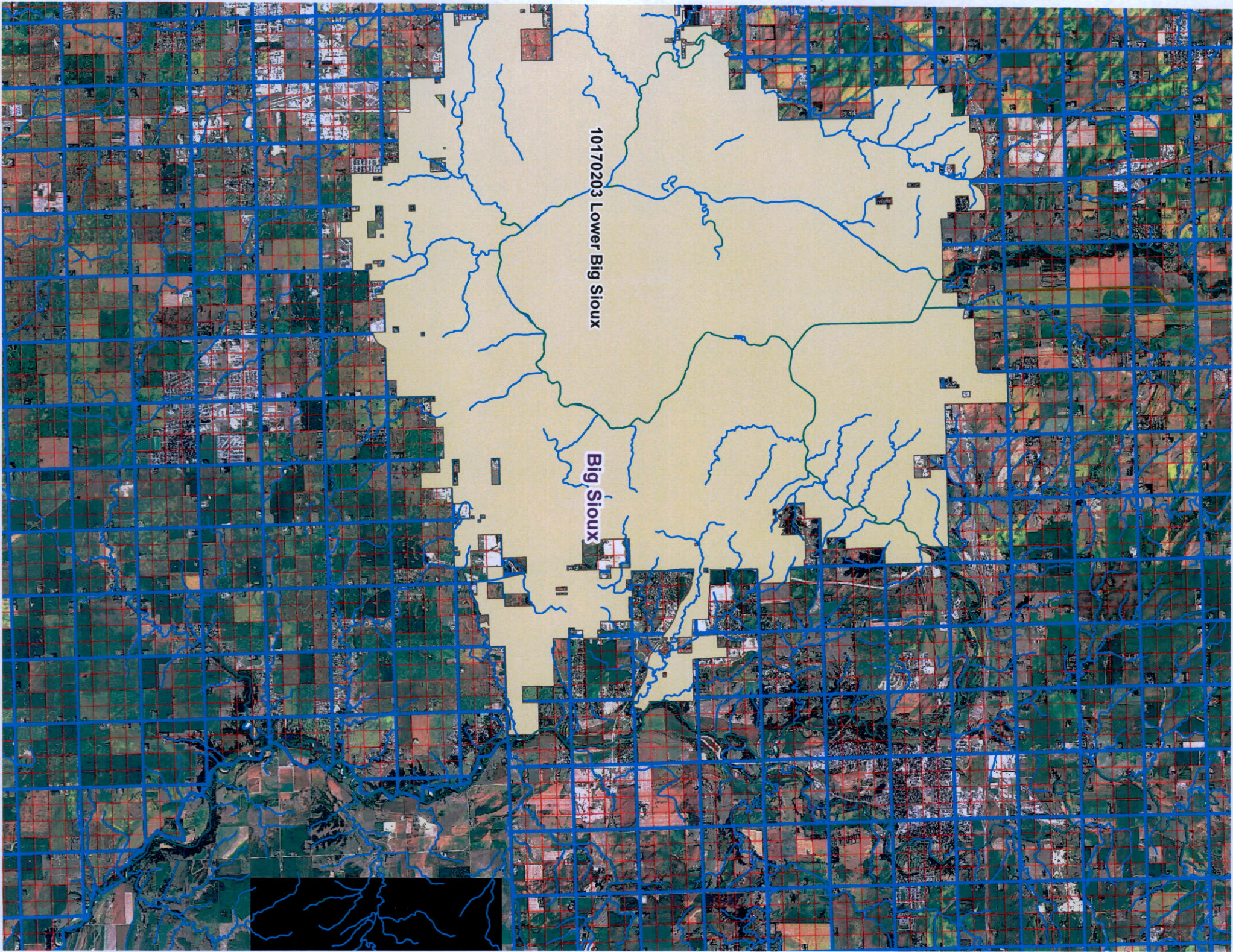
South Dakota Office
(605) 310-1721

CITY OF SIOUX FALLS ENGINEERING
PROFESSIONAL SERVICES AGREEMENT
2025 WATER DISTRIBUTION MODEL SUPPORT

SOUTH MANAGEMENT UNIT OF THE BIG SIOUX AQUIFER
PROPOSED FUTURE USE PERMIT LOCATION

FILE:5513CSF03_01d.MXD

DATE: 7/16/2025 FIGURE: 1



RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date September 18th, 2025

RECEIVED OF City of Sioux Falls Water Division 2100 N Minnesota Ave Sioux Falls SD 57101

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>8985-7</u> to Appropriate Water for Future use	<u>\$485.00</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>\$485.00</u>

By Mark Mayer
Chief Engineer

sk

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SEP 02 2025

OFFICE OF
WATER

August 25, 2025

Ron Duvall
Water Rights Program
South Dakota Department of Agriculture and Natural Resources
523 E. Capitol Avenue
Pierre, SD 57501-3182

RE: Future Use Permit Application
South Management Unit of the Big Sioux Aquifer (Big Sioux: South)
City of Sioux Falls Water Division

Dear Mr. Duvall:

The City of Sioux Falls is requesting a future use water permit to help meet long-term water needs driven by steady population growth, economic development, and the need for reliable service under all conditions. As of 2025, Sioux Falls has an estimated population of 219,588, up from a population of 169,800 in 2015. This continued growth places greater demand on the City's water system for residential, commercial, and public service use.

Current water supply sources include:

- Groundwater from the Big Sioux: North aquifer
- Groundwater from the Big Sioux: Middle Skunk Creek aquifer
- Surface water from the Big Sioux River intake
- Purchased water from the Lewis & Clark Regional Water System

These sources are currently meeting demand, but long-term planning has identified the need for additional supply to ensure the system remains reliable, especially during drought conditions and periods of peak demand.

As a regional center for healthcare, manufacturing, education, and government services, Sioux Falls must maintain redundant and geographically diverse water sources to ensure dependable service for its residents and the surrounding region. The City is working proactively to plan for future growth and maintain a resilient system.

Developing the Big Sioux: South aquifer will:

- Add capacity for future community needs
- Provide backup supplies during dry years
- Strengthen the reliability of the overall system

Future Use Permit Application
August 25, 2025
Page 2 of 2

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SEP 02 2025

**OFFICE OF
WATER**

The City remains committed to responsible water planning and stewardship and respectfully requests approval of this future use water permit application to help meet the needs of a growing population.

My contact information is provided in the enclosed future use permit application. Our team has been in contact with Megan Peschong and will be submitting the \$485 payment via credit card.

Please contact me if you have any questions or need additional information. Thank you for your assistance with this application.

Sincerely:

Chris Myers
Water Superintendent
Phone: 605-373-6944
Chris.Myers@SiouxFalls.Gov

Enclosures:

Future Use Permit Application with accompanying map



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR FUTURE USE
WATER PERMIT APPLICATION NO. 8985-3, City of Sioux Falls Water Division**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit Application No. 8985-3, City of Sioux Falls Water Division, 2100 N Minnesota Avenue, Sioux Falls SD 57104.

The Chief Engineer is recommending APPROVAL of Application No. 8985-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Sioux Falls 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. 8985-3 reserves 5,041 acre-feet of water annually from the Big Sioux South Aquifer.
2. Future Use Permit No. 8985-3 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. The future use area approved under this Permit encompasses other wells which obtain water from the same aquifer. Any future water withdrawals from this reservation shall be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate existing wells for other water rights in place at the time an application to construct and place reserved water is filed.
4. 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.

Mark Mayer, PE
Director of Office of Water
November 12, 2025

NOTE: Approval of Future Use Permit No. 8985-3 does not preclude approval of subsequent appropriations by other persons within the future use area identified on No. 8985-3. Approval of any such appropriations will have a priority date junior to No. 8985-3. However, future siting of wells by the City of Sioux Falls to place water to beneficial use within the future use area will be subject to review during the application process regarding the likelihood of well interference between proposed city wells and existing wells of other users within the future use area.

Report to the Chief Engineer
On Future Use Permit Application No. 8985-3

City of Sioux Falls

November 12th, 2025

Future Use Permit Application No. 8985-3 proposes to appropriate and reserve for future use 5,041 acre-feet of water annually from the Big Sioux: South aquifer. The area to be reserved for future use is located in Sections 1, 2, 9 through 12, 15, 16, 19, 21, 22, 26 through 34, all in T101N-R49W; Sections 24, 25, 36, all in T101N-R50W; Sections 9 and 10, both in T100N-R50W; Sections 25 and 36, both in T102N-R49W; Sections 29 through 32, all in T102N-R48W; Sections 9 through 16, 21 through 23, 26 through 28, 33 through 35, all in T101N-R48W; and Sections 11 through 14, 22 through 24, all in T100N-R49W. The water will be reserved for future water supplies for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties. This application does not authorize construction of works or application of water to beneficial use. This future use area is located partially within the city limits of Sioux Falls and west and south of Brandon SD.

AQUIFER: Big Sioux: South (BS:S)

HYDROGEOLOGY:

The South management unit of the Big Sioux aquifer is composed of fine to coarse poorly sorted sand and fine to coarse pebble gravel with thin interbedded clay layers in some areas (Lindgren & Niehus, 1994). The depth to the top of the Big Sioux: South aquifer material is approximately 12 feet below land surface (Niehus, 1997). The average thickness of the Big Sioux aquifer in Lincoln, Union, and Minnehaha Counties ranges from 22 to 28 feet but can be much thicker (Lindgren & Niehus, 1994; Niehus, 1997; Water Rights, 2025d). In Lincoln, Minnehaha, and Union Counties, the Big Sioux: South aquifer is estimated to underlie approximately 49,000 acres, as shown in Figure 1 (Hedges et al, 1982), and contain approximately 163,740 acre-feet of recoverable water in storage. The direction of groundwater movement in the Big Sioux: South aquifer is in a southerly direction and towards the Big Sioux River (Niehus, 1997). The aquifer is generally unconfined with the top of aquifer materials starting at or near the land surface, but the aquifer can be confined by overlying alluvium or till (Niehus, 1997).

Nearby lithologic logs within the City of Sioux Falls proposed future use area show variable lithology in the area. Some logs indicate approximately 40 feet of sand with some gravel, and one log indicates just two feet of sand and gravel (SDGS, 2025). There are several well completion reports within the future use area, south of the City of Brandon. Well completion reports on file with the DNR-Water Rights Program for wells completed into the Big Sioux: South aquifer within/near the future use area have a saturated thickness ranging from approximately 18 to 66 feet, with the depth to the top of aquifer materials ranging from approximately 9 to 28 feet below land surface, and static water levels at well completion varying from approximately 9 to 39 feet below land surface (SDGS, 2025; Water Rights, 2025b and 2025d). The Big Sioux: South aquifer is primarily under unconfined conditions. However, the

aquifer can be found under locally confined conditions due to an overlying clay layer near or within the proposed future use area.

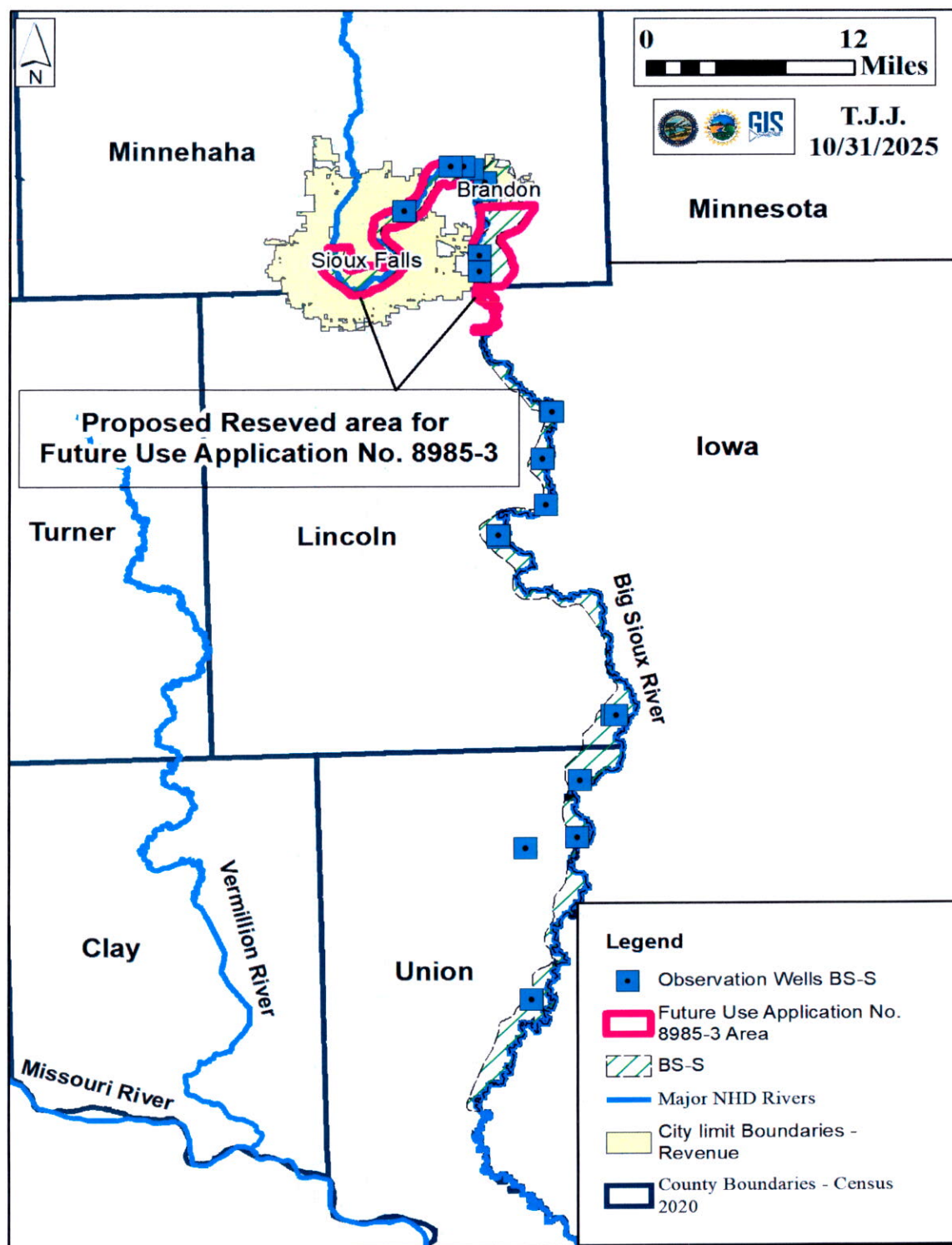


Figure 1. Map of the Big Sioux: South aquifer delineated by Hedges & others (1982), observation wells (Water Rights, 2025b and 2025c), and future use area for Future Use Application No. 8985-3.

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.”

The Water Management Board has consistently found that the use of water for a municipal water distribution system is a beneficial use and is in the public interest. This report will address the availability of unappropriated water. For the information of the Chief Engineer and the Water Management Board, a brief discussion of appropriative water rights and domestic wells within the proposed future use areas for Future Use Permit Application No. 8985-3 will be included.

WATER AVAILABILITY:

Future Use Permit Application No. 8985-3 proposes to reserve water from the Big Sioux: South aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1,

“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 applicant's proposed use is for use in a water distribution system as defined by SDCL 46-1-6(17); however, the Big Sioux: South aquifer is not older than or stratigraphically lower than the Greenhorn Formation. Therefore, the average annual recharge and average annual withdrawal rates to and from the Big Sioux: South aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Big Sioux: South aquifer is received primarily through infiltration of precipitation and seepage through adjacent underground aquifers or surface water features such as the Big Sioux River (Lindgren & Niehus, 1994; Niehus, 1997). Using observation well analysis, Hedges et al (1985) estimated a recharge rate of 4.1 inches per year for the Big Sioux: South aquifer. The Big Sioux: South aquifer has an estimated areal extent of approximately 49,000 acres (Hedges et al, 1982). Therefore, the average annual recharge rate for the Big Sioux:

South aquifer (based on Hedges et al, 1985; Hedges et al, 1982) is approximately 16,742 acre-feet/year.

Discharge

Discharge from the Big Sioux: South aquifer primarily occurs through well withdrawals, seepage to surface water features, and evapotranspiration in areas where the aquifer is at or near land surface (Niehus, 1997). Currently, there are 62 water rights/permits, including future use permits, authorized to appropriate water from the Big Sioux: South aquifer (Water Rights, 2025c). There are 2 future use permits reserving 1,912.7 acre-feet/year of water from the Big Sioux: South aquifer, shown on Table 1 (Water Rights, 2025c). This application, if approved, proposes to reserve 5,041 acre-feet/year of water from the Big Sioux: South aquifer. Combined, the future use permits and this application, if approved, would reserve 6,953.7 acre-feet/year of water from the Big Sioux: South aquifer, shown on Table 1 (Water Rights, 2025c).

Table 1. Future Use Permit reserved water for the Big Sioux: South aquifer (Water Rights, 2025c)

Future Use Permit Holder	Permit Nos.	Amount of Reserved Water (acre-feet)
City of Brandon	4002-3	685
City of Brandon	6696-3	1,227.7
TOTAL:		1,912.7

Currently, there are 24 non-irrigation water rights/permits authorized to appropriate water from the Big Sioux: South aquifer (Table 2 & 3). Table 2 summarizes 17 of the 24 non-irrigation water rights/permits authorized to appropriate water from the Big Sioux: South aquifer, with the estimated annual use for each water right/permit as determined by their limiting diversion rate, permitted annual volume, or average of reported use when a sufficient length of record is available. The amount of water that can be withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw their entire appropriated volume every year. It is estimated that non-irrigation water rights/permits limited only by a diversion rate will pump at their maximum permitted diversion rate for 60 percent of the time. The 60 percent estimation was established by Water Rights Staff to be a reasonable and safe estimate of average annual withdrawals by non-irrigation appropriations. Historically, the 60 percent estimate has been accepted by the Water Management Board. Table 3 summarizes the reported annual use for 7 non-irrigation water rights/permits authorized to appropriate water from the Big Sioux: South aquifer that are required to report annual use. It should be noted that some of the water permits/rights listed on Table 2 & 3 are connected to rural water systems and use rural water rather than their local wells; so, they will not contribute to the annual withdrawal rate. This includes water rights for the City of Harrisburg and Lincoln County Rural Water System which purchases all of their water from the Lewis and Clark Regional Water System (Drinking Water, 2025). The Town of Hudson purchases all of their water from Rock Valley Rural Water System in Iowa (Drinking Water, 2025). The City of Canton purchases 30% of their water from South Lincoln Water System (Drinking Water, 2025). Overall, the estimated average

annual withdrawal rate for the Big Sioux: South aquifer non-irrigation water rights/permits is 5,574 acre-feet/year (Table 2 & Table 3) (Water Rights, 2025c).

Table 2. Estimated annual use for non-irrigation water rights/permits authorized to divert water from the Big Sioux: South aquifer (Water Rights, 2025c)

Permit No.	Name	Status	Uses	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
1618-3	KNIFE RIVER	LC	COM	1.000	n/a	434
1908-3	VALLEY VIEW MOBILE HOME PARK	LC	COM	0.100	n/a	43
4792-3	L.G. EVERIST INC	LC	COM	1.000	n/a	434
5133-3	KNIFE RIVER	LC	COM	0.040	n/a	17
5517-3	ZOOLOGICAL SOCIETY	LC	COM	0.030	n/a	13
5684-3	GREAT PLAINS ZOO/MUSEUM	LC	COM	0.067	n/a	29
5842-3	MICHAEL DALE COUGHLIN	LC	COM	0.020	n/a	9
4842-3	BRANDON MATERIALS CO	LC	IND	1.110	n/a	0**
5242-3	CITY OF SIOUX FALLS	LC	IND	1.560	110.00	110
1139-3*	TOWN OF HUDSON	LC	MUN	0.710	n/a	0*
1262B-3*	CITY OF CANTON	LC	MUN	0.220	n/a	67*
4883-3*	CITY OF HARRISBURG	LC	MUN	0.500	n/a	0*
5869-3	CITY OF BRANDON	LC	MUN	0.780	n/a	339
7181-3	CITY OF BRANDON	LC	MUN	0.000	n/a	0
3454-3*	LINCOLN COUNTY RWS	LC	RWS	0.500	n/a	0*
7203-3*	LINCOLN COUNTY RWS	PE	RWS	0.000	n/a	0*
8962-3	L.G. EVERIST INC	LC	IND	2.670	1,048	1,048
LC Licensed Water Right, PE Water Permit, COM Commercial, GWR Ground Water Remediation, IND Industrial, MUN Municipal, RWS Rural Water System *acquires some or all of their water from another system **pending cancellation for non-use					Total:	2,543

Table 3. Reported annual use for non-irrigation water rights/permits authorized to divert water from the Big Sioux: South aquifer (Water Rights, 2025f & 2025c)

Permit No.	Name	Priority Date	Years Reported	Average of Years used (acre-feet)	Authorized Annual Volume (acre-feet)	Annual Use (acre-feet)
6093-3	Lyon & Sioux RWS Inc.	03/02/1999	2003-2024	162	530.0	162.0
6423-3**	Poet Biorefining - Hudson LLC	06/03/2003	2003-2024	416	1,000.0	416.0
6924-3*	Lincoln County RWS	12/17/2007	2009-2012	26	1,344.0	0.0
8366-3**	Gage Brothers	07/11/2018	2018-2024	7	10.4	7.0
8462-3**	Ace Ready Mix	12/14/2020	2020-2024	12	79.8	79.8***
8526-3**	L.G. Everist Inc.	07/12/2021	2021-2024	4	1,166.0	1,166.0***
8767-3	Knife River	05/19/2023	2023-2024	0	1,200.0	1,200.0***
Total:						3,031
*Water Permit No. 6924-3 purchases their water from another system and has reported pumping 0 acre-feet since 2013 **These Water Rights/Permits reported 0 or near 0 acre-feet use for first year due to system construction ***The use is likely to be less than permitted and will be intermittent based on need.						

Currently, there are 36 irrigation water rights/permits appropriating water from the Big Sioux: South aquifer (Water Rights, 2025c). Irrigation water rights/permits have been typically required to report their annual usage by submitting an irrigation questionnaire since 1979. The average annual withdrawal rate for the Big Sioux: South aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2024) is approximately 1,048 acre-feet per year (Table 4) (Water Rights, 2025a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2015 to 2024 is approximately 1,552 acre-feet per year (Table 4) (Water Rights, 2025a).

Water Permit No. 8849-3 was recently approved in 2025 and is not accounted for in irrigation questionnaires. Water Permit No. 8849-3 proposes to irrigate 2.5 acres for a golf course. Generally, crop irrigators in eastern South Dakota apply less than one foot of water per acre per year. But, turf irrigators, such as a golf course, typically use more water per acre. Thus, two feet of water per acre per year application rate will be used to estimate the annual withdrawal rate for this irrigation water permit. It should be noted the aquifer is a secondary source for Water Permit No. 8849-3 so use is likely to be much less. However out of an abundance of caution, Water Permit No. 8849-3 will be assumed to use approximately 5 acre-feet per year on average until there have been several years of irrigation questionnaires submitted. Collectively, the average annual withdrawal rate for the irrigation appropriations from 2015 to 2024 (1,552 acre-feet/year), plus Water Permit No. 8849-3's annual withdrawal rate (5 acre-feet/year), is approximately 1,557 acre-feet per year.

Table 4. Reported historic irrigation use from the Big Sioux: South aquifer (Water Rights, 2025a)

Year	No. of Reported Permits	Reported Pumpage (acre-feet)
1979	29	603
1980	29	575
1981	30	885
1982	22	468
1983	26	648
1984	25	806
1985	25	988
1986	26	874
1987	26	1,007
1988	27	2,112
1989	23	1,308
1990	26	1,188
1991	27	729
1992	28	206
1993	30	166
1994	29	898
1995	30	895
1996	30	957
1997	29	1,311
1998	29	818
1999	30	1,025
2000	31	1,352
2001	31	1,002
2002	32	1,193
2003	29	1,728
2004	29	1,280
2005	30	1,541
2006	30	1,709
2007	29	1,918
2008	30	1,157
2009	31	419
2010	32	139
2011	31	1,722
2012	32	2,403
2013	36	2,191
2014	36	1,012
2015	36	1,333
2016	37	1,494
2017	37	2,140
2018	37	479
2019	37	336
2020	36	1,733
2021	38	2,194
2022	39	2,337
2023	36	1,945
2024	35	1,526
Max	39	2,403
Min	22	139
Avg (1979-2024)	31	1,190
Avg (2015-2024)	37	1,552

There are domestic wells completed into the Big Sioux: South aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2025d). 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: South 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: South aquifer.

Hydrologic Budget Summary

The average annual recharge rate to the Big Sioux: South aquifer is estimated to be about 16,742 acre-feet/year (Hedges et al, 1985; Hedges et al, 1982). The estimated average withdrawal rate from the Big Sioux: South aquifer totals to approximately 14,080 acre-feet/year; (future use including this application: 6,954 acre-feet/year; non-irrigation: 5,574 acre-feet/year; and irrigation (avg 2015 to 2024) and Water Permit No. 8849-3: 1,552 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Big Sioux: South aquifer for the proposed beneficial use.

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.

The DANR-Water Rights Program monitors 20 observation wells completed into the Big Sioux: South aquifer. The observation wells completed into the aquifer are shown on Figure 1 (Water Rights, 2025b). The observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The seven closest observation wells to the proposed future use area are MA-80AA (within the future use area), MA-80EA (within the future use area), MA-80FA (within the future use area), MA-80GA (0.26 miles east of the future use area), MA-75A (1 mile east of the future use area), MA-75C (1 mile north of the future use area), and MA-80CA (within the future use area) (Water Rights, 2025b). The water level elevations for these observation wells are displayed in Figure 2 (Water Rights, 2025b). The majority of observation wells in the Big Sioux: South aquifer have a stable water level, with some in close proximity to the Big Sioux River showing changes in water level due to flooding and scouring of the river channel affecting the water levels of the hydrologically connected aquifer. The data shown on Figure 2 shares a similar trend with most of the observation wells in the Big Sioux: South aquifer. Due to access and maintenance issues, the data collected for observation well MA-75A after 2019 is suspect.

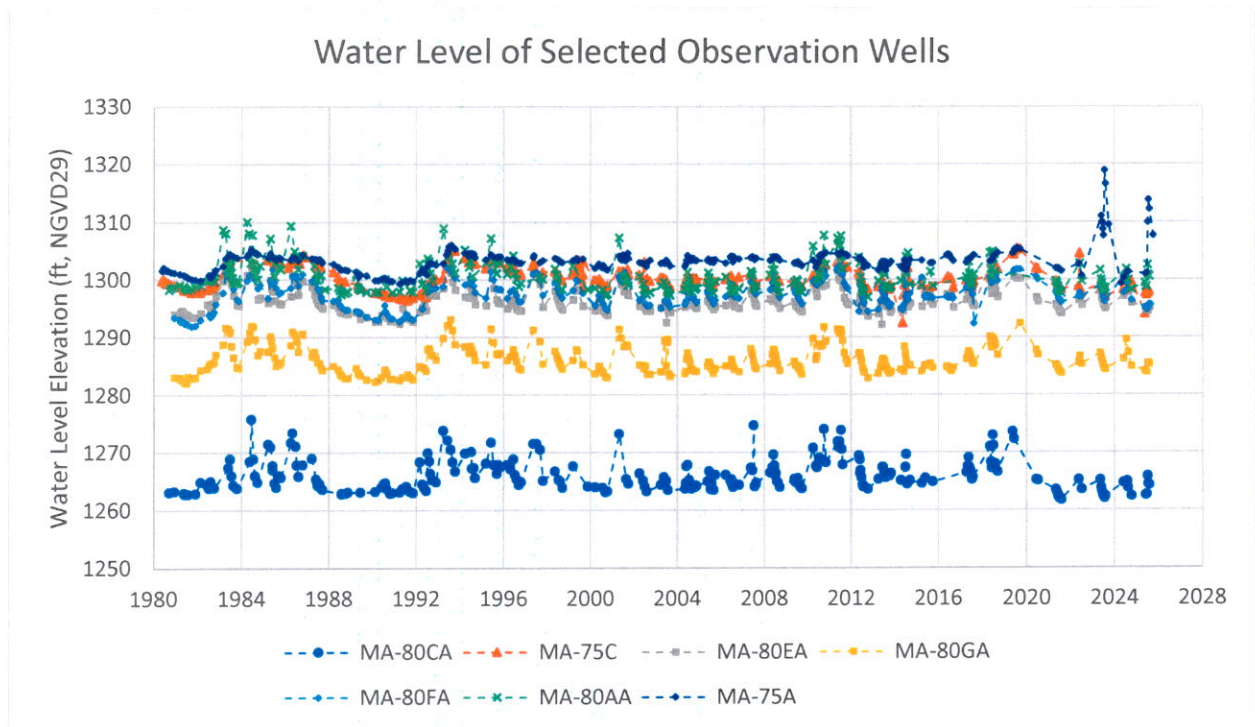


Figure 2. A graph showing the elevation of water levels of observation wells MA-80CA, MA-75C, MA-80EA, MA-80GA, MA-80FA, MA-80AA, and MA-75A (Water Rights, 2025b)

Figure 2 shows the observation wells displaying generally stable water levels which is representative of a majority of other observation wells in the Big Sioux: South aquifer. The hydrographs for the Big Sioux: South aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods and the aquifer's hydrologic connection to the Big Sioux River when major flooding events cause a rapid and sustained rise in water levels. 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 water levels in the aquifer rather than the impacts of pumping from the Big Sioux: South aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation wells water level demonstrate unappropriated water is available for the proposed beneficial use.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

SDCL 46-2A-10 does not require a review of the potential for unlawful impairment. Furthermore, without a specific well site, it is not possible to consider any potential unlawful impairment effects. Regardless, a discussion of nearby appropriative water rights/permits and domestic wells has been included for the information of the Chief Engineer and the Water Management Board. There are 29 water rights/permits that are within or in close proximity of the proposed future use area for this application (Figure 3) (Table 5).

There are many domestic wells on file with the DANR-Water Rights Program that are completed into the Big Sioux: South aquifer within or in close proximity to the proposed future use area (Water Rights, 2025d). The location of the domestic wells is based on the information provided by the well driller on the submitted well completion report. There could potentially be other domestic wells completed into the Big Sioux: South aquifer within the future use area that are not on file with the DANR-Water Rights Program.

Table 5. List of water rights/permits within or nearby the future use area shown in Figure 3.

Permit	Name/Business	Priority	Status	Use Type	CFS	Acres
686-3	Richard T. Peterson	01/29/1960	License	Irrigation, Commercial	0.67	65
1618-3	Knife River	01/01/1949	License	Commercial	1.00	0
1908-3	Valley View Mobile Home Park	12/03/1971	License	Commercial	0.10	0
3454-3	Lincoln County RWS	09/12/1977	License	Rural Water System	0.50	0
4002-3	City of Brandon	09/12/1977	Future Use	Municipal	0.00	0
4792-3	L.G. Everist Inc.	07/23/1981	License	Commercial	1.00	0
4842-3	Brandon Material Co.	11/25/1981	License	Industrial	1.11	0
4883-3	City of Harrisburg	04/13/1982	License	Municipal	0.50	0
5133-3	Knife River	04/06/1987	License	Commercial	0.04	0
5242-3	City of Sioux Falls	09/19/1988	License	Industrial	1.56	0
5517-3	Zoological Society	03/11/1990	License	Commercial	0.03	0
5649-3	Spring Creek Golf Course	03/19/1992	License	Irrigation	0.67	126
5665-3	Warren Friessen	04/24/1992	License	Irrigation	0.043	3
5684-3	Great Plains Zoo/Museum	07/09/1992	License	Commercial	0.067	0
5698-3	City of Sioux Falls	07/20/1992	License	Irrigation	1.67	117
5869-3	City of Brandon	09/12/1977	License	Municipal	0.78	0
6157-3	City of Sioux Falls	11/24/1999	License	Irrigation	0.17	19
6494-3	The Country Club of Sioux Falls	04/23/1959	License	Irrigation	0.67	17
6696-3	City of Brandon	01/27/2006	Future Use	Municipal	0.00	0
6861-3	Minnehaha Country Club	06/04/2007	License	Irrigation	1.53	116.5
6924-3	Lincoln County RWS	12/17/2007	Permit	Rural Water System	2.50	0
7181-3	City of Brandon	01/21/2010	License	Municipal	0	0
7203-3	Lincoln County RWS	07/05/2010	License	Rural Water System	0	0
8366-3	Gage Brothers	07/11/2018	License	Industrial	0.22	0
8462-3	Ace Ready Mix	12/14/2020	License	Industrial	0.44	0
8526-3	L.G. Everist Inc.	07/12/2021	Permit	Industrial	3.33	0
8546-3	Brandon Valley Baseball Association	08/20/2021	License	Irrigation	0.13	3.5
8849-3	Reiter, Jim & Etal Reiter, Dan Steve & Brian	03/29/2024	Permit	Irrigation	0.067	2.5
8962-3	L.G. Everist Inc.	06/13/2025	License	Industrial	2.67	0

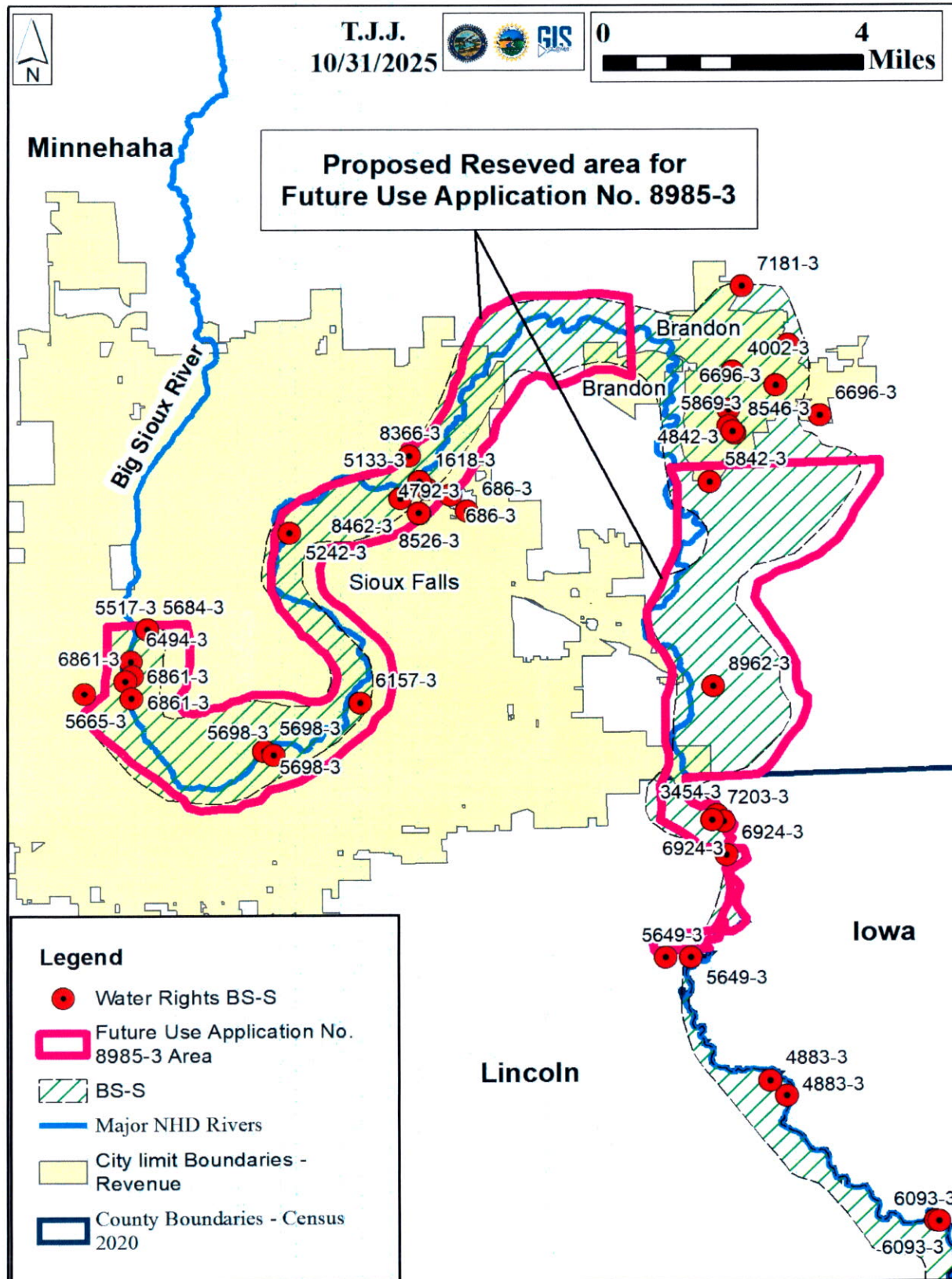


Figure 3. Map of the Big Sioux: South aquifer delineated by Hedges & others (1982), water rights/permits within or nearby the future use area for Future Use Application No. 8985-3 (Water Rights, 2025b and 2025c).

The Big Sioux: South aquifer is primarily under unconfined conditions. However, the aquifer can be found under locally confined conditions by an overlying clay layer within or near the proposed future use area for this application. In a confined aquifer, drawdown from a pumping well can extend some distance from the well. The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

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

In Lincoln, Union, and Minnehaha Counties, the Big Sioux: South aquifer has a range of saturated aquifer thickness of 22 to 28 feet (Lindgren & Niehus, 1994; Niehus, 1997). The precise drawdown in the aquifer cannot be known without an aquifer performance test. When considering the statutes (SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20 (6) and (7)), the lack of well interference complaints for adequate wells completed into the Big Sioux: South aquifer in Minnehaha & Lincoln Counties (Water Rights, 2025e), and that the aquifer is generally unconfined within the proposed future use areas, it is reasonable that placing reserved water to beneficial use within either of these proposed future use areas would not cause unlawful impairment of adequate domestic wells or appropriative permits with adequate wells. However, full review of the potential for unlawful impairment will be conducted when an application is received to place water to beneficial use.

CONCLUSIONS:

1. Future Use Permit Application No. 8985-3 proposes to appropriate and reserve for future use 5,041 acre-feet of water annually from the Big Sioux: South aquifer. The area to be reserved for future use is located in Sections 1, 2, 9 through 12, 15, 16, 19, 21, 22, 26 through 34, all in T101N-R49W; Section 24, 25, 36, all in T101N-R50W; Section 9 and 10, both in T100N-R50W; Sections 25 and 36, both in T102N-R49W; Sections 29 through 32, all in T102N-R48W; Section 9 through 16, 21 through 23, 26 through 28, 33 through 35, all in T101N-R48W; and Section 11 through 14, 22 through 24, all in T100N-R49W. The water will be reserved for future water supplies for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties.
2. This application does not authorize construction of works or application of water to beneficial use. This future use area is located partially within the city limits of Sioux Falls, and west and south of Brandon SD.

3. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: South aquifer to supply Future Use Permit Application No. 8985-3.
4. A review of the potential for unlawful impairment will be performed when an application is received to place water reserved by Future Use Permit Application No. 8985-3 to beneficial use.



Tyler Jensen
Natural Resources Engineer II
SD DANR - Water Rights Program

Reviewed by:



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

References

- Drinking Water, 2025. Drinking Water Reports, SD DANR-Drinking Water Program, Joe Foss Bldg, Pierre, SD.
- Hedges, L.S., Allen, J., Holly, D.E., 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bed rock Topography and Distribution, Task 2: Extent of Aquifers, Task 3 Ground-Water Storage, Task 4: Computerized Data Base. United States Army Corps of Engineers Contract DACW 45-80-C-0185.
- Niehus, C.A., 1997. Major Aquifers in Lincoln and Union Counties, South Dakota, U.S. Geological Survey Information Pamphlet No. 49 U.S. Geological Survey. Vermillion, SD.
- Niehus, C.A. and Lindgren R.J., 1994. Major Aquifers in Minnehaha County, South Dakota. U.S. Geological Survey Information Pamphlet No. 46 U.S. Geological Survey. Vermillion, SD.
- SDGS, 2025. South Dakota Geological Survey Lithologic Logs Database. Accessed October 31, 2025. <https://usd-asp.usd.edu/SDGS/LithologicLogs>
- Water Rights, 2025a. "1979-2024 Irrigation Summaries by Aquifer", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Water Rights, 2025b. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2025f. "2003-2024 Non-Irrigation Yearly Reports", SD DANR-Water Rights Program, Joe Foss Building, Pierre, SD.

Rodriguez, Rachel

From: Myers, Chris <Chris.Myers@SiouxFalls.Gov>
Sent: Wednesday, September 17, 2025 12:35 PM
To: Rodriguez, Rachel
Subject: RE: [EXT] Future Use Water Permit Application

Rachel,
Thank you for the update. I will work with the team to get the payment to you as soon as possible.
Thanks

Chris Myers
Water Superintendent
Public Works



605-373-6944 605-999-6591 Chris.Myers@siouxfalls.gov

www.siouxfalls.gov

"Success is not final, failure is not fatal: it is the courage to continue that counts" -Winston Churchill

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, September 17, 2025 11:49 AM
To: Myers, Chris <Chris.Myers@SiouxFalls.Gov>
Subject: Future Use Water Permit Application

Good morning,

I just wanted to remind you that we are waiting for the fee. Once received, I will begin processing your application.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





Order Confirmation

Not an Invoice

Account Number:	1248805
Customer Name:	City of Sioux Falls - Supt Water Division
Customer Address:	City of Sioux Falls - Supt Water Division 2100 N Minnesota AVE Sioux Falls SD 57104-0111
Contact Name:	_ DEFAULT
Contact Phone:	
Contact Email:	ggraverson@siouxfalls.org
PO Number:	

Date:	11/25/2025
Order Number:	11867890
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	193.0000
Height in Inches:	21.2600

Print

Product	#Insertions	Start - End	Category
SFA SiouxFalls Argus Leader	1	12/04/2025 - 12/04/2025	Govt Public Notices
SFA argusleader.com	1	12/04/2025 - 12/04/2025	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$67.90
Tax Amount	\$0.00
Service Fee 3.99%	\$2.71
Cash/Check/ACH Discount	-\$2.71
Payment Amount by Cash/Check/ACH	\$67.90
Payment Amount by Credit Card	\$70.61

Order Confirmation Amount	\$67.90
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RE: [EXT] 11867890 8985-3 City of Sioux Falls - Public Notice

From Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>

Date Tue 11/25/2025 9:52 AM

To Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

 1 attachment (3 MB)

11867890.pdf;

Good Morning,

Please find your order confirmation and proof of ad attached.

Your ad is set to run in the Argus Leader on December 4. The order cost is \$67.90 which includes an affidavit, that will be mailed to you 7-10 business days after the last day of the ad printing. Please reply by 8:00 AM on December 2 with any changes.

Your notice is scheduled to run per your request and will publish unless you reply to this email requesting changes or to cancel.

Our invoicing is done on a monthly basis.

You will receive an invoice for this ad after the close of the month.

All orders are subject to a non-refundable 3.99% service fee. As an incentive for customers, we provide a discount off the order cost equal to the 3.99% service fee if you pay by ACH. Pay by ACH and Save! Final order cost provided at time of payment and via a receipt.

Thank you!

Brittany Grady

Public Notice Representative



Office:844-254-5287

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Sent: Tuesday, November 25, 2025 9:27 AM

To: SFA-Legals mbx <allegals@appleton.gannett.com>

Subject: 11867890 8985-3 City of Sioux Falls - Public Notice

Attached is a notice to be published on December 4, 2025

City of Sioux Falls Water Division, c/o Chris Myers, 2100 N Minnesota Avenue, Sioux Falls SD 57104, 605-373-6944, chris.myers@siouxfalls.gov has been notified to contact you to authorize publication and

8985-3 City of Sioux Falls - Public Notice

From Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Date Tue 11/25/2025 10:51 AM

To Myers, Chris <chris.myers@siouxfalls.gov>

 2 attachments (796 KB)

8985-3 Rec.pdf; 8985-3 Ltr & PubNotice & ArgusInfo.pdf;

Good Morning Chris,

Attached is a copy of the report, acting chief engineer's 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 also being mailed to you today.

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

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



8985-3 City of Sioux Falls - Public Notice

From Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Date Tue 11/25/2025 9:27 AM
To legals@argusleader.com <legals@argusleader.com>

 2 attachments (44 KB)

8985-3 public.short_final.docx; FORM8.FRM.doc;

Attached is a notice to be published on December 4, 2025

City of Sioux Falls Water Division, c/o Chris Myers, 2100 N Minnesota Avenue, Sioux Falls SD 57104, 605-373-6944, chris.myers@siouxfalls.gov 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



8985-3 City of Sioux Falls - Public Notice

From Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Date Tue 11/25/2025 9:24 AM

To SVNTEResa Zomer <svn@midconetwork.com>

 2 attachments (44 KB)

8985-3 public.short_final.docx; FORM8.FRM.doc;

Attached is a notice to be published on December 4, 2025

City of Sioux Falls Water Division, c/o Chris Myers, 2100 N Minnesota Avenue, Sioux Falls SD 57104, 605-373-6944, 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us





**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.**

November 25, 2025

City of Sioux Falls
c/o Chris Myers
2100 N Minnesota Avenue
Sioux Falls SD 57104

Dear Mr. Myers:

Water Permit Application No. 8985-3 for future use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Sioux Valley News printed at Canton SD (Ph # 605 764-2000) and the Argus Leader printed at Sioux Falls SD (see attachment for contact number). 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 Acting 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,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Acting 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. 8985-3 to Reserve Water for Future Use

Notice is given that the City of Sioux Falls Water Division, 2100 N Minnesota Avenue, Sioux Falls SD 57104, has filed an application for a future use permit. Application 8985-3 proposes to appropriate and reserve for future use 5,041 acre-feet of water annually from the Big Sioux: South Aquifer. The area to be reserved for future use is located in Sections 1, 2, 9 through 12, 15, 16, 19, 21, 22, 26 through 30, 31 through 34, all in T101N-R49W; Sections 24, 25, 36, all in T101N-R50W; Sections 9 and 10, both in T100N-R50W; Sections 25 and 36, both in T102N-R49W; Sections 29 through 32, all in T102N-R48W; Sections 9 through 12, 13 through 16, 21 through 23, 26 through 28, 33 through 35, all in T101N-R48W; and Sections 11 through 14, 22 through 24, all in T100N-R49W. The water is reserved for future water supplies for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties. This application does not authorize construction of works or application of water to beneficial use. This future use area is located partially within the city limits of Sioux Falls and west and south of Brandon SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8985-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Sioux Falls 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 as it pertains to matters within the regulatory authority of the Water Management Board. The Acting 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.

Any person interested in opposing this application or recommendation 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 December 15, 2025.

The petition 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.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 December 15, 2025.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled, and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published once at the total approximate cost of_

AFFIDAVIT OF PUBLICATION

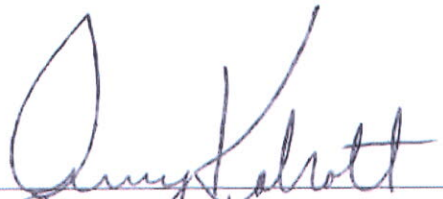
City of Sioux Falls - Supt Water Division
2100 N Minnesota AVE
Sioux Falls SD 57104-0111

STATE OF WISCONSIN, COUNTY OF BROWN

The Argus Leader, a daily newspaper published in the city of Sioux Falls, Minnehaha County, State of South Dakota, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

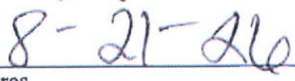
12/04/2025

and that the fees charged are legal.
Sworn to and subscribed before on 12/04/2025



Legal Clerk


Notary, State of WI, County of Brown



My commission expires

Publication Cost:	\$67.90	
Tax Amount:	\$0.00	
Payment Cost:	\$67.90	
Order No:	11867890	# of Copies:
Customer No:	1248805	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

**NOTICE OF APPLICATION
NO. 8985-3 to Reserve
Water for Future Use**

Notice is given that the City of Sioux Falls Water Division, 2100 N Minnesota Avenue, Sioux Falls SD 57104, has filed an application for a future use permit. Application 8985-3 proposes to appropriate and reserve for future use 5,041 acre-feet of water annually from the Big Sioux: South Aquifer. The area to be reserved for future use is located in Sections 1, 2, 9 through 12, 15, 16, 19, 21, 22, 26 through 30, 31 through 34, all in T101N-R49W; Sections 24, 25, 36, all in T101N-R50W; Sections 9 and 10, both in T100N-R50W; Sections 25 and 36, both in T102N-R49W; Sections 29 through 32, all in T102N-R48W; Sections 9 through 12, 13 through 16, 21 through 23, 26 through 28, 33 through 35, all in T101N-R48W; and Sections 11 through 14, 22 through 24, all in T100N-R49W. The water is reserved for future water supplies for municipal use by the City of Sioux Falls in Minnehaha and Lincoln Counties. This application does not authorize construction of works or application of water to beneficial use. This future use area is located partially within the city limits of Sioux Falls and west and south of Brandon SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 8985-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the City of Sioux Falls 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 as it pertains to matters within the regulatory authority of the Water Management Board. The Acting 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.

Any person interested in opposing this application or recommendation 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 peti-

tioner 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 December 15, 2025.

The petition 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.

Any interested person may file a comment on the application with the Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 December 15, 2025.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled, and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published Dec 4, 2025 at the total approximate cost of \$67.90 and may be viewed free of charge at www.sdpublicnotices.com.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

TERESA ZOMER

being first duly sworn on his oath says; that the Sioux Valley News is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that he is and during all of said time was publisher of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

DANR Notice of Application

a printed copy of which is hereto attached, was printed and published in said newspaper for **ONE** successive week(s) upon the following dates, to-wit:

December 4, 2025

that the full amount of the fees charged for publishing the same to-wit: the sum of **\$52.14** inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.



Ascribed and sworn to before me this **4th** day of
December, 2025.



Notary Public, South Dakota

(Seal)



My Commission Expires
January 12, 2030

RECEIVED

JAN 15 2025

OFFICE OF
WATER

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Notice of Application

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**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 24, 2026

City of Sioux Falls Water Division
c/o Chris Myers
2100 N Minnesota Avenue
Sioux Falls SD 57104

Dear Mr. Myers:

Enclosed is Future Use Permit No. 8985-3 as approved by the Water Management Board.

When plans for facilities are prepared to construct and place to beneficial use any portion of the water reserved by this future use permit, an application for such facilities and water use shall be submitted to this office for review, and approval before construction is initiated.

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

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
Posting 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.: 8985-3

Name of Applicant: City of Sioux Falls Water Division, Chris Myers

Date of Posting: 12/1/2025

Date of Removal: 2/24/2026


Amanda Dewell, Permitting Administrator

2/24/2026

Date

Subscribed and sworn to before me, a notary public, this 24th day of Feb, 2026.


Notary Public - South Dakota
My commission expires:

Rachel Rodriguez
My Commission Expires
May 16, 2029

(SEAL)

