



DEPARTMENT of ENVIRONMENT  
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### **DENR Announces 30-day Period to Submit Water Right Applications for Spink, Beadle and Hand County Aquifers**

PIERRE, S.D. – The South Dakota Department of Environment and Natural Resources (DENR) announces the opening of a 30-day window for persons interested in applying to appropriate water for irrigation or other uses that exceed 18 gallons per minute from two aquifers in portions of Spink, Beadle and Hand counties.

The formal names of the two aquifers are the Tulare East James aquifer and the Tulare Western Spink Hitchcock aquifer. The 30-day period begins at noon Central Standard Time on Jan. 26 and ends at noon Central Standard Time Feb. 25.

The state Water Management Board has previously declared these two aquifers to be fully appropriated because groundwater uses are equal to the average annual recharge rate. To protect existing uses into the future, state water law closes fully appropriated aquifers to further appropriation until such time as the Water Management Board determines there is again unappropriated water available.

During the 2014 session, the Legislature passed House Bill 1015 to create a system for people to submit water right applications for water that may become available in the future from fully appropriated aquifers. Applications received within the designated 30-day application period will be prioritized by the Water Management Board using a random selection process.

Prioritization of applications received for the Spink, Beadle, and Hand County aquifers will occur at the board's May 2015 meeting. Those applications will be held in that prioritized order until a review of those aquifers is held by the board in five years to again compare water use with the recharge rate. At the time of the review, a fee equal to 10 percent of the original application fee will be assessed.

“Some may call this a water lottery, but House Bill 1015 was designed to give everyone a fair chance at submitting a water right application for unappropriated water that may become available in the future, whether it is 5 years, 10 years, or 50 years into the future,” said DENR Secretary Steve Pirner.

Applications received after the 30-day application period will be accepted by the board, but are not eligible for the random selection process and are junior to those applications received during the prescribed timeframe.

A map showing the approximate boundaries of the two aquifers, the public notices for the 30-day application period, water right application forms and House Bill 1015 that has been codified as SDCL 46-2A-7.1 thru 7.7 are all available on DENR's website at <http://denr.sd.gov/ap>.