

NOTICE OF APPLICATION NO. 6937A-3 to Reinstate Water Permit No. 6937-3

Notice is given that Dean R Morman, 44742 302nd St, Volin SD 57072 has filed an application for a water permit to reinstate Permit No. 6937-3. Permit No. 6937-3 appropriates 1.78 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 180 feet deep) located in the center or the SW 1/4 Section 6 to irrigate 135 acres located in the SW 1/4 Section 6; all in T94N-R54W. The permit was approved March 3, 2008, and the project was to be completed by March 3, 2013, with water being put to beneficial use by March 3, 2017. Application 6937A-3 proposes to reinstate Water Permit No. 6937-3 since the project has not been completed. Approval of No 6937A-3 will cancel No. 6937-3.

Application No. 6937A-3 to reinstate 6937-3 is made pursuant to SDCL 46-2A-8.1 which allows for reinstatement with a new priority date, if unappropriated water is available when construction, necessary to put water to beneficial use, is not completed within five years of approval of this permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6937A-3 because unappropriated water is available. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. 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.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 20, 2014.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Information concerning this application is available at <http://denr.sd.gov/public>. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.