



2025 South Dakota Legislature

Senate Joint Resolution 501

ENROLLED

AN ACT

A JOINT RESOLUTION, Providing legislative approval for a future use water permit application by the Western Dakota Regional Water System.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

WHEREAS, pursuant to § 46-5-20.1, any application for an appropriation of water, in excess of ten thousand acre-feet annually, must be presented by the Water Management Board to the Legislature for approval, prior to action by the board; and

WHEREAS, pursuant to § 46-5-20.1, the Western Dakota Regional Water System submitted a future use water permit application numbered 2881-2 to the chief engineer of the water rights program within the Department of Agriculture and Natural Resources, seeking to have annually appropriated and reserved twenty thousand seven hundred and sixty-five acre-feet of unappropriated water from the Missouri River for the purpose of providing future water supplies to the Western Dakota Regional Water System counties of Bennett, Butte, Custer, Fall River, Gregory, Haakon, Harding, Hughes, Jackson, Jones, Lawrence, Lyman, Meade, Mellette, Oglala Lakota, Pennington, Perkins, Stanley, Todd, and Tripp; and

WHEREAS, the chief engineer, pursuant to § 46-2A-2, considered the permit application and recommended approval, with qualifications, because there is a reasonable probability that unappropriated water is available for the proposed use, the quantity of water sought to be reserved will be needed by the Western Dakota Regional Water System, the proposed use is a beneficial use, and the proposed use is in the public interest; and

WHEREAS, after a public hearing held on December 4, 2024, in Pierre, South Dakota, the Water Management Board moved to present the application to the Legislature for approval, subject to the following qualifications:

- (1) That future use water permit number 2881-2 annually reserve twenty thousand seven hundred and sixty-five acre-feet from the Missouri River;

- (2) That future use water permit number 2881-2 is subject to review every seven years by the board and subject to cancellation if the board determines, during a review, that the Western Dakota Regional Water System cannot demonstrate a reasonable need for the permit; and
- (3) That at the time plans are made to construct the works and put the water reserved by future use water permit number 2881-2 to beneficial use, the executive director of the Western Dakota Regional Water System must apply to the board for all or part of the reserved water, pursuant to § 46-5-38.1;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the One Hundredth Legislature of the State of South Dakota, the House of Representatives concurring therein, that the Western Dakota Regional Water System's future use water permit application number 2881-2 is approved and returned to the Water Management Board for final action; and

BE IT FURTHER RESOLVED, that if future use water permit application number 2881-2 is approved by the Water Management Board, the board may act on any application to place the water reserved by application number 2881-2 to beneficial use, regardless of the amount being placed to beneficial use, including up to the full twenty thousand seven hundred and sixty-five acre-feet reserved by application number 2881-2, without further action by the Legislature.

A JOINT RESOLUTION, Providing legislative approval for a future use water permit application by the Western Dakota Regional Water System.

I certify that the attached Resolution originated in the:

Senate as Joint Resolution No. 501

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 2025
at _____ o'clock __M.

Secretary of State

By _____
Asst. Secretary of State

Senate Joint Resolution No. 501

File No. _____

Chapter No. _____