

**BROWN
DAY**

MARSHALL

Rural Water System, Inc.



Quality On Tap!

July 2017 | Volume 13, Issue 1

Missouri National Recreational River



2017 LEGISLATION:
Riparian Buffer Bill

From the Manager | Consumer Confidence Report



BROWN
DAY
MARSHALL
Rural Water System, Inc.

FROM THE MANAGER

Rodney Kappes
Manager, BDM Rural Water System, Inc.



Greetings from the Team at BDM:

I want to thank all of you who attended our annual meeting. There was very good attendance and I appreciate your interest in your rural water system.

We are currently busy doing system maintenance, installing new hookups, repairing leaks and responding to customers calls. I indicated in my last article that we were looking to hire one or two additional System Operation Specialists. I'm very pleased to announce that we hired Ryan Vrchota and Paul Johnson. Ryan is a Britton native, and Paul grew up in the Redfield area. Ryan and Paul will be two great additions to Darin and Jim, as System Operation Specialists. Both Ryan and Paul will be working towards their certifications over the next several years, which will definitely build our bench strength here at BDM.

We have started our plant optimization study with our engineers (AE2S), with the goal of finding ways to be more efficient and consistent in our processes. Initially it appears this will be very helpful and areas of improvement are being identified and will be implemented as we move forward.

We have completed an upgrade at our Amherst reservoir. We removed a 15 HP motor and pump and replaced it with a 25 HP motor and pump. We are now running both 25 HP units at the same time, when we have peak demand. This is providing measurable improvements to the additional water we can move out of that reservoir and ultimately increases the amount of water we get to the Groton reservoir. Regardless of the incremental increase in the motor and pump, we are still limited by the size of the pipe we have to move the water through. However, this upgrade allows us to maintain line pressure, when we have those high demand situations, which gives us the added capacity. Once we complete our hydraulic model with AE2S, we will have a much better understanding of the flows and pressures in that part of the system. Then we can analyze what additional options are available, to increase capacity in those parts of the system that can have challenges. This upgrade of the VFD, line reactor, circuit breaker, motor and pump will be approximately \$24,000.

Financially we continue to be operating in line with our 2017 projected budget. Water sales to date have been lower in 2017, when compared to the record amounts pumped in 2016. We will be making investment into more maintenance items as we move through the year. We indicated earlier on, that this will take time and financial resources to address and improve the system. We are going to prudently assess, then implement improvements that are financially viable and build sustainability into the system.

A friendly reminder to those of you that have cellular read meters. The monthly base fee will increase \$1.00 per month after July 1st. This is the fee that our supplier is charged by Verizon, which they pass on to us, to pull the meter usage information and also provide all of the daily consumption data that you can see for no additional cost. If you have not signed up to be able to see this information, I would highly recommend it. You can see data that indicates you may have a leak, within 24 hours of the event.

In closing, I wish all of you an enjoyable summer with your family and friends.

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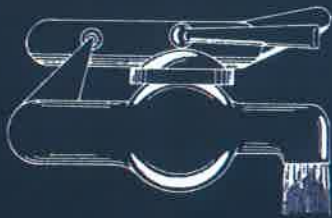
(1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. This institution is an equal opportunity provider.

BDM MEMBERSHIP CORNER

\$1 METER CHARGE

The BDM Board of Directors has authorized a \$1.00 per meter charge that will be added to the monthly base fee of all hookups with a cellular meter. Those hookups with a cellular meter will go from a \$35.00 monthly base fee to a \$36.00 monthly base fee. Base fees for lake hookups with a cellular meter will increase from \$28.00 to \$29.00. This increase will be effective with the July, 2017 bills (payable by August 10th).

All customers not signed up for auto-pay need to return the payment stubs with their checks, even if a cellular meter has been installed and you are not required to read your meter. The meter reading boxes will be filled in at the office. Payment stubs help ensure that payments are posted to the correct account.



Our Mission

is to ensure our members have quality water at a reasonable price for household, livestock and commercial use for generations to come.

Holiday Closings

The BDM Rural Water System offices will be closed on the following dates:

INDEPENDENCE DAY – TUESDAY, JULY 4TH

LABOR DAY – MONDAY, SEPTEMBER 4TH

As always, if you have an emergency, please call the office at 605-448-5417 or toll free at 1-800-448-9236. You will then receive a message with the telephone number of the employee on call. Please call that person for assistance in an emergency only.

MANAGE YOUR WATER USE FROM YOUR SMARTPHONE

Manage your water use on your smartphone. There is a free app for both Apple and Android devices available. Search "WaterScope" in the Apple Store or on GooglePlay.

Payment Options

Automatic bill payment is offered by ACH (we request the payment from your checking or savings account), or by credit or debit card. We accept Discover, Visa and MasterCard. We do accept payment over the phone using your credit card or debit card, but we will not initiate an ACH payment over the phone. A number of our customers use a bill pay option offered through their banking institution.

Please remember that whatever method of payment you choose, you still need to submit a meter reading. Other than via mail, meter readings may be submitted in the following ways:

- Call us at 605-448-5417 or 1-800-448-9236
- Enter it on our website: bdmruralwater.com,
- Email the office at bdm_billing@venturecomm.net

Please call our office if you need more information about payment options or have questions about your meter reading.

FIND US ONLINE

www.bdmruralwater.com

BDM HOSTS 37TH ANNUAL MEETING



On Monday, March 27, 2017 BDM Rural Water System, Inc. held its 37th annual meeting, with 54 voting members in attendance, along with over 30 other guests.

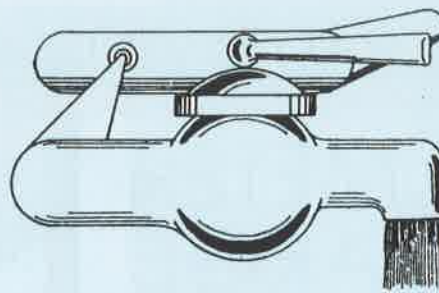
BDM's General Manager, Rodney Kappes, presented the Manager's Report and Board President Torre Raap gave the Board Report. Auditor Dwight Berglin of Quam & Berglin, PC, presented the audit report.

Total assets as of December 31, 2016 totaled \$22,681,287.28. Total liabilities were \$9,351,132.60. Water sales for 2016 were \$2,484,042.44.

Director elections were held for Districts Two and Five. Terry Leonhardt was elected to fill the District Two vacancy, previously held by Lance Fliels, who has served three full terms and was ineligible for re-election. Don Ogren was re-elected to District Five. An engraved clock was given to Lance Fliels in appreciation for his nine years of service as a BDM Rural Water System Director.

Manager Kappes introduced the BDM employees. Drawings were held for cash and other door prizes. Following the meeting, BDM employees served a supper to the attendees.

If you have any questions or comments regarding this year's annual meeting, please feel free to visit with General Manager Kappes or any of the Board members. We appreciate your input.



BDM RURAL WATER SYSTEM, INC. RATE SCHEDULE (EFFECTIVE JULY 2017)

General User Rates:

Debt Service monthly payment: \$35.00 per hookup per month for member-read meters, \$36.00 for cellular meters
 \$6.50 per thousand gallons for the first 2,000 gallons used per month
 \$5.50 per thousand gallons for the next 5,000 gallons used per month
 \$4.50 per thousand gallons for the next 8,000 gallons used per month
 \$3.50 per thousand gallons for over 15,000 gallons used per month

Add \$1.00 to the Monthly Totals Below if Hookup has a Cellular Meter

Gallons Used Per Month	Monthly Total	Gallons Used Per Month	Monthly Total
1000	41.50	25000	146.50
2000	48.00	30000	164.00
3000	53.50	35000	181.50
4000	59.00	40000	199.00
5000	64.50	45000	216.50
6000	70.00	50000	234.00
7000	75.50	55000	251.50
8000	80.00	60000	269.00
9000	84.50	65000	286.50
10000	89.00	70000	304.00
11000	93.50	75000	321.50
12000	98.00	80000	339.00
13000	102.50	85000	356.50
14000	107.00	90000	374.00
15000	111.50	95000	391.50
16000	115.00	100000	409.00
17000	118.50	125000	496.50
18000	122.00	150000	584.00
19000	125.50	175000	671.50
20000	129.00	200000	759.00

Lake User Rates:

Debt Service monthly payment...\$28.00 per hookup per month for member-read meters, \$29.00 for cellular meters
 \$6.50 per thousand gallons of all water used per month.

All Users:

No water is included in the debt service payment. All water used is in addition to the monthly debt service payment. Payments are due by the 10th of the month. A \$10.00 fee applies to all payments received after that date. Service is subject to disconnection if payment is not received by the 15th.

AFTER HOURS & WEEKENDS WATER EMERGENCIES:

Please call the BDM Office at 605-448-5417 or 1-800-448-9236 & a message will direct you to the employee on call.



Defending 7 U.S.C. §1926(b)

By Mike Keegan, NRWA Analyst

To ensure borrowers would be able to repay federal loans, Congress included provision 7 U.S.C. §1926(b) in the Consolidated Farm and Rural Development Act in 1961. The purpose of 7 U.S.C. §1926(b) is to protect the integrity of the federal government's outstanding loans by preventing any portion of a water system to be forcibly annexed or "cherry-picked" by another system or municipality. Such annexation would result in the remaining customers being solely responsible for repayment of the loan with fewer customers to share the burden, thereby resulting in a higher cost (hardship) per customer and greater risk of default. This dilemma is of special concern because U.S. Department of Agriculture (USDA) loans are only made available to low and moderate-income rural communities based on household per capita income that cannot obtain commercial credit.

The law's protection is limited to the area where water service is being provided by the utility. It is based on merit; to ensure that economic growth (occurring outside of municipal boundaries) results in the maximum public health advancement, future development, expansion of water service, and reduction of the cost of water service for everyone. When municipalities and large private water systems attempt to lay water lines parallel or lay lines in an area already served by the USDA indebted water utility, there is always a discussion on who should serve the area. At stake is the alignment of the most profitable portion of service area – that is generally why the larger utility now wants to take over after many years of sustained disinterest.

Membership of the National Rural Water Association (NRWA) and state associations (such as the South Dakota Association of Rural Water Systems) is comprised of rural water districts and municipalities. NRWA would only support protection that works fairly for both the cities and the rural water utilities. The §1926(b) law required the predatory system to work out an arrangement of mutual interest to both water utilities as well as for the customers. The alternative would be to allow larger utilities to unilaterally move into the low cost/high revenue portion of the USDA indebted utility and jeopardize the viability and future growth of the rural utility.

Since the passage of §1926(b), the law has been under continual attack in Congress by utilities that desire unfair capture of their neighbor's service area. Their typical strategy is to use a local territorial controversy to convince their local senator or representative to make changes under §1926(b) in order to erode its protection. In each of these cases where the local community was not able to convince its representatives of the merit of §1926(b), NRWA has been successful in marshalling the strength of our association to convince the majority of the remaining representatives or senators to resist changing the law and potentially jeopardizing the entire

mission to extend drinking water service to everyone (especially the neediest). Often these debates are the most intensive advocacy campaigns we undertake. And typically, it is other Rural Water members who are not involved in the particular controversy who use their good relationships with their senators and representatives who are in positions of power to come to the aid of the other members of the rural water movement.

It is likely that without the sustained advocacy of NRWA, the protections in §1926(b) would have been eroded by forces that may not have been right on the merit but happen to have political strength in Congress. Even if you are not actively involved in the particular legislative campaign, your participation in your rural water system and the South Dakota Association of Rural Water Systems strengthens the overall association and allows us to participate and win in these situations.

The virtue and merit of §1926(b) has been upheld in numerous federal appellate courts. And most of all, disputes that result in efforts to change the federal law are not merited by the local facts. In a recent case in Iowa, a rural water district was very eager to provide water to the disrupted territory; however, they needed to know what the water demand would be to provide an appraisal of the new water infrastructure and the city would not cooperate or respond. Then the city proceeded to tell its elected officials that the district would not cooperate and new legislation was needed to allow for forfeiture of their territory.

Defending §1926(b) from attacks in Congress continues to be one of the most beneficial accomplishments and agenda items for NRWA. In Washington, NRWA continually offers assistance and education to any representative or senator by analyzing local disputes or providing understanding of §1926(b) authorities and limitations, or clearing up misunderstandings in the local disputes before considering changes to the law.

Litigation utilizing §1926(b) should be the solution of last resort. Most neighboring water utilities are working constructively and cooperatively to resolve local conflicts. Moreover, numerous neighboring water systems have worked out "good neighbor" relationships through cooperative agreements that provide the highest quality of service to all customers. Again, rural water utilities should only utilize §1926(b) in extreme cases where expanding systems attempt to unilaterally, without discussion, acquire service areas.

The future success of NRWA's §1926(b) advocacy is dependent in participation in your rural water system and state association. "By organizing together with a common agenda, we can accomplish what none of us could achieve on our own... and only by organizing together with a common purpose can we realize the power of an association," said Past NRWA President Doug Anderton.



Rural Water Systems in South Dakota Vary in Organizational Structure

By Greg Merrigan, Manager of Clay Rural Water System

South Dakota has 33 regional rural water systems. They all have one goal in mind – to provide safe, quality water to their members, but how they go about that can vary greatly, depending on their organizational structure.

A water system's organizational structure can determine what taxes they pay, territorial boundaries, election of members of the board of directors, financing and material and equipment purchases. There are four main organizational types – non-profit corporations, tribal entity, Water User District and Sanitary District. When these systems were initially developed, many took a cue from another existing organization in their area such as a rural electric cooperative or municipality.

Non-Profit:

The majority of rural water systems in the state are organized as non-profit corporations. They were modeled in part after rural electric cooperatives which had been operating successfully under that structure for many years. A non-profit is easy to form and just needs to file articles of incorporation with the Secretary of State after some initial organizational work. State law outlines formation and general powers. Non-profits are governed by a Board of Directors, they pay sales and use taxes but do not pay property taxes or federal income tax, although they must file a federal tax return. In order to maintain their tax-exempt status, at least 85% of their income has to come directly from their operations – water sales. Non-

profits do not have defined service areas and under state law have no protection from encroachment from municipal water systems. They do have territorial protection under federal law if they have loans with the federal government. Finally, non-profit rural water systems must comply with state and federal drinking water laws which are enforced in South Dakota by the SD Department of Environment and Natural Resources.

Water User District:

The second most popular organizational structure is the Water User District (WUD). Formation of this type of entity is more time consuming, but can offer many benefits. The district has defined boundaries and is organized by circulation of a petition that must be signed by twenty-five percent of the landowners in the district. WUD's are subdivisions of state government and are exempt from paying sales tax. They are governed by a Board of Directors, have established and protected boundaries,

A water systems organizational structure can determine what taxes they pay, territorial boundaries, election of members of the board of directors, financing and material and equipment purchases.

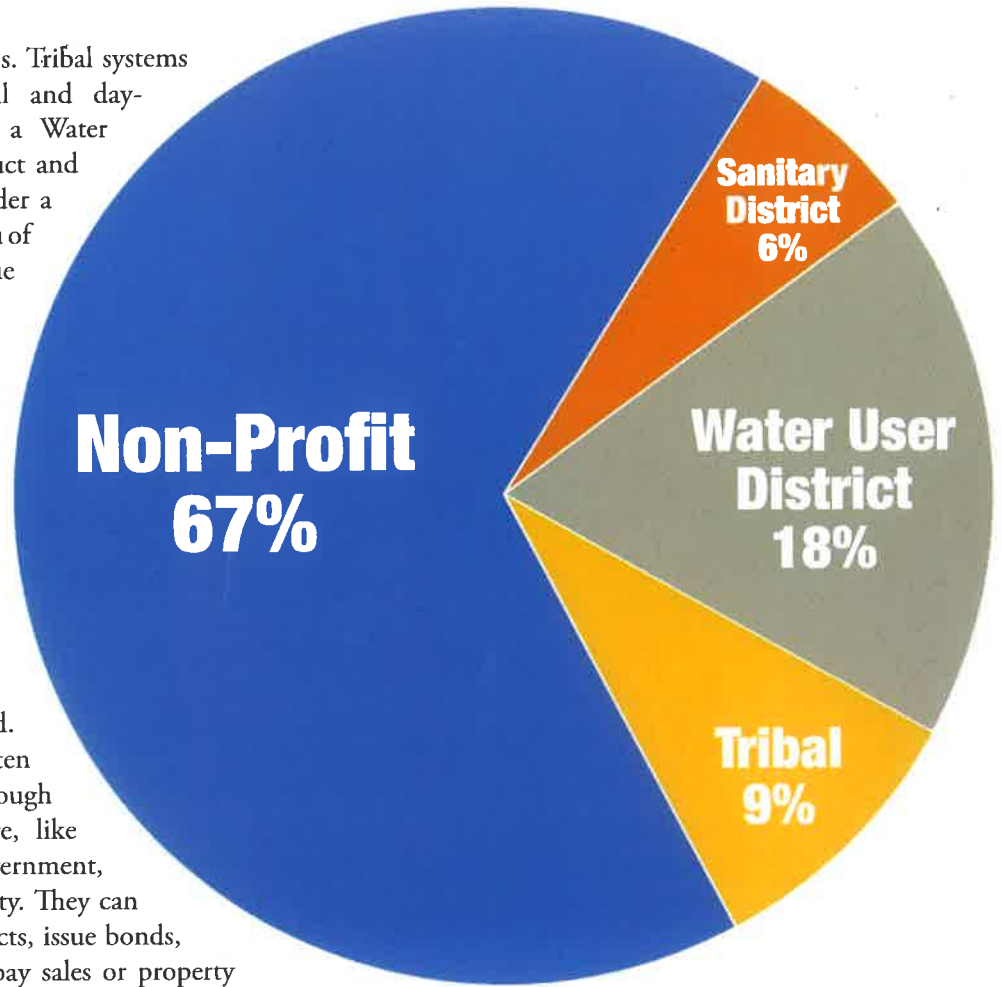
can issue tax exempt bonds for building or expansion, can purchase goods and services through existing state government contracts, they receive a refund on federal taxes charged on vehicle fuel and do not pay real estate taxes. WUD employees can participate in the State Retirement System. Although a subdivision of state government, they do not have taxing authority. Finally, like non-profit rural water systems, WUD's must comply with state and federal drinking water laws which are enforced in South Dakota by the SD Department of Environment and Natural Resources.

Tribal System:

South Dakota has three tribal systems. Tribal systems are governed by a Tribal Council and day-to-day operations are overseen by a Water Resources Department. They construct and operate their rural water systems under a cooperative agreement with the Bureau of Reclamation. Tribal systems are unique in that they are not regulated by the SD Department of Environment and Natural Resources, but directly by the Environmental Protection Agency.

Sanitary District:

The fourth and final organizational structure is the Sanitary District (SD). This type of district is organized primarily to address a potential sanitary sewer issue in areas that become densely populated. A minimum of thirty residents or ten landowners can form a district through a petition process. The districts are, like WUD's, a subdivision of state government, however they do have taxing authority. They can make purchases through state contracts, issue bonds, have protected boundaries, do not pay sales or property taxes and are governed by a Board of Directors. SD employees can also participate in the State Retirement System. SD officers, employees and agents are immune from legal suits or liability.



Missouri National Recreational River



By Jay Gilbertson, East Dakota Water Development District

The Missouri River currently serves as the primary water source for numerous public water suppliers in South Dakota, including but not limited to, WEB Water Development Association, Mid-Dakota Rural Water System, West River/Lyman-Jones Rural Water System and Lower Brule Rural Water Supply System. It also provides electrical power generation at several hydroelectric dams along its course, and supports a range of recreational activities like boating and fishing. However, many people might not know that it also includes a National Park Service facility, the Missouri National Recreational River.

In 1968, the United States Congress passed the Wild and Scenic Rivers Act. The act declared it to be the policy of the United States “that certain selected rivers of the Nation, which with their immediate environments, possess outstanding remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.”

The Missouri National Recreational River (MNRR) is located on the border between Nebraska and South Dakota. The designation was first applied in 1978 to a 59-mile section of the Missouri

River between Gavins Point Dam near Yankton and Ponca State Park in Nebraska, which is just south of Elk Point. In 1991, an additional 39-mile section between the Fort Randall Dam and the headwaters of Lewis and Clark Lake (near Niobrara, Nebraska) was added to the MNRR. These two stretches of the Missouri River are the only parts of the river between Montana and the mouth of the Missouri that remains free flowing, that is, it is not either dammed or channelized. The last (lower) 20 miles of the Niobrara River and 6 miles of Verdigre Creek in Nebraska were also added to the MNRR in 1991.



The MNRR is managed by the National Park Service (NPS), which has administrative offices in Yankton. Although authorized for up to 40,000 acres, the MNRR formally consists of only about 1,200 acres. Goat Island, which straddles the border between South Dakota and Nebraska, constitutes over two-thirds of this amount. The vast majority of the facilities and resources that are within the area are owned and managed by other local, state and federal entities, with each working cooperatively to protect and preserve various aspects of the area. The MNRR does operate a mobile interpretive center, which can often be found at events large and small along the river.

As called for in the Act, a broad range of outstanding remarkable values are found within the MNRR. The river has served as a principle highway and commerce route for as long as people have

been in the area, including numerous indigenous tribes and early European Americans. Lewis and Clark passed through the area on their epic journey of exploration, and several features they observed remain today. A recently “discovered” relic from the past are remnants of the steamship North Alabama, which sank after running into a snag in the river channel on October 27th, 1870. During periods of low water, portions of the ship, along with what is believed to be the responsible snag, are visible just off the edge of Goat Island.

Within the MNRR there are also numerous opportunities to observe and interact with a range of ecosystems, including stretches of largely undeveloped and wild riparian areas. It provides wintering, nesting and migratory stopover habitat for bald eagles and a wide variety of migratory birds. Shifting sand bars, backwater channels and old-growth cottonwood forests support a range of unique, and sometimes endangered, plants and animals.

The MNRR provides a multitude of recreational opportunities, including numerous types of motorized and non-motorized boating, exceptional birding, fishing, biking, hiking, hunting, photography and artistic pursuits. Activities on the Missouri and Niobrara Rivers can range from highly challenging paddlefish archery to simply floating with the current.

Unlike many other NPS facilities, there is no official MNRR Visitor Center. Instead, information about the MNRR is available at several points along the river, at facilities operated by cooperating entities:

Army Corps of Engineers Lewis and Clark Visitor Center

This visitor center (402-667-2546) includes exhibits and information on the Missouri National Recreational River. It is located on Calumet Bluff just downstream from the Gavins Point Dam in Nebraska. To get there take Nebraska Highway 121, about four miles west of Yankton, South Dakota. Hours of Operation: Open seven days a week: 9:00 AM to 5:00 PM during the warm season; Monday through Friday from 8:00 AM to 4:00 PM October through February. Closed on Federal holidays. Please call ahead as times may change.

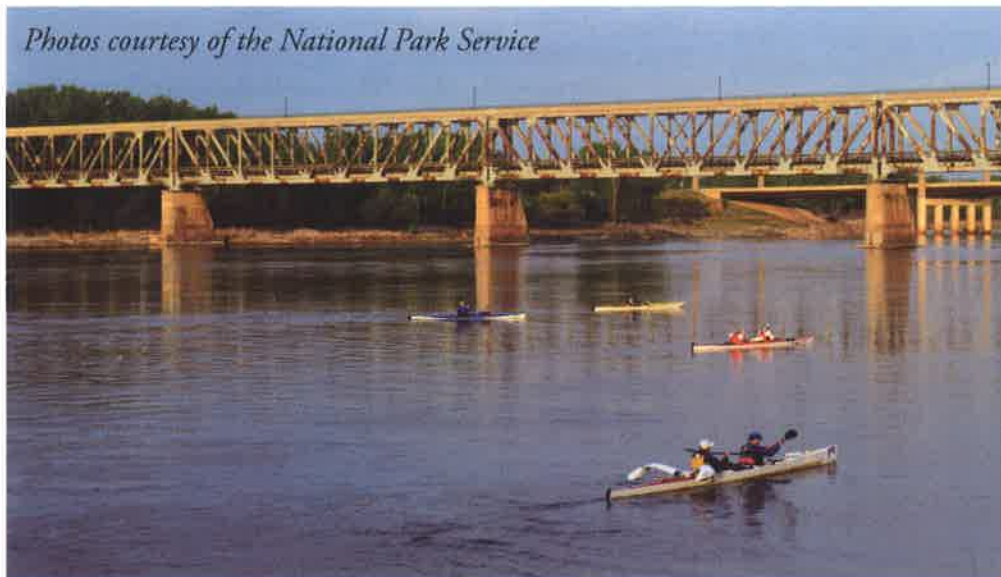


Missouri National Recreational River Resource & Education Center

The building is located in Nebraska's Ponca State Park and houses a large exhibit wing featuring displays on the Wild and Scenic Missouri. It is open Monday through Saturday from 8:00 AM to 5:00 PM and on Sunday from 1:00 PM to 5:00 PM. Hours are extended during the summer. The state park is at the end of Highway Spur 26 E about three miles north of Ponca. A valid daily or annual entry permit is required. To learn more call: 402-755-2284.

Mulberry Bend Overlook

With a great view of the 59-mile reach of the river, this overlook is on the Nebraska side by the Missouri River bridge connecting Vermillion, South Dakota, and Newcastle, Nebraska (SD 19 and Nebraska 15). It is open year-round and is closed only in winter when conditions warrant. Wayside exhibits at the parking area tell the story of the Lewis and Clark Expedition and the historic river. A short hike to the top affords a panoramic vista of the Wild and Scenic Missouri.



MISSOURI RIVER SYSTEMS

Some people think of the Missouri River as the dividing line that separates the state into two unique regions. Rural Water Systems are using the river to bring South Dakotans together by providing drinking water to the far reaches of the state. Communities from Rosebud to Webster benefit from quality drinking water originating in the Mighty Missouri River.

The idea of pumping water out of the river for drinking water has been discussed for decades. The BNSF Railroad and the City of Aberdeen looked into sharing a water line from the Missouri River east as far as Webster in the 1930s.

The concept of a large Rural Water system for western South Dakota began in Lyman and Jones Counties in the late 1950s. Some of the directors of West Central Electric Cooperative, which included Joe Hieb, decided to investigate the possibility of organizing a Rural Water system to bring quality Missouri River water to residents of Lyman and Jones Counties. Around the same time A.H. "Houston" Rose and Roscoe Riggle were also pursuing a similar plan to provide water to Stanley County and northern Haakon County.

Much of western South Dakota connected to Rural Water through the Mni Wiconi Project. President Ronald Reagan signed the Mni Wiconi Rural Water Supply project Bill into law on October 24, 1988. At that time, the project included the Oglala Sioux Tribe, the West River Rural Water System and the Lyman-Jones Rural Water System. Today, Mni Wiconi consists of four systems: Lower Brule, Oglala Sioux, Rosebud and West River/Lyman-Jones.

In August of 1986, a Senate sub-committee field hearing was conducted in Kadoka. It was during this field hearing that the Oglala Sioux Tribe first expressed an interest in joining the Rural Water system effort. Representatives of the OST Tribal Council requested that they be included in the legislation to deliver Missouri River water to communities and rural areas on the Pine Ridge reservation. Subsequent meetings of the West River System, Lyman-Jones System and the OST produced a piece of legislation that proved to be a milestone in Indian and Non-Indian cooperation. All three entities recognized the need for water in western South Dakota that was sufficient in both quality and quantity. All project sponsors resolved to put differences aside and worked hand-in-hand toward a unified goal – that being good water for all.

The Mni Wiconi systems are still in the process of completing initial construction. Lower Brule was the first system in the project to be completed. The system is located near the river and has its own intake and treatment plant. Lower Brule also receives some water from the Oglala Sioux Rural Water Supply System water treatment plant north of Ft. Pierre. That treatment facility

also provides drinking water for Oglala Sioux Rural Water Supply, Rosebud Rural Water and West River/Lyman-Jones.

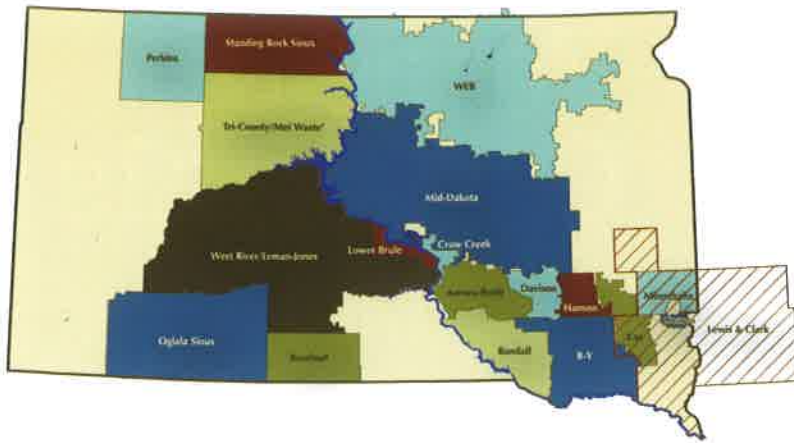
Located north of the Mni Wiconi systems is the Tri-County/Mni Waste' system. Tri County began operations in 1979 to serve Eagle Butte and the surrounding area. Community leaders from Eagle Butte, Dupree, and Faith along with local ranchers were the driving force behind the system, the Cheyenne River Sioux Tribe also contributed financially. The system reached maximum capacity in under 20 years, and over the last 15 years they have had to impose a moratorium on new connections. "I don't think everyone realized how dependent the area would become on the Rural Water system," said Manager Leo "Erp" Fischer.

Perkins County Rural Water, northwest of Tri-County/Mni Waste', has expanded to meet the needs of their consumers, in 2009 and 2010 they installed nearly 300 miles of pipe and added nearly 300 connections. Perkins County delivers Missouri River water that it purchases through the Southwest Pipeline Project in North Dakota.

WEB Water Development Association, located in north central South Dakota, serves 17 counties in both North and South Dakota. The first organizational meeting was held in 1975 by community leaders from Walworth, Edmunds, and Brown Counties. They had been looking for ways to improve their drinking water to meet new federal water standards. WEB was the first regional Rural Water system to receive funding through the Department of Interior in 1980 as part of a legislative settlement on the Oahe Irrigation Project. It was reauthorized and signed into law by President Ronald Reagan on September 22, 1983. The WEB authorization set a precedent that was used to authorize and fund other regional water systems in South Dakota. The first customer to receive water service on May 26, 1986, the Keith Vojta family, had been hauling water for 14 years. WEB currently serves 7,980 rural hookups, 109 towns and bulk users, and five ethanol plants. The system includes more than 6,800 miles of pipeline and 27 storage tanks. They currently have a moratorium in place on new bulk services systemwide, including industrial, commercial and town hookups. "It would cost \$150 million to \$200 million to build new infrastructure that would support additional bulk hookups," said WEB General Manager Angie Hammrich.

Construction of the Mid-Dakota System would fill in the last major area in eastern South Dakota, still without the availability of Rural Water. With the completion of Mid-Dakota virtually all of the communities that would have received water service under the old "Oahe Project" now have service available to them.

Susan Hargens of Mid-Dakota recalls, "I remember someone in Washington, D.C. telling me we were wasting our time because



the funding climate was not good for doing another large water project. I answered back that we needed to try because there were a lot of people that needed the water and we certainly wouldn't get the project if we just gave up."

The authorization of Mid-Dakota was a product of cooperation by a number of groups that would not normally work together. The project had the full cooperation of Bureau of Reclamation, Congressional Delegation, the Governor's Office, the S.D. Department of Water and Natural Resources (Water has been changed to Environment), the entity now known as Central Plains Water Development District, National Wildlife Federation, Audubon Society, the Game, Fish and Parks Department, Rural Electric Cooperative organizations and many others. Everyone was able to come to the table with their ideas, and the project received the support it needed to get authorized.

Aurora-Brule Rural Water started construction in 1977 after a group of farmers and ranchers came together because they could not get quality water in their area. Most of the wells in Aurora and Brule Counties are in an artesian aquifer, and the water is of very poor quality. The system took approximately 10 years to build. Today, 98 percent of the farms in the system's service area are connected to Rural Water.

Randall Community Water District and B-Y Water District are water user districts located in south central South Dakota that treat river water. These two systems have the capacity to not only serve their consumers, but to sell bulk water to systems around them. B-Y supplies Hanson Rural Water customers with the majority of their drinking water and Randall provides all of the water for Davison Rural Water and southern portions of Aurora-Brule Rural Water System.

The Missouri River system that will provide water to the most people in southeastern South Dakota is Lewis & Clark Regional Water System (L&C). L&C is essentially a water cooperative, each of the 20 member cities and water systems joined together to address their water problems more efficiently and effectively than they could do on their own.

Lewis & Clark was incorporated in 1990 and was originally known as the Southeastern South Dakota Water Supply System. It became clear early that there was not enough congressional support for such a massive undertaking. To expand the projects congressional support, project organizers recruited members from Iowa and Minnesota, which tripled the project's political muscle. That decision was the turning point in getting L&C off the ground. However, it still took ten years to get the project authorized by congress in 2000.

More than 500,000 acres of prime river bottomland were lost when the dams were built on the Missouri River as part of the Pick-Sloan Act. In return, South Dakotans receive quality drinking water as one of the benefits.

MISSOURI RIVER SYSTEM STATS:

Aurora-Brule Rural Water System

1,350 hookups • 1,000 miles of pipe

B-Y Water District

4,618 hookups • 4,000 miles of pipe

Davison Rural Water System

1,220 hookups • 610 miles of pipe

Hanson Rural Water System

1,124 hookups • 575 miles of pipe

Lewis & Clark Regional Water

176 miles of pipe

Lincoln County Rural Water System

2,315 hookups • 271 miles of pipe

Lower Brule Rural Water Supply System

1,000 hookups • 327 miles of pipe

Mid-Dakota Rural Water System

5,950 hookups • 5,000 miles of pipe

Minnehaha Community Water Corporation

5,000 hookups • 1,250 miles of pipe

Oglala Sioux Rural Water Supply System

2,583 hookups • 409 miles of pipe

Perkins County Rural Water System

874 hookups • 800 miles of pipe

Randall Community Water District

2,760 hookups • 1,793 miles of pipe

Rosebud Rural Water System

3,500 hookups • 450 miles of pipe

TM Rural Water District

1,500 hookups • 900 miles of pipe

Tri-County / Mni Wasté Water Company

1,145 hookups • 1,420 miles of pipe

WEB Water Development Association

7,980 hookups • 6,800 miles of pipe

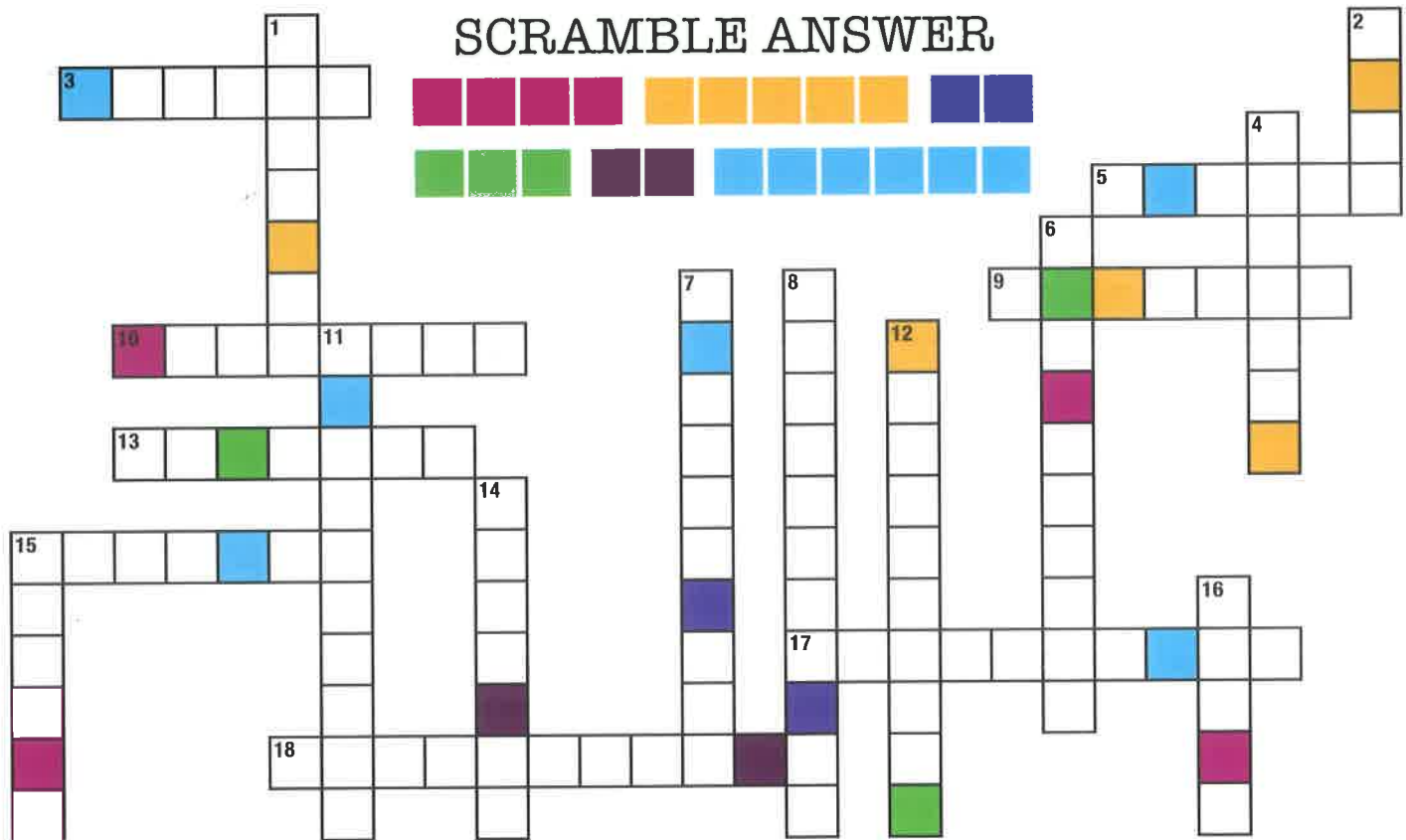
West River/Lyman-Jones Rural Water System

3,295 hookups • 3,450 miles of pipe

RURAL WATER & Crossword & Word Scramble Contest

Fairs & Carnivals

\$100 Grand Prize



SCRAMBLE ANSWER



ACROSS

3. Carnival area of a fair
5. Procession of floats
9. Carnival worker
10. Indoor animal exhibit (2 words)
13. It may fill a hall
15. Deep-fried frank

17. Hands-on experience (2 words)
18. A giant fairground revolution (2 words)

DOWN

1. View antiques on wheels (2 words)
2. Amusement park attraction
4. Miss State Fair, for one
6. Temporary fairground lodging

7. Sticky fruit on a stick (2 words)
8. Event with serious horsepower (2 words)
11. Alfresco alehouse (2 words)
12. Seating arena
14. Fair feature
15. Handmade wares
16. Where the big "bucks" are

RULES

Use the colored squares in the puzzle to solve the word scramble above. Call your Rural Water System (See page 2 for contact information) or enter online at www.sdarws.com/crossword.html with the correct phrase by July 14th, 2017 to be entered into the \$100 drawing.

Online Entries - go to: www.sdarws.com/crossword.html

Only one entry allowed per address/household. You must be a member of a participating rural water system to be eligible for the prize. Your information will only be used to notify the winner, and will not be shared or sold.

Congratulations to Martin Kenner who had the correct phrase of "Victory requires payment in advance" for April 2017.



THE 2017 RIPARIAN BUFFER BILL

As of July 1, 2017, the provisions of Senate Bill 66, An Act to specifically classify certain agricultural land as riparian buffer strips, to establish the criteria for the riparian buffer strip classification, and to provide for the taxation thereof, are law in South Dakota. Known informally as the buffer bill, it enjoyed wide-spread, bipartisan support during its consideration, with a range of groups and interests speaking in favor of the bill during legislative committee hearings. No opponent testimony was given. The bill cleared the Senate on February 8th and the House on February 27th with minimal opposition, with votes of 34-0 and 62-5, respectively. Governor Daugaard signed the final version on March 9th.

Section 1 of the bill created a separate land classification for riparian buffer strips and provides for a reduced property tax assessment for this type of property. Land eligible for consideration under this new classification is defined as any agricultural land within 120 feet of either (1) a lake assigned immersion recreation or limited contact recreation, as defined in the Administrative Rules of South Dakota (ARSD) 74:51:02; or (2) a river or stream assigned any of the warmwater or coldwater fish life propagation beneficial uses in ARSD 74:51:03. This amounts to 575 lakes and approximately 11,000 miles of streams. Any land that is ultimately re-classified as riparian buffer strip is assessed at sixty percent (60%) of its agricultural income value.

Section 2 established criteria and application process for the riparian buffer strip classification. Eligible land meeting the criteria may be designated as riparian buffer strips and taxed accordingly if:

The land parcel must consist of up to one hundred twenty feet (120') of either natural or planted perennial vegetation, with a minimum width of fifty feet (50');

The perennial vegetation can be harvested or mowed after July 10, but a minimum of four inches (4") of cover must be maintained at all times;

Grazing is prohibited between May 1st and September 30th, inclusive. This covers the recreational season as defined in the State's Surface Water Quality Standards (ARSD 74:51:01); and

The landowner annually files an application with the county director of equalization, no later than October 15, certifying that the criteria are being met.

Section 3 provided a penalty for any person who intentionally misrepresents facts to receive a reduced assessment for a riparian buffer strip. The penalty is assessed at a rate of two dollars per thousand dollars of taxable valuation on the land, and becomes a lien on the property until it is satisfied.

Riparian buffers have been shown to be a very good tool for protecting and/or improving water quality in South Dakota's rivers, lakes and streams, and there are a range of options available for landowners to consider. The modest tax relief provided under the buffer bill may not be sufficient on its own to instigate a change in land use, but it is an acknowledgment that the decision to create and/or maintain riparian buffers is an important one. Only time will tell how successful this effort will be.



BDM Rural Water System

Annual Drinking Water Quality Report

January 1, 2016 – December 31, 2016

Water Quality

Last year, the Brown-Day-Marshall RWS monitored your drinking water for possible contaminants. These two pages are a snapshot of the quality of the water that we provided last year. Included are details about where your water comes from, what it contains, and how it compares to Environmental Protection Agency (EPA) and state standards. We are committed to providing you with information because informed customers are our best allies.

Water Source

We serve more than 5,375 customers an average of 1,384,000 gallons of water per day. Our water is groundwater that we produce from local wells. The state has performed an assessment of our source water and they have determined that the relative susceptibility rating for the Brown-Day-Marshall RWS public water supply system is low.

For more information about your water and information on opportunities to participate in public meetings, call 605-448-5417 and ask for Rodney Kappes.

Additional Information

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- **Microbial contaminants**, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- **Inorganic contaminants**, such as salts and metals, which can be naturally-occurring or result from urban

stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

- **Pesticides and herbicides**, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- **Organic chemical contaminants**, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.
- **Radioactive contaminants**, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immunocompromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk.

from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants can be obtained by calling the Environment Protection Agency's Safe Drinking Water Hotline (800-426-4791). If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The Brown-Day-Marshall RWS public water supply system is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you

may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

Detected Contaminants

The table below lists all the drinking water contaminants that we detected during the 2016 calendar year. The presence of these contaminants in the water does not necessarily indicate that the water poses a health risk. Unless otherwise noted, the data presented in this table is from testing done January 1 – December 31, 2016. The state requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year. Some of the data, though representative of the water quality, is more than one year old.

2016 Table of Detected Contaminants for BDM RWS (EPA ID 0882)

Substance	90% Level	Test Sites > Action Level	Date Tested	Highest Level Allowed (AL)	Ideal Goal	Units	Major Source of Contaminant
Copper	0.7	0	08/29/16	AL=1.3	0	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.
Lead	3	1	08/30/16	AL=15	0	ppb	Corrosion of household plumbing systems; erosion of natural deposits.

Substance	Highest Level Detected	Range	Date Tested	Highest Level Allowed (MCL)	Ideal Goal (MCLG)	Units	Major Source of Contaminant
Barium	0.014		07/23/13	2	2	ppm	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.
Chromium	4.7		07/23/13	100	100	ppb	Discharge from steel and pulp mills; erosion of natural deposits.
Fluoride	1.04	0.44 - 1.04	01/12/16	4	4	ppm	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories.
Haloacetic Acids	4.37	3.30 - 8.58	08/27/14	60	0	ppb	By-product of drinking water chlorination. Results are reported as a running annual average of test results.
Selenium	0.7		07/23/13	50	50	ppb	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines.
Total Trihalomethanes	1.61	1.59 - 2.83	08/27/14	80	0	ppb	By-product of drinking water chlorination. Results are reported as a running annual average of test results.

Please direct questions regarding this information to Mr Darin Roehr with the Brown-Day-Marshall RWS public water system at (605)448-5417.

Terms & Abbreviations Used in Tables

Action Level (AL) – the concentration of a contaminant which, when exceeded, triggers treatment or other requirements which a water system must follow. For Lead and Copper, 90% of the samples must be below the AL.

Maximum Contaminant Level (MCL) – The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG) – The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Treatment Technique (TT) — A required process intended to reduce the level of a contaminant in drinking water. For turbidity, 95% of samples must be less than 0.3 NTU.

Removal Ratio (RR) — The TOC removal ratio is the ratio between the actual TOC removal and the TOC removal requirements. The lowest running annual average of quarterly percentages is reported.

Units

ppb – parts per billion, or micrograms per liter (ug/l)

ppm – parts per million, or milligrams per liter (mg/l)

pCi/l – picocuries per liter (a measure of radioactivity)

BDM Rural Water System

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Britton, SD 57430

www.bdmruralwater.com
605-448-5417

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WATER MATTERS

Meandered vs. Non-Meandered Water Bodies

During the late 1800s, the territory that is now the State of South Dakota was surveyed to provide an inventory of public domain lands, and to provide a way of subdividing and describing the lands for the benefit of the citizens of the United States. Using what is known as the Public Land Survey System, the land was typically divided into six-mile-square townships. Townships are subdivided into 36 one-mile-square sections, and sections can be divided further into quarter sections, quarter-quarter sections, etc..

When the surveyors encountered a large body of water (greater than 40 acres), they drew lines defining the extent. Such features are considered meandered water bodies. Water bodies that didn't meet the 40-acre requirement were noted on the survey, but no formal boundaries were delineated. These are considered non-meandered water bodies.

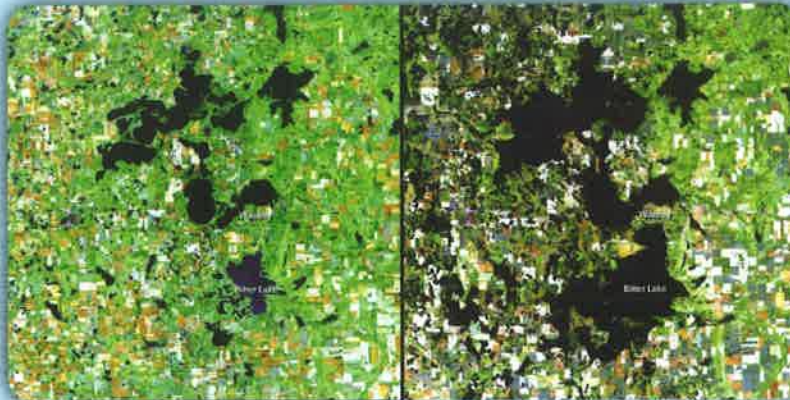
A meandered water body was considered to be a permanent feature, and ownership of the land within the meander line (under the water) was retained by the government. However, private landowners could obtain title to land outside these lines. Where non-meandered bodies of water existed, the presumption was that such features were temporary, and the land would otherwise be suitable for use and/or development.

In the past few decades, water levels in many lakes in parts of South Dakota have risen, expanding onto and over privately-held land. In other cases, water has accumulated in low lying areas originally noted as having non-meandered waters. Some of these water bodies have grown to substantial size, and have been the focus of considerable controversy.

The owners of the flooded land have lost the use of their property, and have occasionally sought to limit access and/or use of the water. At the same time, the lakes provide numerous opportunities for recreation, and the general public has shown a great interest in making use of this resource. Several recent lawsuits have upheld the notion that the water is a public resource,

but have also stipulated that the manner in which the public can use such a resource is subject to definition and oversight by the Legislature. Efforts are underway during the 2017 Legislative Interim to address this issue. The status of these efforts can be found at:

<http://www.sdlegislature.gov/Interim/MinutesAgendas.aspx?Session=2017>



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