

Considered: _____

WATER PERMIT NO. 1352-1

MAP No. same

Name of Applicant City of Lemmon

Post Office Address 303 First Ave. West, Lemmon SD 57638

Amount of Water Claimed .33 cfs Total Acres _____

Source of Water Supply groundwater Fox Hills Sand

Water to be used for municipal purposes County Perkins

About _____ miles _____ of in. Lemmon

PROOF OF PUBLICATION: Received May 22, 1986 Not Received _____

APPLICATION: Approved July 1, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received March 17, 1986 Fee \$225.00 Remarks _____

March 17, 1986

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

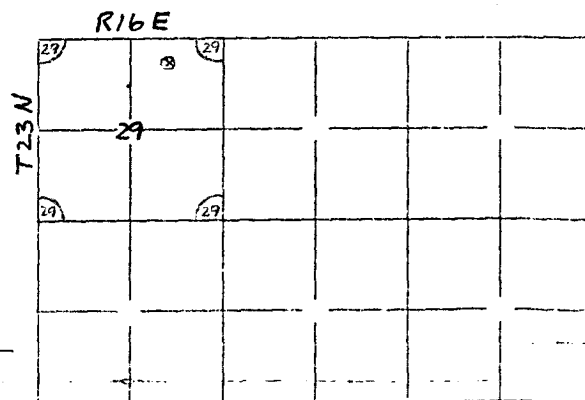
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: Lot 12 of Block 8 in the

NE 1/4, section 29-T23N-R16E

Land to be Irrigated NA



Well Log: Driller Independent Drilling Licensed YES ☒ NO _____

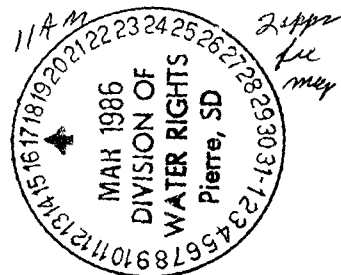
Depth of Well 900 ft REMARKS _____

Type of Map Plat PREPARED BY E. Dallas Wasserburger Reviewed and the Number

assigned on April 8, 1986 By R. Duvall

No. 1352-1Map No. same Water Division No. 10130303 Grand R. DistrictLemmon Leader, Box 180

Above for Office Use

pub → wed.

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant City of Lemmon Phone No. 605/374-5681
 Post Office Address 303 First Avenue West - Lemmon State South Dakota
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Lemmon Municipal Well No. 104. Amount of water claimed (cubic feet per second) 0.335. Source of water supply Fox Hills Sand

6. Location of point of diversion S11°00'E a distance of 41.5 feet from the Northwest Corner
of Block 8, Northwest Townsite Company's First Addition to the City of Lemmon, SD
NE¼, Section 29, T23N-R16E County Perkins

7. Annual period or periods during which water is to be used all year Jan. 1- Dec. 318. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal water supply

9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one 5 years. Additional time required
 to complete application of water to the proposed beneficial use one 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Lemmon Leader

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Construct and complete a well into the Fox Hills Sand with a total depth of
 approximately 950 feet.

B. Works proposed to transport water to place of use.

Submersible pump and 6" water line connected to the existing municipal distribution
 system.

C. Works proposed to apply water to beneficial use.

Submersible pump and 6" water line connected to the existing municipal distribution
 system.

Estimated Total Cost \$ 90,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
)ss.
 County of Perkins)

I, City of Lemmon the applicant, certify that I have read the foregoing application
 and have examined the attached map and that the matters therein stated are true and that I intend, and am able to
 complete the necessary construction.

Signed William Kohn MayorSubscribed and sworn to before me this 14th day of March, 1986

Notary Public (or other qualified officer)

ANTHONY L. SATTLER

My Commission Expires February 9, 1993

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1352-1

City of Lemmon 303 1st Ave West
(Applicant) (Post Office Address)
Lemmon SD 57638 With the following qualifications.
(State)

1. The well casing shall be pressure grouted with cement (bottom to top) from the producing formation to the surface in compliance with Water Management Board well construction rules, Chapter 74:02:04.

2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application March 17, 1986

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved July 1, 1986, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1352-1

The Water Management Board hereby grants and issues this Water Right Permit No. _____ authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is March 17, 1986

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before December 1, 1988

3. The whole of said work is to be completed on or before July 1, 1991

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 1, 1995

5. The water appropriated shall be used for the purpose of municipal use

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .33 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before July 1, 1995; said water to be used during the following described annual period: Jan 1 - Dec 31

AUG 18 1986

Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D. Well Information

- (1) Drill Hole, Diameter 12-1/4", Depth _____
- (2) Casing, Type Steel, Diameter 8-5/8", Thickness 1/4"
(wood, concrete, steel, etc.)
- (3) Screen, Type Stainless Steel, Diameter 6", Length 100'
- (4) Gravel Pack, Thickness 4", Length of gravel pack 100'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 850'

Depth to bottom of water bearing material 950'

Depth to water (ground surface to water level) 415'

- (2) Distance to nearest existing household or livestock watering well.

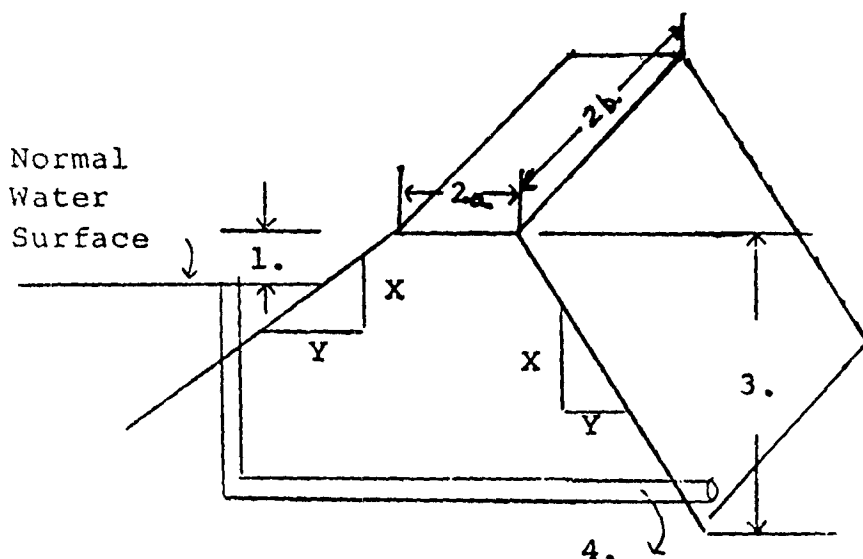
On same owner's property 65 rds.

On property owned by others 10* rds.

*Shallow well less than 100 feet in depth.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410365

Pierre, March 17, 1985

RECEIVED OF City of Lemmon, 303 First Avenue West, Lemmon, SD 57638

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1352-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
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 Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	225 00

By John Hatch
Chief Engineer JOHN HATCH/ms

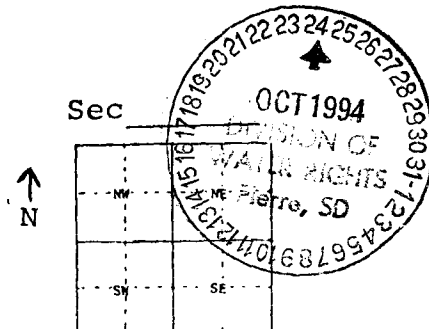


WELL # 10

Box 2131
FARGO, N. DAK. 58102

Phone (701) 232-8928

DRILLERS LOG



WELL DRILLING
PUMP SALES & SERVICE

Drilled for City of Lemmon, South Dakota by Fargo Office

Location of property South edge of City - 50' S.E. of main gate Lion Park

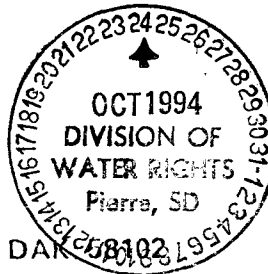
Test hole No 1-86 Location of test hole _____ Well No. _____

Size of test hole 6 3/4 Date started 8-12-86 Date completed 8-15-86 Total Hours 31 1/2

FORMATIONS DRILLED

TYPE OF FORMATION	COLOR OF FORMATION	STARTED AT WHAT DEPT	ENDED AT WHAT DEPT	THICKNESS OF FORMATION
Top soil	Brown	G.L.	2'	2'
Very dirty fine sand & clay	Brown	2'	8'	6'
Rock	Reddish	8'	9'	1'
Sandy clay	Brown	9'	30'	21'
Soft rock	Gray	30'	31 1/2'	1 1/2'
Sandy clay	Blue	31 1/2'	123'	91 1/2'
Very sandy clay	Gray	123'	128'	5'
Sandy clay	Blue	128'	160'	32'
Very sandy clay	Blue	160'	183'	23'
Very dirty sand	Blue	183'	190'	7'
Soft sandy clay	Blue	190'	283'	93'
Sticky clay	Black/Brown	283'	329'	46'
Very dirty sand	Blue	329'	337 1/2'	8 1/2'
Rock	Gray	337 1/2'	338 1/2'	1'
Sandy clay	Gray	338 1/2'	346'	7 1/2'
Sandy clay w/lenses of coal	Blue/Black	346'	354'	8'
Sandy clay	Gray	354'	385'	31'
Very dirty sand w/lenses of coal & clay	Blue/Black	385'	390'	5'
Lenses of dirty sand & clay & coal	Blue/Black	390'	421'	31'
Very sandy clay w/lenses of coal	Blue/Black	421'	443'	22'
Sandy clay	Blue	443'	451'	8'
Coal & dirty sand	Black/Blue	451'	459'	8'
Very sandy clay w/small lenses of coal	Blue	459'	495'	36'
Hard clay	Blue	495'	505'	10'

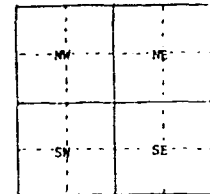
Signed Don Hejmanek Driller



Box 2131
FARGO, N. DAK

Sec Well # 10

↑ N



Phone (701) 232-8928

WELL DRILLING
PUMP SALES & SERVICE

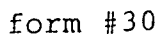
DRILLERS LOG

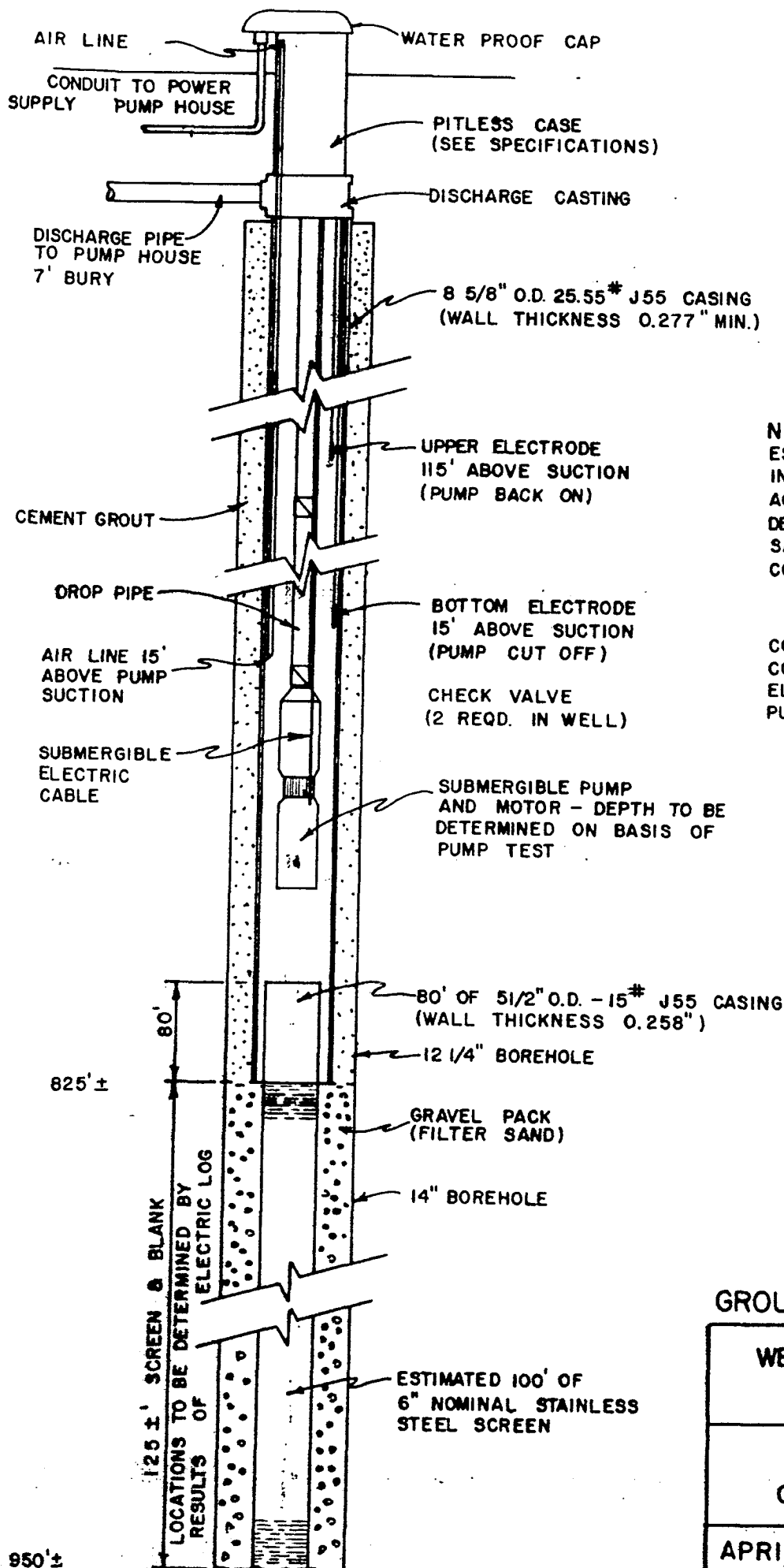
Drilled for City of Lemmon, South Dakota by Fargo Office
 Location of property South edge of City
 Test hole No 1-86 Location of test hole 50' S.E. of main gate- Lions Park Well No.
 Size of test hole 6 1/4 Date started 8-12-86 Date completed 8-15-86 Total Hours 3 1/2

FORMATIONS DRILLED

TYPE OF FORMATION	COLOR OF FORMATION	STARTED AT WHAT DEPT	ENDED AT WHAT DEPT	THICKNESS OF FORMATION
Sandy clay	Gray	505'	589'	84'
Very fine sand	Blue	589'	599'	10'
Dirty fine sand	Blue	599'	604'	5'
Very dirty sand	Blue	604'	609'	5'
Very sandy clay	Blue	609'	639'	30'
Very dirty sand	blue	639'	669'	30'
Dirty sand	Blue	669'	679'	10'
Dirty fine sand w/lenses of clay	Blue	679'	688'	9'
Sandy clay w/lenses of dirty sand	Blue	688'	709'	21'
Rock	Gray	709'	710'	1'
Sandy clay	Blue	710'	789'	79'
Dirty sand	Blue	789'	796'	7'
Sandy clay	Blue	796'	809'	13'
Very dirty sand	Blue	809'	814'	5'
Fine sand	Blue	814'	824'	10'
Fine sand	Blue	824'	829'	5'
Dirty sand	Blue	829'	834'	5'
Dirty sand	Blue	834'	844'	10'
Fine sand	Blue	844'	854'	10'
Fine sand	Blue	854'	881'	27'
Lenses of sandy clay & dirty sand	Blue	881'	916'	35'
Fine sand	Blue	916'	928'	12'
Lenses of clay & dirty sand	Blue	928'	933'	5'
Very sandy clay w/small lenses of sand	Blue	933'	960 1/2'	27 1/2'

Signed Don Hejtmanek Driller





NOTE : DEPTHS INDICATED ARE ESTIMATES BASED ON AVAILABLE INFORMATION BUT MAY VARY. ACTUAL DEPTHS WILL BE DETERMINED FROM DRILLING SAMPLES AND LOGS RUN DURING CONSTRUCTION.

CONDUIT TO PUMP HOUSE TO CONTAIN AIRLINE, BOTH ELECTRODE CABLES AND PUMP POWER CABLE.

GROUP A AND B

WELL CONSTRUCTION DETAILS

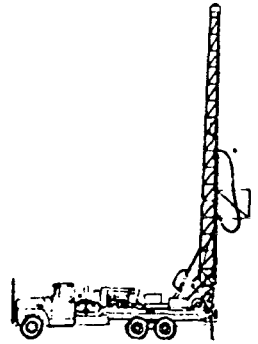
LEMMON
CITY WELL # 10

APRIL 1986
R86-3

Page
1

INDEPENDENT DRILLING COMPANY

421 SOUTH FIRST STREET ABERDEEN, SOUTH DAKOTA

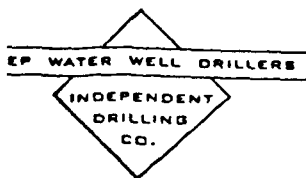


FORMATION LOG

MAILING ADDRESS: P. O. BOX 543
OFFICE PHONE: 229-0110

Lemmon, South Dakota - Well # 9

0 - 10	Brown Clay
10 - 20	Brown Clay & Gravel
20 - 50	Grey Clay
50 - 60	Grey Clay & Boulders
60 -130	Grey Clay
130 -180	Sandy Grey Clay
180--210	Black Clay
210 -240	Blue Clay
240 -260	Grey Clay
260 -270	Grey Clay & sand
270 -410	Grey Clay
410 -430	Hard Grey Clay
430 -470	Grey Clay
470 -480	Sandy Grey Clay
480 -570	Grey Clay
570 -650	Grey Clay, intermixed sand streaks
650 -700	Grey Clay
700 -730	Grey Clay & Sand Streaks
730 -750	Sand, some clay streaks
750 -758	Grey Clay
758 -768	Sandy Grey Clay
768 -778	Grey Clay
778 -788	Sandy Grey Clay
788 -798	Grey Clay
798 -808	Sandy Clay
808 -818	Sand, some clay streaks
818 -878	Sand, fine to medium
878 -908	Intermittant sand and clay streaks
908 -918	Sand, Fine
918 -938	Clay & sand streaks
938 -975	Clay and fine sand streaks

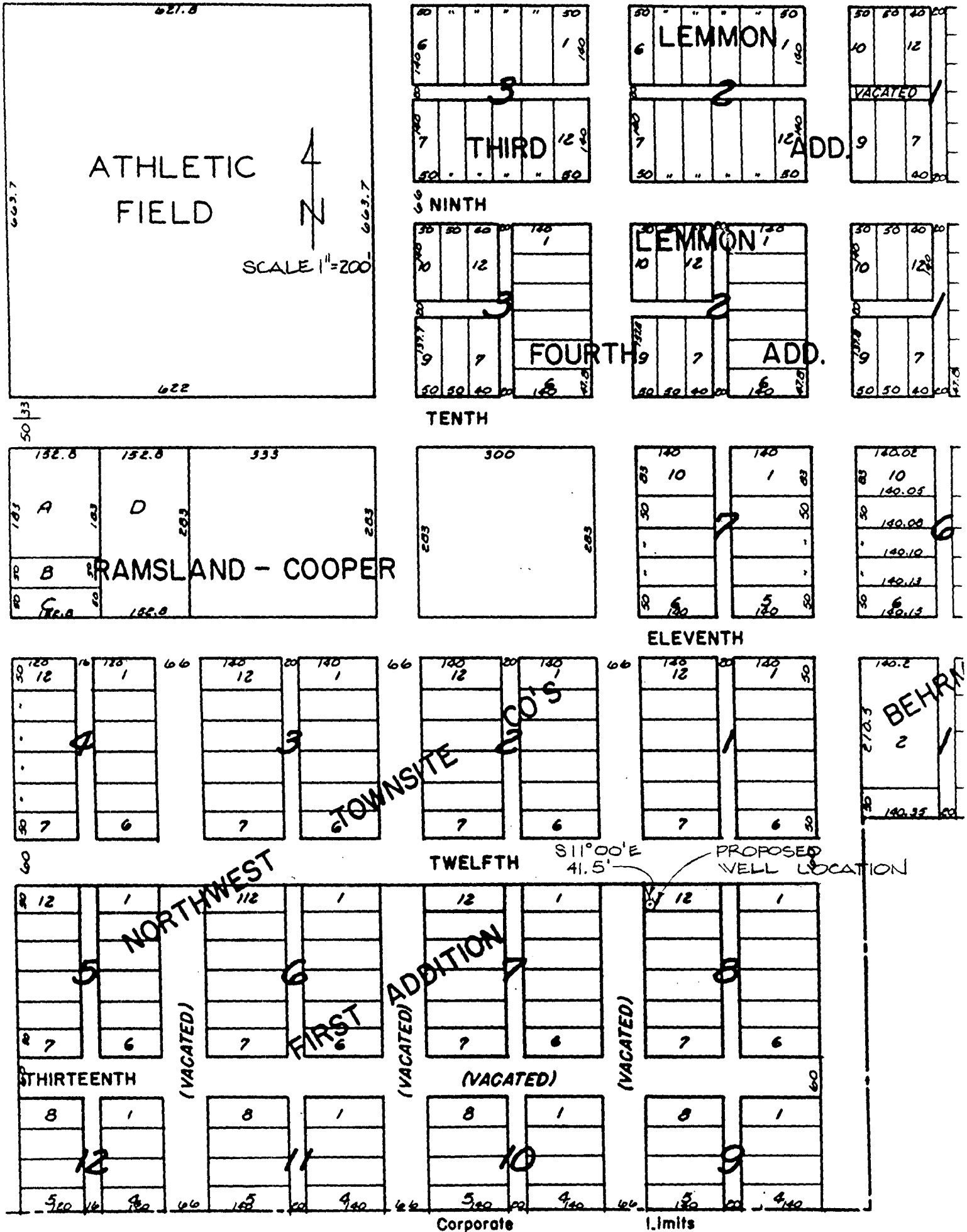


Modern Rotary Rigs - All Managed By An Expert Operator

We Specialize In All Size Wells

MAP TO ACCOMPANY WATER RIGHT APPLICATION

WELL IS LOCATED IN LOT 12, BLOCK 8, NORTHWEST TOWNSITE COMPANY'S FIRST ADDITION, A PORTION OF THE NE 1/4, SECTION 29, T23N, R16E, B.H.M., LEMMON, PERKINS COUNTY, SOUTH DAKOTA.



CERTIFICATE OF SURVEYOR

I, E. Dallas Wasserburger, Registered Land Surveyor in the State of South Dakota, hereby certify that at the request of the Owner, I have surveyed the well location as shown on the above map and that this map is a true and correct representation of the survey.

E. Dallas Wasserburger
 Registered Land Surveyor No. 2740
 E. Dallas Wasserburger
 Registered Land Surveyor No. 2740

Application No. 1352-1

Report on Application No. 1352-1
For the City of Lemmon
April 14, 1986

This application proposes to divert .33 cfs from one well 950 feet deep located in the NE 1/4 of Section 29, T23N-R16E BHM. The water is to be used for municipal purposes for the City of Lemmon.

Aquifer - Fox Hills Formation

Geology and Aquifer Characteristics

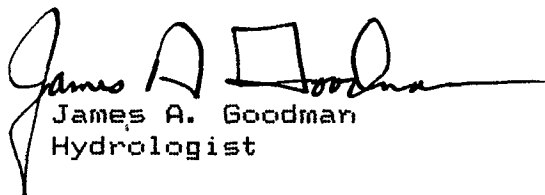
The Fox Hills Formation is an upper Cretaceous Age rock composed mostly of grayish-white to yellow sandstone with some shale (Rahn, 1979). Rahn also reported an effective porosity of about 5%. The Fox Hills underlies approximately 1.83 million acres in Perkins County and contains an estimated 13.73 million acre-feet of recoverable water (Allen, et al, 1984). Specific capacity values for the Fox Hills are reported to average about .29 gpm/foot of drawdown (Rahn, 1979) however, properly constructed and developed wells should do much better. The Fox Hills should be about 250 feet thick in this area. The aquifer is under artesian conditions and the Division of Water Rights does not have any observation wells in the area.

Review of existing Water Right

The only existing Fox Hills Permits in this area are for the City of Lemmon, Nos. 739-1 and 898-1. These permits allow .97 cfs from a total of 7 wells. Of these 7 wells five are completed into the Fox Hills Formation.

Conclusions

1. Water is available from the Fox Hills Formation
2. The aquifer is under artesian conditions and interference is likely. There is insufficient geohydrologic data to make any predictions, however, the diversion rates are quite small thus minimizing the effects of interference.
3. There are no competing water rights in this area. Any effects would be on present city wells and possibly area domestic wells.


James A. Goodman
Hydrologist

Bibliography

Allen, J. C., D. L. Iles, A. K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for U. S. Army Corps, DWNR, SDGS, Vermillion SD 57069

Rahn, P.H., 1979, Groundwater Resources of Western SD, for U.S. Army Corps, SDSM & T Project No. 2533, Rapid City SD 57701

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1352-1, City of Lemmon SD

Pursuant to SDCL 46-2-A2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1352-1, City of Lemmon, 303 First Avenue West, Lemmon SD.

The Chief Engineer is recommending APPROVAL of Application No. 1352-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing right, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well casing shall be pressure grouted with cement (bottom to top) from the producing formation to the surface in compliance with Water Management Board well construction rules, Chapter 74:02:04.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 1, 1986

No. 1352-1

Instruction to Newspaper - Publish first publication of the following Notice on or before May 14, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1352-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that the City of Lemmon whose mailing address is
303 First Avenue West, Lemmon, South Dakota has made an application for a permit

to appropriate .33 cubic feet of water per second from one well 950 feet deep (Fox Hills Formation) located in Lot 12 of Block 8 in the NE $\frac{1}{4}$, Section 29-T23N-R16E. The water is for municipal use by the City of Lemmon.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1352-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, July 1 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by June 20, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ ~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA)~~ ~~46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use)~~ ~~74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 20, 1986.

NOTICE OF HEARING
On Application No. 1352-1
To Appropriate Water

Notice is hereby given that the City of Lemmon whose mailing address is 303 First Avenue West, Lemmon, South Dakota has made an application for a permit to appropriate .33 cubic feet of water per second from one well 950 feet deep (Fox Hills Formation) located in Lot 12 of Block 8 in the NE 1/4, Section 29-T23N-R16E. The water is for municipal use by the City of Lemmon.

blication

STATE OF SOUTH DAKOTA }
COUNTY OF PERKINS }

ss:

I, Alice Meier

being the first duly sworn under oath say: The Lemmon Leader is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, published by the Leader Publishing Co., Inc. in Lemmon, in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of Hearing On Application

#1352-1 to appropriate water

for the City of Lemmon

a printed copy of which is hereto attached, was printed and published in said newspaper for 2
successive weeks upon the following dates, to-wit:

May 14, 21, 1986

that the full amount of the fees charged for publishing the same to-wit: the sum of \$42.05

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.

Alice Meier

Subscribed and sworn to before me this 21
day of May, 19 86

JBB

Notary Public, South Dakota

(Seal)



E. B. BOORMAN

My Commission Expires April 15, 1990



Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1352-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD July 1, 1986 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by June 20, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 20, 1986.

(Pub. May 14, 21, 1986)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

AUG 18 1986

City of Lemmon
303 1st Avenue West
Lemmon, South Dakota 57638'

Dear Sir:

Enclosed herewith is your Water Permit No. 1352-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1352-1.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

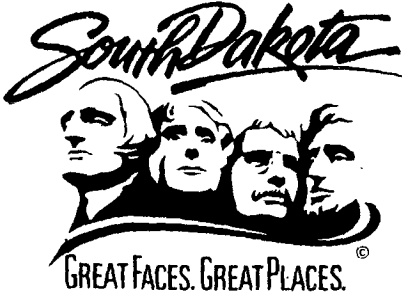
JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

September 21, 1995

1352-1
1611-1

Mike Priest, Finance Officer
City of Lemmon
303 First Avenue West
Lemmon, SD 57638

Dear Mr. Priest:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 1352-1 and 1611-1, has been completed. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license for the inspection and issuance of the Water Licenses. Upon receipt of the \$100.00 fee from you, we will begin processing your Water Licenses.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until both \$50.00 (\$100.00 total) license fees have been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414647

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 18, 19 95

RECEIVED OF City of Lemmon, 303 First Ave W, Lemmon, SD 57638

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. _____ to Appropriate Water, for Future Use _____		
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. <u>1352-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

Permit No. 1352-1
Grand River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **June 19, 1995**, made a thorough examination of the water use system owned by the **City of Lemmon of 303 First Avenue W., Lemmon, SD 57638** holder of **Permit No. 1352-1**, bearing the priority of **March 17, 1986**, authorizing the diversion of **0.33 cu. ft. per second** of groundwater for **municipal purposes**, in **Perkins County**.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

A Grundfus pump, 93 gallons per minute capacity.
A 25 horse power Hitachi motor.

B. Works used to transport water to place of use:

60 feet of 6 inch PVC pipe.

C. Works used to apply water to beneficial use:

Water is used for municipal purposes.

The system is in the following condition **Good**. The point of diversion is located: **Well No. 10: about 1165 feet west, 1087 feet south from the northeast corner of Section 29, T23N-R16E (NE1/4 NE1/4)**. The works are capable of diverting and conveying to the place of use **0.21 cu. ft. per second** of water which is used for **municipal purposes**. Water has been put to beneficial use to the maximum extent as follows:

Water is used either directly from this (Fox Hills) well or is pumped to a 600,000 gallon tank.

The license should be issued for **0.21 cfs**.

Applicable permit qualifications have been complied with: **Yes X No**

Exceptions to compliance are: **None**

Date Report Completed: **7/10/1995**



M. Rassool Ahadi
Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1352-1

DATE OF INSPECTION: 6/19/1995

NAME & ADDRESS OF PERMIT HOLDER: City of Lemmon

DIVERSION POINT LEGAL LOCATION: Well No. 10: NE1/4 NE1/4 Section 29, T23N-R16E

WELL INFORMATION:

- 1) Well Drilling Firm: **LPT**
- 2) No. of Wells **1**
- 3) Depth(s) **1014** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **8 5/8** inches
- 2) Length **830** feet
- 3) Type **Steel**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **125** feet
- 3) Static water level **465** feet

Pump:

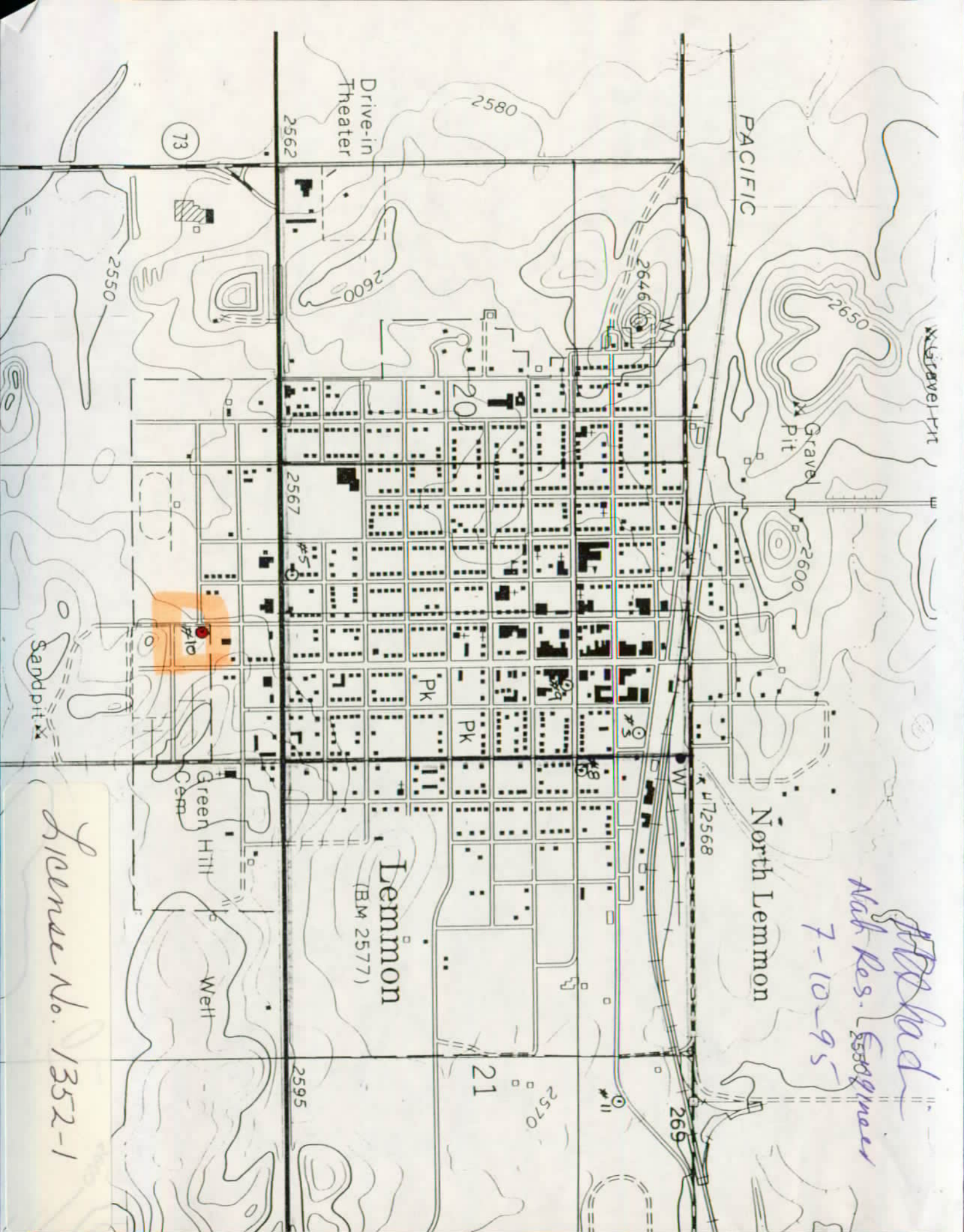
- 1) Make **Grundfus**
- 2) Model
- 3) Size **6** inches
- 4) Capacity **93** GPM

Motor:

- 1) Make **Hitachi**
- 2) Model No.
- 3) Horsepower rating **25** hp

DISTRIBUTION LINES OR CANALS:

- 1) Type **PVC**
- 2) Size **6** inches
- 3) Length **60** feet



Handwritten:
Hwy 72568
North Res. - 25580
7-10-95

License No. 1352-1

STATE OF SOUTH DAKOTA

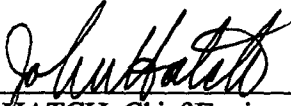
WATER LICENSE NO. 1352-1

(1) The City of Lemmon, 303 First Avenue West, Lemmon SD 57638 made Application No. 1352-1, March 17, 1986 for a water permit to appropriate 0.33 cubic feet of water per second from groundwater (one well), Perkins County, South Dakota for municipal use purposes. Permit No. 1352-1, with a priority date of March 17, 1986 was approved July 1, 1986 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 1, 1991 and for the application to beneficial use of said water on or before July 1, 1995.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.21 cubic feet of water per second for beneficial use. The location of the diversion point for Well #10 is 1165 feet west and 1087 feet south from the northeast corner of Section 29-T23N-R16E (NE 1/4 NE 1/4)

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Lemmon, 303 First Avenue West, Lemmon SD 57638 the holder and/or owner of Water Permit No. 1352-1 is issued a license to appropriate water, the right to use 0.21 cubic feet of water per second from groundwater (one well) with a priority date of March 17, 1986 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 1352-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 18 1995
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

DEC 18 1995

1352-1

Mike Priest, Finance Officer
City of Lemmon
303 First Avenue West
Lemmon, SD 57638

Dear Mr. Priest:

Enclosed is Water License No. 1352-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414647 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1352-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

rd
enclosures