

Considered: _____

WATER PERMIT NO. ~~1543~~ 1543-1

Phone: 947-4440

Name of Applicant: Klein Ranch

Post Office Address: Rt 1, Box 85, Waubay SD 57273

Amount of Water Claimed: 0.04 cfs 18 gpm

Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: institutional

County: Corson

About 18 miles South

of McIntosh

PROOF OF PUBLICATION: Received _____

Not Received _____

APPLICATION: Approved _____

Subject to _____

F.F. & C/.L. Adopted _____

Not Approved _____

Deferred _____

PRIORITY

Date Received: 3-26-92

Fee: \$15.50

Remarks Priority date

January 1, 1915

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: SW 1/4 SW 1/4 Sec 25-T20N-R22E

Land to be Irrigated: _____

			25		

Well Log: Driller: _____

Licensed YES _____

NO _____

Depth of Well: 133'

REMARKS _____

Type of Map: aerial

PREPARED BY: Mary Serr Kane

Reviewed and the Number

Assigned on 3-27-92

By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1543-1**

Date of first receipt of application March 26, 1992.

Date of return to applicant for corrections, amendments or changes May 15, 1992.

Date of receipt of corrected application May 22, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1543-1 to Klein Ranch, c/o Neil Sorensen, Director, Rt 1, Box 85, Waubay SD 57273 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1543-1 appropriates 18 gallons per minute (0.04 cubic feet of water per second) from one well 133 feet deep (Fox Hills Formation) located in the SE 1/4 SW 1/4 Section 25-T20N-R22E.
2. The water appropriated shall be used for the purpose of supplying water to the Klein Ranch and may not exceed the amount of water needed for beneficial use for institutional and livestock watering purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1543-1 is July 29, 1992.
5. The date from which applicant may claim right is March 26, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 17 1992
date



No. 1543-1 Hydrologic Unit 10130303
Map No. _____ Basin Grand River
Newspaper Corson Co News, Box 788, McIntosh

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of _____ Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☒ Recreational ☐
Domestic ☐ (above 18gpm) Other ☒

Type of Application: Check one or more of the following

New ☐ Vested Right ☒ Future Use ☐ Change Use ☐
☐ Amend Permit No. _____ with old priority date retained
Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☒ existing well
☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____
☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant KLEIN RANCH Phone No. 947-4440

Post Office Address Rt. 1, Box 85 Waubay, State SD 57273
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 18 gpm (0.04 cfs)

3. Source of water supply ~~Klein Ranch~~ groundwater

4. Location of point of diversion 75 ft. west of Ranch House
HCR 2, Box 27 Isabel, SD 57633 SE 1/4 SW 1/4 Sec 25 T20N-R22E
County Corson

5. Counties where water will be used Corson

6. Annual period during which water is to be used year-round Jan 1 - Dec 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

133 ft. deep well for supplying water to Klein Ranch

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

STATE OF SOUTH DAKOTA)
County of Corson, ss

I, Neil Sorensen the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction,

Signed Neil Sorensen

Subscribed and sworn to before me this 25 day of March 19 92

LINDA M. WALTERS
Notary Public, DAY COUNTY, S. DAK.
My Commission Expires JULY 5, 1999

Linda M. Walters
Notary Public

4-87

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction of a water use system already constructed is needed, primarily with vested right claims.



**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) KLEIN RANCH

Post Office Address Rt. 1, Box 85 Waubay, SD 57273
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____

Where Book Page

B. Date of start of construction of water supply system 1915s updated 1973C. Date that water was first applied to beneficial use 1915D. Name of owner of original water supply system Jake KleinE. Amount of water originally applied to beneficial use 18 gpmF. Present Use of Water - Amount of water now being used cooking/washingDate that this water was first used 1915

G. Chronological History of Water Use

First used by Jake and Martha Klein. Then given to Lutherans Outdoors in 1973. Operation as Klein Ranch of Lutherans Outdoors in South Dakota at present.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Corson) ss

I, Neil Sorensen the applicant, certify that I have read the foregoing
(print or type)

and that the matters therein stated are true.

Signed Neil SorensenSubscribed and sworn to before me MARCH 25, 1992

LINDA M. WALTERS
 Notary Public, DAY COUNTY, S. DAK.
 My Commission Expires JULY 5, 1999

Linda M. Walters
 Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

(Print name) 19_________
(Print name) 19____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413152

Pierre, _____ March 27, 19 92

RECEIVED OF Klein Ranch, Rt 1, Box 85, Waubay, SD 57273

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

Fee for Application for Permit No. <u>1543-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15	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	15 00

By John Hatch 
Chief Engineer

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413219

Pierre, May 22, 19 92

RECEIVED OF Lutheran Outdoors, Rt 1 Box 85, Waubay SD 57273

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

Fee for Application for Permit No. <u>1543-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	35	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	35 00

By

Chief Engineer

John Hatch/gmk

NOT TO SCALE
130K



2450'

20/22

200' P9

SW SW 25-20-22

Mary Ann Kane
Soil Conservation Aid
McIntosh Field Off.
McIntosh, S.D.
57641

CORSON
COUNTY
SOUTH DAKOTA

1543-1

Lutherans Outdoors

IN SOUTH DAKOTA



March 11, 1992



To Whom It May Concern,

Please be advised that all correspondence concerning Klein Ranch should be mailed to:

Neil Sorensen, Director
KLEIN RANCH
Rt. 1, Box 85
Waubay, SD 57273

Thank you.

Neil Sorensen
Director

enc.

Kailash P. Bhatt
Office of Ground-Water Quality
Department of Water and Natural Resources
Pierre, SD 57501
Phone: (605) 773-3296



PUBLIC WATER WELL QUESTIONNAIRE

1. GENERAL INFORMATION:

SOURCE OF DRINKING WATER .KLEIN RANCH EPA # 1039.....
COUNTY .Corson.....CITY .Isabel.... WELL LOCATION
WELL NUMBER 1..... DWR FILE NUMBER .1039.....
CONSTRUCTION DATE .1973..... NAME OF CONSULTANT
TOTAL COUNTY WELLS POPULATION SERVED .ELCA.....
POSSIBLE SOURCES OF CONTAMINATION
YOUR NAME .Neil Sorensen..... TITLE Director - Klein Ranch
PHONE .(605) 947-4440.....

2. TECHNICAL INFORMATION:

NAME OF AQUIFER DEPTH FROM SURFACE
KIND OF AQUIFER confined/unconfined/leaky confined.....
SATURATED THICKNESS TRANSIMSSIVITY
HYDRAULIC GRADIENT PUMPING RATE DRAWDOWN
POROSITY DOES DRILLER LOG AVAILABLE
GENERAL LITHOLOGY
RELIABILITY OF DATA
COMMENTS
.....



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 15, 1992

Neil Sorensen
Lutheran Outdoors
Rt. 1, Box 85
Waubay, SD 57273

RE: Vested Right Application for Water Use at the Klein Ranch

Dear Mr. Sorensen:

I am writing to clarify the vested right status of water use at the Klein Ranch facility. The staff engineer's draft report on your application states in the conclusions that use of water for institutional purposes can only be documented since 1973, when Lutheran Outdoors received the property. It appears that prior to 1973, when the Klein's had the property, the water use was for domestic use as a normal part of a ranching operation.

If water use for institutional purposes began in 1973, this application would be considered a new water permit application and would not qualify as a vested right. The application filing fee for a new water permit diverting less than 45 gallons per minute is \$50. Since you previously submitted a \$15 fee for a vested right application, an additionally \$35 will be required to move forward with processing the application as a new water permit.

If the use of water has been for institutional use since 1915, or at least since 1955, the application would still qualify as a vested right. Please submit further documentation of water use for institutional purposes if this is the case.

I realize that this may be somewhat confusing, so please do not hesitate to contact me if you have further questions.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
(605) 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 1543-1
for Klein Ranch
May 13, 1992

Water Permit Application No. 1543-1 proposes to appropriate 18 gpm (0.04 cfs) from one well approximately 133 feet deep located in the SE 1/4 SW 1/4 of section 25, T20N R22E in Corson County. The water is for institutional use and livestock watering at the Klein Ranch.

AQUIFER - FOX HILLS FORMATION (FXHL)

The Fox Hills Formation consists of three locally named members, the Colgate sandstone, the "banded member and the Timber Lake Sand Member in descending order (Curtiss, 1954). The entire unit could approach a thickness of approximately 150 to 175 feet. Ground water is probably obtained from the Timber Lake Sand member at this site and is probably under confined (artesian) or at least leaky confined conditions. The Fox Hills Formation contains an estimated 9.95 million acre feet of water in storage and underlies 1.326 million acres in Corson County (Allen, 1984).

The information submitted with the application indicates this well is 133 feet deep and has a static water level of 60 feet below land surface. No information is available to determine how the well is constructed.

The Division of Water Rights monitors two observation wells in Corson County completed into the Fox Hills Formation. Water levels for these wells do not fluctuate very much. The nearest observation well to this site is CN-57A and is located approximately 12 miles southeast of this site. The observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

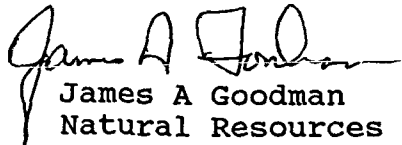
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights in this area which use ground water from the Fox Hills Formation. Interference is not a concern.

CONCLUSIONS

1. Water is available from the Fox Hills Formation.
2. The aquifer is under confined or semi-confined conditions.

3. No information is available to determine if this well is constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., etal, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Curtiss, R.E., 1954, Areal Geology of the Firesteel Creek Quadrangle, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Corson County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

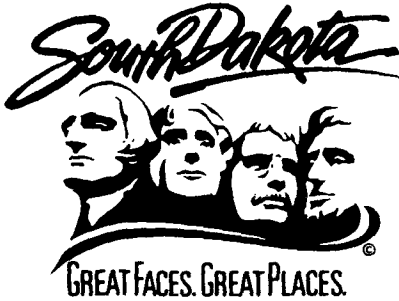
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1543-1, Klein Ranch

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1543-1, Klein Ranch, c/o Neil Sorensen, Director, Rt 1 Box 85, Waubay, SD 57273.

The Chief Engineer is recommending APPROVAL of Application No. 1543-1 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 rights, 3) the proposed use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
June 3, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

June 4, 1992

Neil Sorensen, Director
Klein Ranch
Rt 1 Box 85
Waubay, SD 57273

Dear Mr. Sorensen:

Water Permit Application No. 1543-1 for institutional use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Corson County News printed at McIntosh, SD (Ph # 823-4490). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 4, 1992

Corson County News
Box 788
McIntosh, SD 57642

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1543-1 to be published twice. Please publish the first notice on June 11, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the Klein Ranch, Rt 1 Box 85, Waubay, SD 57273 (Ph # 947-4440).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 11, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1543-1 to Appropriate Water

Notice is given that the Klein Ranch, c/o Neil Sorensen, Director, Rt 1 Box 85, Waubay, SD 57273 has filed an application for a water permit to appropriate 18 gallons per minute (0.04 cubic feet of water per second) from one well 133 feet deep (Fox Hills Formation) located in the SE 1/4 SW 1/4 Section 25-T20N-R22E. The water is for institutional use and livestock watering at the Klein Ranch.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1543-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 29, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1543-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 8, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 8, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 8, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 29, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

File No. 1543-1

Water Rights Division -DWNR
Conversation or File Documentation

NAME OF PERSON OR FILE: Corson County News

ADDRESS: Box 788, McLaughlin SD

COUNTY: Corson

DATE: 6-23-92

TELEPHONE:

RE: Publication Notice for No. 1543-1

COMMENTS:

Called Corson County News to see if they had published the Notice of Hearing for No. 1543-1. The paper stated they had received a call from Mr. Sorenson authorizing publication, but the paper did not receive the notice. I looked over the cover letter to the newspaper which indicated that the notice was sent to McIntosh instead of McLaughlin. The man from the paper stated that usually the postman forwards the mail. The McLaughlin and McIntosh papers are both published in McLaughlin. I told him we would re-send the notice.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

June 24, 1992

Neil Sorensen, Director
Klein Ranch
Rt 1 Box 85
Waubay, SD 57273

Dear Mr. Sorensen:

Enclosed is another notice of hearing which has been sent to the Publisher of the Corson County News printed at McLaughlin, SD (Ph # 823-4490). The paper indicated they did not receive the first notice of hearing sent June 4, 1992.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1992

Corson County News
Box 788
McLaughlin, SD 57642

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1543-1 to be published twice. Please publish the first notice on July 2, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the Klein Ranch, Rt 1 Box 85, Waubay, SD 57273 (Ph # 947-4440).

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Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 2, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1543-1 to Appropriate Water

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Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1543-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 20, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Corson) ss.

I, Marlo J. Hentel

certify that the attached printed Notice was taken
 from the Corson County News

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the City of McLaughlin

County of Corson and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

July 2, 1992

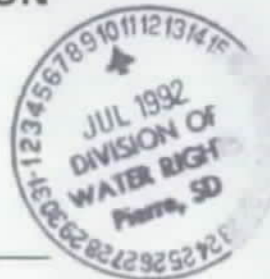
July 9, 1992

Marlo J. Hentel
 (Signature)

Bookkeeper
 (Title)

July 9, 1992
 (Date Signed)

Cost of Printing: \$59.58



OK

**NOTICE OF HEARING
 NOTICE OF HEARING ON
 Application No. 1543-1
 to Appropriate Water**

Notice is given that the Klein Ranch, c/o Neil Sorensen, Director, Rt 1 Box 85, Waubay, SD 57273 has filed an application for a water permit to appropriate 18 gallons per minute (0.04 cubic feet of water per second) from one well 133 feet deep (Fox Hills Formation) located in the SE 1/4 SW 1/4 Section 25-T20N-R22E. The water is for institutional use and livestock watering at the Klein Ranch.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 1543-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) It is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will not conduct a hearing to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will not require

the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1543-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 20, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and for the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-8.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. (CCN-July 2-9)



NOV 17 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Neil Sorensen, Director
Klein Ranch
Rt 1 Box 85
Waubay, SD 57273

Dear Mr. Sorensen:

Enclosed is Water Permit No. 1543-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 5, 1993

1543-1

Neil Sorensen, Director
Klein Ranch
Rt 1, Box 85
Waubay, SD 57273

Dear Mr. Sorensen:

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 No. 1543-1, has been completed. Your final water right document, the Water License, can now be issued.

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

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

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

X

Do not use this space

State of South Dakota VOUCHER

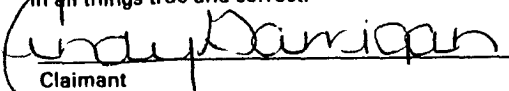
- ☐ Direct
☐ Travel
☐ Non-Cash
☐ Cash Receipt
- ☐ Cash Transfer
☐ Investment
☐ Appropriation Budget Transfer
- ☐ Expenditure Correction
☒ Revenue Correction
☐ Period Ending Adjustment
☐ Other Adjustment

AGENCY USE ONLY			APPROVAL OFFICE ONLY	
Application Area 75	Vendor Number	Invoice ID	Voucher Number	Date
Date 12-29-93	Purchase Order ID	Document ID R2094006	Delivery Date	Payment Due Date
ST A P P L E	TO: (Payee, Billed Agency)		FROM: (Department, Billing Agency)	
			DENR	

FUNDING INFORMATION								Debit/Credit		Dr.	Cr.	UC S O U R C E
S E Q	Company	Account		Center		Company	Project Number	Amount	Code	Invoices	Other	
		Required	User	Required	User					1	0	
1	5012	4289000		20211	2000023			50	-	Dr		
2	1000	4229103		20411	10041100			50	-	Dr		
3												
4												
5												
6												
7												
8												
9												
10												
Total								100	-			

Description of Service, Product, or Transfer	
Water Rights inspection fee from Klein Ranch - Lutheran outcamps in South Dakota deposited in Drinking Water Fees.	
Total	

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

 12/29/93
 Claimant Date

Authorization

Date

Authorization

Date

Permit No. 1543-1
Grand River - Water District

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

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

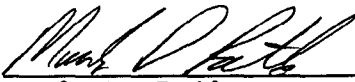
I have this day made a thorough examination of the water use system constructed by Klein Ranch c/o Neil Sorenson of Rt 1 Box 85 Waubay, Sd 57273 holder of Permit No. 1543-1, bearing the priority of March 26, 1992 authorizing the diversion of 0.04 cu. ft. per second of the waters of ground water for institutional and livestock purposes, in Corson County.

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

- A. Works used to divert the water:
A Monitor submersible pump.

The system is in the following condition good. The point of diversion is located from the SW corner of Section 25 T20N-R22E: 2450 feet E, 200 feet N. The works are capable of diverting and conveying to the place of use 0.04 cu. ft. per second of water which is to be used for institutional and livestock purposes. The license should be issued for 0.04 cfs.
Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 6/22/93



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 1543-1

DATE: 6/22/93

DIVERSION POINT LEGAL LOCATION: From the SW corner of Section 25 T20N-R22E:
2450 feet E and 200 feet N.

WELL INFORMATION:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 133 feet
- 4) Well log is available N
- 5) Comment:

Casing:

- 1) Diameter 5 inches
- 2) Length ? feet
- 3) Type PVC

Screen:

- 1) Type slotted PVC
- 2) Length ? feet
- 3) Static water level ? feet

Pump:

- 1) Make Monitor submersible
- 4) Capacity 25 GPM

Motor:

- 1) Make Monitor submersible

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1543-1

(1) Klein Ranch % Neil Sorensen of RR #1 Box 85, Waubay, SD 57273 made Application No. 1543-1, March 26, 1992 for a water permit to appropriate 0.04 cubic feet of water per second from groundwater (one well), Corson County, South Dakota for institutional and livestock watering purposes. Permit No. 1543-1, with a priority date of March 26, 1992 was approved July 29, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is 2450 feet east and 200 feet north of the SW corner of Section 25, T20N, R22E (SE¼ SW¼).

(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 Klein Ranch % Neil Sorensen of RR #1 Box 85, Waubay, SD 57273 the holder and/or owner of Water Permit No. 1543-1 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from groundwater (one well) with a priority date of March 26, 1992 from the location specified in (2) of this license. The water is to be used for institutional and livestock watering purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1543-1 and subject to South Dakota State Law.



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

JAN 4 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 4 1994

1543-1

Klein Ranch
%Neil Sorensen
RR 1, Box 85
Waubay, SD 57273

Dear Mr. Sorensen:

Enclosed is Water License No. 1543-1. This is the final water right document completing your process of obtaining a Water Right.

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. 1543-1, 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 Division
(605) 773-3352

gm
enclosures