

WATER PERMIT NO. 1691-1

Name of Applicant: Town of Buffalo

Address: Box 82, Buffalo SD 57720

Phone: 605 375-3130

Amount of Water Claimed: 0.222 cfs (100 gpm)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal use

County: Harding

Type of Waste Disposal System:

Location: ½ mile east of Buffalo

PRIORITY Date Received: 5-17-1999

Fee: \$225.00

Corrected Application Received: 6-9-1999

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 29-T19N-R5E

Land to be Irrigated: NA

Depth of Well: 360 feet deep

Well Driller: Knutson Well Drilling

Remarks:

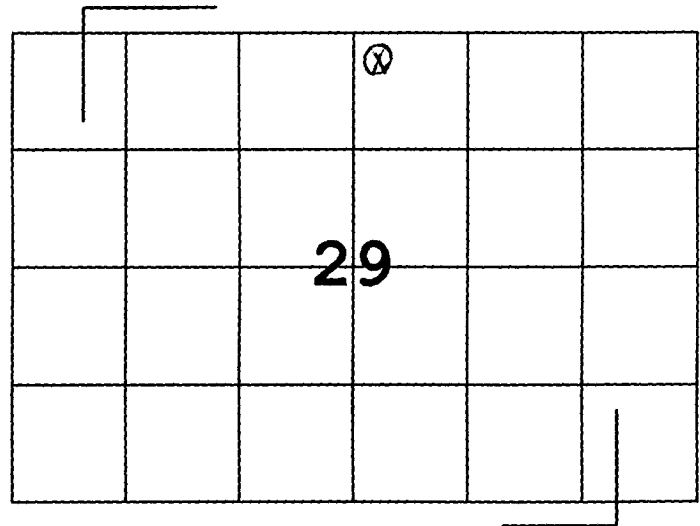
Type of Map: topo

Prepared by: Jerry L Nelson, NRCS

Reviewed and the Number Assigned on: 6-9-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1691-1**

Date of first receipt of application May 17, 1999.

Date of return to applicant for corrections, amendments or changes May 17, 1999.

Date of receipt of corrected application June 9, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1691-1 to Town of Buffalo, PO Box 82, Buffalo SD 57720 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. 1691-1 appropriates 0.222 cubic feet of water per second (100 gallons per minute) from one well (Fox Hills Aquifer) 465 feet deep located in the NE ¼ SE ¼ Section 30-T19N-R5E.
2. The water appropriated shall be used for the purpose of supplying water for the Town of Buffalo and may not exceed the amount of water needed for beneficial use for municipal 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. 1691-1 is July 12, 1999.
5. The date from which applicant may claim right is May 17, 1999.
6. One-fifth of the construction is to be completed on or before January 12, 2002.
7. All construction is to be completed on or before July 12, 2004.
8. Water is to be put to beneficial use on or before July 12, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.
2. The well authorized by Permit No. 1691-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 6 1999
date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1691-1</u>	(office use only) Hydrologic Unit <u>10130302</u>
	Basin <u>Grand River</u>	
	Newspaper <u>Nation's Center News, Buffalo, SD</u>	



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

Check use(s) of water:

☒ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other	

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one)
Place to Beneficial Use Water Reserved by Future Use Permit No. _____
Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Town of Buffalo Phone 605-375-3130
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 82 Buffalo State SD 57120
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.222 *CFS or 100 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Fox Hills Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
~~3000 ft East & 200 ft South of the NW corner of Section 24~~ T. 19N R 5E
NE 1/4 SE 1/4 section 30 County HARDING
- County or counties where water will be used HARDING
- Annual period during which water is to be used YEAR AROUND Jan 1 - Dec 31
- Give a description of the 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)

TOWN WANTS TO DRILL A DEEPER WELL TO SEE IF WE CAN GET BETTER WATER + SHUT OFF 2 WELLS THAT GIVE US TROUBLE

STATE OF SOUTH DAKOTA)

County of HARDING SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, TOWN OF BUFFALO
GARY JOHNSON, 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 Gary Johnson

Subscribed and sworn to before me this 14th day of May 1999

Deane Hawata
7-26-99 Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 13" Depth 360'
- b) Casing Type PVC Diameter 8" Thickness ?
- c) Screen Type SS Diameter ? Thickness ?
- d) Gravel Pack Yes Length of Gravel Pack 70'
- e) Depth to Top of Water Bearing Material 312'
- f) Depth to Water (ground surface to water level) 138'
- g) Distance to nearest existing domestic well:
- On applicants property X On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope _____

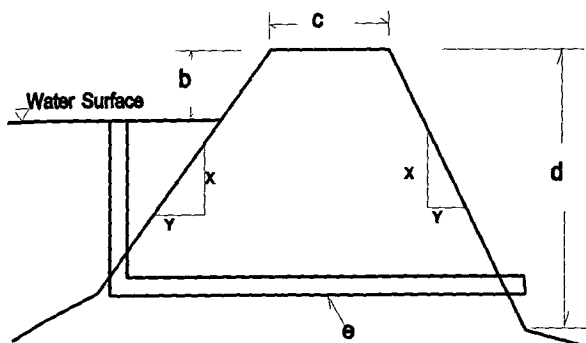
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



MT

MICHAEL TODD AND COMPANY, INCORPORATED

1401 WILLIAM • OMAHA, NEBRASKA 68108

402-342-6376

FAX: 402-342-3663

CALL TOLL FREE: 1-800-228-7076

Karen

*Here is the well drilled
log of our proposed well.*

*If you have any question
contact me.*

Greg Gensbach



MUNICIPAL SUPPLIES

BACK BROOMS
GUTTER BROOMS
GUTTER BROOM WIRE
SWEEPER PARTS
TRAFFIC SIGNS

SIGN POSTS
STROBE LIGHTS
ROTATING LIGHTS
FLASHERS
SHOVELS

SEWER RODS, TOOLS
LOG CHAINS
TIRE CHAINS
CHAIN FITTINGS
GRADER BLADES
PLOW BLADES

TRAFFIC CONES
BARRICADES
HARD HATS
LINERS
CROSBY PRODUCTS
OSHA LINES

City of Buffalo

Log

6-4-99

cased hole to 300'

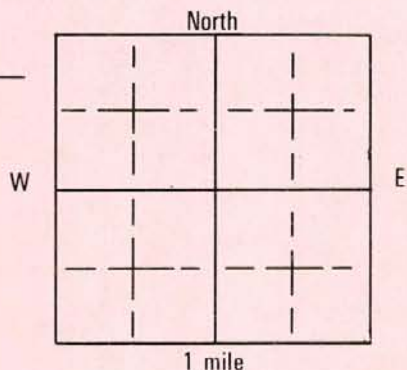
static level 143'
blowed well 10 g.p.m. @ 160'
blowed well 30 g.p.m. @ 280'
water sample

pulled casing and plugged hole.



SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT

10-85

Location NW $\frac{1}{4}$ Sec 29 Twp 19 Rg 5County HardingPlease mark well
location with
an "X"

Well Owner:

Name City of BuffaloAddress Buffalo, S.D. 57720Plugging completion Date 6-7-99

CHECK APPROPRIATE BOX

EXISTING WELL ☐TEST HOLE ☒

Well depth _____

Casing material _____

Casing size(s) _____

Casing condition _____

Hole depth 465 ft.Hole size 6 1/2" to 300'4 1/2" to 465'

Describe plugging procedure:

temporary cased to 300'
filled bottom 310' - 465' w/ sand before pulling casing
run 1" plastic pipe to 300' and pumped in bentonite
as the pipe was pulled up.

Describe grout or plugging material:

sand 310' to 465'
bentonite Grout. well DF 0' to 310'



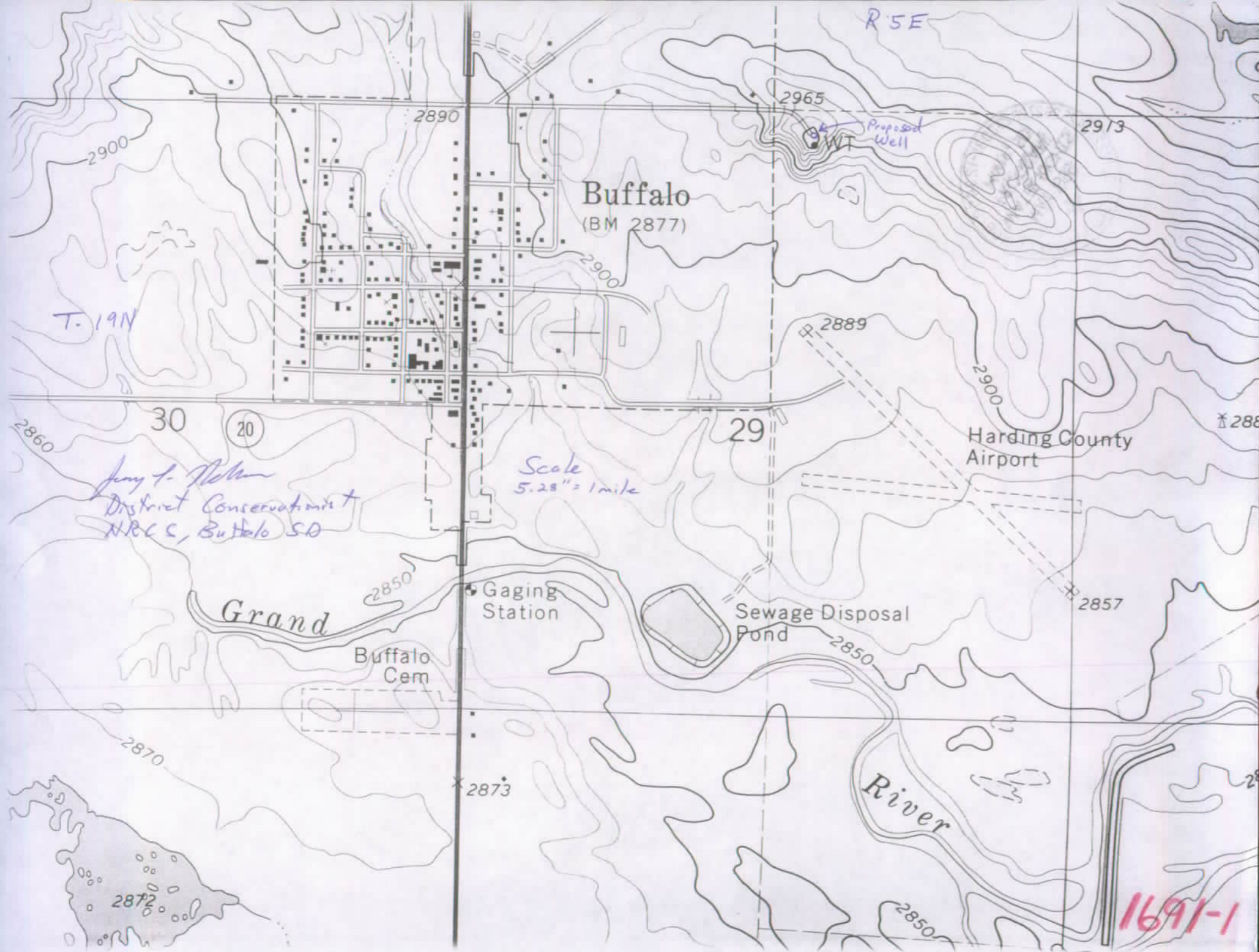
Type of non-slip plug: _____

This well or test hole was plugged under license # 112 And this report is true and accurate.Drilling firm Knutson Well Drilling

Signature of Licensed Representative _____

Signature of Well Owner _____

Date _____





BRADLEY E. ELLIS, P.E.
Consulting Engineers
1140 N. Main, Suite 11
Spearfish, South Dakota 57783
605-642-8301

September 3, 1999

Department of Environmental
and Natural Resources
Water Rights Program
Attn: Mr. Jim Goodman
523 E. Capital
Pierre, SD 57501

Dear Mr. Goodman:

RE: Well and Well House Design - City of Buffalo, SD
NE1/4 SE1/4 Sec. 30, Twp. 19 N., Rge. 5 E., BHM.

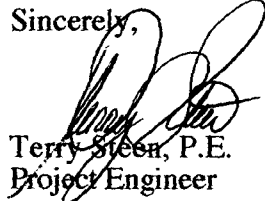
Enclosed, please find information pertaining to the new municipal water well construction and associated tie-in specifications for the City of Buffalo, South Dakota.

Included with the packet of drawings are the vicinity map and a site plan of the well location relative to existing facilities. Also within the packet is a proposed design pipe layout for the new well tie-in to the existing water system. The final sheet of the packet details the well and well house elevation views of the completed construction.

Also included with this mailing is the drillers water well completion report as per SD Well Construction Standards 74:02:04:65. A copy of the water analysis as per SD Well Construction Standards 74:02:04:63 is also included. Please forward a copy of the water analysis to the Drinking Water Division.

I hope you find the included information in order. If you have further questions or concerns, please advise.

Sincerely,

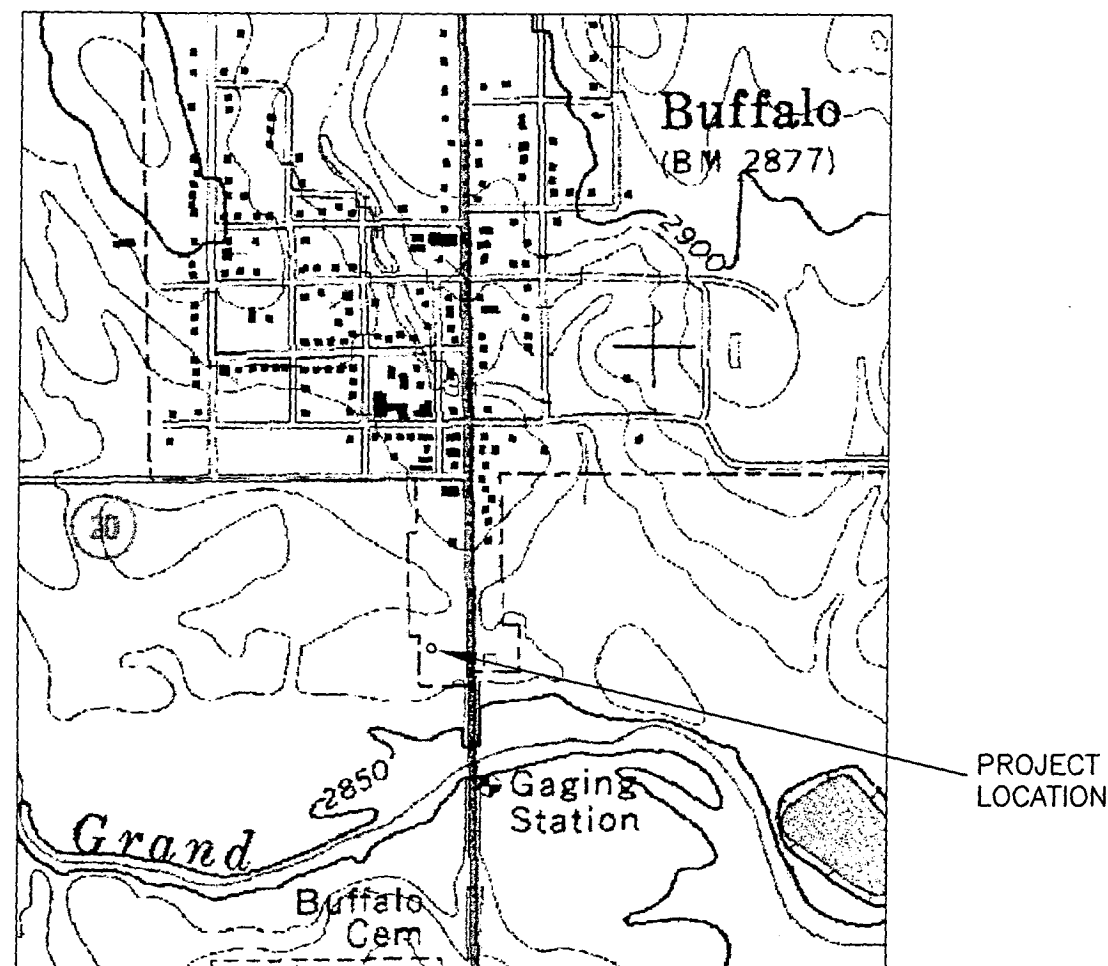

Terry Steen, P.E.
Project Engineer

Bradley E. Ellis, P.E.
Consulting Engineers

cc: Greg Ginsbach, City of Buffalo, SD

WATER SUPPLY WELL BUFFALO, SD

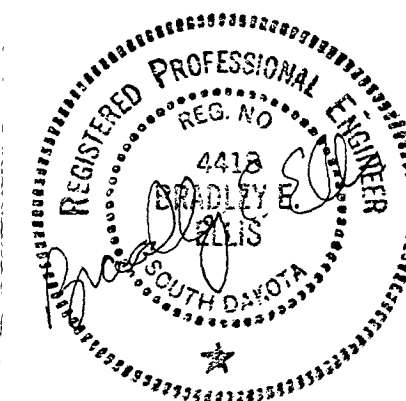
VICINITY MAP



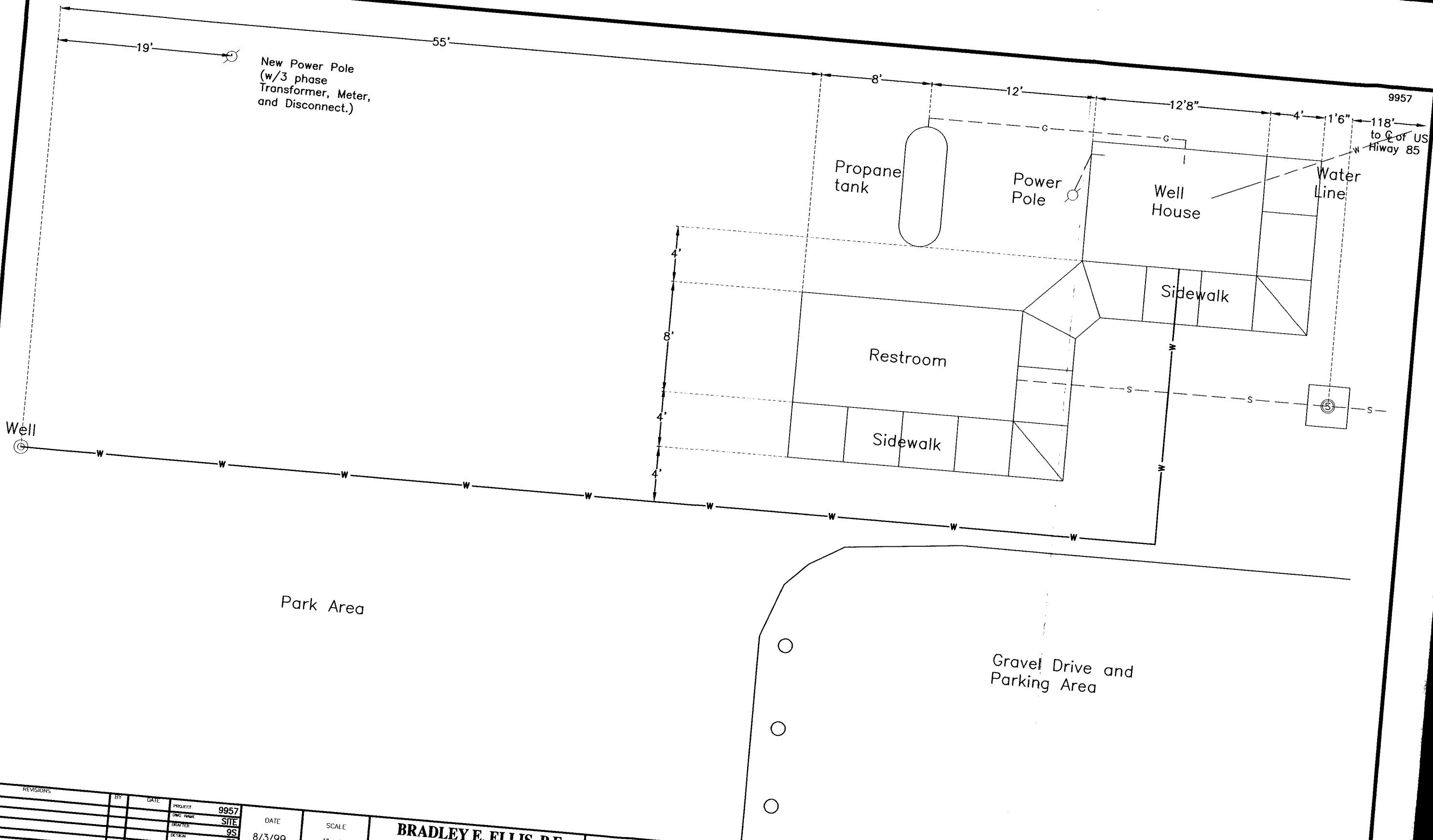
SCALE: 1" = 1000'

INDEX OF SHEETS

- 1 - TITLE SHEET
- 2 - SITE PLAN
- 3 - PIPE LAYOUT
- 4 - ELEVATION/DETAIL



BRADLEY E. ELLIS, P.E.
Consulting Engineer



NO.	REVISIONS	BY	DATE

PROJECT	9957
DWG NAME	SITE
DRAWN BY	9S
DESIGN	TS
APP	

DATE
8/3/99

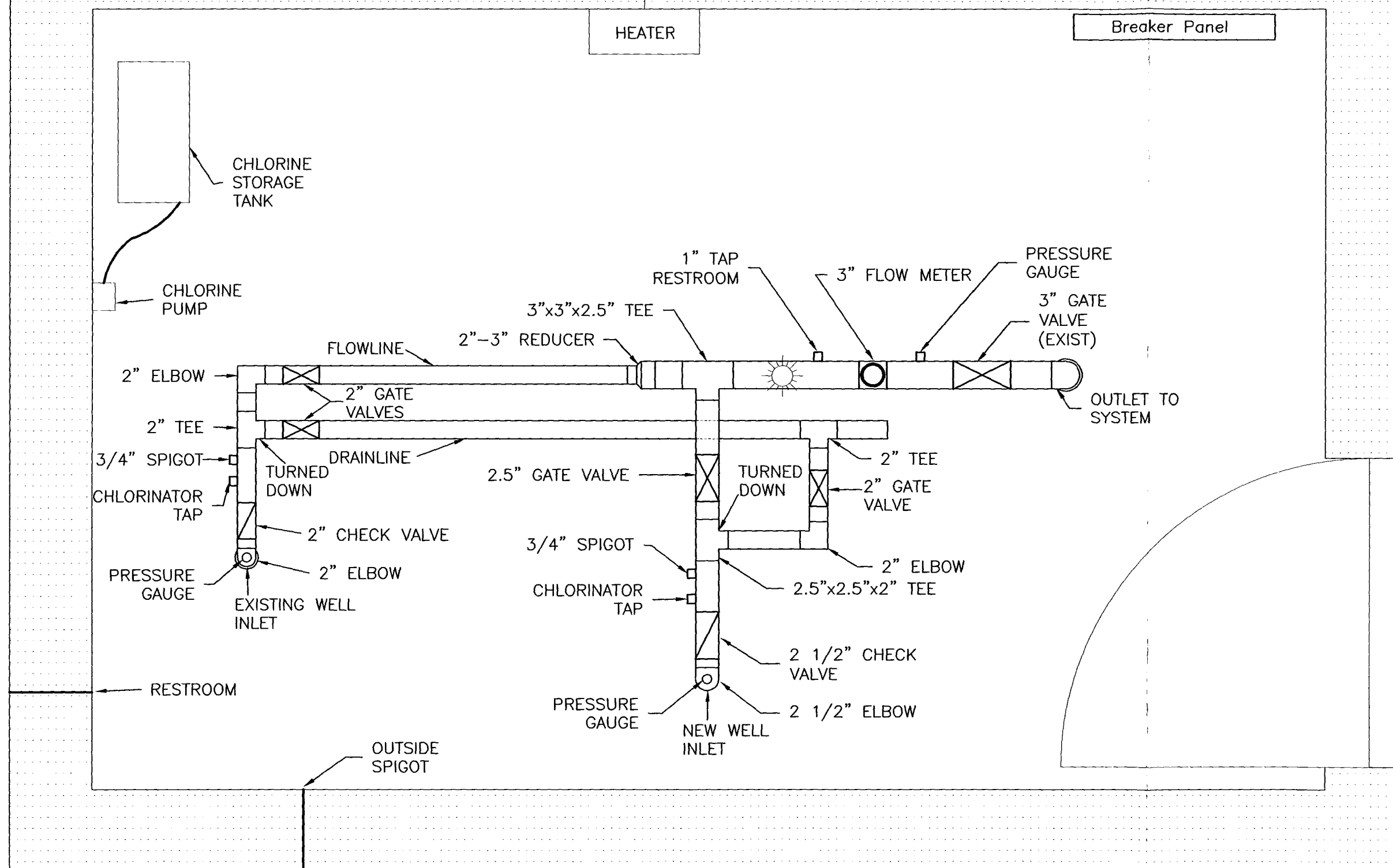
SCALE
1"= 10'

BRADLEY E. ELLIS, P.E.
Consulting Engineer
 1140 N. Main Suite 11
 Spearfish, SD 57783
 (605)642-8301

WATER SUPPLY WELL PROJECT
CITY OF BUFFALO, SD

SITE PLAN

SHEET
2
OF



NO.	REVISIONS	BY	DATE	PROJECT	9957	DATE 8/3/99	SCALE 1"=1'	BRADLEY E. ELLIS, P.E. <i>Consulting Engineer</i> 1140 N. Main Suite 11 Spearfish, SD 57783 (605)642-8301	WATER SUPPLY WELL PROJECT CITY OF BUFFALO, SD	PROPOSED PIPE LAYOUT	SHEET 3 OF 4
				DWG NAME	PROPOSED						
				DRAFTER	9S						
				DESIGN	TS						
				APP							

PRESSURE REQUIREMENTS

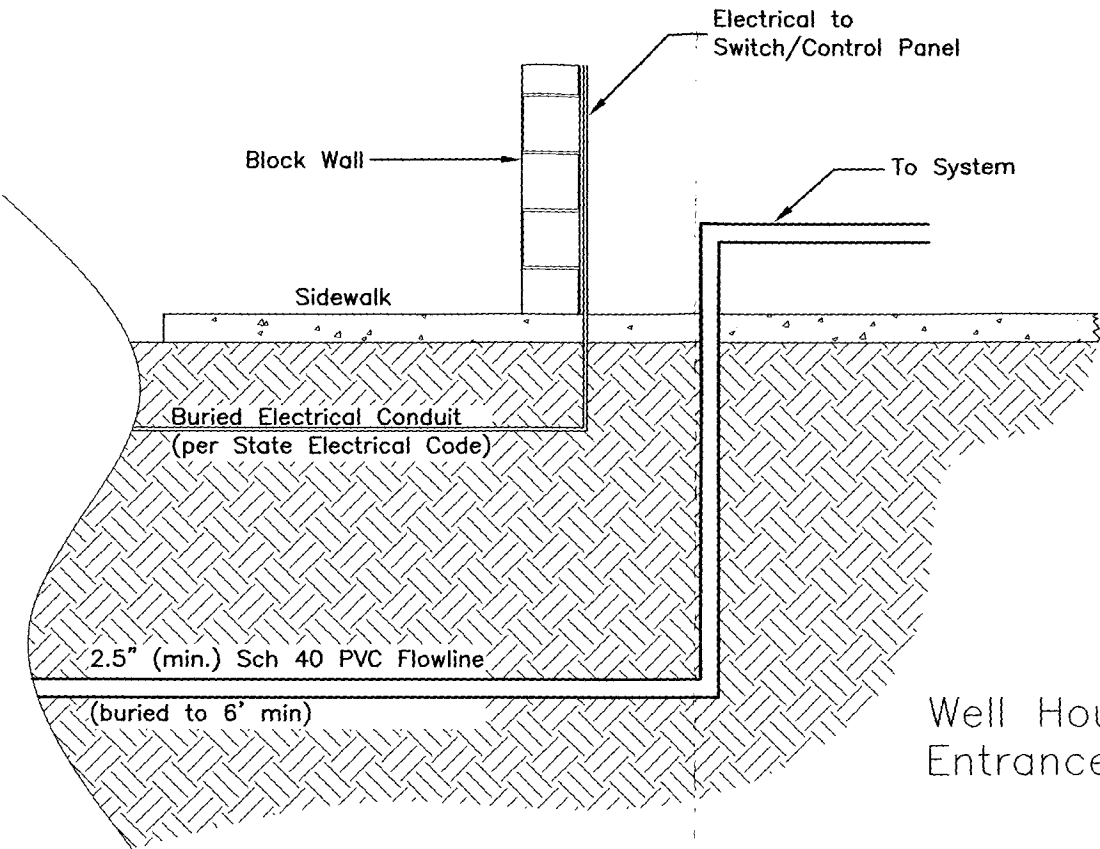
ALL FLOWLINES AND FITTINGS ARE TO BE RATED AT 2x MAX. OPERATING PRESSURE

MATERIAL SIZING

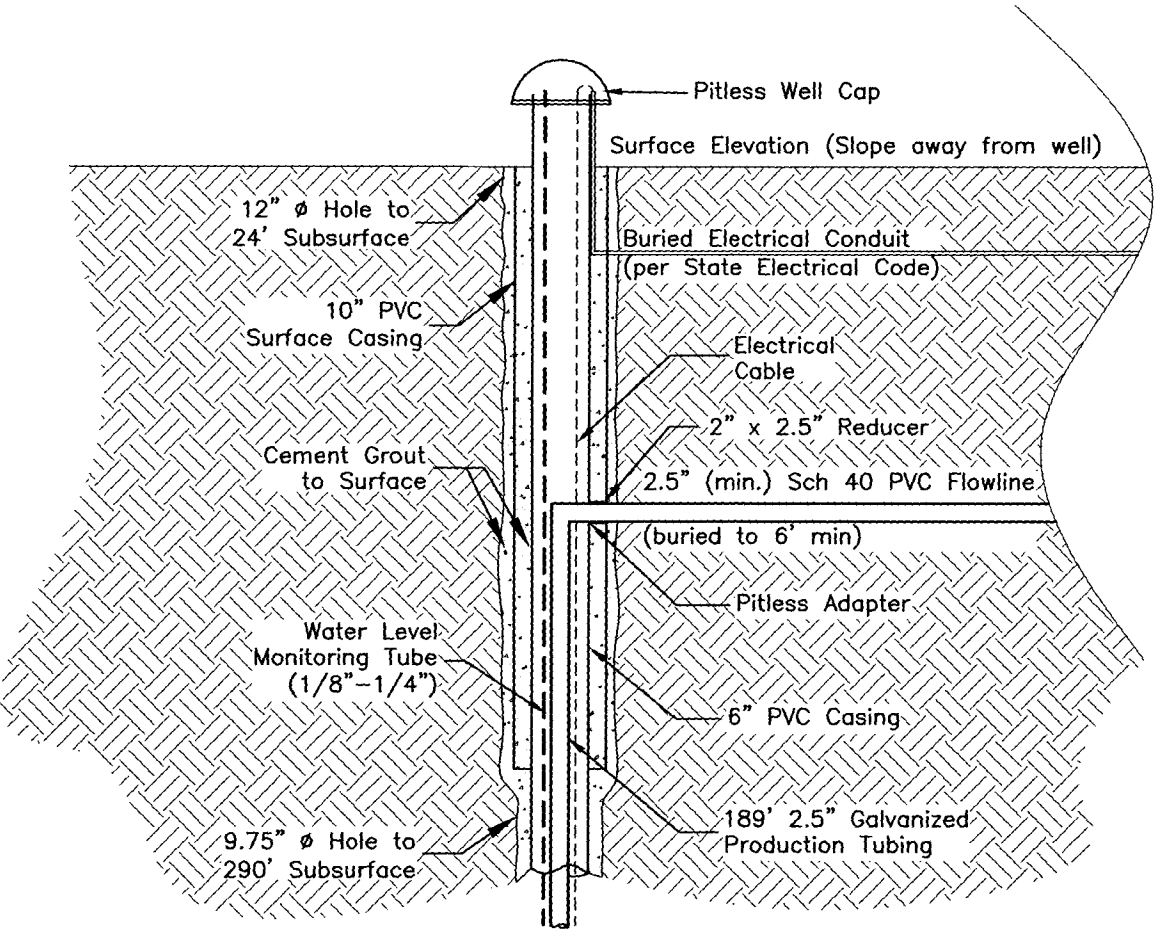
ALL MATERIALS LISTED ARE FOR THE PROPOSED 2"-3" SYSTEM. THE GIVEN MATERIALS LIST WILL CHANGE WITH A CHANGE IN FLOWLINE SYSTEMS.

ELECTRICAL

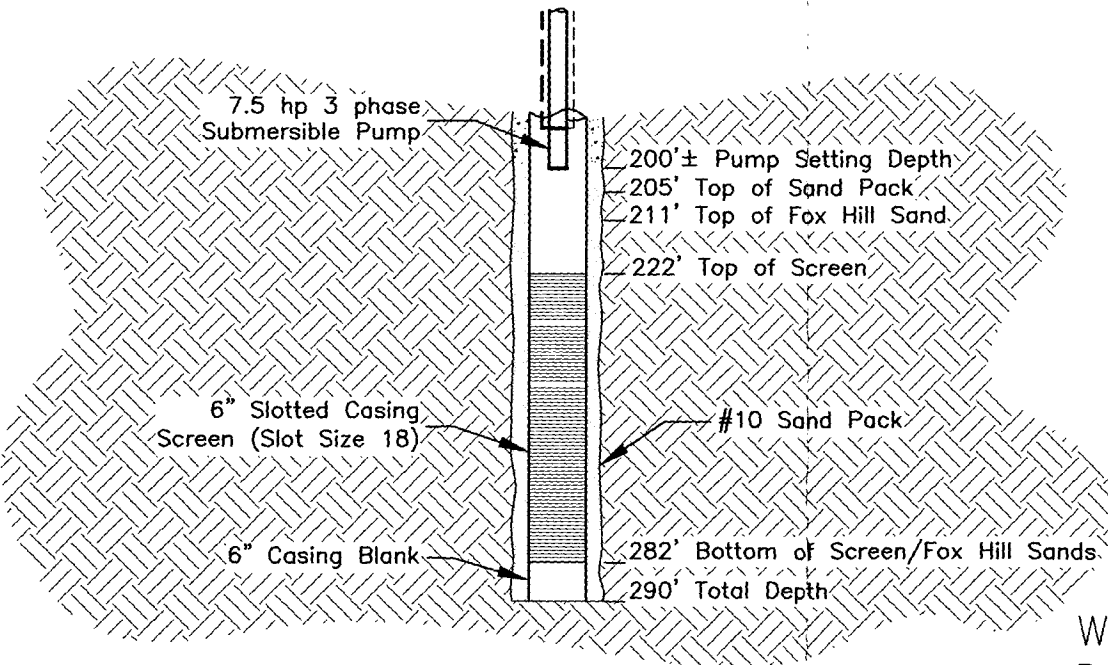
ALL ELECTRICAL COMPONENTS MUST CONFORM TO THE STATE OF SOUTH DAKOTA ELECTRICAL REQUIREMENTS AND CODE.



Well House Entrance Detail



Well Top Detail



Well Bottom Detail

NO.	REVISIONS	BY	DATE	PROJECT
				9957
				ELEVATION
				95
				TS
				APP

DATE
8/3/99

SCALE
NO
SCALE

BRADLEY E. ELLIS, P.E.
Consulting Engineer
1140 N. Main Suite 11
Spearfish, SD 57783
(605)642-8301

WATER SUPPLY WELL PROJECT
CITY OF BUFFALO, SD

ELEVATION VIEW
WELL AND WELLHOUSE

SHEET
4
OF
4

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

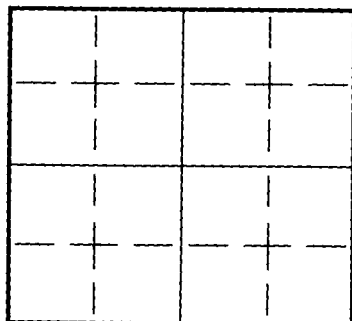
Location NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30 Twp 19 Rg 5County Harding North

Please mark well location with an "X"

W

E

Well Completion Date

7-27-99

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from none (identify source).

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

mud rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 LB/FT</u>	<u>10 IN</u>	<u>0 FT</u>	<u>24 FT</u>	<u>12 IN</u>
<u>200 LB/FT</u>	<u>6 IN</u>	<u>0 FT</u>	<u>290 FT</u>	<u>9 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>cement</u>	<u>42</u>	<u>6 to 1 lb./gal</u>	<u>0 ft.</u>	<u>205 ft.</u>
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure pump on top of sand
pack at 205 ft.SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 6 IN Length 60 FEETMaterial prcSlot Size 18 Set From 222 Feet to 282 FeetOther information #10 sand pack 205' - 290'WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorine tablets☐ NO, Why Not? chlorox

Laboratory sent to for water quality analysis _____

Well Owner: City of Buffalo

Business Name: _____

Address: Buffalo, S.D.
57720

WELL LOG:

DEPTH

FORMATION	FROM	TO
Sand w/ gravel	0	16
clay	16	34
sand	34	38
clay	38	51
sand	51	65
clay	65	85
Sandy clay and sand	85	123
clay brown	123	130
rock	130	131
STATII clay	131	137
If flowi Sandy clay + sand	137	176
GPM fl clay	176	193
Control fine sand	193	197
Reduce clay + shale	197	211
Can we fine sandy clay + sand	211	282
WELL clay + shale	282	290

☐ Pur

☐ Bai

☐ Pur☐ Bai☒ Other

Pumping Level Below Land Surface

60 ft. After 1 Hrs. pumped 32 GPM120 ft. After 2 Hrs. pumped 70 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 112

And this report is true and accurate.

Drilling firm Knutson Well Drilling

Signature of License Representative:

Dennis O. Knutson

Signature of Well Owner or Equitable Property Holder:

Bregendrich Water Supt.Date: 8-19-99



MIDCONTINENT
TESTING LABORATORIES

2381 South Plaza Drive P.O. Box 3388 Rapid City, SD 57709
605/348-0111

SAMPLE NAME: NEW WELL
DESCRIPTION:
SAMPLE DATE: 07/26/99
SAMPLE TIME:
SAMPLED BY: DENNIS KNUTSON

GREG GINSBACH
TOWN OF BUFFALO
BOX 82
BUFFALO, SD 57720

ACCOUNT NUMBER: 8169
LAB NUMBER: 19990727301
DATE RECEIVED: 07/27/99
TIME RECEIVED: 07:00 AM
REPORT DATE: 07/28/99

HARDNESS IN GRAINS/GALLON = 1.0

PHYSICAL PROPERTIES	VALUE	METALS mg/l	DISSOLVED	TOTAL
Conductivity, umhos/cm	1870.	Aluminum	.	.
Hardness	16.7	Antimony	.	.
PH	.	Arsenic	.	.
Solids, Dissolved, mg/l	.	Barium	.	.
Solids, Suspended, mg/l	.	Beryllium	.	.
Turbidity, NTU	.	Boron	.	.
		Cadmium	.	.
INORGANIC & NONMETALLIC	VALUE	Calcium	5.20	.
		Chromium	.	.
Acidity	.	Cobalt	.	.
Alkalinity	.	Copper	.	.
Bicarbonate	.	Gold	.	.
Carbonate, mg/l	.	Iron	.	.
Chloride, mg/l	11.5	Lead	.	.
Cyanide, Total, mg/l	.	Lithium	.	.
Cyanide, WAD, mg/l	.	Magnesium	0.90	.
Cyanide, Free, mg/l	.	Manganese	.	.
Fluoride, mg/l	.	Mercury	.	.
Nitrogen, Ammonia, mg/l	.	Molybdenum	.	.
Nitrogen, Nitrate, mg/l	<.050	Nickel	.	.
Nitrogen, Nitrite, mg/l	.	Potassium	1.90	.
Sulfate, mg/l	344.	Selenium	.	.
		Silicon	.	.
		Silver	.	.
		Sodium	439.	.
		Strontium	.	.
		Vanadium	.	.
		Zinc	.	.

SPECIAL TESTS	VALUE
TOTAL COLIFORM	ABSENT
FECAL COLIFORM	ABSENT

APPROVED BY: _____

DATE: 07-28-99

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416126

Pierre, May 17, 19 99

RECEIVED OF Town of Buffalo, P.O. Box 82, Buffalo, SD 57720-0082
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1691-1</u> to Appropriate Water, to construct 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. <u>1691-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

May 17, 1999

Gary Johnson
Town of Buffalo
Box 82
Buffalo SD 57720

Dear Mr. Johnson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for municipal use by the Town of Buffalo. In order to complete the application a log of the well or test hole, signed by a South Dakota licensed well driller, must accompany the application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

c: Greg Ginsbach, Public Works Director

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1691-1, Town of Buffalo**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1691-1, Town of Buffalo, c/o Gary Johnson, Box 82, Buffalo SD 57720.

The Chief Engineer is recommending APPROVAL of Application No. 1691-1 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 with the following qualifications:

1. 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.
2. The well authorized by Permit No. 1691-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

See report on application for additional information.

Eric Kronlund

for JOHN HATCH, Chief Engineer
June 15, 1999

REPORT ON WATER PERMIT APPLICATION NO. 1691-1

for the Town of Buffalo

June 9, 1999

Application No. 1691-1 proposes to appropriate 0.222 cfs (100 gpm) from one well approximately 465 feet deep located in the NW 1/4 NE 1/4 of Section 29, T19N-R5E in Harding County.

AQUIFER - FOX HILLS (FXHL)

The Fox Hills consists of a light buff to yellow, cross-bedded, fine to medium grained sand and sandstone (Erickson, 1956). The aquifer is buried and under confined or artesian conditions in this area. The Fox Hills underlies 1.64 million acres and contains an estimated 12.3 million acre feet of recoverable water in storage in Harding County (Allen, 1984). The test well log supplied by the driller (Knutson Well Drilling) was drilled to a depth of 465 feet. It appears from the log that the probable top of the Fox Hills is about 411 feet below land surface and fine sand with clay extended to a depth of about 465 feet. The test information available indicates a pumping rate of 30 gpm was possible from a depth of 280 feet.

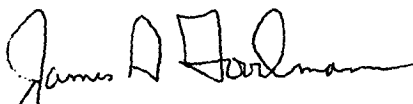
The Water Rights Program does monitor an observation well (HR-86D) completed into the Fox Hills and located about four miles southeast of this application. Water levels for this well do not fluctuate much but appear to show the effects of recharge to the aquifer with gradually rising water levels. This is shown by the observation well hydrograph which is included with this report. In general, the water level record indicates that the aquifer is capable of additional development (Water Rights, 1999).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights from the Fox Hills aquifer in this area. The existing town wells are much shallower than this proposed well and appear to be completed into the overlying Hell Creek Formation. Interference is not a concern. There does not appear to be an obvious hydrologic connection between the Fox Hills and Hell Creek Formations. This is shown by the observation well hydrographs for HR-86D and HR-86F (Hell Creek Well). These wells are located at the same location.

CONCLUSIONS

1. Water is available from the Fox Hills aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping, however, this not expected to be significant very far from the production well and there are no other permitted wells in the area which obtain water from the Fox Hills aquifer.
3. The well authorized by this application must be completed in accordance with SD Well Construction Standards.

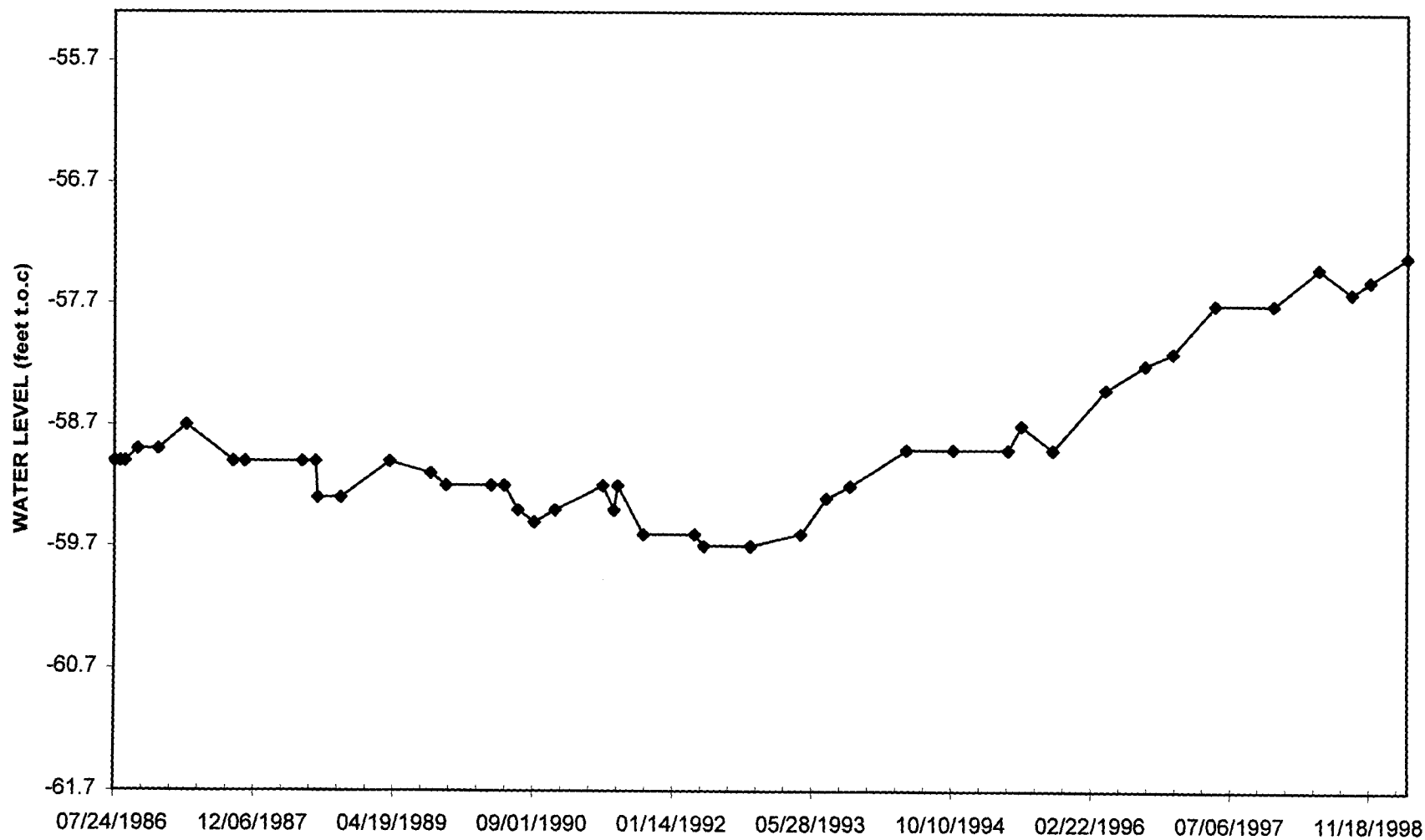

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

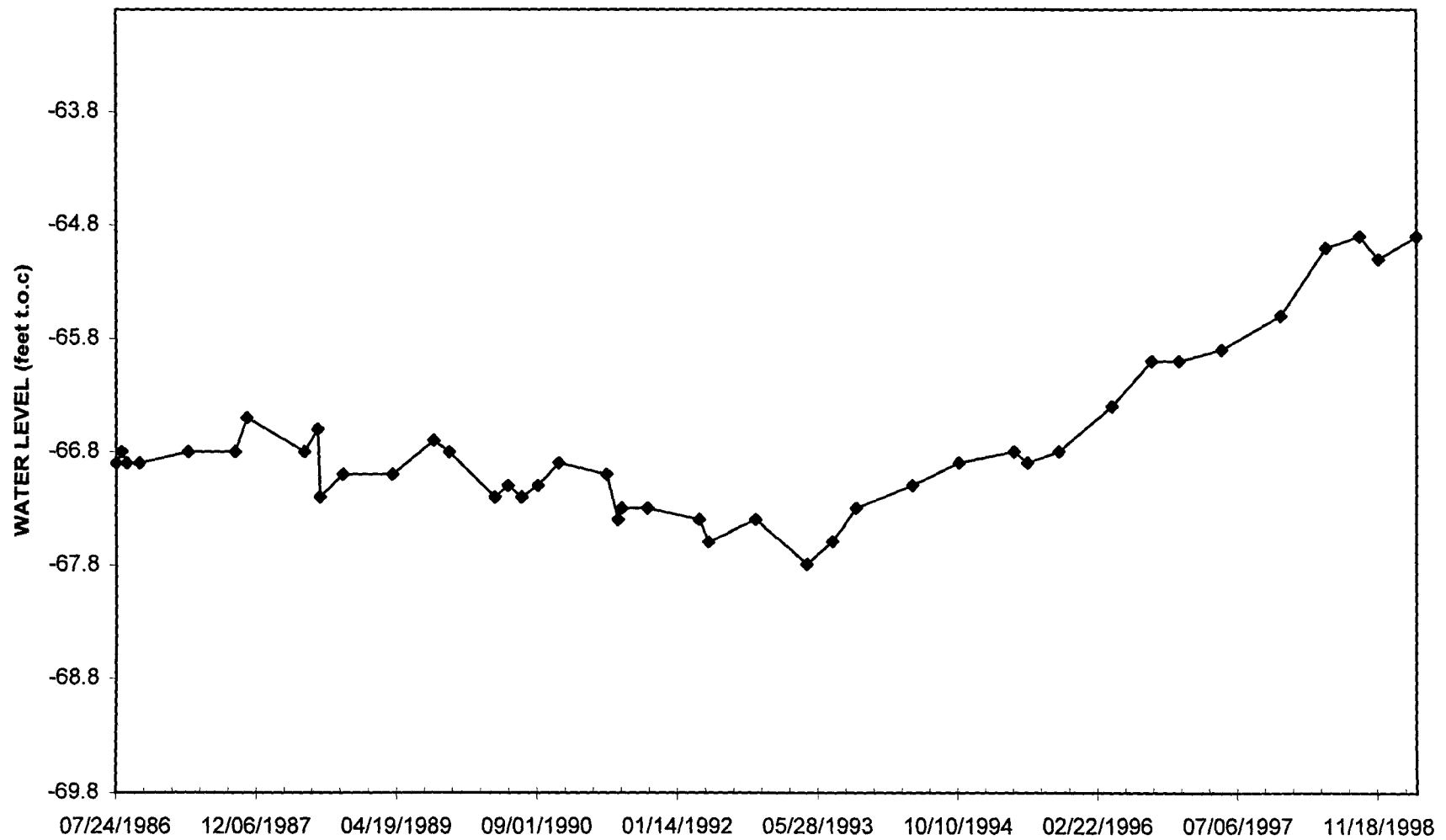
Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Erickson, H.D., 1956, Areal Geology of the Buffalo Quadrangle, SDGS, Vermillion, SD, 57069.

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HR-86D

**WATER RIGHTS' OBSERVATION WELL
HR-86F**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

June 17, 1999

Town of Buffalo
%Gary Johnson
Box 82
Buffalo, SD 57720

Dear Mr. Johnson:

Water Permit Application No. 1691-1 for municipal 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 Nation's Center News printed at Buffalo, SD (Ph # (605) 375-3228). 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
www.state.sd.us/denr

June 17, 1999

Nation's Center News
Box 107
Buffalo, SD 57720-0107

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1691-1 to Appropriate Water to be published twice. Please publish the first notice on June 23, 1999, 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 Town of Buffalo, %Gary Johnson, Box 82, Buffalo, SD 57720 (Ph # (605) 375-3130).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

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

No. 1691-1

Date _____

We are in receipt of your letter of June 17, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1691-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Harding) SS

I, Linda Stephens

certify that the attached printed Notice was taken

from the Nation's Center News

printed and published in Buffalo, SD

County of Harding and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 23, 1999

June 30, 1999

Cost of Printing \$31.75



NOTICE OF APPLICATION NO. 1691-1 to Appropriate Water

Notice is given that Town of Buffalo, Box 82, Buffalo SD 57720 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second (100 gallons per minute) from one well (Fox Hills Aquifer) 465 feet deep located in the NE1/4 SE1/4 Section 30-T19N-R5E the water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1691-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 12, 1999.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources 17, 1999 70/10es
6-23, 6-30.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

AUG 6 1999

Town of Buffalo
%Gary Johnson
P.O. Box 82
Buffalo, SD 57720

Dear Mr. Johnson:

Enclosed is Water Permit No. 1691-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

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

enclosures

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date 9-9-99

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: TOWN OF BUFFALO
(name)

Box 82
(address)

BUFFALO SD 57720
(city, state, zip)

605-375-3130
(phone)



I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

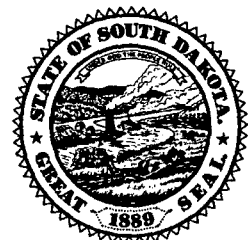
Water Permit No. 1691-1 states that the water use system is to be constructed by 7-12-2004, and water is to be put to beneficial use by 7-12-2008.
(date) (date)

The water use system was completed on 7-30-99.
(date)

Applying the water to beneficial use was completed on 8-2-99.
(date)

You may schedule an investigation so that the water license may be issued.

Ray M Johnson President
(signature)



REPORT ON INSPECTION OF PERMIT NO. 1691-1

Other permit(s) associated with the project: 278-1, 1163-1, 1178A-1 & 1178B-1

DATE OF INSPECTION: November 18, 2003

NAME & ADDRESS OF INSPECTION CONTACT/ Glen Ginsbach

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Water Supt.

NAME & ADDRESS OF PERMIT HOLDER: Town of Buffalo, Box 82, Buffalo, SD 57720

DIVERSION POINT LEGAL LOCATION: 1800 feet north & 150 feet west of the SE corner
Sec. 30-T19N-R5E (NE ¼ SE ¼).

WELL INFORMATION:

- 1) Well Drilling Firm: Knutson Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 290 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 10 inches 6 inch
- 2) Length 24 feet 266 feet (includes screen)
- 3) Type PVC PVC

Screen:

- 1) Type Manufactured slotted pipe
- 2) Length 60 feet
- 3) Static water level 5.5 feet

Pump:

- 1) Make General Pump Manufacturing (GPM)
- 2) Model #21500S
- 3) Size 2.5 inches
- 4) Capacity 70 GPM

Motor:

- 1) Make General Pump Manufacturing (GPM)
- 2) Model No. #21500S
- 3) Horsepower rating 7.5 hp

DISTRIBUTION LINES OR CANALS:

Town of Buffalo distribution system

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

Permit No. 1691-1
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, November 18, 2003, made a thorough examination of the water use system constructed by Town of Buffalo of Box 82, Buffalo, SD 57720 holder of Permit No. 1691-1, bearing the priority of May 17, 1999 authorizing the diversion of 0.222 (100 gpm) cu. ft. per second of the waters of groundwater for municipal use purposes, in Harding County.

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

A. Works used to divert the water:

A 7.5 HP General Pump Manufacturing 2.5 inch submersible pump with 70 gpm capacity

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

Town of Buffalo distribution system

C. Works used to apply water to beneficial use:

Town of Buffalo distribution system

The system is in the following condition good. The point of diversion is located 1800 feet north & 150 feet west of the SE corner of Sec. 30-T19N-R5E (NE ¼ SE ¼). The works are capable of diverting and conveying to the place of use 0.156 (70 gpm) cu. ft. per second of water which is to be used for municipal use. Water has been put to beneficial use to the maximum extent as follows:

This well (Well No. 7) is used as a back-up well.

and the license should be issued for 0.156 (70 gpm) cfs.

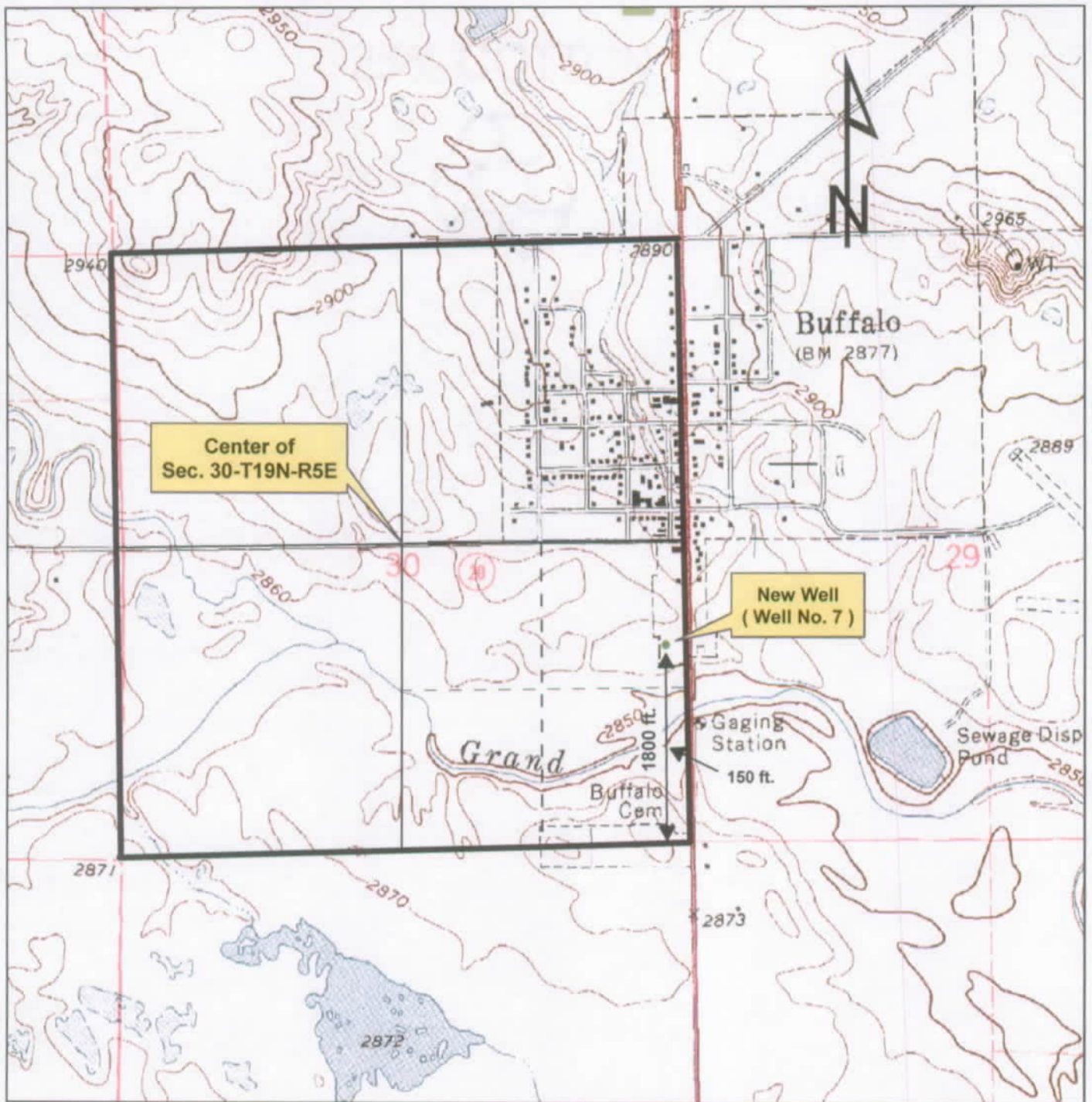
Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: February 10, 2004



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

Water Permit Application No. 1691-1



0 0.25 0.5 1 Miles

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Timothy G. Schaal
2/10/04
Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1691-1

(1) The Town of Buffalo, PO Box 82, Buffalo SD 57720-0082 made Application No. 1691-1, May 17, 1999 for a water permit to divert 0.222 cubic feet of water per second (100 gallons per minute) from ground water (one well - Fox Hills Formation), in Harding County, South Dakota for municipal purposes. Water Permit No. 1691-1, bearing a priority date of May 17, 1999 was approved July 12, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 12, 2004 and for the application to beneficial use of water on or before July 12, 2008.

On September 15, 1999, the permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*". The "*Notice*" indicated the water use system was completed on July 30, 1999 and water placed to beneficial use on August 2, 1999.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the Town of Buffalo, PO Box 82, Buffalo SD 57720-0082 the holder and/or owner of Water Right No. 1691-1 is issued a license, bearing a priority date of May 17, 1999 to appropriate 0.156 cubic feet of water per second (70 gallons per minute) from ground water (one well - Fox Hills Formation) for municipal purposes.

The diversion point for Well #7 is located 1,800 feet north and 150 feet west of the SE corner of Section 30, T19N, R5E (NE ¼ SE ¼). The well is used as a back-up water supply for the town.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1691-1 including the following qualifications:

- 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.
- The well authorized by Permit No. 1691-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 20 2004

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

FEB 20 2004

1691-1

Gary Johnson
Town of Buffalo
PO Box 82
Buffalo SD 57720-0082

Dear Mr. Johnson:

Enclosed is Water License No. 1691-1. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a map prepared by the engineer who conducted the investigation.

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. 1691-1, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



1691-1

January 30, 2014

Town of Buffalo
c/o Greg Ginsbach, Public Works Director
PO Box 82
Buffalo SD 57720

Dear Mr. Ginsbach:

While evaluating water rights in Buffalo area, DENR reviewed Water Right No. 1691-1 issued to the Town of Buffalo. As part of the review process, we found the original notice published in the Nation's Center News June 23 & 30, 1999 contained an error in the aquifer designation for the well.

Water Right No. 1691-1 authorizes 0.156 cubic feet of water per second from one well located in the NE 1/4 SE 1/4 Section 30-T19N-R5E (copies enclosed). When the application was originally filed in 1999, a 465 feet deep test hole log was submitted. Based on this depth information, staff determined the water source to be located in the Fox Hills Formation. The completion report submitted once the well was finished indicates the well is 290 feet deep. At that depth, the well is completed into the Hell Creek Formation and not the Fox Hills Formation. Since the town developed into a different water source than originally requested, a new permit will need to be obtained.

Enclosed is a partially completed application form for this purpose. Please review the application, sign and return. The application/license fee will be \$700.00. There will also be the cost of the public notice fees in a weekly and daily paper.

Please contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosures

FORM 2: Application for uses other than irrigation

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

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

Check use(s) of water:

☒ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other _____	

Type of Application:

(check one)

☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☒ Amendment/Correction to Permit No. <u>1691-1</u>		

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

1. Name to Appear on Water Permit Town of Buffalo

(check one) ☐ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

 Mailing Address PO Box 82 Buffalo SD 57720
 (Address) (City) (State) (Zip Code)

Home Phone _____ Cell _____ Email _____

2. Amount of water claimed 0.156 *CFS or 70 **GPM ***AF

(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater (one well - Hell Creek Formation)

4. Location of point of diversion NE 1/4 SE 1/4 Sec 30-T19N-R5E County Harding

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No

If "Yes," where will water be used? _____

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Harding

6. Annual period during which water is to be used January 1 - December 31

7. Give a description of the 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)

I, _____, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☒ Using existing well(s)

a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by copy on file

c) Well Depth 290 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest existing domestic well:

On applicant's property _____ On property owned by others _____

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway Width _____

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

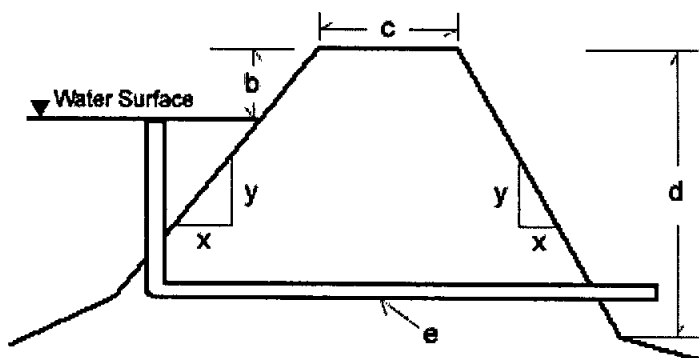
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



No. 1691-1

Water Rights Program - DENR Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 1691-1, Town of Buffalo

ADDRESS: COUNTY: Harding County

DATE: February 1, 2015 TELEPHONE:

RE: Water source for well authorized by Water Right No. 1691-1

Water Right No. 1691-1 was applied for in 1999 and was processed, public noticed and licensed as being a well completed into the Fox Hills Formation. It was not until January 2014 when staff engineer was reviewing files for the Oil & Gas Program that it was determined the well is completed into the Hell Creek Formation.

The original application state the well would be 360 feet deep and the test hole was to a depth of 465 feet.

The past two staff reports on applications from the Hell Creek Formation were reviewed. For Application No. 1909-1 (Buhler, 2010) state "The lower part of the Hell Creek Formation can be readily confused with the upper part of the Fox Hills Formation". The report also indicates that approval of Application No. 1909-1 will not cause withdrawal to exceed recharge.

In the case of Application No. 1940-1 (Mathiowetz, 2013) the withdrawal to recharge balance was quantified as there being recharge between 112,301 and 130,276 acre feet of water annually, while withdrawal were 341 acre feet annually.

The water right should be readvertised to correct the error in identifying the water source as the Hell Creek Formation. This readvertisement can be at DENR's expense as the discrepancy was not found during license which occurred in 2004.

NAME: Eric Gronlund



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 5, 2015

Town of Buffalo
c/o Greg Ginsbach, Public Works Director
PO Box 82
Buffalo SD 57720

Dear Mr. Ginsbach:

Water Right No. 1691-1 was issued in 2004 for municipal use from one well identified as completed into the Fox Hills Formation. The aquifer was misidentified and should be the Hell Creek Formation. The attached File Documentation explains how the Water Rights Program became aware of the misidentified aquifer. To remedy this, Water Right No. 1691-1 will be readvertised and then reissued.

Also, attached is the notice to be published August 13, 2015 in the Nation's Center New and the Black Hills Pioneer to readvertise Water Right No. 1691-1. The Water Rights Program will pay for the cost of the publications.

Please let me know if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us

enclosures

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, August 05, 2015 10:23 AM
To: Legals (legals@bhpioneer.com)
Subject: 1691-1, City of Buffalo
Attachments: 1691-1public.short.docx; FORM8 FRM.doc

Attached is a notice for the City of Buffalo to be published on August 13, 2015 in both the Nation's Center News and the Black Hills Pioneer.

These publications will be paid by the Water Rights Program.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352

Instruction to Newspaper - Publish the Notice on August 13, 2015.
Please bill the Water Rights Program for the cost of publication.

Readvertisement of Notice of Water Right No. 1691-1

Notice is given of readvertisement of Water Right No. 1691-1 held by the Town of Buffalo, c/o Greg Ginsbach, Public Works Director, PO Box 82, Buffalo SD 57720. Water Right No. 1691-1 authorizes 0.156 cubic feet of water per second from one well completed into the Fox Hills Formation (465 feet deep) located in the NE 1/4 SE 1/4 Section 30-T19N-R5E for municipal use. A review of the file indicates the well has been completed in the Hell Creek Formation. Readvertisement is necessary to correct the well formation which was incorrectly advertised in 1999 as being located in the Fox Hills Aquifer. This readvertisement does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of reissuance of Water Right No. 1691-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 24, 2015.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of _____.

RECEIVED

AUG 17 2015

WATER RIGHTS
PROGRAM

Readvertisement of
Notice of Water Right
No. 1691-1

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF HARDING:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the NATION'S CENTER NEWS is a legal weekly newspaper of general circulation, printed and published in the City of Buffalo, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Readvertisement of Notice

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 13th day of Aug, 2015, and the last publication on the day of , , that the full amount of fees charged for publishing same, to-wit: The sum of \$ 24.87, insures solely to the benefit of the publisher of the NATION CENTER NEWS, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

[Signature]
Subscribed and sworn to before me this 13th day of Aug, 2015

[Signature]
Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-2016

Notice is given of readvertisement of Water Right No. 1691-1 held by the Town of Buffalo, c/o Greg Ginsbach, Public Works Director, PO Box 82, Buffalo SD 57720. Water Right No. 1691-1 authorizes 0.156 cubic feet of water per second from one well completed into the Fox Hills Formation (465 feet deep) located in the NE 1/4 SE 1/4 Section 30-T19N-R5E for municipal use. A review of the file indicates the well has been completed in the Hell Creek Formation. Readvertisement is necessary to correct the well formation which was incorrectly advertised in 1999 as being located in the Fox Hills Aquifer. This readvertisement does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of reissuance of Water Right No. 1691-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights

Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 24, 2015.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner,
Secretary, Department
of Environment and
Natural Resources.

Published once at the
total approximate cost of
\$24.42.

#970
Aug. 13

RECEIVED

AUG 17 2015

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF LAWRENCE:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Readvertisement of Notice

a printed copy of which is hereto attached, was printed and published in said newspaper for 1 successive and consecutive weeks, the first publication being made on the 13th day of Aug, 2015, and the last publication on the _____ day of _____, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 24.87, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

[Signature]
Subscribed and sworn to before me this 13th day of Aug, 2015

[Signature]
Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-2016

Readvertisement of Notice of Water Right No. 1691-1

Notice is given of readvertisement of Water Right No. 1691-1 held by the Town of Buffalo, c/o Greg Ginsbach, Public Works Director, PO Box 82, Buffalo SD 57720. Water Right No. 1691-1 authorizes 0.156 cubic feet of water per second from one well completed into the Fox Hills Formation (465 feet deep) located in the NE 1/4 SE 1/4 Section 30-T19N-R5E for municipal use. A review of the file indicates the well has been completed in the Hell Creek Formation. Readvertisement is necessary to correct the well formation which was incorrectly advertised in 1999 as being located in the Fox Hills Aquifer. This readvertisement does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of reissuance of Water Right No. 1691-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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tion. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 24, 2015.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner,
Secretary, Department of
Environment and Natural
Resources

Published once at the
total approximate cost of
\$24.42.

#622
Aug. 13

**WATER RIGHTS
PROGRAM**

(605) 642-2761

605-773-3352

[illegible]

**WATER RIGHTS
PROGRAM**

P.O. Box 7

(605) 642-2761
DENR - Water Rights Program August, 2015
523 E. Capitol Ave.
Pierre, SD 57501

[illegible]

August 17, 2015

PAYMENT REQUEST FORM

PAYEE: Black Hills Pioneer/Nation Center
News
PO Box 7
Spearfish SD 57783

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Re-advertisement of Water Right No. 1691-1

AMOUNT: \$49.74 (24.87 each)

FUNDING SOURCE:

GENERAL: X

FEDERAL:

OTHER:

COMMENTS:

AUTHORIZATION: *Gail Jackson 8-17-15*

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

1691-1

SEP 08 2015

Town of Buffalo
c/o Greg Ginsbach, Public Works Director
PO Box 82
Buffalo SD 57720

Dear Mr. Ginsbach:

Enclosed is Reissued Water License No. 1691-1. On August 13, 2015, Water Right No. 1691-1 was readvertised to properly identify the water source as being location in the Hell Creek Formation. The license is being reissued for the correct water source.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

REISSUED

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1691-1

(1) The Town of Buffalo, PO Box 82, Buffalo SD 57720 was issued Water License No. 1691-1, February 20, 2004 for a water right to divert 0.156 cubic feet of water per second from groundwater- one well (Fox Hills Aquifer), Harding County, South Dakota for municipal purposes. Water Right No. 1691-1, with a priority date of May 17, 1999 was issued to the town for diversion of water with the described water supply system and the application to beneficial use completed.

On August 13, 2015, Water Right No. 1691-1 was readvertised to properly identify the water source as being located in the Hell Creek Formation. The license is being reissued for the correct water source.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1691-1 is reissued a license, bearing a priority date of May 17, 1999 to appropriate 0.156 cubic feet of water per second (70 gallons per minute) from groundwater – one well (Hell Creek Formation) for municipal use.

The diversion point is located: 1,800 feet north and 150 feet west of the SE corner of Section 30-T19N-R5E (NE 1/4 SE 1/4). The well is used as a backup supply for the town.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1691-1 including the following qualifications:

- 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.
- The well authorized by Permit No. 1691-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28. *The well was drilled by Knutson Well Drilling in 1999. A copy of the log is on file with the Water Rights Program.*



Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

SEP 08 2015

date

