

WATER PERMIT NO. 1906-1

Name of Applicant: City of Sturgis

Address: 1040 2nd St, Suite 102, Sturgis SD 57785

Phone: 605 347-4425

Amount of Water Claimed: 0.222

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: municipal

County: Meade

Type of Waste Disposal System:

Location: east of Ft Meade VAMC

PRIORITY

Date Received: 8-21-09

Application/License Fee: \$950

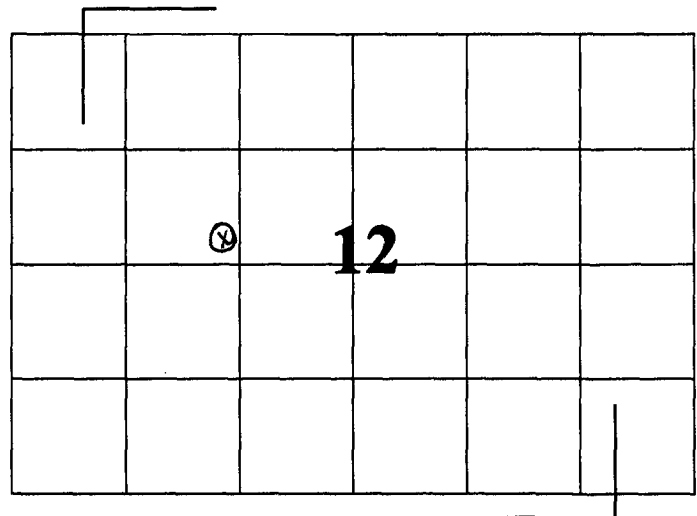
Corrected Application Received: 8-25-09

Period of Annual Use: Jan 1 – Dec 31

Remarks: It is an existing well

Diversion Point: SW ¼ NW ¼ Section 12-T5N-R5E

Land to be Irrigated: NA



Depth of Well: 310 feet deep

Well Driller: Heaton Drillers

Remarks:

Type of Map: aerial

Prepared by: Theodore Schultz, PE

Reviewed and the Number Assigned on: 8-25-09

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED

AUG 21 2009

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1906-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Mead Co. Times 1022 Main St.</u>
	<u>605-347-2503</u> <u>Sturgis 57785</u>

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

NOTE: This is an Ex well, but New Permit.

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. _____

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

- Name of Applicant City of Sturgis Phone (605) 347-4425
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 1040 2nd St. Suite 103 State SD 57785
(Street, RR, or Box and City) (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 Lakota Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Mead
SW 1/4 of NW 1/4: Section 12: Please see map and correction of
well Drillers Report. T5N R5E
- County or counties where water will be used Mead County
- Annual period during which water is to be used mainly during May - Sept. May 1 - Sept 1
- 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)

STATE OF SOUTH DAKOTA)

County of Mead 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, Eric Tibbets, 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.

Applicant's signature [Signature]

Subscribed and sworn to before me this 6 day of August 2009

ELAINE A. RIX-WOLKEN
NOTARY PUBLIC

MY COMMISSION EXPIRES 7-16-2014

[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1906-1**

Date of first receipt of application August 21, 2009.

Date of return to applicant for corrections, amendments or changes August 21, 2009.

Date of receipt of corrected application August 25, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1906-1 to the City of Sturgis, 1040 2nd St, Suite 103, Sturgis SD 57785 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. 1906-1 appropriates 0.222 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (310 feet deep) located in SW 1/4 NW 1/4 Section 12-T5N-R5E.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
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. 1906-1 is October 19, 2009.
5. The date from which applicant may claim right is August 21, 2009.
6. One-fifth of the construction is to be completed on or before April 19, 2012.
7. All construction is to be completed on or before October 19, 2014.
8. Water is to be put to beneficial use on or before October 19, 2018.
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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. The city of Sturgis shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer.

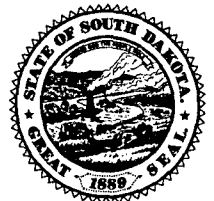
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JAN 13 2010

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8 Depth 310
- b) Casing Type Plastic Diameter 6 inch from surface to 300' Thickness 4" steel 300 to 460 ft. .8"
- c) Screen Type N/A Diameter _____ Thickness _____
- d) Gravel Pack 28 to 35 Length of Gravel Pack grouted with pressure grout to 300 ft.
- e) Depth to Top of Water Bearing Material 80 ft.
- f) Depth to Water (ground surface to water level) Flowing well 8 psi
- g) Distance to nearest existing domestic well:
- On applicants property 1 mile On property owned by others Camp grounds

2. Wastewater Disposal System Information

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

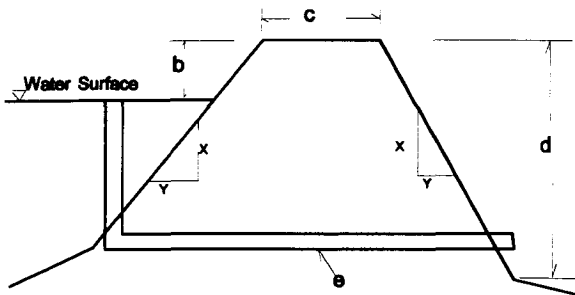
3. Dugout Information

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

4. Water Storage Dams N/A

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:

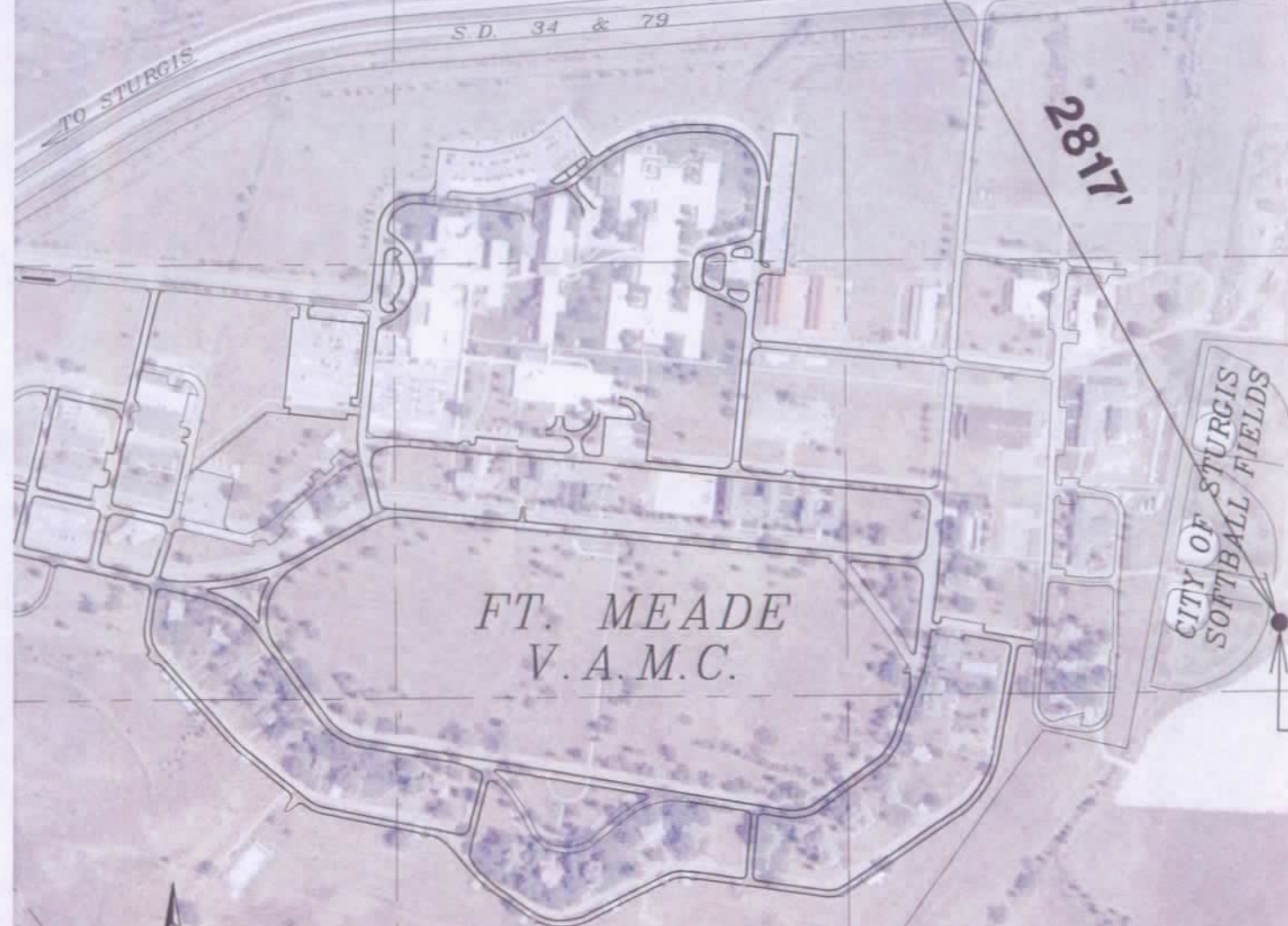


- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Please see attach Drillers Report and map.

August 05, 2009, 11:44:33 a.m.
Drawing: EAST WELL.DWG (FOX) (\\MAIN-DATA\CEC\PROJECTS & PROPOSALS\09161.00 2009 STURGIS WATER SYSTEM INVESTIGATION\DRAWINGS\STURGIS FIGURES\)

NORTHWEST CORNER SECTION 12
T5N R5E BHM
MEADE COUNTY
SOUTH DAKOTA



EXISTING WELL SITE
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 12



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WATER RIGHTS
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cetec
ENGINEERING SERVICES, INC.

1560 Concourse Drive
Rapid City, SD 57703
Phone: (605) 341-7800
Fax: (605) 341-7864
www.cetecengineering.com

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/21, 20 09

RECEIVED OF City of Sturgis 1040 2nd St # 103 Sturgis SD 57785

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

Fee for Application for Permit No. <u>1906-1</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>1906-1</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	950 00

No. 04202

By

Michael Erbe
Chief Engineer



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AUG 25 2009
WATER RIGHTS
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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 21, 2009

City of Sturgis
Eric Tibbetts
1040 2nd St, Suite 103
Sturgis SD 57785

Dear Mr. Tibbetts:

Thank you for submitting the *Application for a Permit to Appropriate Water* for municipal use. The application is being returned. Please complete Item No. 2 of the application, Amount of water claimed (gallons per minute).

We have receipted the \$950.00 application/license filing fee submitted. If the amount of water claimed is between 76–150 gallons per minute, the fee submitted will be correct. If the amount is more, please call me and I'll figure what additional fee will be required. If the amount is less, we will refund the city.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1906-1, City of Sturgis**

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. 1906-1, City of Sturgis, c/o Eric Tibbetts, Water Superintendent, 1040 2nd Street, Suite 102, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1906-1 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. The city of Sturgis shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 22, 2009

REPORT ON WATER PERMIT APPLICATION NO. 1906-1
CITY OF STURGIS
SEPTEMBER 8, 2009

Water Permit Application No. 1906-1 proposes to appropriate 0.222 cubic feet of water per second from one existing well to be completed into the Inyan Kara aquifer (310 feet deep). The well is located in the NW¼ NW¼ Section 12, T5N-R5E, in Meade County. The water is to be used for municipal use.

AQUIFIER: INYAN KARA (INKR)

GENERAL INFORMATION:

The Inyan Kara aquifer is composed of several sandstone units of the Fall River and the underlying Lakota Formations. In a geologic sense, the Fall River and Lakota are separate and distinct formations, and the upper Lakota often contains the Fuson shale unit that may hydraulically separate the two formations locally. However, for all practical purposes, the Fall River Formation and the Lakota Formation can be considered a single hydrologic unit in this area. The Inyan Kara, which was deposited in shallow waters along the eastern shore of the Skull Creek Sea during the Lower Cretaceous age (Merewether, 1975), occurs at a regional scale, extending into Wyoming, North Dakota and Nebraska as well as a major portion of South Dakota, see figure 1. Although the Inyan Kara is areally extensive, only a portion of the water it contains is fresh. More than one-half of the water in the Inyan Kara is moderately saline, and the water is saline to brine in parts (Driscoll and others, 2002)

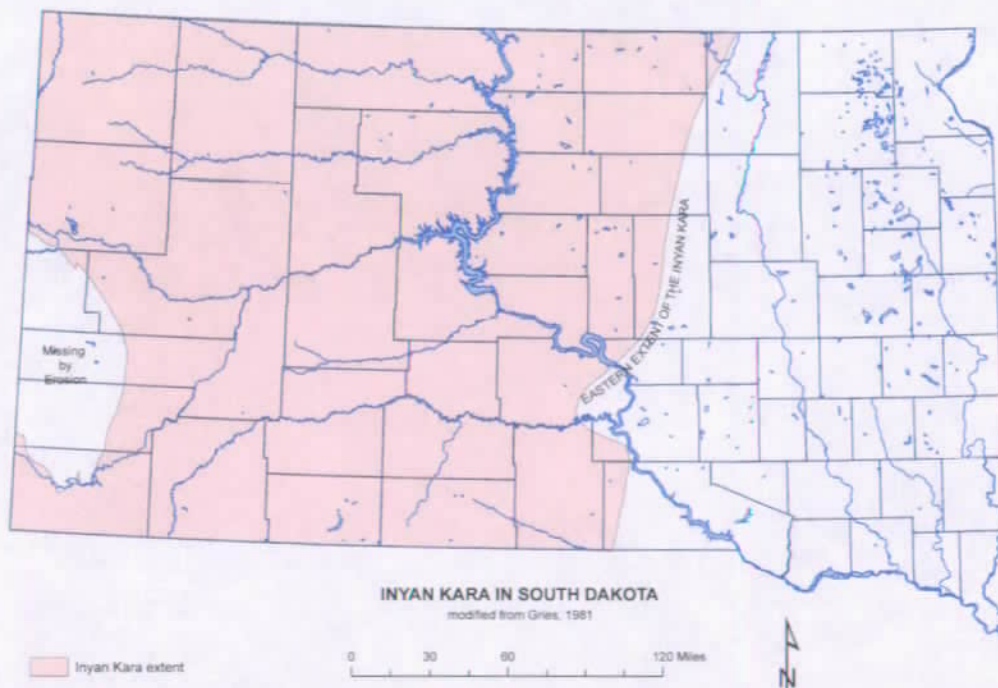


Figure 1. Areal extent of the Inyan Kara aquifer in South Dakota

The Inyan Kara underlies 23,239,040 acres and contains an estimated 308,442,000 acre-feet of recoverable water in storage in western South Dakota (Allen and others, 1985). The aquifer contains an estimated 65,483,800 acre-feet of recoverable water in storage in eastern South Dakota (Hedges and others, 1982). The aquifer underlies 2,107,520 acres and contains an estimated 36,354,720 acre-feet of recoverable water in storage in Meade County alone (Allen and others 1985). The top of the Inyan Kara is reported to be approximately 280 feet below grade at this well site, and the aquifer is estimated to be 200 feet thick at this site (Gries, 1981). The Inyan Kara is under confined conditions in this area and the completion report indicates this existing well flowed 128 gallons per minute and had a shut-in pressure of 8 psi at the time of construction (1984). The South Dakota Water Well Completion Report that was submitted for the well this application proposes to use indicates the well was constructed in accordance with the SD Well Construction Standards.

OBSERVATION WELL DATA:

The DENR-Water Rights Program monitors nine observation wells completed into the Inyan Kara aquifer in South Dakota (Water Rights, 2009a). Eight of these observation wells area in the Black Hills area. Water Rights Observation Well MD-99A is an Inyan Kara aquifer observation well located approximately five miles northwest of the well this application proposes to use. A hydrograph of the observation well is shown in figure 2.

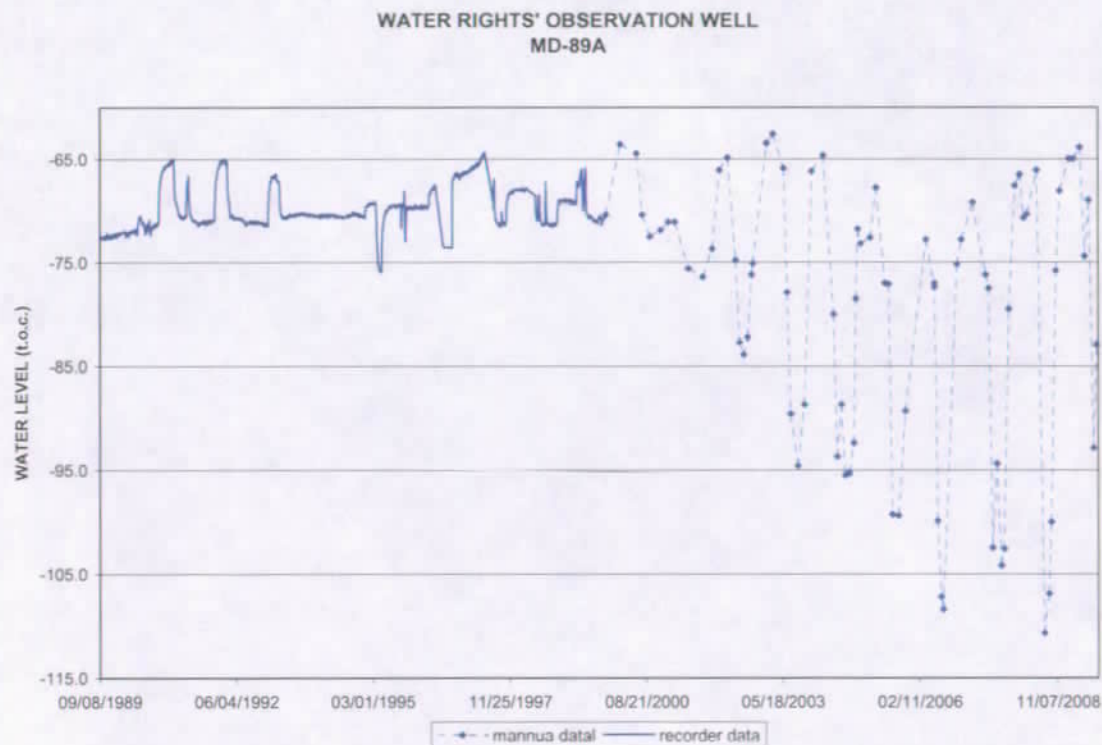


Figure 2. Hydrograph of Water Rights' Observation Well MD-89A, which is completed into the Inyan Kara aquifer approximately five miles northwest of the well site proposed by Application No. 1906-1

The observation well is located within 1.8 miles of at least 46 Inyan Kara wells (Water Rights, 2009c). Most of the area wells are large capacity wells and covered under Water Rights or Water Permits (Water Rights, 2009b). Water Rights/Permits from the Inyan Kara aquifer within a radius of approximately 1.8 miles have a total diversion authority of 2.73 cfs. The water level fluctuations in the observation well hydrograph document the development of the aquifer in the area since 1989. The upward spikes on the hydrograph are the result of nearby high capacity flowing wells being shut down at the end of the irrigation season (Bestgen). Additional wells were completed in the vicinity of the observation well in 2001, 2004, and in 2007 (2 wells). The increased use since 1998, which coincided with sod irrigation, has produced the larger peak-to-peak amplitude that occurs in the right half of the hydrograph. In general, the hydrograph shows the aquifer is recharged, recovers from pumping, and although draught conditions are apparent in the mid-2000's, currently there is nearly as much water in storage in the aquifer as there was in 1989.

REVIEW OF EXISTING WATER RIGHTS/PERMITS

There are a number of Water Rights/Permits appropriating water from the Inyan Kara aquifer in this area. There are eight appropriations within approximately three miles of the well that this application proposes to use. They are shown in table one.

PERMIT NO	NAME	STATUS	USE	CFS
1487-1	GLENCOE CAMP RESORT	LC	COM	0.27
1502-1	USDI BUREAU OF LAND MGMT	LC	DOM	0.02
1518A-1	ROD WOODRUFF	LC	COM	0.10
1615-1	GLENCOE CAMP RESORT	LC	COM	0.10
1718A-1	ROD WOODRUFF	LC	COM	0.04
1724-1	MICHAEL BALLARD	LC	COM	0.09
1742-1	HENRY OR CONNIE PETERS	PE	COM	0.10
1804-1	ROSS LAMPHERE	LC	COM	0.09
LC= Water License; PE= Water Permit; COM= commercial; DOM= domestic				

Table 1. Water Rights/Permits appropriating water from the Inyan Kara aquifer within approximately three miles of 1906-1

The existing appropriation nearest to this proposed irrigation is Water Right, No. 1724-1, uses a well located about 3,400 feet northeast of the well that Application No. 1906-1 proposes to use. The completion report for the well that supplies Water Right No. 1724-1 identifies the top of the Inyan Kara aquifer at 478 feet below grade, and indicates the well flows (i.e. in excess of 478 feet of artesian head pressure).

Since the aquifer is under confined conditions, the artesian pressure of the aquifer is subject to fairly significant fluctuations due to pumping (see figure 2). Drawdown from withdrawing water from a well, either by pumping it or allowing it to flow, may extend over a fairly large area. At this time, it is not practical to attempt to quantify the specific affect withdrawals from this well may have on area wells since aquifer characteristics have not been determined for this area.

The completion report for the well Application No. 1906-1 proposes to use indicates the well flowed 128 gpm and had a shut in pressure of eight pounds per square inch at the time it was constructed. The specific capacity of the well, based on this information, is at least 6.93 gallons per minute per foot of drawdown. Given a specific capacity of 6.93 gallons per minute per foot of drawdown, the drawdown in the well would be less than 14.4 feet at the diversion rate proposed by this application (100 gallons per minute). Obviously, interference with any existing wells would be significantly less than the drawdown in this well.

Wells supplying existing Water Rights/Permits and domestic uses are protected from adverse impacts per Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1. These rules provide for the regulation of large capacity wells to the degree necessary to maintain an adequate depth of water for a prior appropriator in wells that have the ability to produce water **independent of artesian pressure**. Simply put, the pump placement in a prior appropriator's well is not necessarily protected.

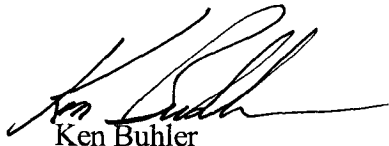
If the water levels in the Inyan Kara aquifer were to decline, owners of existing wells bear the responsibility of lowering the pump inlet in the well to the top of the aquifer, if necessary. Increased lift would decrease the pump discharge; or require a larger pump or a different type of a pump to maintain the same output.

An increase in operating expenses that may result from interference between wells is not necessarily an adverse impact. The Water Management Board considered this situation in the matter of Water Permit Application 2313-2, Coca-Cola Bottling Company of the Black Hills (Water Rights, 1995). The Board adopted findings of fact and conclusions of law that basically state that if the increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable.

Given the distance this proposed well site is from existing Inyan Kara aquifer wells supplying water rights/permits, and the relatively insignificant drawdown expected at the pumping well, interference is not expected to be adverse.

CONCLUSIONS:

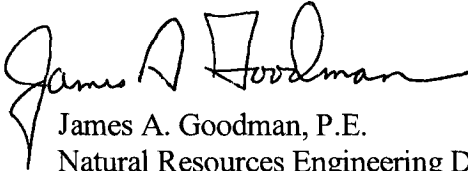
1. The Inyan Kara is a viable aquifer in this area and there is a reasonable probability that unappropriated water is available for this proposed appropriation.
2. Well interference is not expected to be significant and will not adversely impact existing users.
3. The well this application proposes to use was constructed in accordance with the SD Well Construction Standards.



Ken Buhler

Natural Resources Engineering Specialist

Approved by



James A. Goodman, P.E.

Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1985, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B: Groundwater Resources Inventory: US Army Corps of Engineers Contract DAWC 45-82-C-0151, SD DENR- Geological Survey, Vermillion SD
- Bestgen, Roch. Northern Hills Sod Farm, LLC, Personal communication. 15 Sept. 2009.
- Gries, J.P., 1981, unpublished maps prepared for the Office of Drinking Water, South Dakota Dept. of Water and Natural Resources for the Underground Injection Control Program.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, prepared for U.S. Army Corps of Engineers, contract DACW 45-80-C-0185
- Merewether, E.A., 1975, Mesozoic Rocks: Mineral and Water Resources of South Dakota, Committee on Interior and Insular Affairs, United States Senate pg. 41
- Water Rights, 2009a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD
- Water Rights, 2009b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD
- Water Rights, 2009c, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD

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OCT 08 2009

Form 8

WATER RIGHTS
PROGRAM

**NOTICE OF APPLICATION
NO. 1906-1 to Appropriate
Water**

Notice is given that the City of Sturgis, c/o Eric Tibbetts, Water Superintendent, 1040 2nd St, Suite 102, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (310 feet deep) located in SW 1/4 NW 1/4 Section 12-T5N-R5E for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1906-1 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 or recommendation 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 October 19, 2009.

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.

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

Published twice at the total approximate cost of \$39.08.

**Published Wed., Sept. 30
and Wed., Oct. 7, 2009
Meade County Times Tribune**

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Meade) SS

I, Remeka Buhler

certify that the attached printed Notice was taken

from the Meade County
Times Tribune

printed and published in Sturgis, SD

County of Meade and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Sept 30, 2009

Oct 7, 2009

Cost of Printing 39.08

Remeka Buhler
(Signature)

Office manager / Legal Secretary
(Title)

Oct 7, 2009
(Date Signed)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 22, 2009

Meade County Times & Tribune
1022 Main St
Sturgis SD 57785

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1906-1 to Appropriate Water to be published twice. Please publish the first notice on September 30, 2009 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 City of Sturgis, c/o Eric Tibbetts, 1040 2nd St., Ste. 102, Sturgis SD 57785. (Ph # 605-347-4425).

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

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

No. 1906-1

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

Date _____

We are in receipt of your letter of September 22, 2009 enclosing Notice to Appropriate Water by Application No. 1906-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

September 22, 2009

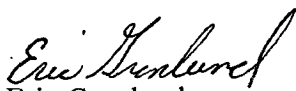
City of Sturgis
c/o Eric Tibbetts
1040 2nd St Ste 102
Sturgis SD 57785

Dear Mr. Tibbetts:

Water Permit Application No. 1906-1 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Meade County Times & Tribune printed at Sturgis SD (Ph # 605-347-2503). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

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.

Instruction to Newspaper - Publish first Notice on September 30, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 1906-1 to Appropriate Water

Notice is given that the City of Sturgis, c/o Eric Tibbetts, Water Superintendent, 1040 2nd St, Suite 102, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (310 feet deep) located in SW ¼ NW ¼ Section 12-T5N-R5E for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1906-1 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 or recommendation 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 October 19, 2009.

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 twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

JAN 13 2010

City of Sturgis
c/o Eric Tibbets
1040 2nd St # 103
Sturgis SD 57785

Dear Mr. Tibbets:

Enclosed is Water Permit No. 1906-1 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.

Sincerely,

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

enclosures

Permit Nos. 1906-1
Upper Cheyenne 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 on this day, 9/14/2015, made a thorough examination of the water use system constructed by City of Sturgis, 1040 Harley-Davidson Way, Suite 103, Sturgis SD 57785 holder of Permit no. 1906-1, bearing the priority date of August 21, 2009. Permit No. 1906-1 is authorized to appropriate a total of 0.222 (100 gpm) from one well (Inyan Kara Aquifer) for municipal purposes, in Meade County.

Inspection contact and relationship to
permit holder, if applicable:

Gene Stock,
Parks & Cemetery Director

A. Works used to divert the water:

AY Macdonald submersible pump 100 gpm capacity (0.222 cfs).

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

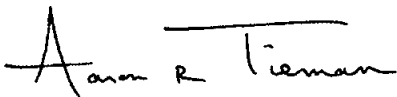
Municipal distribution lines.

The system is in the following condition good. The point of diversion (well) for Permit No. 1602-1 is located specifically at Lat/Lon – N44.409684/W-103.463819 which is the approximately 2450 feet south and 1250 feet east of the NW corner of Section 12, T5N-R5E. The works are capable of diverting 0.222 cfs which is to be used for municipal purposes. The license should be issued for 0.222 cfs.

All structures, wells and lands on map Y

Exceptions to compliance are: none.

Comments: Existing well located east of Ft. Meade VAMC.



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: September 28, 2015

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1906-1

DATE OF INVESTIGATION:	September 15, 2015
NAME & ADDRESS OF PERMIT HOLDER	City of Sturgis 1040 Harley-Davidson Way, Suite 103 Sturgis, SD 57785
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Gene Stock, Parks & Cemetery Director
DIVERSION POINT LEGAL LOCATION	SW¼ NW¼ Section 12, T5N-R5E
WATER SUPPLY SOURCE	Groundwater, Inyan Kara Aquifer

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: **Heaton Drilling**
- 2) Number of Wells: **One**
- 3) Depth(s): **310** feet
- 4) Well log available: **yes**

Casing:

- 1) Diameter: **4** inches **6** inches
- 2) Length: **160** feet **300** feet
- 3) Type: **Steel** **Plastic**

Screen:

- 1) Type: **Open hole**
- 2) Length: **N/A** feet
- 3) Static water level: **0** feet (pressure at 8 psi).

Pump:

- 1) Make: **AY Macdonald**
- 2) Model:
- 3) Capacity: **100** gpm

Motor:

- 1) Make: **Franklin**
- 2) Model: **54968218753**
- 3) Horsepower rating: **1** hp

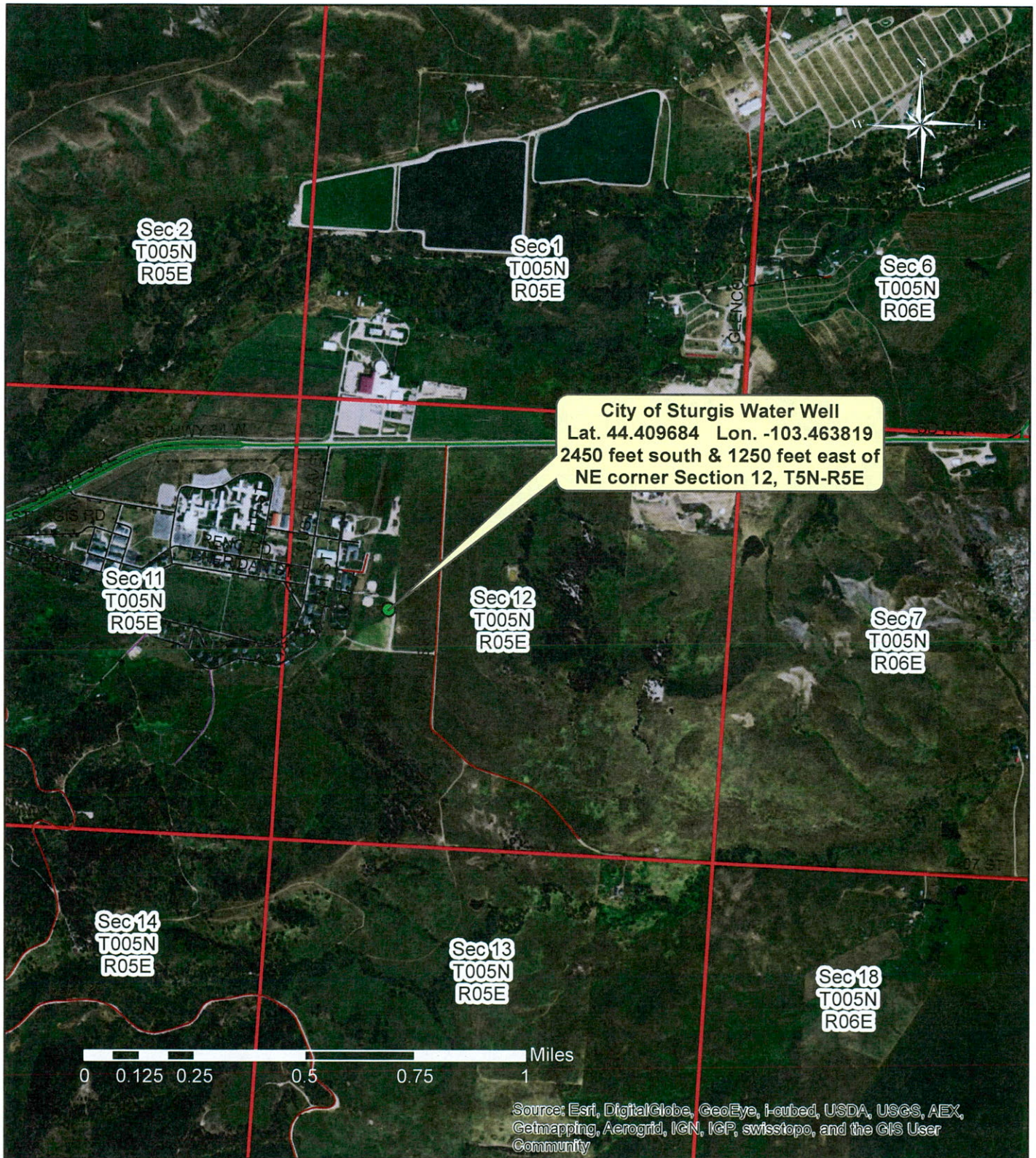
DISTRIBUTION LINES OR CANALS:

- 1) Type: **Municipal distribution lines.**

PERMIT QUALIFICATIONS:

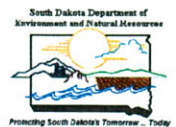
- 1) Special qualifications to permit being abided by **Yes**
- 2) All structures, wells and lands on map **Yes**

Water Right 1906-1
City of Sturgis
September 28, 2015



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

OCT 19 2015

1906-1

Fay Bueno, Finance Officer
City of Sturgis
1040 Harley Davidson Way Ste 103
Sturgis SD 57785

Dear Ms. Bueno:

Enclosed is Water License No. 1906-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field 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. 1906-1, 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,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1906-1**

(1) The City of Sturgis, 1040 Harley-Davidson Way, Ste 103, Sturgis SD 57785 made Application No. 1906-1, August 21, 2009 for a water permit to divert 0.222 cubic feet of water per second from ground water (one well – Inyan Kara Aquifer), Meade County, South Dakota for municipal purposes. Permit No. 1906-1, with a priority date of August 21, 2009 was approved October 19, 2009 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 19, 2014 and for the application to beneficial use of said water on or before October 19, 2018.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.222 cubic feet of water per second for beneficial use.

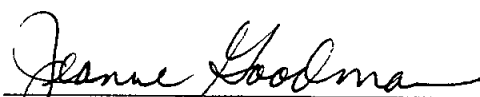
The location of the diversion point is 2,450 feet south and 1,250 feet east of the NW corner of Section 12, T5N, R5E (SW ¼ NW ¼ - just east of the Ft Meade VA Medical Center).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Sturgis, 1040 Harley-Davidson Way, Ste 103, Sturgis SD 57785 the holder and/or owner of Water Right No. 1906-1 is issued a license to appropriate water, the right to use 0.222 cubic feet of water per second from ground water (one well – Inyan Kara Aquifer) with a priority date of August 21, 2009 from the location specified in (2) of this license for municipal purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1906-1 and subject to 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
- The city of Sturgis shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 19 2015
date

