

1. Considered 1-25-77
2. Name of Applicant CITY OF GREGORY
3. Post Office Address _____
4. Amount of Water claimed 1.5
5. Source of Water supply GROUND WATER
6. Water to be used for FUTURE USE

Acres to be irrigated _____

7. Water to be diverted and used in GREGORY County
about S&E miles _____ of GREGORY

8. Proof of Publication Received 1-20-78

Not Received _____

9. Application Approved _____

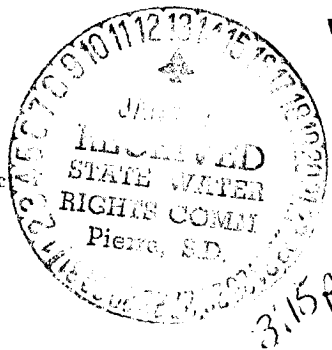
Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

RECONSIDERED 5-25-79

No. 1622-2Map No. 1386-2 Water Division No. 2 WHITE RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT Future Use

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant City of Gregory
Postoffice address Gregory, State South Dakota
If a corporation show date and place of incorporation City of Gregory, Municipal Water Supply
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work City of Gregory, Municipal Water Supply
4. Amount of water claimed (cubic feet per second) 15 cubic feet per second 1.50 cfs max. Allow
5. Source of water supply ground water (2 times the present capacity)
6. Location of point of diversion Sections 21, 22, 23, 26, 27 and 28, Township 97 North,
NW⁴, Sec. 8, Range 72 West S²SW⁴, W²NE⁴, E²NW⁴, Sec. 5; S²SE⁴, Sec. 6; NE⁴, Sec. 7;
SW⁴, W²SE⁴, Sec. 16; SE⁴, Sec. 17; SE⁴, Sec. 21; SW⁴, W²SE⁴, Sec. 22; County Gregory
7. Annual period or periods during which water is to be used 12 months
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal
9. For irrigation use. Total number of acres to be irrigated _____
120 acres for each of the subdivisions or fractions thereof and show number of acres to be irrigated in each.

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

Attach sheet if more space is needed

10. Time required to complete construction of water supply system _____ years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Gregory Times Advocate
12. Principal Features of the Proposed Water Supply System.
 - A. Works proposed to divert water from its natural source.

Wells

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

Subsurface water mains

- C. Works proposed to apply water to beneficial use

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)

County of Gregory) ss.

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

Signed _____

Subscribed and sworn to before me this 12th day of January 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1622-2
CITY OF GREGORY (Applicant) _____ (Post Office Address)
SOUTH DAKOTA 57533 (State) With the following modifications:

The Permit is approved and to be issued with the lands described as the N $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 27 and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 26, T97N, R72W, deleted therefrom, with the condition that at such times as definite plans are made, specific applications to appropriate for all or any part of the water granted under this withdrawal must be submitted prior to construction of facilities, and with the further condition that the permit to appropriate water for future use be subject to review by the Water Management Board upon the expiration of seven (7) years from this date.

Date of first receipt of application JANUARY 13, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved MAY 25, 19 79, Recorded in Book 21 Page 68

WATER RIGHT PERMIT NO. 1622-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1622-2 authorizing the construction the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 13, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19 ____
3. The whole of said work is to be completed on or before ITEMS 2, 3 & 4 DO NOT APPLY, AS SPECIFIC APPLICATIONS ARE TO BE SUBMITTED AS DEFINITE PLANS ARE MADE, 19 ____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19 ____
5. The water appropriated shall be used for the purpose of MUNICIPAL USE
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.50 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before _____, 19 ____; said water to be used during the following described annual period: _____

Witness my hand this 10TH day of OCTOBER, 19 79

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

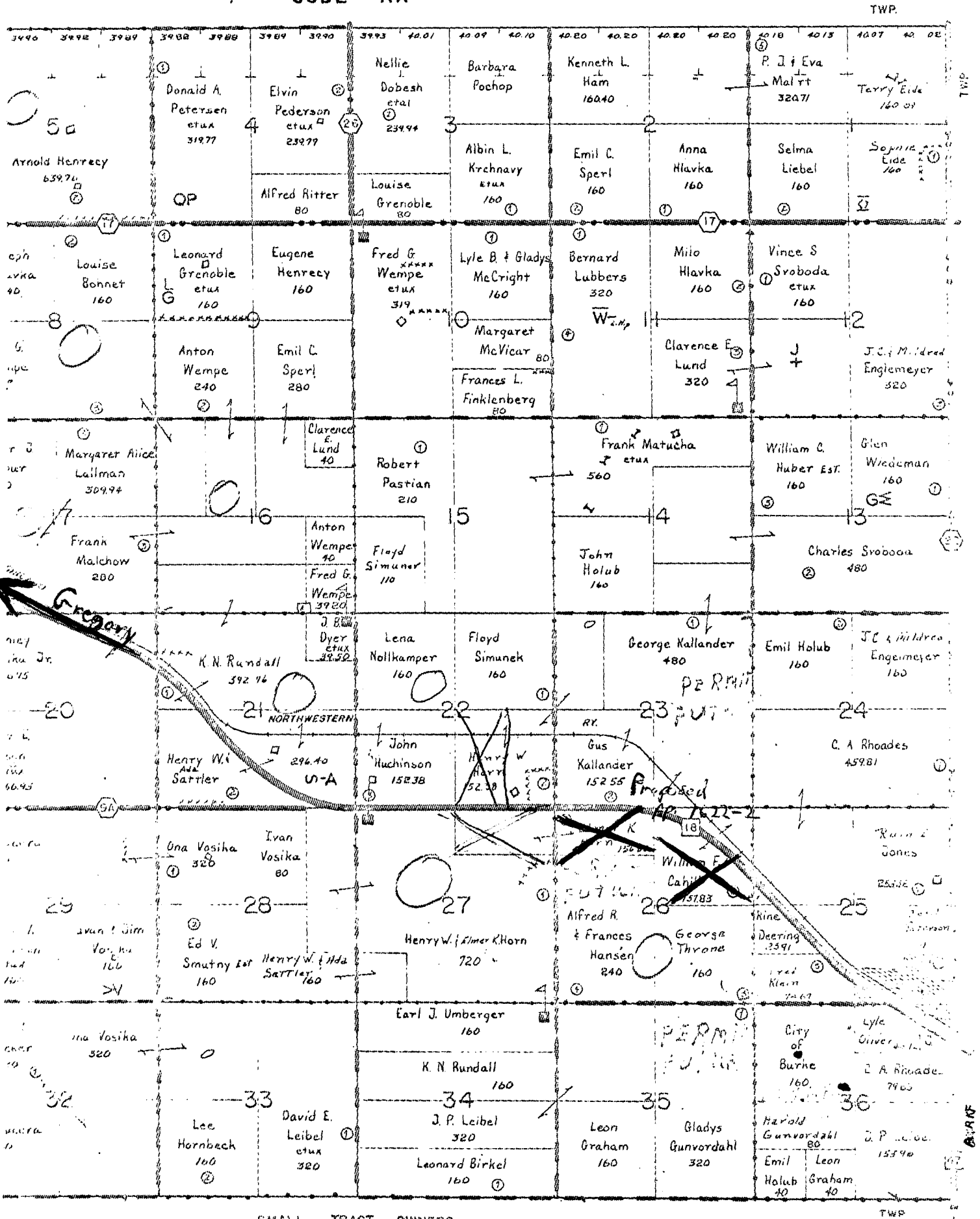
_____ 19 ____

RHOADES

TOWNSHIP 97 N

RANGE 72 W

CODE RX



SMALL TRACT OWNERS	ACRES
16 A Gregory Co	287
21 A Roadus	50
25 A Burke Livestock Auction	1000
25 B George Thone	1252
25 C Lee Hörnbeck	1000

EXHIBIT "A"
ATTACHMENT TO APPLICATION FOR PERMIT TO
APPROPRIATE WATER WITHIN THE STATE OF
SOUTH DAKOTA

The application for permit for which this attached form, an exhibit, is intended to be submitted to the South Dakota Water Rights Commission pursuant to SDCL 46-5-38 which relates to the appropriation of water for future use by state institutions, municipalities (such as the City of Gregory) or conservancy sub-districts.

Items 10 and the attachment of form 2A to this application have been omitted in view of the fact that this application is one which relates to future use and in contemplation of the fact that technology and costs may make information as would be furnished on Form 2A and in answer to Item 10 obsolete at such time as appropriated water is actually put to beneifical use.

Larry W. Winkler
Mayor of City of Gregory

Publish first publication, on or before January 12, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 6, 1978Notice is hereby given that City of Gregory ~~whose~~

~~post office address is~~ _____, South Dakota, has made an application in accordance with the provisions of SDCL ~~46-1-1 thru 46-1-8, 46-2-9 thru 46-2-11, 46-2-13, 46-5-1 thru 46-5-3, 46-5-10 thru 46-5-22, 46-5-41, Future Use 46-5-38, Temporary Permit 46-5-39, 46-5-40, Ground Water 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, Future Use 52:01:01:21~~

thru 52:01:01:24, for a permit to appropriate for ~~beneficial~~ ^{future} use 1.50 cubic feetof water per second of time from ~~the~~ ground water throughthe City of Gregory wells, the ~~point~~ ^{areas} of diversion of which ~~is~~ ^{are}to be located in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$,Sec. 7; NW $\frac{1}{4}$ Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec 16; SE $\frac{1}{4}$, Sec 17; SE $\frac{1}{4}$, Sec. 21;SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; NE $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 26,

~~of Section _____, Twp. 97N, Range 72W. Said water to be used for the purpose of providing irrigation on portions of the following described land:~~

Municipal water supplies for the City of GregoryThis Application No. 1622-2 will be considered by the Water Rights Commission

at their office at Pierre upon the 25th day of January, 1978, at 10 a.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

NOTE: Final Proof of Publication must
be received by the hearing date for the
Commission to take action.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

cc: City of Gregory
Gregory, SD 57533

No. 1622-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Gregory) ss.

I, Nelson L. Miller hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Gregory Pieris - Advertiser

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

city of Gregory

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

January 11, 1978
January 18, 1978

Sally A. Miller
(Signature)

Office manager
(Title)

January 18, 1978
(Date Signed)

NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE WATER

Notice is hereby given that the City of Gregory, South Dakota, has made an application in accordance with the provisions of SDCL 46-5-38, 46-6-3, 46-6-5, 46-6-6, 1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01-01:13, 52:01:01:21 through 52:01:01:24, for a permit to appropriate for future use 1.50 cubic feet of water per second of time from ground water through the City of Gregory wells, the areas of diversion of which are to be located in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16; SE $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$, Sec. 21; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 26, Twp. 97N, Range 72W. Said water to be used for the purpose of providing Municipal water supplies for the City of Gregory.

This Application No. 1622-2 will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of January, 1978, at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS
COMMISSION
Betty Westlund
Water Rights Specialist
(2-3)



DEPARTMENT OF NATURAL RESOURCES DEVELOPMENT
WATER RIGHTS COMMISSION

THE UNDERSIGNED, being the Mayor and City Council of the City of Burke, Gregory County, South Dakota, do hereby object to the Application made by the City of Gregory, South Dakota for permit to appropriate for future use 1.50 cubic feet of water per second of time from ground water through the City of Gregory wells, the areas of diversion of which are to be located in the $S\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$ of Section 5; $S\frac{1}{2}SE\frac{1}{4}$, Section 6; $NE\frac{1}{4}$ Section 7; $NW\frac{1}{4}$ of Section 8; $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ OF Section 16; $SE\frac{1}{4}$ of Section 17; $SE\frac{1}{4}$ of Section 21; $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ of Section 22; $N\frac{1}{2}NE\frac{1}{4}$ of Section 27; $N\frac{1}{2}$ $N\frac{1}{2}$ of Section 26, Township 97 North, Range 72 West of the 5th P.M. Said water to be used for the purpose of providing municipal water supplies for the City of Gregory, South Dakota.

If said Application No. 1622-2 were to be granted, it would infringe upon existing and proposed water rights of the City of Burke, South Dakota. The City of Burke has, and is presently spending considerable sums of money in the area of water development and said application would detrimentally effect the ability of the City of Burke to obtain water.

The undersigned are opposed to the granting of the application, and do request that the Department of Natural Resources Development, Water Rights Commission, reject or defer, until further study, the proposed application. In the alternative, if the Commission does not reject or defer the entire application, the undersigned move that the Commission reject the application so far as the same applies to the land within a three mile radius of the City of Burke.



IN WITNESS WHEREOF, we have caused the execution
of this instrument this 24th day of January, 1978.

CITY OF BURKE

BY. Rod Hartog
MAYOR

Leslie L. Sachtgen
Marlene Green
Leslie Ward

Councilman Walter Taylor
Councilman Jerry Stevick
Councilman Wilson Johnson
City Council
City of Burke, S. Dak.

STATE OF SOUTH DAKOTA)
COUNTY OF GREGORY) SS

On this the 24th day of January, 1978, before me,
Jack Gunvordahl, the undersigned officer, personally appeared
Rod Hartog, Mayor of the City of Burke, South Dakota and ack-
nowledged to me that he executed the same.

In Witness Whereof I have hereunto set my hand and
official seal.

(SEAL)

Jack Gunvordahl
NOTARY PUBLIC

My commission expires 8-18-'85

STATE OF SOUTH DAKOTA)

COUNTY OF GREGORY)

SS

A F F I D A V I T

^{W/}
Henry Horn, being first duly sworn, deposes and says, that he is the owner of the following described real estate situated in Gregory County, South Dakota, to-wit:

The West half of the Southeast Quarter
(W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twenty-two (22),
Township Ninety-seven (97) North, Range
Seventy-two (72) West of the 5th P.M.

That I am presently residing on a portion of said property. I believe that if Application No. 1622-2 is granted to the City of Gregory, South Dakota, it would detrimentally affect my ability to obtain satisfactory amounts of water for use on my own land. As I have a rather large number of cattle and other livestock on my farm, it is imperative that I have sufficient ground water to feed my livestock, and for personal use. If the above Application were granted to the City of Gregory, it is my belief that I may not be able to obtain sufficient water. Accordingly, I urge the Commission to reject, or in the alternative, to defer, pending further research, the proposed Application.

Dated this 24th day of January, 1978.

^{W/}
Henry Horn
Owner

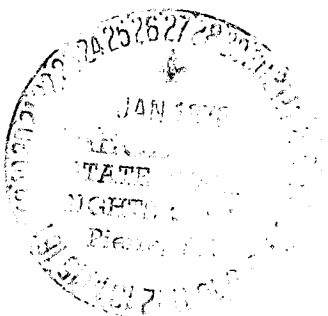
Henry W. Horn

Subscribed and sworn to before me this 24th day of January, 1978.

(seal)

Jack Gundahl
Notary Public

My commission expires. 8-18-'85



STATE OF SOUTH DAKOTA)

COUNTY OF GREGORY)

SS

A F F I D A V I T

Elmer^{K.} Horn, being first duly sworn, deposes and says, that he is the owner of the following described real estate situated in Gregory County, South Dakota, to-wit:

North half of Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$), of Section Twenty-seven (27), Township Ninety-seven (97) North, Range Seventy-two and the North half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-six (26), Township Ninety-seven (97) North, Range Seventy-two (72) West of the 5th P.M.

That I am presently residing on a portion of said property. I believe that if Application No. 1622-2 is granted to the City of Gregory, South Dakota, it would detrimentally affect my ability to obtain satisfactory amounts of water for use on my own land. As I have a rather large number of cattle and other livestock on my farm, it is imperative that I have sufficient ground water, along with water in dugouts and dams, to feed my livestock, and for personal use. If the above Application were granted to the City of Gregory, it is my belief that I may not be able to obtain sufficient water. Accordingly, I urge the Commission to reject, or in the alternative, to defer, pending further research, the proposed Application.

Dated this 24th day of January, 1978.

Elmer^{K.} Horn
Owner

Elmer K. Horn

Subscribed and sworn to before me this 24th day of January, 1978.

(SEAL)

Jack Emeraldall
Notary Public

My commission expires: 8-18-'85

STATE OF SOUTH DAKOTA)

COUNTY OF GREGORY)

SS

A F F I D A V I T

Dean Frank, being first duly sworn, deposes and says that he is the owner of the following described real estate situated in Gregory County, South Dakota, to-wit:

Part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 26,
Township 97 North, Range 72 West
of the 5th P.M.

and that I reside on a parcel of said real estate at the present time.

As a resident and owner of the above described parcel of land, it is my belief that the Application No. 1622-2 will infringe upon my ability to obtain water for my own use and peaceful enjoyment of the property. Because of the recent drouth, I have recognized the additional burden on my well and I feel that the granting of any additional permits to obtain water from my land will detrimentally affect my land.

Accordingly, I urge the Commission to reject or defer, until further study, the proposed Application No. 1622-2.

Dated this 24th day of January, 1978.

Dean Frank
Dean Frank
Landowner

Subscribed and sworn to before me this 24th day of January, 1978.

(seal)

Jack. Chvordahl
Notary Public

My commission expires 8-18-'85

STATE OF SOUTH DAKOTA)
COUNTY OF GREGORY) SS

A F F I D A V I T

William Cahill, being first duly sworn, deposes and says that he is the owner of the following described real estate situated in Gregory County, South Dakota, to-wit:

Part of the ~~NE~~^{NE}₄ of Section 26,
Township 97 North, ~~Range~~ 72 West
of the 5th P.M. lying South of
U. S. Highway No. 18 and South
of the Chicago and Northwestern
Railway Right of Way

and that I reside on said real estate at the present time.

As a resident and owner of the above described parcel of land, it is my belief that the Application No. 1622-2 will infringe upon my ability to obtain water for my own use and peaceful enjoyment of the property. Because of the recent drouth, I have recognized the additional burden on my well and I feel that the granting of any additional permits to obtain water from my land will detrimentally affect my land.

Accordingly, I urge the Commission to reject or defer, until further study, the proposed Application No. 1622-2.

Dated this 24th day of January, 1978.

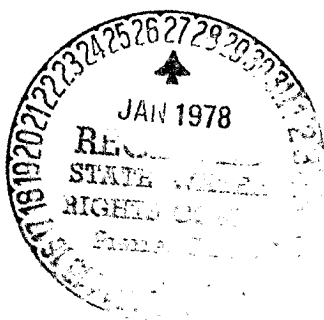
William F. Cahill
William Cahill
Landowner

Subscribed and sworn to before me this 24th day of January, 1978.

(seal)

Jack Survo
Notary Public

My commission expires 8-18-'85



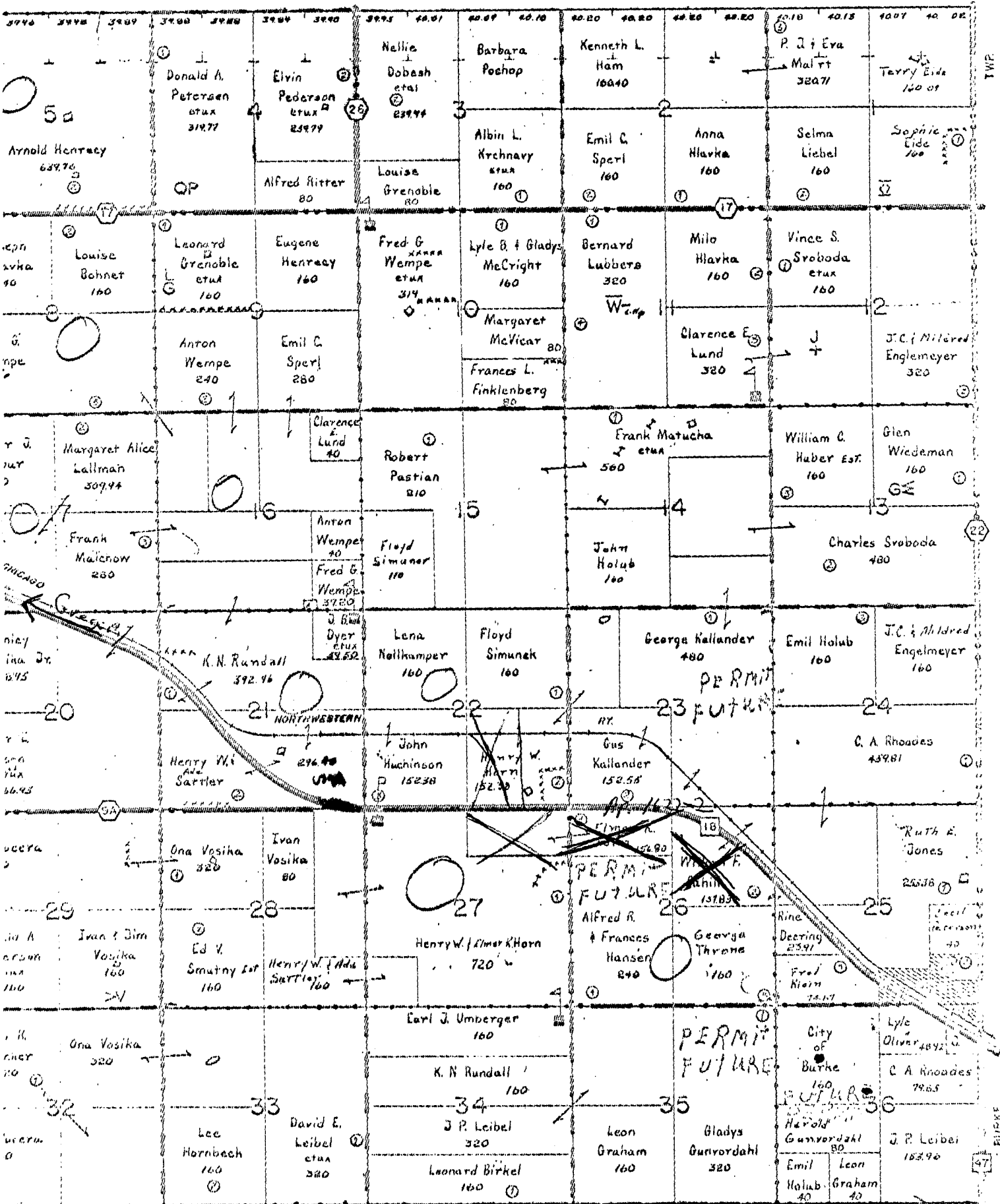
RHOADES

TOWNSHIP 97 N

RANGE 72 W

CODE RX

TWP.



SMALL TRACT OWNERS

OWNER	ACRES
16 A. Gregory Co	1.81
21 A. Rhoades	1.50
25 A. Burke Lenzack Anstrow	10.00
25 B. George Thone	11.52
25 C. Lee Hornbach	10.00



GUNVORDAHL AND GUNVORDAHL

ATTORNEYS AT LAW

P. O. BOX 352

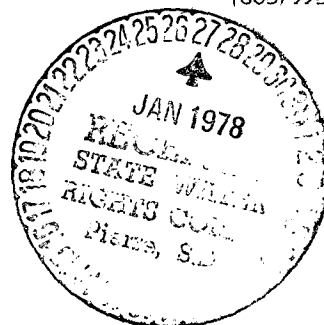
BURKE, SOUTH DAKOTA 57523

HAROLD GUNVORDAHL
JACK GUNVORDAHL

TELEPHONE
(605) 775-2531

January 25, 1978

Department of Natural Resources Development
Water Rights Commission
Joe Foss Building
Pierre, South Dakota, 57501



Dear Commission Members:

Although we tried to get to Pierre to attend the hearing on January 25, 1978, we were forced back by the storm that date; however, we did call the Water Rights Commission office prior to the time set for the hearing.

Enclosed are four Affidavits of landowners, whose land is located within the boundary of the proposed Application No. 1622-2. These gentlemen were and are opposed to the granting of said permit, as their Affidavit clearly points out.

Also enclosed is a statement signed by the Mayor and City Council of the City of Burke, which states that they believe the proposed Application, if granted, would detrimentally affect the existing water rights of the City of Burke. Some of the land listed in the Application is within one-half mile from two of Burke's existing wells. The statement goes on to urge the Water Rights Commission to reject, or at least defer, until further study, the proposed Application. In the alternative, if the Commission does not reject or defer the Application, the Mayor and City Council move that the Commission reject the Application insofar as the same applies to land within a three mile radius of the City of Burke.

It must be noted that Gregory is seeking to obtain rights to water under land located within one mile from the City of Burke and more than seven miles from the City of Gregory. On the other hand, Burke's existing wells, and even their proposed wells, are all located within a three mile radius of the City of Burke, as can be seen from the enclosed map of the area. The red dots indicate where Burke has existing wells and the red x's indicate land which the proposed permit would cover.

Water Rights Commission
January 25, 1978

If this permit were granted, it would cause Burke and Gregory to be drawing water from the same vein. This would not help Gregory or Burke because, under those circumstances, the Cities would again have to search for water.

If you need, or would like any additional information, feel free to contact Superintendent of Utilities, Richard Bailey, or my office.

Yours very truly,

Jack Gunvordahl

Gunvordahl & Gunvordahl

JG:GAD

Department of Natural Resources, Water Rights Commission

Undersigned being the Mayor and City Council of the City of Gregory Co., SD do hereby object to the application made by the City of Gregory, SD for permit to appropriate for future use 1.50 cfs of time from ground water through the city of Gregory wells the areas of diversion of which are to be located in the (he said you knew the description)

If said application number 1622-2 were to granted it would infringe upon existing and propose water rights of the City of Burke SD. The City of Burke has and is presently spending considerable sums of money in the area of water development and said application would detrimentally affect the ability of the City of Burke to obtain water.

The undersigned are opposed to the granting of water application due to request that the Commission reject or defer until further study the proposed application. In the alternative, if the Commission does not reject or defer the entire application the undersigned move that the Commission reject the application so far as the same applies to the land within a 3 mile radius of the City of Burke.

In witness whereof we have caused the execution of this instrument this 24th day of January 1978.

CITY OF BURKE by the Mayor Rod Hartog

Leslie L. Sochatjen
Marlin A Green
Leslie Ward
Wilbur Taylor
Jerry Stevicks
Myron Johnson

NOTARY

Jack Gunvordahl, My Commission expires 8-18-85 (Attorney for the City of Burke)

COMMENTS

Gregory is seeking to obtain water to underland located one mile from Burke and more then 7 miles from Gregory.

Burke's existing wells and even there proposed wells are all located within a 3 mile radius within the City of Burke. If this permit were granted it could cause Burke and Gregory to be drawing water from the same vain of water. This would not help Burke or Gregory, as a matter of fact, then both would have to search for additional supplies for water.

LANDOWNERS WHO SIGNED AFFIDAVITS: Dean Frank-N $\frac{1}{2}$ NE $\frac{1}{4}$ 26-97-72, Elmer Horn-N $\frac{1}{2}$ NE $\frac{1}{4}$ 27-97-72 and N $\frac{1}{2}$ NW $\frac{1}{4}$ 26-97-72 and William Cahill-NE $\frac{1}{4}$ 26-97-72, also Henry Horn-W $\frac{1}{2}$ of SE $\frac{1}{4}$ of 22-97-72



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

May 9, 1979

TO: Persons Concerned with Deferred Applications in Gregory County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications in Gregory County at 9:30 a.m., May 25, 1979, at the Lincoln Room, Howard Johnson Motel, 2211 Lacrosse, Rapid City SD.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Water Rights Commission, pending staff investigation.

After reconsideration of the deferred applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style. The first name "John" is written in a larger, more prominent script, and "Hatch" is written in a slightly smaller, more compact script. The signature is positioned above the printed name and title.

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw



Department of Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

July 23, 1979

TO: Persons concerned with groundwater permits in Gregory County

FROM: John Hatch, Chief Engineer, Water Rights

SUBJECT: Consideration and Adoption of Final Decision to include Findings of Fact & Conclusions of Law on Approval of Permits listed below.

The Water Rights Commission requested that proposed Findings of Fact, Conclusions of Law and a Proposed Decision regarding action taken on the following permits be prepared:

1486-2 Joe Kirwin	1660-2 City of Burke
1510-2 Elmer Horn	1661-2 City of Burke
1622-2 City of Gregory	

The Board of Water Management will meet in Pierre SD, August 3, 1979, at the Civil Defense Room, Capitol Building. We have placed consideration of the proposed Findings of Fact, Conclusions of Law and Decision on the agenda for 1:00 p.m., August 3, 1979.

This hearing will be conducted in accordance with the provisions of § 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13.

All parties may submit or mail proposed Decisions, Findings and Conclusions to the Board members (mailing addresses enclosed) prior to consideration by the Board, if they wish.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMB

Equal Opportunity Employer

JH:kw

Enclosure

STATE OF SOUTH DAKOTA
WATER MANAGEMENT BOARD

IN THE MATTER OF THE APPLICATION	)	
OF THE CITY OF GREGORY, SOUTH	)	FINAL DECISION
DAKOTA FOR PERMIT TO APPROPRIATE	)	
FOR FUTURE USE NO. 1622-2	)	

This matter was brought on for hearing before the Water Rights Commission on May 25, 1979, on the application of the City of Gregory for Permit to Appropriate for Future Use No. 1622-2. The applicant, City of Gregory, appeared through Tom Fischer, and the Department of Natural Resource Development appeared through the Chief Engineer of the Water Rights Commission, John Hatch, and through its attorneys, John J. Smith and John P. Guhin, assistant attorneys general. Having served the proposed decision upon the parties and having provided an opportunity to each party to file Findings of Fact and Conclusions of Law, to file exceptions, and to file briefs and to present oral argument to the Board, and the Board having fully considered all such submissions, the Board hereby makes its final decision consisting of the following:

FINDINGS OF FACT

1. Application for permit to appropriate water for future use No. 1622-2 was received by the Water Rights Commission on January 13, 1977. The application is for 1.5 c.f.s. of ground water from the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the NE $\frac{1}{4}$, and the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 5; the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 6; the NE $\frac{1}{4}$ of Section 7; the NW $\frac{1}{4}$ of Section 8; the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 16; the SE $\frac{1}{4}$ of Section 17; the SE $\frac{1}{4}$ of Section 21; the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22; the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27; and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 26; all in Township 97 North, Range 72 West, Gregory County, South Dakota. The application was originally advertised for hearing before the commission on January 25, 1978. At that hearing the commission deferred action on the application pending further staff investigation.

2. Notices of the May 25, 1979 reconsideration hearing on Application No. 1622-2 were sent to the applicant, the City of Burke, and all other persons who either appeared at the January 25, 1977 hearing or who submitted petitions in opposition to the application.

3. The amount of water that the permit seeks to reserve for future use will be needed by the applicant to meet its anticipated demands.

4. A portion of the lands upon which the applicant seeks a permit to appropriate for future use, to wit: the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27 and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 26, Township 97 North, Range 72 West, is covered by a prior application for permit to appropriate No. 1510-2.

5. The formation from which the applicant proposes to appropriate water for future use is a water table aquifer consisting of a fine to medium sand containing varying amounts of clay. The thickness of the saturated material of the aquifer and the clay within the water bearing sand varies very rapidly throughout the area. In areas where the sand is of medium grain size, is clean, and has a saturated thickness of 30 feet or more, high capacity wells could be operated which would probably produce a maximum of 100-125 gallons per minute.

6. The City of Burke and the farmers in the area obtain their water supplies for domestic and irrigation purposes from the same formation as would any wells developed by the applicant under its future use permit. Because of the low transmissivity of the water bearing material in the area, any wells actually developed by the applicant could be located so that the cones of depression should not interfere with existing uses.

7. The Division of Water Rights presently has two observation wells, GY77A and GY77B, in the vicinity of the applicant's

proposed wells. Over the 1½ years since the observation wells were installed, the wells have shown seasonal fluctuations of no more than three feet. The water levels in the two observation wells will provide a means of monitoring any decline or fluctuation in aquifer water levels that could result from any future diversions by the applicant.

8. Unappropriated water is available for appropriation by the applicant for future use.

9. The applicant's appropriation for future use is in the public interest.

Wherefore, the Board makes the following:

CONCLUSIONS OF LAW

1. All notices required by law have been duly given.
2. The Board has jurisdiction over the subject matter of this proceeding.
3. Water is available for appropriation by the applicant in the areas specified in application No. 1622-2 with the exception of the N½ of the NE¼ of Section 27 and the N½ of the N½ of Section 26, Township 97 North, Range 72 West, Gregory County, South Dakota.
4. The applicant's appropriation for water for future use in the amount of 1.5 c.f.s. is in the public interest.
5. The Board hereby ORDERS that Permit to Appropriate Water for Future Use No. 1622-2 be issued to the City of Gregory with the lands described as the N½ of the NE¼ of Section 27 and the N½ of the N½ of Section 26, Township 97 North, Range 72 West, Gregory County, deleted therefrom, with the condition that at such times as definite plans are made, specific

applications to appropriate for all or any part of the water granted under this withdrawal must be submitted prior to construction of facilities, and with the further condition that the permit to appropriate water for future use be subject to review by the Water Management Board upon the expiration of seven (7) years from this date.

Dated this 13th day of August, 1979.

Dennis C. Decker
Chairman

Andrew P. Hannon
Secretary



**Department of
Water & Natural Resources**
Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

August 17, 1979

Elmer Horn
Burke SD 57523

Joe Kirwin
Gregory SD 57533

City of Gregory
Gregory SD 57533

Jack Gunvordahl
P.O. Box 352
Burke SD 57523

Gentlemen:

The Water Management Board at it's meeting August 3, 1979 made a final decision including Findings of Fact and Conclusions of Law on Permits in Gregory County as adopted at the May 25, 1979 meeting. Enclosed are such findings.

South Dakota Statute provides that these decisions by the Commission may be appealed to the Courts.

.Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosure

CALL FROM RICHARD BAILEY, BURKE, S.D.
Jan. 24, 1978

FRANK CAHILL
Dean Frank
William Cahill

PROTEST THE AREA IN SECTION 26
OF THE APPLICATION FOR FUTURE USE
FOR THE CITY OF GREGORY.

SEVERAL PEOPLE WILL BE IN FROM
BURKE AREA AT THE COMMISSION MTG.

J.W.

GROUND-WATER STUDY FOR THE CITY OF GREGORY

This report contains the results of a special ground-water investigation conducted by the South Dakota Geological Survey east of the City of Gregory in Gregory County, South Dakota. The project was financed by the South Dakota Geological Survey, the West River Conservancy Sub-District, and the City of Gregory.

Field work was conducted from April 22 to June 17, 1977, and involved: (1) a review of the geology of the area as mapped by the South Dakota Geological Survey (R. E. Stevenson, 1956-57), (2) a review of Special Report 49 (A. Barari, 1969), (3) the drilling of 29 rotary holes and 34 auger holes (see app. A), and (4) the collection and analysis of 10 water samples. Results of the chemical analysis of the water samples can be found in table 1 and figure 1 shows the recommended areas. The location of test holes and water samples are plotted on figure 2 and figure 3 shows the thickness of saturated sand.

At present the City obtains its water supply from 13 wells within the City limits and 7 wells in the southwest 1/4 of sec. 16, T. 97 N., R. 72 W. Combined production from these wells is 300 gallons per minute (personal communication, Robert Smutny). The present investigation was undertaken to locate a source of ground water to augment the present water supply.

Quality of the water in the study area is good, as evidenced by the relatively low value for total dissolved solids, however, the nitrate level varies. Samples W-1, W-5, and W-7 exceed the recommended limits of 10 ppm (table 1) as set by the U.S. Department of Health.

Based on grain size, clay content, areal extent, and thickness of saturated sand, three areas have been outlined for further testing by the City of Gregory. These recommended areas are labeled A, B, and C on figure 1 in accordance with their relative potential as a source for future water supplies. Another potential area was found in the southwest 1/4 of sec. 23, T. 97 N., R. 72 W. It was not recommended because of the presently high nitrate levels as shown by the chemical analysis of Samples W-1 and W-5 (table 1).

The necessity for additional test holes in the recommended areas is apparent from the rapid change in sand thickness. In addition, farming activities in the recommended areas prevented any additional drilling during the survey.

Before additional testing is undertaken, the City should hire a consulting engineer licensed in South Dakota. The engineer would plan and coordinate any additional testing. On the basis of the engineer's recommendation a commercial well drilling company should be engaged to drill additional test holes. This would allow locating the best site within areas A, B, or C for the installation of a test well. The test well would be used to determine quality of the water, yield, drawdown, and recovery data. Water samples should be collected and analyzed specifically for nitrate content. Based on the results of the pump test, an adequate distance between the future wells can be determined. The pump test should be conducted by a hydrologist or a qualified engineer and run for a minimum of 72 hours.

Before a permanent well is drilled, the City officials should contact the Division of Water Rights, Department of

Natural Resource Development, to obtain water rights and a permit to drill a municipal well, and the South Dakota Environmental Protection Agency to determine the biological and chemical suitability of the water.

The report was written by Carl Cripe and Assad Barari, September 1977.

TABLE 1. - Chemical analysis of water from the Gregory area

Sample	Parts per million											
	Calcium	Sodium	Magnesium	Chloride	Sulfate	Iron	Manganese	Nitrogen	Fluoride	pH	Hardness CaCO ₃	Total Solids
A	--	--	50	250	500 ¹	0.3	0.005 ¹	10.0	0.9- 1.7 ²	--	---	1000 ¹
W 1	70	30	30	35	<25	<0.1	<0.05	37	--	--	298	640
W 2	35	33	28	<5	<25	<0.1	<0.05	5	--	--	202	430
W 3	40	23	15	<11	<25	<0.1	<0.05	2.2	--	--	161	340
W 4	40	28	15	<22	<25	<0.1	<0.05	4.2	--	--	161	430
W 5	35	41	23	<13	<25	<0.1	<0.05	17.5	--	--	181	516
W 6	40	18	10	<2	<25	<0.1	<0.05	7	--	--	140	340
W 7	65	33	22	17	<25	<0.1	<0.05	18	--	--	252	530
W 8	30	10	13	<2	<25	<0.1	<0.05	2.6	--	--	128	260
W 9	34	10	12	<5	<25	<0.1	<0.05	3.5	--	--	134	360
W10	29	18	18	<5	<25	<0.1	<0.05	5.8	--	--	146	400

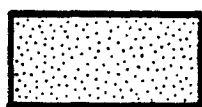
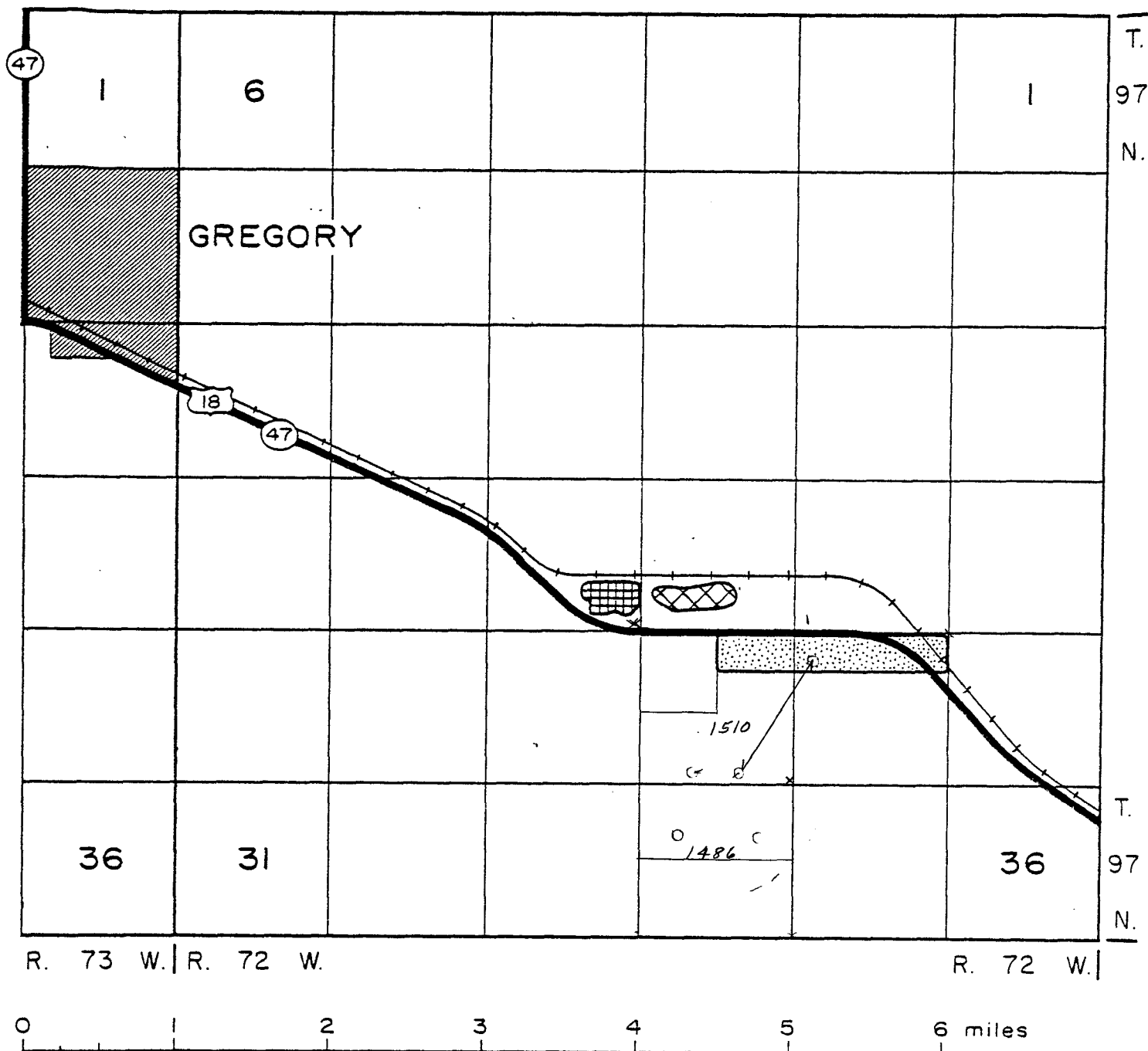
A - Drinking water standards, U.S. Public Health Service (1962).

¹Modified for South Dakota by the Department of Health (written communication, Water Sanitation Section, September 24, 1968).

²1.2 is optimum for South Dakota.

Location of Water Samples
(for map location, see fig. 2)

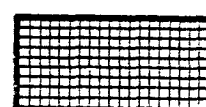
- W 1. SW SW SE SW sec. 23, T. 97 N., R. 72 W., Gus Callender stock well.
- W 2. NE NE NE NE sec. 27, T. 97 N., R. 72 W., Elmer Horn well.
- W 3. NW NW NW NW sec. 26, T. 97 N., R. 72 W., Clark Horn hydrant.
- W 4. NE NE NW NW sec. 26, T. 97 N., R. 72 W., Elmer Horn stock well.
- W 5. SE SE SE NE sec. 27, T. 97 N., R. 72 W., Elmer/Henry Horn stock well inside steel building.
- W 6. SE SE SE SW sec. 27, T. 97 N., R. 72 W., Elmer/Henry Horn stock well.
- W 7. NE SE SE SE sec. 22, T. 97 N., R. 72 W., Henry Horn hydrant near house.
- W 8. SE SE SE SE sec. 27, T. 97 N., R. 72 W., Water Rights observation well.
- W 9. SW SW SW SW sec. 22, T. 97 N., R. 72 W., Helen Hutchinson household well.
- W10. Sec. 21, T. 97 N., R. 72 W., Joe Kerwin well.



AREA A

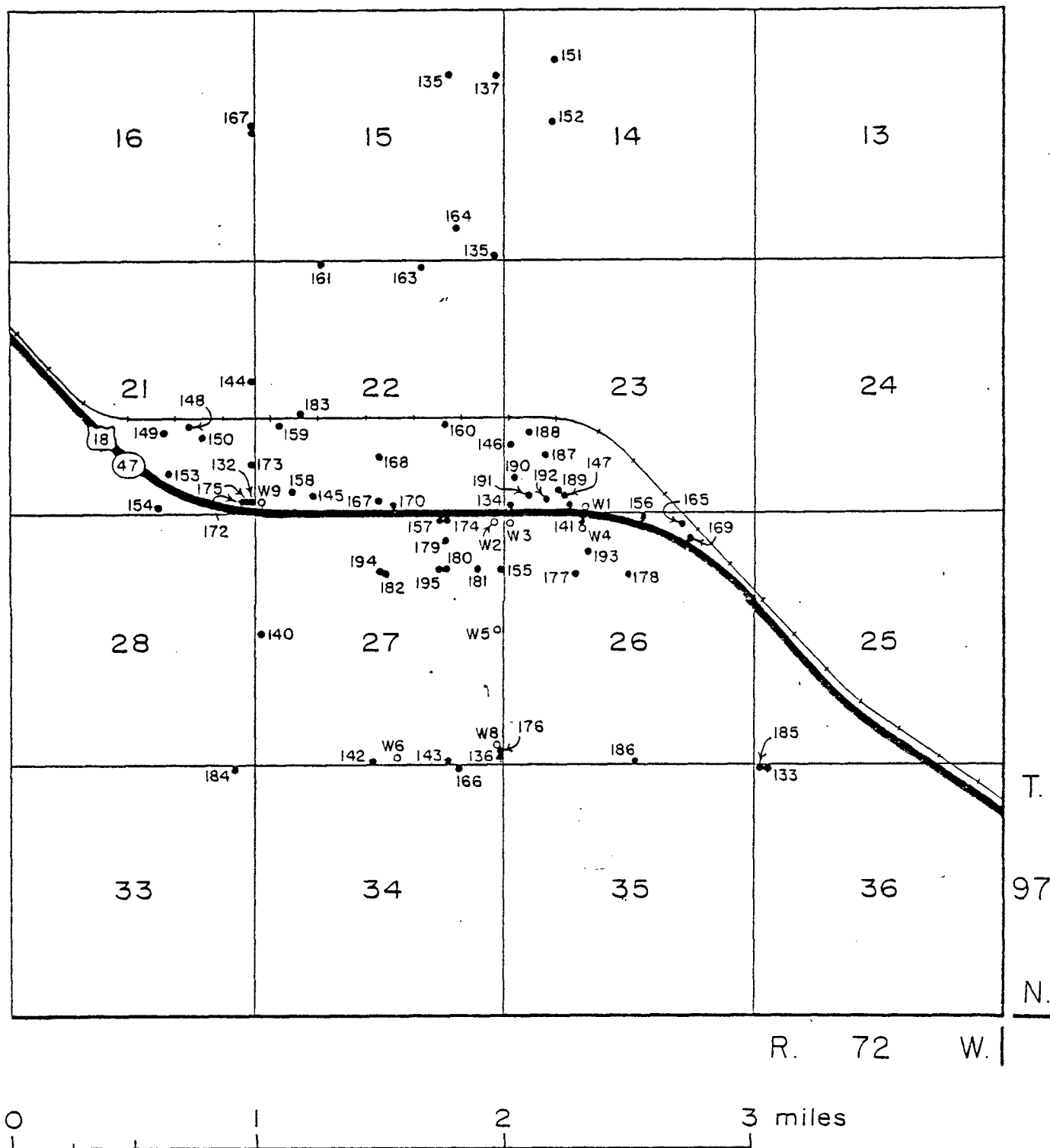


AREA B



AREA C

Figure 1. Map showing location of recommended areas for additional water supplies at Gregory.



184* Test hole - number refers to test holes listed in Appendix A.

W5° Water sample - number refers to sample number in Table I.

Figure 2. Data map showing the location of test holes and water samples in the Gregory area.

APPENDIX A

Logs of test holes drilled in the Gregory area

Log descriptions 1-131 can be found in "Ground-Water Investigations for the City of Gregory" (Special Report 49, Barari, 1969).

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SW 1/4 SE 1/4 NE 1/4 Section: 15 T. 97 N. X R. 72 E. W.Well: _____ Test Hole: GY-137 Land Owner: MatuchaCounty: Gregory Date: 4/27/77 Elevation: 2200 (XX X, T)E-Log: _____ Samples: _____ Drilling Company: S. D. G. S.Source of Data: Carl Cripe - Rotary 2125/2125

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	4	Topsoil, clay, fine sand to silt	0- 4
	2	Clay, dark gray, fine sand, compact	4- 6
	7	Sand, fine, yellowish-brown, clayey, dry	6- 13
	22	Sand, fine, yellowish-brown, dry	13- 35
	5	Sandstone, fine, medium, brown, slightly calcareous,	
		interbedded layers of fine sand, clay, and silt	35- 40
	2	Sand, fine to medium, yellowish brown	40- 42
	2	Sandstone, fine, medium brown, slightly calcareous,	
		interbedded layers of sand, fine clay and silt.	42- 44
	31	Sand, fine to medium, yellowish-brown	44- 75
	5	Sand, fine, yellow-brown, clay with limonitic con-	
		cretions	75- 80
	55	Silt to fine sand; olive tan, interbedded with clay	80-135
	5	Clay, shale? reworked?? olive-brown, greenish-tan	135-140
		T.D. = 140 feet	
		75 feet to water	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SUBS' BENEFE Section: 15 T. 27 N. X R. 72 E. W.Well: _____ Test Hole: GY-132 Land Owner: MatuchaCounty: Gregory Date: 4/28/77 Elevation: 2190 (~~XX~~ X T)E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.Source of Data: Carl Cripe - Rotary

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	5	Clay, sandy, fine, silty, dry	0- 5
	6	Clay, sandy, fine, dark brown, dry	5- 11
	7	Sand, fine, yellow-brown, dry	11- 13
	7	Sand, fine, clayey, brown, dry	18- 25
	16	Sand, fine, greenish-tan, some clay	25- 41
	4	Sand, fine, brown, clayey, drills hard	41- 45
	31	Sand, fine grained, some pebbles, interbedded layers	
		of sandstone, clay, fine sand and silt, greenish-tan	45- 76
	9	Clay, silty, soft, greenish-tan	76- 85
	5	Clay, silty, soft, greenish-tan, with ash white	
		coloring	85- 90
	12	Sand, fine, clayey, silty, brown	90-102
	3	Silt, light tan to orange-brown, limonitic concretions, compact	102-110
	5	Shale, ?olive brown, clay	110-115
		T.D. = 115 feet	

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Carl Cripe - Rotary

[illegible]

Source of Data: Carl Cripe - Auger 2139/2073 (66' Sat)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section: 21 T. 97 N. & R. 72 E. W.

Well: _____ Test Hole: GY-154 Land Owner: _____

County: Gregory Date: 5/12/77 Elevation: 2150 (A, K, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Carl Cripe - Auger 2125/2120 (5' Sat.)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location N 1/2 Sec 26 T. 97 N. R. 72 E. W.Well: _____ Test Hole: GY-156 Land Owner: _____County: Gregory Date: 5/17/77 Elevation: 2180 (X X T)E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.Source of Data: Carl Cripe - Rotary 2152/2000 (72' Sat.)

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	1	Topsoil, black	0- 1
	3	Sand, fine, clayey, light-tan	1- 9
	5	Same as above, some pebbles and medium sand	9- 14
	23	Sand, fine, interbedded sandstone	14- 42
	2	Magnesia (?)	42- 44
	35	Sand, fine, clayey, light brown, interbedded layers of clay, sandstone and pebbles	44- 79
	21	Sand, fine to medium, interbedded clay	79-100
	16	Clay, greenish tan	100-116
	37	Clay, silty, reddish-tan	116-153
	11	Concretions, rusty-red, oxidized, some medium to very coarse sand, clayey, light to dark brown, traces of petrified wood	153-164
	16	Shale	164-180
		T.D. = 180 feet	
		Depth to water - 23 feet	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section: 22 T. 97 N. 8 R. 72 E. W.

Well: _____ Test Hole: GY-160 Land Owner: C&NW Railroad

County: Gregory Date: 5/18/77 Elevation: 2170 (~~XX~~ X T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Greg Wallace - Auger 2144/2132 (12' Sat.)

[illegible]

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E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Carl Cripe - Rotary 2175/2138 (37' Sat.)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location NW¹/₄NE¹/₄NW¹/₄NE¹/₄ Section: 22 T. 97 N. XX R. 72 XX W.Well: _____ Test Hole: GY-163 Land Owner: _____County: Gregory Date: 5-25-77 Elevation: 2180 (X, XX T)E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.Source of Data: Driller - Greg Wallace (Rotary)

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	2	Topsoil, black	0- 2
	16	Sand, fine to medium, clean, subrounded to rounded	2- 18
	3	Clay, light-green, sandy, fine	18- 21
	11	Sand, fine to medium, subrounded, some intermittent	
		clay and cemented layers, light-green	21- 32
	33	Clay, sandy-silty, cemented, cream to light-brown;	
		hard	32- 65
	53	Sand, fine, slightly clayey and intermittent cemented	
		layers, subrounded	65-118
	7	Cemented layer, very hard, white, dolomitic limestone	
		(?)	118-125
	2	Cemented layer, very hard, white (opaline silica?)	125-127
	23	Clay-silty, light-brown to light-green	127-150
		T.D. = 150 feet	
		Water level - ? Hole collapsed	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location S₁₁ S₁₁ SE₁ S₁₁ Section: 23 T. 97 N. R. 72 E. W.

Well: _____ Test Hole: GY-171 Land Owner: _____

County: Gregory Date: 6-2-77 Elevation: 2156 (~~XX~~ X T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - Greg Wallace (Rotary) 2146/2066 (75' Sat.)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section: 21 T. 97 N. X R. 72 ~~E~~ W.

Well: _____ Test Hole: GY-172 Land Owner: _____

County: Gregory Date: 6-3-77 Elevation: 2148 (XX, X, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - Greg Wallace (Rotary)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section: 21 T. 97 N. XX R. 72 XX W.Well: _____ Test Hole: GY-173 Land Owner: _____County: Gregory Date: 6-3-77 Elevation: 2171 (XX, XX T)E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.Source of Data: Driller - Greg Wallace (Rotary)

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	2	Topsoil, black	0- 2
	4	Sand, fine to medium, subangular, dirty	2- 6
	3	Clay, light-brown, slightly sandy, fine	6- 9
	25	Sand, medium, rounded, clean,	9- 34
	8	Sand, medium to fine, rounded, some interbedded light-	
		green silts	34- 42
	19	Silt, light-green, clayey. Some thin sand lenses,	
		fine and slightly cemented	42- 61
	11	Sand, fine, rounded, some thin, intermittent silt	
		lenses, light-green to light-brown, some cemented	
		sandstone lenses	61- 72
	11	Silt, light-green to light-brown, a cemented layer	
		of magnesia (76'-77'), very hard	72- 83
	17	Clay, light-brown, hard	83-100
		T.D. = 100 feet	
		Water level - 21 feet	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location NW¹/₄ NW¹/₄ NE¹/₄ NE¹/₄ Section: 27 T. 97 N. 5 R. 72 ~~EX~~ W.

Well: _____ Test Hole: GY-174 Land Owner: _____

County: Gregory Date: 6-5-77 Elevation: 2140 (XX, N, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - John Fricke (Auger)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location S4S1E4NW4 Section: 26 T. 37 N. 3 E. R. 72 ~~EX~~ W.

Well: _____ Test Hole: GY-177 Land Owner: _____

County: Gregory Date: 6-7-77 Elevation: 2152 (X, XX T)

E-Log: _____ Samples: _____ Drilling Company: S.D.S.

Source of Data: Driller - Carl Cripe (Rotary) 2136/2070

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location S41N41E41NE41 Section: 27 T. 97 N. 56 E. R. 72 W.

Well: _____ Test Hole: GY-179 Land Owner: Elmer Horn

County: Gregory Date: 6-7-77 Elevation: 2148 (X, XV T)

E Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - John Fricke (Auger) 2137/2083

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SW₄SW₄NE₄NE₄ Section: 27 T. 97 N. R. 72 E. W.

Well: _____ Test Hole: GY-180 Land Owner: Elmer Horn

County: Gregory Date: 6-7-77 Elevation: 2139 (~~Y~~ X, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.C.S.

Source of Data: Driller - John Fricke (Auger) 2131/2070

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location S14SE14NW4NE4 Section: 27 T. 97 N. R. 72 EX W.

Well: _____ Test Hole: GY-181 Land Owner: Elmer Horn

County: Gregory Date: 6-7-77 Elevation: 2142 (~~XX~~ X, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - John Ericke (Auger) 2130/2081

[illegible]

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[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location N. 1/4 SE 1/4 SW 1/4 Section: 22 T. 67 N. & R. 72 E. W.

Well: _____ Test Hole: GY-183 Land Owner: Chicago & Northwestern
Railroad

County: Gregory Date: 6-8-77 Elevation: 2130 (~~XX~~ X T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - John Fricke (Auger)

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section: 23 T. 97 N. X R. 72 EX W.Well: _____ Test Hole: GY-188 Land Owner: Gus CallenderCounty: Gregory Date: 6-9-77 Elevation: 2170 (XX, XX T)E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.Source of Data: Driller - Greg Wallace (Rotary)

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	3	Topsoil, black	0- 3
	6	Silt, clayey, light to dark brown	3- 9
	23	Clay, light green to light brown, sandy, fine, rounded	9- 32
	13	Sand, (sandstone?), compact, fine, hard, light brown, clayey, bedded with light green silt	32- 45
	27	Silt, clay, light green, interbedded with some thin sandstone layers. Sandstone is compact and light brown, fine grained	45- 72
	34	Sand, compact, (sandstone?), fine, dark brown, subrounded to subangular	72-106
	7	Silt, light green to light gray-brown, very clayey	106-113
	23	Silt, to clay, light brown	113-136
	14	Shale, highly weathered, concretion, deep, red-brown at 147'	136-150
		T.D. = 150 feet	
		No water level - collapsed.	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location NELSELSH SW Section: 23 T. 97 N. 8 R. 72 E. W.

Well: _____ Test Hole: GY-189 Land Owner: Gus Callander

County: Gregory Date: 6-9-77 Elevation: 2150 (~~XX~~ X, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - Greg Wallace (Rotary) 2136/2064

[illegible]

SOUTH DAKOTA GEOLOGICAL SURVEY

Location S1/4SE1/4SW1/4 Section: 23 T. 97 N. 8 R. 72 E. W.
 Well: _____ Test Hole: GY-192 Land Owner: Gus Callender
 County: Gregory Date: 6-15-77 Elevation: _____ (XX X, T)
 E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.
 Source of Data: Driller - Greg Wallace (Rotary)

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	3	Topsoil, black	0- 3
	2	Silt, light to dark brown	3- 5
	4	Sand, medium to coarse, subrounded	5- 9
	13	Sand, fine, rounded	9- 22
	1	Sandstone layer cemented, dark green	22- 23
	3	Sand, fine, rounded	23- 26
	1	Silt, clayey, light green	26- 27
	4	Sand, fine, rounded	27- 31
	5	Sand, fine, cemented, like sandstone, brown	31- 37
	25	Sand, fine to medium, rounded	37- 62
	6	Sand, fine, cemented, sandstone	62- 68
	14	Sand, fine, rounded, interbedded sandstone and silt layers	68- 82
	12	Silt, light green, clayey, hard, some sand stringers, thin, fine	82- 94
	26	Silt, to clay, light green to light brown, gradates to brown	94-120
		T.D. = 120 feet	

SOUTH DAKOTA GEOLOGICAL SURVEY

Location SEMI-ARID Section: 26 T. 97 N. 8 R. 72 E. W.

Well: _____ Test Hole: GY-193 Land Owner: Elmer Horn

County: Gregory Date: 6-15-77 Elevation: 2160 (~~XX~~ X, T)

E-Log: _____ Samples: _____ Drilling Company: S.D.G.S.

Source of Data: Driller - Greg Wallace (Rotary)

[illegible]

Source of Data: Driller - Greg Wallace (Rotary)

[illegible]

Location S $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section: 27 T. 97 N. S. R. 72 E. W.
Well: _____ Test Hole: GY-195 Land Owner: Elmer Horn
County: Gregory Date: 6-17-77 Elevation: _____ (A, I, T)
E-Log: _____ Samples: _____ Drilling Company: S. D. G. S.
Source of Data: Driller - Greg Wallace (Rotary)

[illegible]

GREGORY COUNTY
WATER RIGHT APPLICATIONS
(T97N R72W)
May 4, 1979

INTRODUCTIONS:

The study area reviewed for this report is located in T97N, R72W and W3 T97N, R71W in an area from Gregory SD to Burke. Observation well data for wells GY77A, GY77B, and GY78A and three Geological Survey reports provided the basic data for preparation of this report.

The three Geological Survey reports are entitled; Special Report 18, Water Supply for the City of Burke, by Cleo Christensen dated 1962; Special Report 49, Ground-Water Investigation for the City of Gregory by Assad Barari, dated November 1969; and Ground-Water Study for the City of Gregory, by Carl Cripe and Assad Barari, dated September 1977.

The water right applications under consideration at this time are as follows:

No.	Applicant	Use	Priority Date
1486-2	Joe Kirwan	Irrigation	January 3, 1977
1510-2	Elmer Horn	Irrigation	January 7, 1977
1622-2	City of Gregory	Future Use	January 13, 1977
1660-2	City of Burke	Future Use	February 1, 1977
1661-2	City of Burke	Municipal	April 7, 1977 & August 11, 1977

DISCUSSION:

Logs are available for 159 auger test holes and 37 rotary test holes which were drilled for the special studies. The logs indicate the primary water bearing formation consists of a fine to medium sand containing varying amounts of clay under water table conditions. The thickness of saturated material and the clay within the sand varies very rapidly making it impractical to draw a potentiometric map (see graphs 1 & 2).

In areas where the sand is of medium grain sized, clean (less clay), and has a significant (more than 30 feet) saturated thickness, a high capacity well can be installed. The wells will probably produce a maximum of 100 to 125 gpm again depending on saturated thickness and characteristics of the formation.

The Division of Water Rights presently has three observation wells in the study area. Two (GY77A and GY77B) are in the vicinity of the irrigation applications and one (GY78A) is located south of Burke.

Well	Location	Depth	Water Level	
			Lowest	Highest
GY77A	SE 1/4 27 T97N R72W	57 ft	8.5 ft	5.6 ft
GY77B	SE 1/4 21 T97N R72W	53 ft	17.0 ft	15.6 ft
GY78A	NE 1/4 6 T96N R71W	125 ft	56.6 ft	56.0 ft

Hydrographs have not been developed for the wells because of the limited length of time data was available (approximately one and a half years). The fluctuations are seasonal in nature with high water measurements in spring and low measurements during the summer. The wells are located about the same and will provide a check on high water table conditions.

CONCLUSIONS:

Water is available for appropriation, but due to the rapidly varying formation and the lack of information concerning transmissivity and storage coefficient an accurate value for transient storage cannot presently be determined.

The observation wells do exist to provide information concerning water levels.

High capacity wells should not be expected to produce more than 125 gpm.

RECOMMENDATIONS:1486-2, Joe Kirwan

Project proposes to irrigate 300 acres in the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 34, T97N, R72W from two wells located in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34, T97N, R72W with a withdrawal rate of 4.3 cubic feet per second. The staff recommends approval of 1486-2 with the following clause:

The irrigation well approved under this permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

1510-2, Elmer K. Horn

Project proposes to irrigate 475 acres located in the NE $\frac{1}{4}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 27, T97N, R72W from three wells and a dugout located in the NW $\frac{1}{4}$ Section 26, T97N, R72W; SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27, T97N, R72W and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 27, T97N, R72W with a withdrawal rate of 6.8 cfs. The staff recommends approval of 1510-2 with the following clause:

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

1622-2, City of Gregory

Application is for 1.5 cfs in a future use area with the following descriptions: NW $\frac{1}{4}$ Section 8; S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ Section 7; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; SE $\frac{1}{4}$ Section 17; SE $\frac{1}{4}$ Section 21; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27; N $\frac{1}{2}$ N $\frac{1}{2}$ Section 26; all in T97N, R72W. Because part of this request is for lands covered under application 1510-2, the staff recommends approval of the application with the following land descriptions being deleted N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27 and N $\frac{1}{2}$ N $\frac{1}{2}$ Section 26, T97N, R72W, also with the condition that before any construction can proceed, a water right permit must be obtained for each project.

1660-2, City of Burke

Application is for 2.14 cfs in a future use area with the following land descriptions: Section 23, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ Section 26, Section 35, T97N, R72W. The staff recommends that the Commission approve this application but limit the land area to the S $\frac{1}{2}$ Section 26 and Section 35, T97N, R72W, also before any construction can commence a water right must be obtained for a specific project.

1661-2, City of Burke

Application is for municipal use of groundwater from SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T97N, R71W and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, T97N, R72W with a combined diversion rate of 0.56 cfs. The staff recommends approval of 1661-2 with the following conditions:

The wells approved under this permit will be located near domestic wells and irrigation 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 irrigation wells having prior water rights.

Respectfully submitted to the Water Rights Commission for consideration at the May 1979 meeting.

Gale N. Selken

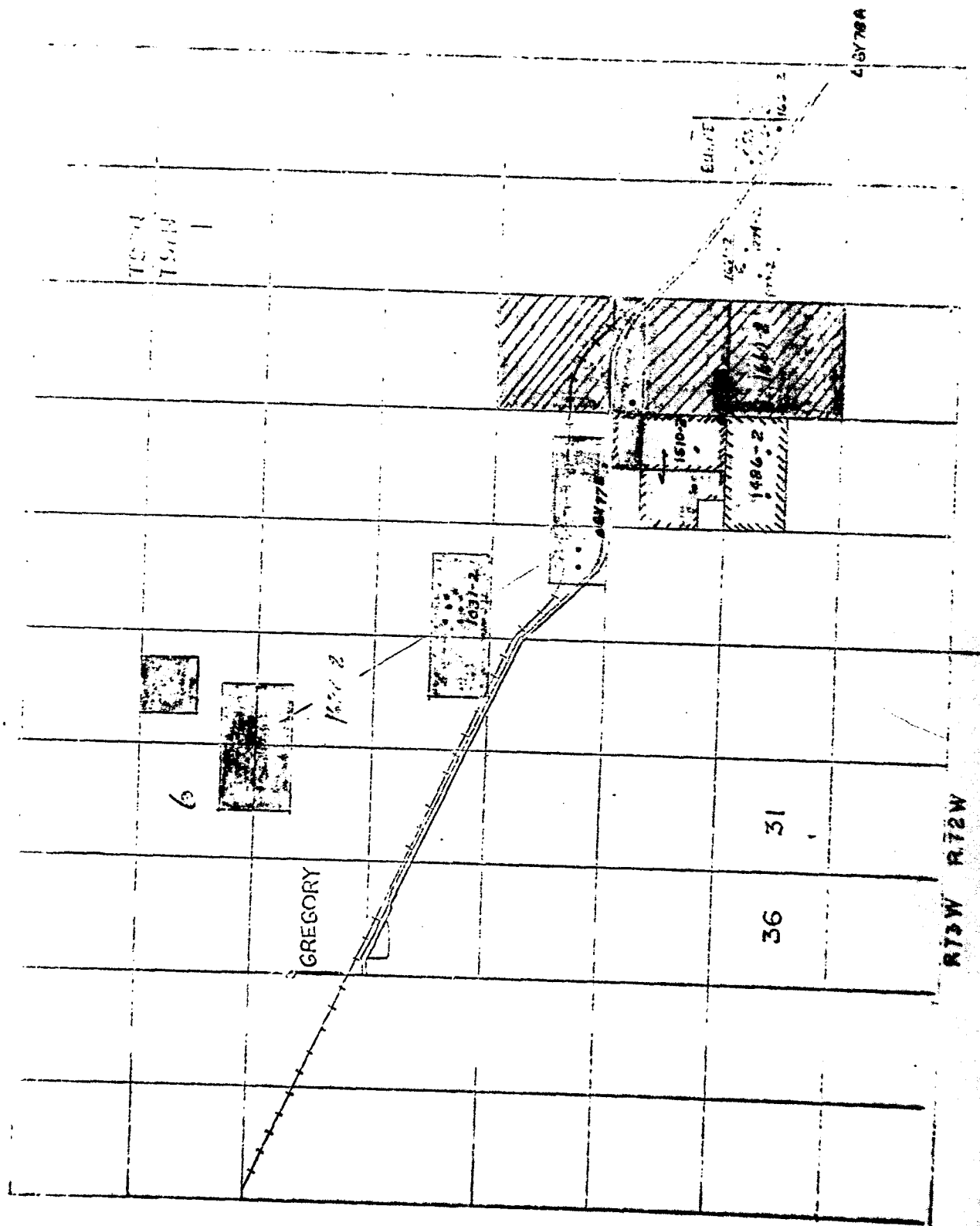
GALE N. SELKEN, Hydrologist
Water Rights Commission

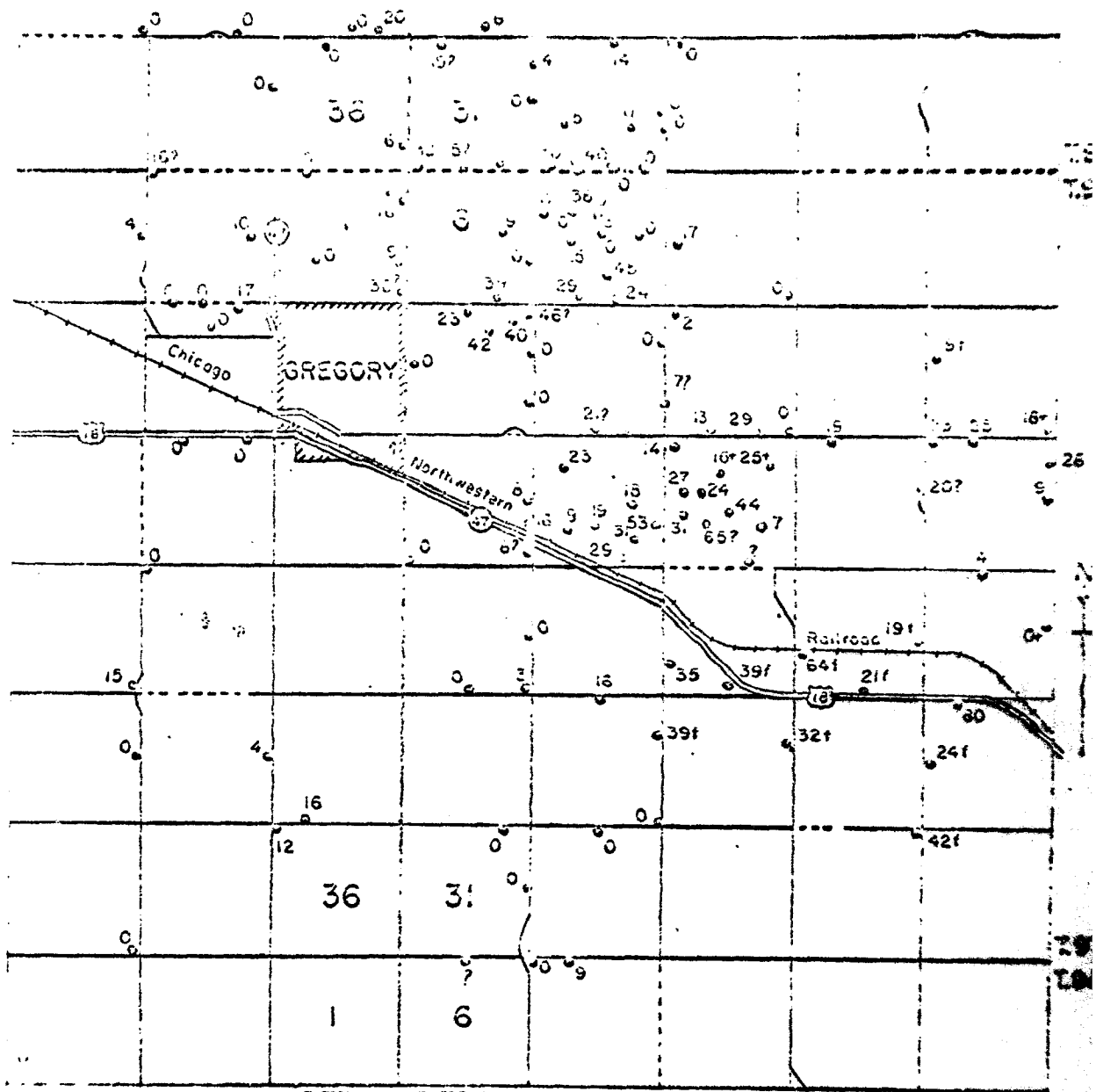
STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) ss

Swore to, before me, this 23rd day of May, 1979.

Lois L. Ries
Notary Public

LOIS L. RIES, Notary Public
My Commission Expires
February 3, 1983





by A. Goran, 1969

R.73W. R.72W.

SCALE
0 1/2 1 2 3 miles

EXPLANATION

- 36 • Test hole showing thickness of saturated sand.
- 24f • Saturated thickness of fine sand.

Figure 5. Map showing thickness of saturated sand in the Gregory area.

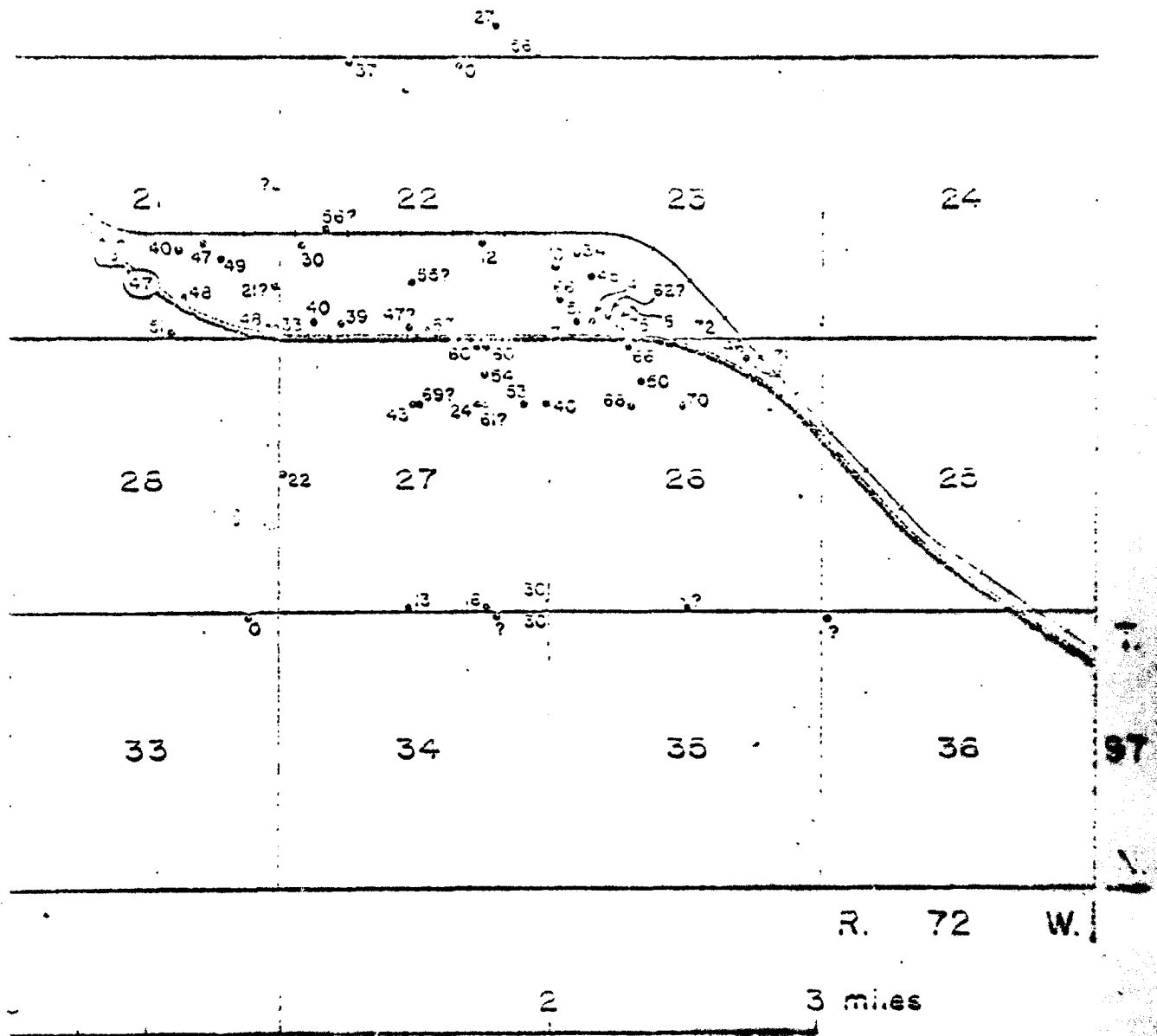


Figure 3 Map showing approximate thickness of saturated sand in feet, 1964



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 13, 1987

Robert Slade, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Slade:

I am writing in regard to Future Use Water Permit No. 1622-2 held by the City of Gregory. A copy of Permit No. 1622-2 is enclosed for your information.

Future Use Permit No. 1662-2 will be scheduled for review on May 6, 1987 by the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the time and place. The purpose of this review is to determine if a reasonable need exists for maintaining the permit. A fee will be charged if Permit No. 1662-2 remains in effect after May 6, 1987. The fee assessed if Permit No. 1662-2 remains in effect will be \$40.00.

Please advise in writing within 30 days of the city's intentions regarding Future Use Permit No. 1622-2. Let us know if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

cc: Al Cerny, Finance Officer

CITY OF GREGORY

P. O. Box 436
Al Cerny, Finance Officer

GREGORY, SOUTH DAKOTA 57533

Phone 605 835-8270
Robert Slade, Mayor

February 27, 1987

John Hatch
% SD Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



Dear Mr. Hatch,

The City of Gregory would like very much to continue to have Future Use Water Permit No. 1622-2. At the present time and for the foreseeable future, the City of Gregory will need all of its well water sources to enable the City to provide adequate water service to its consumers.

If you need more information or have any questions please contact the City of Gregory.

Thank you,

Robert R. Slade

Robert Slade
Mayor, City of Gregory

Instruction to Newspaper-Publish first publication of the following Notice on or before April 8, 1987 with 2nd publication 1 week later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is hereby given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, PO Box 436, Gregory SD for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved May 25, 1979 to reserve 1.5 cfs (1,086 acre feet) from the Ogallala groundwater formation for diversion from the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N, R72W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 1622-2 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 in Room 216, Joe Foss Building, Pierre SD on May 6, 1987 at 2:15 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Gregory) ss.

I, Nelson L. Miller hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Gregory Times-Advocate

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

City of Gregory

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

April 8, 1987

April 15, 1987

Sally A. Miller
(Signature)

Office manager
(Title)

4/15/87
(Date Signed)



Cost of Printing: 37.06

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NO. 1622-2

Notice is hereby given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, PO Box 436, Gregory, SD for progress made in the development of the water reserved by the Permit 1622-2. This permit was approved May 25, 1979 to reserve 1.5 cfs (1,086 acre feet) from the Ogallala groundwater formation for diversion from the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ Section 7; NW $\frac{1}{4}$ Section 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; SE $\frac{1}{4}$ Section 17; SE $\frac{1}{4}$ Section 21; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; all in T97N, R72W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 1622-2 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 in Room 216, Joe Foss Building, Pierre, SD on May 6, 1987 at 2:15 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 6, 1987

NOTICE

TO: Persons Interested in Future Use Water Permit No.
1622-2, City of Gregory

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Seven Year Review of Future Use Permit No. 1622-2

Enclosed is a legal notice to be published in the Gregory Times-Advocate. The Water Management Board will review Future Use Permit No. 1622-2 on May 6, 1987 as stated in the notice. Your name was included on a list of petitioners when the permit was originally considered by the Water Management Board. The Board approved the permit on May 25, 1979. This notice is to inform you of the pending hearing on May 6, 1987.

enclosure

CERTIFICATION

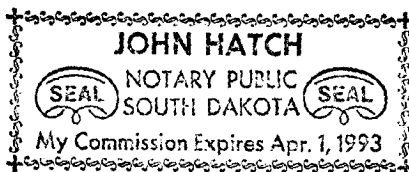
I hereby certify that on April 6, 1987 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice to Persons Interested in Future Use Permit No. 1622-2, City of Gregory addressed to those persons listed below:

Henry Horn, RR, Burke SD 57523
Elmer Horn, RR, Burke SD 57523
Dean Frank, W Hwy 18, Burke SD 57523
City of Burke, J.L. Lillibrigde, Mayor, Box 250, Burke SD 57523
William Cahill, RR, Burke SD 57523
Jack Gunvordahl, Attorney, Box 352, Burke SD 57523

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6th day of April, 1987.



John Hatch
Notary Public



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 18, 1987

NOTICE

Robert Slade, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Slade:

This letter is in response to action taken by the Water Management Board at the May 6, 1987 hearing regarding review of Future Use Water Permit No. 1622-2. The Board allowed the permit to remain in effect and amended Permit No. 1622-2 by adding the qualifications on the enclosed "Attachment". The "attachment" should be placed with the permit. Future Use Permit No. 1622-2 is again subject to review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$40.00. Please remit within 60 days.

Please contact us if you have any questions.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

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

enclosure

cc: Al Cerny, Finance Officer

AMENDMENT TO FUTURE USE PERMIT NO. 1622-2

CITY OF GREGORY

Pursuant to the May 6, 1987 Water Management Board hearing, Future Use Permit No. 1622-2 was allowed to remain in effect and amended by adding the following qualifications:

1. This permit is approved for groundwater from the Ogallala Formation. Wells will be less than 100 feet deep.
2. That the fee of \$40.00 for maintaining the effectiveness of Future Use Permit No. 1622-2 is paid within 60 days of notice to the City of Gregory.

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Future Use Water Permit No. 1622-2, City of Gregory, PO Box 436, Gregory SD.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the City of Gregory has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

1. This Permit is approved for groundwater from the Ogallala Formation. Wells will be less than 100 feet deep.
2. That the fee of \$40.00 for maintaining the effectiveness of Future Use Permit No. 1622-2 is paid within 60 days of notice to the City of Gregory.



JOHN HATCH, Chief Engineer
March 31, 1987

1622-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 3, 1994

City of Gregory
Ernie Schweigert, Mayor
PO Box 435
Gregory SD 57533-0436

Dear Mayor Schweigert:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from groundwater which is held by the City of Gregory. Currently, our records show that 1.5 cubic feet of water per second remain in reserve under this future use permit which was issued in 1979.

Permit No. 1622-2 will be scheduled for review by the Water Management Board this spring or summer pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve on Permit No. 1622-2.

Please respond in writing by February 15, 1994, regarding the City's intention for the future use permit. If the City does plan to retain the permit, then your response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years. If pumping records are not available, please indicate the maximum diversion rate, from the city's well(s) in gallons per minute.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Natural Resources Analyst
605 773-3352

c: Al Cerny, Finance Officer

(605)835-8270
Al Cerny
Finance Officer

CITY OF GREGORY

Box 436
GREGORY, SOUTH DAKOTA 57533

Ernie Schweigert
Mayor

January 19, 1994

Ms. Karen Schlaak
Dept. of Environment & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



RE: City of Gregory Future Water Permit No. 1622-2

Dear Ms. Schlaak:

I am writing in regards to the City of Gregory's Future Water Permit No. 1622-2. The City of Gregory very much would like to retain the permit. The following are some reasons for keeping the permit:

- 1) This water source is our only supply of water for the City and some surrounding rural people that meets all state water standards. (We will at certain critical use times use an in-town water source that when blended with the water from our future use permit will pass the nitrate level but if used alone would not pass).
- 2) Since the city has to use the "in-town source of water" at certain times, the city is making plans to dig more wells in our "east well" field or the area covered under the water use permit. We have not made application to get our project on the state water plan as of yet but application will be made within the next two years.
- 3) We have enclosed our pumping records for most of the last 3 years. Our area has been blessed with adequate rainfall in this which has cut the water consumption but we have experienced peak usage days of greater than 500,000 gallons of use per day. The city would need to expand their water supply to keep up if this peak usage were to last for any length of time, (if the rains would diminish).

As you can see from our pumping records, average use runs about 200,000-225,000 gallons per day. We feel that the city should have the capability to handle at the very minimum 500,000 gallons a day for peak usage times and any future unforeseen needs.

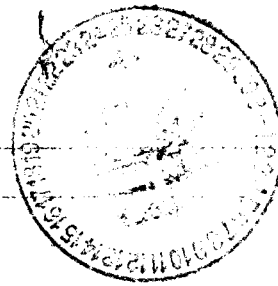
Please contact me if you have any questions or comments. Again, the City would like very much to re-new our water use permit.

Thank You,

Ernie Schweigert
Mayor,
Ernie Schweigert

City of
Gregory

December 1993
Water Chart



Prepared By	Initials	Date
Approved By		

1 2 3 4 5 6

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped	
12-1	4985140	177.5	59975000	246600.00	1
12-2	4989080	176	60004160		2
12-3	4990450	174.5	60012980		3
12-4	4996180	172	60099360		4
12-5	5001100	170	60080110		5
12-6	5004550	168.5	60101620		6
12-7	5008220	167	60124710		7
12-8	5012110	165	60148720		8
12-9	5016600	163	60174360		9
12-10	5020590	162	60196020		10
12-11	5024830	160	60218860		11
12-12	5028680	158	60239620		12
12-13	5032850	156	60262030		13
12-14	5036780	154	60283210		14
12-15	5040860	152.5	60305280		15
12-16	5044710	151	60334730		16
12-17	5048590	149.5	60368530		17
12-18	5054200	147	60417300		18
12-19	5056320	145.5	60435610		19
12-20	5060010	144	60461860		20
12-21	5063630	142.5	60498250		21
12-22	5067750	141	60533100		22
12-23	5070430	139.5	60554400		23
12-24	5075510	138	60598600		24
12-25	5079970	136	60635290		25
12-26	5083720	134	60665720		26
12-27	5087480	132	60696080		27
12-28	5091840	130	60730510		28
12-29	5095900	128.5	60760800		29
12-30	5100150	126	60795220		30
12-31	5104510	125	60828380	31600.00	31
1-1	5108980	123	60882560		32
1-2	5112450	121	608885000		33
1.94					34
1.94					35

October 1993 Water Chart

WILSON JONES COMPANY

17106 HUFF G7106 GREEN

DATE: 10/31/93

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
10-1	4741530	131.5	58344900	284100
10-2	4744225	130.0	58365300	203800
10-3	4748120	128.5	58365300	MASTER METER quit
10-4	4753270	126.5	58388600	
10-5	4758190	124.5	584249800	
10-6	4762660	123	584566200	
10-7	4767120	121.5	584881400	
10-8	4771440	119.5	585185100	
10-9	4775760	118.5	585488500	
10-10	4779690	117	585792300	
10-11	4780590	115.5	585826000	
10-12	4785730	114	586203600	
10-13	4791730	111.5	586664400	
10-14	4796270	109.5	586997200	
10-15	4800620	107.5	587321700	
10-16	4805500	105.5	587705400	
10-17	4809080	104	587796200	
10-18	4812740	102	588296000	
10-19	4816760	100.5	588623400	
10-20	4820770	98.5	588958000	
10-21	4824490	96.5	589256700	
10-22	4828430	95	589577800	
10-23	4832590	93.5	589914400	
10-24	4837140	91.5	590258000	
10-25	4841740	89	590544000	
10-26	4845930	241	590844300	
10-27	4846960	240.5	590918500	
10-28	4852100	237	591274400	
10-29	4857020	237	591602500	
10-30	4861180	235.5	591878500	
10-31	4865050	234	592146800	268300

September 1993 Water Chart

WILSON JONES COMPANY

47106 BUFF 67106 GREEN

Printed in U.S.A.

		1	2	3	4	5	6
		Date	Chlorine meter	Chlorine Reading	master meter Reading	Total Gallons Pumped	
		9-1	4616040	178.5	5735935400		
		9-2	4621060	176.5	574316700	381,300	
		9-3	4625870	174.5	574684600		
		9-4	4631640	173	575122000		
		9-5	4636480	171.5	575492800		
Labor Day		9-6	4640840	170	575824100		
		9-7	4644350	168.5	576089300		
		9-8	4648230	167	576384000		
		9-9	4652430	165.5	576703100		
		9-10	4656350	164	577000700		
		9-11	4660660	163	577328300		
		9-12	4665340	161.5	577681400		
		9-13	4669950	160	578030400		
		9-14	4674950	157.5	578371800		
		9-15	4678050	156	578625700		
		9-16	4681590	154.5	578874600		
		9-17	4685390	153	579183000		
		9-18	4690070	152	579537000		
		9-19	4693740	150.5	579815400		
		9-20	4697290	148.5	580085300		
		9-21	4701070	147	580372600		
		9-22	4704850	145.5	580660500		
		9-23	4707520	144	581014500		
		9-24	4713690	142	581329800		
		9-25	4719200	140	581751200		
		9-26	4722450	138.5	581998300		
		9-27	4726360	137	582296100		
		9-28	4730160	135.5	582584500		
		9-29	4734470	134	582912700		
		9-30	4737810	132.5	583165800	252,900	

August 1993 Water Chart

WILSON, JAMES COMPANY

7106 BUFF 67106 GREEN

1.00000000

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
8-1	4456900	236	562010800	417,500
8-2	4462790	234.5	562428300	
8-3	4468080	233	562816600	
8-4	4473580	231	563212500	
8-5	4478800	229	563589600	
8-6	4484240	227	563987800	
8-7	4489300	225	564354900	
8-8	4495690	223	564823000	
8-9	4500580	221.5	565185800	
8-10	4506300	219.5	565667800	
8-11	4511470	218	566003800	
8-12	4516850	216	566410100	
8-13	4522530	214	566837100	
8-14	4527490	212	567202600	
8-15	4532820	209.5	567599000	
8-16	4538080	207.5	568004800	
8-17	4543660	205	568422400	
8-18	4547550	203.5	568714300	
8-19	4551190	202	568986700	
8-20	4555700	200.5	569323200	
8-21	4560100	199.0	569668800	
8-22	4564800	197.0	570002200	
8-23	4569380	195	570347000	
8-24	4574630	193	570747300	
8-25	4579830	191	571154900	
8-26	4585340	189.5	571575500	
8-27	4591010	187	572014300	
8-28	4596110	186	572406700	
8-29	4600940	184.0	572775800	
8-30	4606050	182	573166700	
8-31	4610400	180	573499800	331,100

July 1993 Water Chart

WILSON JONES COMPANY G7106 BUFF G7108 GREEN

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
7-1	4327220	125	553377800	
7-2	4333460	123	553683200	295,300
7-3	4338200	121	553987600	
7-4	4342390	119.5	554281500	293,900
7-5	4347110	117.5	554597600	
7-6	4351090	115.5	554864200	266,600
7-7	4355670	114	555170000	
7-8	4359960	112.5	555476100	286,100
7-9	4364290	110.5	555744700	
7-10	4368620	109	556032800	
7-11	4372920	108	556320800	
7-12	4377310	106	556612500	
7-13	4381190	104.5	556870300	
7-14	4384880	103	557115700	
7-15	4388630	101.5	557364600	
7-16	4392310	101	557607000	
7-17	4396480	99	557885700	
7-18	4400130	97.5	558129300	
7-19	4403440	96	558348700	
7-20	4407320	94.5	558606000	
7-21	4410840	93	558840900	
7-22	4414490	91.5	559083800	
7-23	4418160	91	559327700	
7-24	4421970	90	559580000	
7-25	4426020		559916000	
7-26	4430040	89	560116600	
7-27	4433780	89	560365200	
7-28	4437660	240	560624000	
7-29	4441170	239	560906400	
7-30	4444950	238	561265400	
7-31	4451860	237.5	561628700	363,300

June 1993 Water Chart

WILSON JONES COMPANY

117106 BUFF 07106 GREEN

117106 U.S.A.

		1		2		3		4		5		6	
		Chlorine		Chlorine		master		Total					
		meter				meter		Gallons					
		Date				Reading		Pumped					
		6-1	4202450	174		544819000		256,800					
		6-2	4206230	172		545075800							
		6-3	4210180	170.5		545343500							
		6-4	4213640	169.5		545578600							
		6-5	4217500	168.5		545840200							
		6-6	4221290	167.5		546096000							
		6-7	4224870	166		546340800							
		6-8	4228680	164.5		546579700							
		6-9	4232460	163		546856600							
		6-10	4236660	161.5		547142400							
		6-11	4241470	160		547470100							
		6-12	4246620	158		547821450							
		6-13	4252120	156		548192100							
		6-14	4259470	153.5		548559700							
		6-15	4262510	151.5		548896800							
		6-16	4267740	149		549264800							
		6-17	4272970	147		549608200							
		6-18	4278350	145		549975700							
		6-19	4282510	143		550256500							
		6-20	4286060	142		550496700							
		6-21	4287480	140.5		550722500							
		6-22	4293660	139		551009100							
		6-23	4297550	137.5		551270300							
		6-24	4301810	135.5		551555900							
		6-25	4305520	134		551805800							
		6-26	4309360	133		552077900							
		6-27	4313840	131.5		552364800							
		6-28	4317560	129.5		552649000							
		6-29	4321510	128		552880500							
		6-30	4325340	126.5		553137500		257,000					

May 1993 Water Chart

WRITE	Date	Chlorine meter	Chlorine	Master	Total Gallons Pumped
				meter Reading	
	5-1	4080700	226	537026600	172,800
	5-2	4083690	224.5	537177400	
	5-3	4086330	224	537350700	
	5-4	4089750	222.5	537547400	
	5-5	4093360	221	537756300	
	5-6	4096250	220	537922600	
	5-7	4099700	219	538121800	
	5-8	4102460	217	538280200	
	5-9	4105850	215	538474700	
	5-10	4108970	213.5	538654700	
	5-11	4111970	212	538827200	Still swimming pool 11 11 11 11 11 11
	5-12	4115700	210.5	539040400	
	5-13	4119110	208.5	539235800	
	5-14	4123650	207	539470700	
	5-15	4129050	205.5	539729100	
	5-16	4130670	203.5	539969000	
	5-17	4134140	201.5	540204200	
	5-18	4137970	199.5	540461400	
	5-19	4141780	198	540716700	
	5-20	4146760	195.5	541050600	
	5-21	4152320	193.5	541421200	
	5-22	4158210	191	541820700	
	5-23	4163290	189	542161500	
	5-24	4168160	187	542490500	
	5-25	4172510	185	542784600	
	5-26	4177690	183.5	543137400	
	5-27	4182710	181.5	543478300	
	5-28	4186950	179.5	543767000	
	5-29	4191250	178.5	544058500	
	5-30	4195160	177	544324200	
	5-31	4198720	175.7	544565800	241,600

April 1993 Water Chart

Date	Chlorine Meter	Chlorine	master meter Reading	Total Gallons Pumped
4-1	3980700	115	531211700	200,000
4-2	3984130	113.5	531411700	
4-3	3987640	112.5	531631800	
4-4	3991000	111	531815200	
4-5	3994000	109.5	531983400	
4-6	3997460	108	532185000	
4-7	4000730	106.5	532374000	
4-8	4004230	104.5	532577300	
4-9	4007600	102.5	532769500	
4-10	4011150	100.5	532984000	
4-11	4014510	99.5	533180100	
4-12	4017370	98	533347800	
4-13	4020650	96.5	533539600	
4-14	4024090	95.5	533740700	
4-15	4027170	94	533921500	
4-16	4030050	92.5	534089500	
4-17	4034080	91	534324500	
4-18	4036580	90	534469200	
4-19	4040140	88.5	5346931200	
4-20	4044270	86.5 - 0	534920500	
4-21	4047020	24001.5	535080300	
4-22	4050370	240	535274300	
4-23	4053930	238	535479800	
4-24	4057480	236.5	535684700	
4-25	4061250	235	535903700	
4-26	4064140	233.5	536070100	
4-27	4067520	232	536265300	
4-28	4070710	230.5	536449200	
4-29	4074170	229	536650300	
4-30	4077240	227.5	536827800	177,500

March 1993 Water Chart

WILSON JONES CO. ANY

07106 BUFF 07106 GREEN

U.S.A.

Date	Chlorine meter	Chlorine	master meter	TOTAL Gallons Pumped
3-1	3878030	160	525308500	203,400
3-2	3881580	158.5	525511900	
3-3	3884690	157	525688500	
3-4	3887820	155.5	525866000	
3-5	3891130	154	526053400	
3-6	3894040	152.5	526221600	
3-7	3897460	152.5	526416400	
3-8	3900650	150.5	526598500	
3-9	3903970	149	526784900	
3-10	3907360	147.5	526983500	
3-11	3910420	146	527158800	
3-12	3913900	144.5	527358900	
3-13	3917520	143	527565800	
3-14	3920660	142.5	527745700	
3-15	3924000	140	527938600	
3-16	3927410	138.5	528134800	
3-17	3930600	137	528316800	
3-18	3934010	135.5	528511800	
3-19	3937180	134	528693900	
3-20	3937660	133	528722100	
3-21	3942320	131.5	529006700	
3-22	3946700	130	529250700	
3-23	3950080	128.5	529443800	
3-24	3953910	127	529650400	
3-25	3957070	125.5	529843800	
3-26	3960620	124	530047800	
3-27	3963980	123	530238100	
3-28	3967160	121.5	530424100	
3-29	3970830	120	530635500	
3-30	3974310	118.5	530840600	
3-31	3977820	116.5	531044400	203,800

February 1993 Water Chart

Prepared By	Initials	Date
Approved By		

Date	Chlorine Meter	Chlorine	master meter Reading	Total Gallons Pumped
2-	3788580	199	520202400	
2-2	3791840	197.5	520387300	184,900
2-3	3795270	196	520583600	
2-4	3798180	194.5	520748900	
2-5	3801590	193	520942200	
2-6	3805120	191.5	521144100	
2-7	3808360	190	521328300	
2-8	3811270	189	521493100	
2-9	3814380	188	521671300	
2-10	3817340	186.5	521839900	
2-11	3819600	186	521961700	
2-12	3823270	184.5	522184800	
2-13	3826680	182.5	522378300	
2-14	3830150	181.5	522576700	
2-15	3832960	180.0	522736700	
2-16	3836250	178.5	522923600	
2-17	3839210	177	523091400	
2-18	3842500	175.5	523278600	
2-19	3845850	174	523470300	
2-20	3849270	173.5	523665400	
2-21	3852510	172	523850100	
2-22	3855560	170.5	524024700	
2-23	3858790	169	524209400	
2-24	3861980	167.5	524371000	
2-25	3865050	166	524565400	
2-26	3868400	164.5	524757300	
2-27	3871720	163	524947100	
2-28	3874860	161.5	525126500	179,400
2-29				

January 1993 Water Chart

Prepared By	Initials	Date
Approved By		

23	24	25	26	27	28	29	30
Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped			
1-1	3683440	110.5	514208100	197,900			
1-2	3686900	111.0	514406000				
1-3	3689980	110.5	514582100				
1-4	3693750	109	514775800				
1-5	3697120	107.5	514988700				
1-6	3700540	106.5	515183900				
1-7	3703780	106.5	515367900				
1-8	3707250	237.5	515565700				
1-9	3710680	236	515761600				
1-10	3714490	234.5	515978300				
1-11	3717740	233	516163400				
1-12	3721120	231	516356400				
1-13	3725540	229.5	516608700				
1-14	3727970	228	516747400				
1-15	3731280	226.5	516936300				
1-16	3736600	224	517242400				
1-17	3738810	222.5	517365700				
1-18	3741970	221	517545400				
1-19	3745710	219.5	517758200				
1-20	3748790	218	517934000				
1-21	3752300	216	518134000				
1-22	3755490	214.5	518316700				
1-23	3758880	213.5	518510800				
1-24	3762040	212	518691000				
1-25	3765290	210	518875700				
1-26	3768540	208.5	519062100				
1-27	3771590	207	519235800				
1-28	3775090	205.5	519434500				
1-29	3778410	204	519627600				
1-30	3782220	202.5	519840400				
1-31	3785520	201	520028100	185,700			

December 1992 Water Chart

Prepared By	Initials	Date
Approved By		

	24	25	27	28	29	30
Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped		
12-1	3584350	155	508579400	196,900		
12-2	3587430	153.5	508754700			
12-3	3590490	152	508928000			
12-4	3593770	150.5	509115200			
12-5	3597000	149	509297600			
12-6	3599690	147.5	509450900			
12-7	3602680	146	509621300			
12-8	3605550	144.5	509784300			
12-9	3611240	142	510093400	309,100	lost the signal Booster kept pumping	
12-10	3612850	141.5	510184400			
12-11	3615690	140	510346100			
12-12	3618760	138.5	510522600			
12-13	3622240	137.5	510719000			
12-14	3624830	136	510866700			
12-15	3628040	134.5	511050200			
12-16	3631060	133	511221800			
12-17	3633960	131.5	511387400			
12-18	3637120	130	511567800			
12-19	3640330	129.5	511751100			
12-20	3643450	128	511928900			
12-21	3646250	126.5	512089300			
12-22	3649730	125	512287500			
12-23	3653040	123.5	512475500			
12-24	3656980	122	512700500	225000	filled skating rink	
12-25	3660760	120.5	512916300			
12-26	3663680	119	513082700			
12-27	3667080	117.5	513215600			
12-28	3669840	116.5	513433100		filled skating rink	
12-29	3673520	115	513644000			
12-30	3676550	113.5	513816800			
12-31	3679910	112	514007400		FILLED	
1993					FILLED SKATING RINK	
1-1	3683440	110.5	514208100			
1-2	3686900	111.0	514466000			
1-3	3689980	110.5	514582100			

	Initials	Date
Prepared By		
Approved By		

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
11-1	3489130	194.5	503158700	
11-2	3492420	195	503347000	
11-3	3495840	193.5	503543600	
11-4	3501340	192	503722700	
11-5	3502140	191	503901800	
11-6	3505600	189.5	504099900	
11-7	3508670	188.5	504214400	
11-8	3512130	187.5	504473000	
11-9	3514930	186	504633600	
11-10	3518060	184.5	504812700	
11-11	3521380	183.5	505002100	
11-12	3524300	182	505167900	
11-13	3527620	181	505357100	
11-14	3531310	179.5	505566300	
11-15	3534280	178	505734800	
11-16	3536930	177	505885400	
11-17	3540450	175.5	506085700	
11-18	3540450	175.5	506085700	
11-19	3545840	174	506392300	
11-20	3549280	171.5	506587000	
11-21	3552570	170	506774600	
11-22	3555440	168.5	506938100	
11-23	3558550	167	507113900	
11-24	3561800	165.5	507299400	
11-25	3563160	164.5	507376700	
11-26	3568100	163	507657600	
11-27	3570960	162	507817000	
11-28	3574350	160	508010800	
11-29	3577750	158.5	508204100	
11-30	3580890	156.5	508382500	

October 1992
Water Chart

Prepared By	Initials	Date
Approved By		

	24	25	26	27	28	29	30
Station	Chlorine meter	lbs. Chlorine	Master meter Reading	Total Gallons Pumped			
1	3374510	238	496596900				
2	3379320	23.5	496874600				
3	3384120	23.5	497152400				
4	3388420	200.5	497905400				
5	3392490	233	497622300				
6	3396330	231.5	497847800				
7	3399860	230	498048300				
8	3403150	229.5	498235900				
9	3408230	228.5	498424400				
10	3409730	227.5	498613400				
11	3413300	225.0	498817600				
12	3417140	224.5	499037800				
13	3421110	223	499265400				
14	3424900	221.5	499482100				
15	3428240	220.5	499673500				
16	3431530	219	499863000				
17	3435140	218	500070000				
18	3438690	216.5	500272300				
19	3442090	215	500467400				
20	3445500	213.5	500662800				
21	3449360	212	500885000				
22	3453640	210.5	501121900				
23	3457550	208.5	501351300				
24	3461800	207	501572700				
25	3465700	205.5	501816000				
26	3469040	204	502007300				
27	3472340	202.5	502208700				
28	3476040	201	502409600				
29	3479980	199.5	502634900				
30	3482510	198.5	502779100				
31	3485930	198	502925900				
32	3489150	196.5	503158200				
33	3492470	195	503390500				
34	3495790	194	503622800				
35	3499110	193	503855100				

September 1992

Worker Chart

Prepared By	Initials	Date
Approved By		

	23	24	25	27	28	29	30
Date	Chlorine meter	Chlorine	Master meter Reading	Total Gallons Pumped			
9-1	3266490	134	490437700				
9-2	3268040	133	490526500				
9-3	3272620	131.5	490793900				
9-4	3276430	130	491012500				
9-5	3280180	129	491225100				
9-6	3283520	127	491416100				
9-7	3286880	126	491608900				
9-8	3290010	124.5	491786900				
9-9	3293260	123.5	491991200				
9-10	3296730	121.5	492170600				
9-11	3300500	120	492384800				
9-12	3304110	118.5	492598200				
9-13	3307540	117	492786000				
9-14	3310760	115	492969400				
9-15	3314480	113.5 (26)	493181400				
9-16	3317830	259	493372000				
9-17	3321540	257.5	493582100				
9-18	3325190	256.5	493785500				
9-19	3328380	255	493972300				
9-20	3332100	254	494185700				
9-21	3336020	252	494409400				
9-22	3339540	250.5	494609700				
9-23	3343400	249	494829200				
9-24	3347270	247.5	495049500				
9-25	3351280	246	495278000				
9-26	3355310	245	495506200				
9-27	3359130	244	495723500				
9-28	3362730	242.5	495927600				
9-29	3366660	241	496150600				
9-30	3370300	239.5	496356600				

Wader Chart

	Initials	Date
Prepared By		
Approved By		

Date	Chlorine meter	Chlorine	Master meter Reading	Total Gallons Pumped
8-1	3140940	185	483327900	
8-2	3145140	183	483567100	
8-3	3148850	181.5	483777600	
8-4	3153240	180	484025800	
8-5	3156900	178	484233400	
8-6	3160270	176.5	484423500	
8-7	3164190	175	484646500	
8-8	3168170	173	484871400	
8-9	3172480	172	485115700	
8-10	3176300	170.5	485335700	
8-11	3180480	169	485567400	
8-12	3184480	167	485794000	
8-13	3188530	165.5	486023000	
8-14	3192430	163.5	486242800	
8-15	3196210	162.5	486457200	
8-16	3199930	161	486668300	
8-17	3204210	159	486910400	
8-18	3208490	157	487152500	
8-19	3212710	155	487390500	
8-20	3217240	153	487646000	
8-21	3222410	151	487933700	
8-22	3228060	149	488244400	
8-23	3232720	147.5	488506800	
8-24	3237590	145	488789500	
8-25	3241420	143	489007300	
8-26	3245170	141.5	489220200	
8-27	3248470	140	489408700	
8-28	3252080	139	489613900	
8-29	3255620	138	489817200	
8-30	3259340	136.5	490029600	
8-31	3262640	135	490218300	

July 1992 Water Chart

Prepared By	Initials	Date
Approved By		

23	24	25	26	27	28	29	30
date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped			
1	3016140	240	476240800				
2	3019960	238.5	476460400				
3	3024250	236	476703300				
4	30280480	235	476944200	240,900			
5	3032990	235	477201200				
6	3036960	230.5	477426600				
7	3040850	229	477648500				
8	3045100	227	477890300				
9	3048920	225.5	478107700				
10	3052720	224	478324200				
11	3057310	222	478586700				
12	3059310	220	478900700				
13	3063570	218.5	478943800				
14	3067470	216	479165300				
15	3071110	216	479372500				
16	3075200	214	479605200				
17	3079870	212	479870200				
18	3084270	210	480119000				
19	3089070	208	480389700				
20	3093420	206	480636300				
21	3097910	204	480892300				
22	3101870	202	481115800				
23	3105490	200	481322100				
24	3108840	198.5	481511600				
25	3113050	197	481750000				
26	3117040	195	481975700				
27	3120680	193.5	482183100				
28	3124830	191.5	482418300				
29	3128650	190	482634600				
30	3133140	188	482888700				
31	3136430	186.5	483074300				

June 1992
Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped		
6-1	2885880	116	468825800			
6-2	2890860	114	469109800			
6-3	2895410	112	469367900			
6-4	2900360	110	469648100			
6-5	2904780	108.5	469877100			
6-6	2909200	107	470097000			
6-7	2912150	106	470317000			
6-8	2915440	103.5	470504400			
6-9	2919310	102	470724600			
6-10	2923800	100	470981000			
6-11	2928380	98	471241100			
6-12	2933560	95.5	471532300			
6-13	2938470	93.5	471807900			
6-14	2944530	90.5	472157400			
6-15	2948240	89	472369500			
6-16	2952430	88	472609000			
6-17	2956530	265.5	472842100			
6-18	2959950	265.5	473087600			
6-19	2964380	264	473289400			
6-20	2968500	260	473526800			
6-21	2972280	259	473747000			
6-22	2975890	257.5	473947600			
6-23	2980330	256	474198900			
6-24	2984610	254	474438300			
6-25	2989910	251.5	474746100			
6-26	2994700	250	475020500			
6-27	2999620	248	475300800			
6-28	3003250	245	475504800			
6-29	3007810	243	475767300			
6-30	3012020	241	476007400			

May 1992
Water Chart

13	14	15	16	17	18	19	20
Date	Chlorine meter	Chlorine	master meter Reading	TOTAL Gallons Pumped			
5-1	2738290	178.5	460418600				
5-2	2743260	177.6	460700600				
5-3	2747130	178.5	460929300				
5-4	2751420	172.5	461164100				
5-5	2755610	171	461400700				
5-6	2760490	169	461678300				
5-7	2765130	167	461937900				
5-8	277030	165	462215900				
5-9	2775610	163	462555100				
5-10	2781280	161	462857200				
5-11	2784440	158	463036600				
5-12	2789230	156	463308600				
5-13	2793620	154.5	463556800				
5-14	2797560	152.5	463782000				
5-15	2802510	151	464060900				
5-16	2806690	149	464315200				
5-17	2810850	147	464534800				
5-18	2815130	145.5	464779400				
5-19	2819690	144	465038400				
5-20	2824560	142	465317900				
5-21	2830170	140	465632100				
5-22	2835440	137.5	465939600				
5-23	2840230	135.5	466212000				
5-24	2845770	133	466521600				
5-25	2850900	131	466806400				
5-26	2854830	129	467041000				
5-27	2859350	127	467297500				
5-28	2864000	125	467565700				
5-29	2869610	123.5	467892700				
5-30	2875710	121	468237600				
5-31	2881240	118	468564600				

April 1992
Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
4-1	2640240	222.5	454850900	
4-2	2643170	221	455016900	
4-3	2646440	220	455202800	
4-4	2649980	219	455400800	
4-5	2653140	218	455582800	
4-6	2656360	215.5	455766800	
4-7	2660050	213.5	455976800	
4-8	2663470	211.5	456170300	
4-9	2666910	210	456365300	
4-10	2670150	209.5	456591400	
4-11	2673690	209.5	456749400	
4-12	2676890	208	456926100	
4-13	2679560	204.5	457084700	
4-14	2682470	203.5	457249800	
4-15	2685620	202.5	457428400	
4-16	2688650	201	457601500	
4-17	2691440	199.5	457760100	
4-18	2694560	198	457938700	
4-19	2698190	196.5	458143800	
4-20	2700630	195	458283700	
4-21	2703680	193.5	458457300	
4-22	2706800	192	458632700	
4-23	2709340	190.5	458787700	
4-24	2712560	189	458957600	
4-25	2715720	188	459137100	
4-26	2718760	187	459310600	
4-27	2722100	185.5	459498600	
4-28	2725850	184	459712400	
4-29	2729600	182.5	459925800	
4-30	2733670	180.5	460157400	

march 1992 Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped
3-1	2547560		449851000	
3-2	2551990	113	449851000	
3-3	2555320	111.5	450039700	
3-4	2558160	110	450201300	
3-5	2561150	108.5	450376500	
3-6	2563970	107	450530300	
3-7	2566710	105.5	450685300	
3-8	2569680	104	450833200	
3-9	2572910	102.5	451035300	
3-10	2575510	101	451182100	
3-11	2578530	100	451352900	
3-12	2518300	99	451509600	
3-13	2584200	97.5	451674600	
3-14	2587270	96.5	451849200	
3-15	2590230	95.5	452022500	
3-16	2593320	93.1	452191600	
3-17	2596310	91.5	452360700	
3-18	2599250	90	452526900	
3-19	2601920	89.2375	452677800	
3-20	2604920	236.5	452848300	
3-21	2607920	237	453009000	
3-22	2610840	235	453182700	
3-23	2613870	233.5	453354600	
3-24	2616640	232.5	453511400	
3-25	2619630	231	453680900	
3-26	2622720	230	453856800	
3-27	2625590	228.5	454019200	
3-28	2628120	227.5	454167200	
3-29	2631700	226	454365900	
3-30	2634340	225	454575500	
3-31	2637490	224	454694800	

February 1992 Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped	Well #1	Well #2
2-1	2465700	151	444767900			
2-2	2468580	149.5	445130700			
2-3	2471320	148	445285100			
2-4	2474420	147	445460700			
2-5	2477060	146	445612400			
2-6	2479910	145	445773100			
2-7	2482740	144	445944100			
2-8	2485800	143	446105300			
2-9	2488460	142	446255200			
2-10	2491230	140.5	446412200			
2-11	2494080	139.5	446573600			
2-12	2497010	138	446739400			
2-13	2499880	137	446902900			
2-14	2502630	135.5	447056900			
2-15	2505910	134.5	447242000			
2-16	2508630	133.0	447395900			
2-17	2511240	132	447543600			
2-18	2514020	130.5	447701500			
2-19	2516940	129.5	447866900			
2-20	2517940	128	448037200			
2-21	2522930	126.5	448206400			
2-22	2525670	125.5	448361400			
2-23	2528430	124	448517900			
2-24	2531260	122.5	448677900			
2-25	2534100	120	448837600			
2-26	2536930	120	448997900			
2-27	2539930	118.5	449167900			
2-28	2543030	117	449343800			
2-29	2546180	115.5	449522100			
3-1	2549430	114.5	449700000			

January 1992 Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped	Well #1	Well #2
1-1	2374790	192	439834400			
1-2	2378700	190.5	440069400			
1-3	2382030	189	440251900			
1-4	2385360	187	440437900			
1-5	2388690	185	440623900			
1-6	2390990	185	440756100			
1-7	2394120	183.5	440931900			
1-8	2397040	182	441095900			
1-9	2399750	180.5	441248500			
1-10	2402620	179	441410200			
1-11	2405500	177.5	441571900			
1-12	2407900	176.5	441710700			
1-13	2411320	175	441900900			
1-14	2413990	174	442051700			
1-15	2416800	172.5	442210400			
1-16	2419770	171	442377400			
1-17	2422760	170	442545600			
1-18	2425760	168.5	442710700			
1-19	2428760	167	442872400			
1-20	2430890	165.5	443032900			
1-21	2433950	164	443176200			
1-22	2436780	162.5	443335300			
1-23	2439580	162	443492900			
1-24	2442340	160.5	443648900			
1-25	2445090	159	443803900			
1-26	2447840	158	443957900			
1-27	2451240	156.5	444152700			
1-28	2454030	155	444309700			
1-29	2456810	153.5	444466600			
1-30	2459780	152	444634300			
1-31	2462930		444811100			

September 1991 Water Chart

Date	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped	Well #1	Well #2
9-1	1958860	236	416667800			
9-2	1963710	234.5	416668800			
9-3	1969540	232	416992100	323,300		
9-4	1974070	231	41724500			
9-5	1977330	229.5	417541000			
9-6	1984250	227.5	418124700			
9-7	1989510	225.5	418157100			
9-8	1991370	223.5	4181881200			
9-9	1999610	221.5	418688000			
9-10	2004760	219.5	418982900			
9-11	2009210	217.5	419235100			
9-12	2013490	215.5	419425800			
9-13	2017870	214.5	41972300			
9-14	2021190	213.5	41992300			
9-15	2026740	212	4201571000			
9-16	2029130	210.5	420357800			
9-17	2033040	208.5	420577500			
9-18	2036560	206.5	420775800			
9-19	2040040	204.5	420971600			
9-20	2043630	202.5	421173700			
9-21	2046210	201.5	421373700			
9-22	2051380	200	421625200			
9-23	2055430	199	421839200			
9-24	2058960	197	422038500			
9-25	2062960	195	422264200			
9-26	2066810	193	422480900			
9-27	2072390	191	422792700			
9-28	2076000	189	423018800			
9-29	2080000	188	423241800			
9-30	2085820	185	423556400			

August 1991
Water Chart

	Chlorine meter	Chlorine	master meter Reading	Total Gallons Pumped	Well #1	Well #2
1	1827790	142	408428600	279800	4475600	0347100
2	1832400		408675200		4481700	0347700
3	1836650		408910800		4487700	0348000
4	1836660		408911700		4488300	0348000
5	1838980		409068500		4492200	0348200
6	1844560	133	409390200		4499600	0356400
7	1850150	130	409693300		4506900	0356500
8	1851750		409781500		4509800	0360100
9	1856660	127	410058500		4516300	0360400
10	1861400	126	410308100		4522100	0360400
11	1869240	125	410540100		4527800	0360600
12	1870190	122	410818600		4533300	0360600
13	1874100	120	411036500		4539500	0360700
14	1878940	118	411306400		4545900	0360700
15	1884460	116	411621600		4553300	0360700
16	1889550	114	411908200	286600	4560200	0360700
17	1893980	112.5	412156600		4566500	0360800
18	1898490	110.5	412411400		4572800	0361000
19	1902350	109	412628600		4578300	0361200
20	1906640	107	412869800		4584400	0361300
21	19111400	106	413123900		4590600	0361300
22	19149700	104	413410000		4597700	0361300
23	1920180	102	413707600		4604700	0361300
24	1922900	100	414047700		4612600	0361300
25	1922910	97	414359600		4619900	0361300
26	1927870	94.5	414650800		4626800	0361400
27	1933470	92	414963800		4634100	0361400
28	1939110	90.5	415281500	317700	4641500	0361400
29	1944750	90	415602800	319	4648700	0361600
30	1949620	out	415879900		4654700	0361800
31	1954200	236.5	416133100		4658700	036300

October 1991
Water Chart

Date	Chlorine meter	lbs. Chlorine	master meter Reading	Total Gallons Pumped	Well #1	Well #2
10-1	2090220	183	423806700			
10-2	2095070	181	424079400			
10-3	2099770	179	424344300			
10-4	2103510	177	424555000			
10-5	2106100	176	424720000			
10-6	2108700	175	424890000			
10-7	2112660	173	425070500			
10-8	2116150	172	425266700			
10-9	2119370	170	425448200			
10-10	2122870	168.5	425644700			
10-11	2126430	167	425844500			
10-12	2129500	166	426010000			
10-13	2132500	165	426180000			
10-14	2136570	162.5	426411700			
10-15	2139860	161	426599900			
10-16	2143300	159	426794300			
10-17	2146770	157.5	426989100			
10-18	2150260	156	427184800			
10-19	2153810	154	427380000			
10-20	2157400	152	427576000			
10-21	2160490	151	427759400			
10-22	2164160	149.5	427966400			
10-23	2168000	148	428182700			
10-24	2171440	146	428375900			
10-25	2174650	144	428556400			
10-26	2178040	142.5	428740000			
10-27	2181400	141	428920000			
10-28	2184350	140	429100400			
10-29	2187160	138	429258800			
10-30	2190240	137	429432100			
10-31	2193280	135	429603300			



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 27, 1994

Ernie Schweigert, Mayor
City of Gregory
Box 436
Gregory SD 57533-0436

Dear Mayor Schweigert:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from the Ogallala Formation which is held by the City of Gregory. We have received your January 19, 1984 letter requesting the retention of this permit. A copy of the **draft recommendation** is enclosed for your review.

As a part of the review of future use permits, we have converted existing future use permits from cubic feet of water per second (diversion rate) to acre-feet annually (volume). This conversion from cfs to acre-feet is to increase the city's flexibility when placing reserved water to beneficial use. We have used a 60% pumping rate in making this conversion from a diversion rate to acre-feet annually. In addition, in cases where the 60% converted figure is greater than double the maximum annual water usage submitted by the city, our recommendation reflects Water Management Board Rule 74:02:01:24.01. This rule states that future use permits may be limited to two times the amount actually put to beneficial use.

If you believe the recommended amount to remain in reserve does not adequately meet your city's future development needs, please provide additional justification for a greater amount. This draft recommendation is to provide you the opportunity to comment on our recommendation prior, to publishing the notice of hearing.

If we do not receive comments from you by May 10, 1994, we will schedule the publication of the notice of hearing with the recommendation as enclosed. The review of this permit will then be scheduled for the July 6 & 7, 1994 Water Management Board meeting.

Please contact me, if you have any questions.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosure

Instruction to Newspaper-Publish first publication of the following Notice on May 25, 1994 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, Box 436, Gregory SD 57533-0436 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved May 25, 1979 to reserve 1.50 cubic feet of water per second from the Ogallala Formation located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 1622-2 REMAIN in EFFECT for 578 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at the Ramkota Inn Best Western, 920 W Sioux, Pierre SD on June 28, 1994 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 20, 1994. The Chief Engineer's address is Water Rights Division, Joe Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Division, DENR, Joe Foss Building, Pierre SD 605 773-3352 by June 20, 1994. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 20, 1994. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1994

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

Ernie Schweigert, Mayor
City of Gregory
Box 436
Gregory SD 57533-0436

Dear Mr. Schweigert:

Future Use Permit No. 1622-2 will be reviewed for progress in the development and future plans for use of the water reserved. The notice of this review has been sent to the Publisher of the Times-Advocate printed at Gregory SD (Phone # 835-8089). For your information, a copy of the recommendation of the Chief Engineer is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1994

Gregory Times-Advocate
Box 378
Gregory SD 57533-0378

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 1622-2 to be published twice. Please publish the first notice on May 25, 1994 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 City of Gregory, Box 436, Gregory SD 57533-0436.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE
No. _____
TO: Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____
We are in receipt of your letter of _____ enclosing Notice of Hearing to to
Review Future Use Water Permit No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2, CITY OF GREGORY

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Water Permit No. 1622-2, City of Gregory, Box 436, Gregory SD 57533-0436.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the City of Gregory has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

That Permit No. 1622-2 reserve for future use a total of 578 acre-feet of water annually. The diversion rate of 1.50 cfs is deleted from Permit No. 1662-2.

And that maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$30.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City of Gregory.



JOHN HATCH, Chief Engineer
May 16, 1994

NOTE: The maximum annual acre-feet of full-time pumping represented by 1.5 cubic feet of water per second (cfs) reserved by No. 1622-2 is 1,086 acre-feet. Assuming that the total amount pumped annually would equal 60% of 1,086 acre-feet, then expected developed pumping of water reserved under Permit No. 1622-2 would be about 651 acre-feet per year.

The maximum annual water usage of record by the City of Gregory was 289 acre-feet in 1993. Doubling this annual use (578 acre-feet) to estimate the volume that may be reserved is less than that expected to be developed by pumping 60% of 1.5 cfs (651 acre-feet under Permit No. 1622-2). Board General Rules 74:02:01:24.01 states that future use permits may be limited to two times the amount actually put to beneficial use. Therefore, Permit No. 1622-2 should be allowed to remain in effect for 578 acre-feet as outlined in the above qualifications.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 7, 1994

NOTICE

Ernie Schweigert, Mayor
City of Gregory
Box 436
Gregory SD 57533-0436

Dear Mayor Schweigert:

I am writing in response to action taken by the Water Management Board at the hearing on June 28, 1994 to review Future Use Permit No. 1622-2. The Board allowed the permit to remain in effect and amended Permit No. 1622-2 adding the qualification on the enclosed "Amendment". The "Amendment" should be placed with the permit. Future Use Permit No. 1622-2 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$30.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, Water Rights Staff Engineer, if you have any questions.

Very truly yours,

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

enclosure

AMENDMENT TO FUTURE USE PERMIT NO. 1622-2

CITY OF GREGORY

Pursuant to the June 28, 1994 Water Management Board hearing, Future Use Permit No. 1622-2 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 1622-2 reserve for future use a total of 578 acre-feet of water annually. The diversion rate of 1.50 cubic feet of water per second is deleted from Permit No. 1622-2.

CERTIFICATION

I hereby certify that on July 7, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing Notices dated July 7, 1994, regarding action taken by the Water Management Board at the hearing on June 28, 1994, to review Future Use Permits, along with the Amendment for these Future Use Permits, addressed as stated below:

1442-2: Mike Kurle, Manager, West River Water Development District,
Box 523, Murdo, SD 57559.

1622-2: Ernie Schweigert, Mayor, City of Gregory, Box 436, Gregory, SD
57533-0436.

2671-3 & 3429-3: Arden Wallum, Manager, WEB Water Development
Association, Inc., P.O. Box 51, Aberdeen, SD
57402-0051.

3984-3: Leonard Heinemann, Manager, Big Sioux Community Water
Corporation, Box 158, Egan, SD 57024.

4456-3: Wade J. Blasius, Manager, Aurora-Brule Rural Water System,
Inc., P.O. Box 140, Kimball, SD 57355.

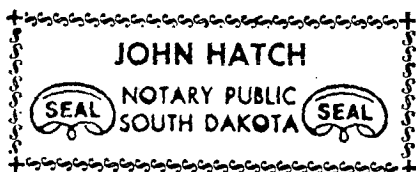
5113-3: Bonnie Nielsen, Finance Officer, Town of Pickstown, P.O. Box
107, Pickstown, SD 57367-0107.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of July, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 7, 1994

Ernie Schweigert, Mayor
City of Gregory
PO Box 435
Gregory SD 57533-0436

Dear Mayor Schweigert:

On July 7, 1994 we requested the fee for maintaining the effectiveness of Future Use Permit No. 1622-2. To date, we have not received this payment.

Please submit the \$30.00 fee as soon as possible to avoid jeopardizing the City's future use permit. If you have questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Division
605 773-3352

c: Al Cerny, Finance Officer



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Gregory) ss

I, Nelson L. Miller

certify that the attached printed Notice was

taken from the Gregory Times-Advocate

printed and published in Gregory

County of Gregory and

South Dakota. The notice was published in the newspaper on the following two dates:

May 25, 1994

June 1, 1994

Cost of Printing: 32.74

Sally A. Miller
(Signature)

Co-Publisher

(Title)

June 1, 1994

(Date Signed)

use permit, and the signature and the mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 and 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Grönlund, Water Rights Division, DNR, Joe Foss Building, Pierre, SD (605) 773-3352 by June 20, 1994. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 20, 1994. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

(21-22)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 1622-2 REMAIN IN EFFECT for 578 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at the Ramkota Inn Best Western, 920 W Sioux, Pierre, SD on June 28, 1994 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with both the permit owner and the Chief Engineer by June 20, 1994. The Chief Engineer's address is Water Rights Division, Joe Foss

Building, 605 E Capitol, Pierre, SD 57501 (605) 773-3352 and the mailing address is Box 436, Gregory, SD 57533-0436. The petition may be filed with the Chief Engineer, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, the reasons for petitioner opposition to or support of continuing the future

RECEIPT

Division of Water Rights

414271

South Dakota Department of Environment and Natural Resources

Pierre, _____

September 13, 1994

RECEIVED OF City of Gregory, PO Box 436, Gregory, SD 57535

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. <u>1622-2</u> to Appropriate Water, for Future Use _____	30	00
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	30 00

By

Chief Engineer

John Hatch
[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 23, 2001

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from groundwater (Ogallala Formation) which is held by the City of Gregory. By law, all future use permits are to be reviewed by the Water Management Board every seven years. The permit reserves water for future water supply needs for the city. Currently, our records show that 365 acre-feet remain in reserve under this future use permit that was issued in 1979 and last reviewed in 1994.

Please respond in writing by May 15, 2001, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 1622-2 will then be public notices and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352

c: Allan Cerny, Finance Officer

CITY OF GREGORY

Al Cerny
Finance Officer

Box 436
GREGORY, SOUTH DAKOTA 57533
Phone (605) 835-8270

Doug Pochop
Mayor

May 8, 2001

SD Dept. Of Environment & Natural Resources
% Karen Schlaak, Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182



RE: Future use water permit # 1622-2

Dear Karen Schlaak:

The City of Gregory would like to retain the water use permit No. 1622-2. The City of Gregory has a sizeable dollar investment in the well field covered by the permit. At the present time, it is our only source of water. We have agreed to hook up to Tripp Rural Water Users District but when is uncertain. Even if the City gets hooked on to rural water, there is a strong possibility that we would want to continue using our wells for the time being and have the rural water source as a backup.

Future needs should remain consistent with what we are now using. This is based on current population trends. If commercial or industrial usage should change, then we would need more water.

I have enclosed pumping records from 1999 to the present. There are some months which I can't located records for but it is estimated that average usage would run 230,000 gallons per day with the peak being 450,000 to 500,000 gallons per day.

Thank you,

Doug Pochop
Mayor, City of Gregory

Jan 1999

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6
	Chlorine	Chlorine Water meter	meter Gallons	Gallons Pumped	Loss Chlorine	Total Gallons Used
1	20.3	243500	412289000			
2	20.2	248040	412460000	176000	2540	178540
3	20.0	250000	412500000	184000	2640	186640
4	19.8	253040	412806000	161000	2340	158460
5	19.6	256000	413000000	216000	3000	213000
6	19.5	258160	413161000	139000	2010	136990
7	19.3	260580	413357000	176000	2580	173580
8	19.2	263540	413534000	172000	2560	171440
9	19.1	266150	413710000	160000	2400	160000
10	189.5	268300	413869000	155000	2150	152850
11	188.1	270300	414000000	140000	2000	140000
12	186	273180	414219000	201000	2820	198180
13	184.5	275000	414300000	170000	2500	170000
14	183	278110	414578000	180000	2470	177530
15	181	280000	414600000	170000	2300	170000
16	179	283070	414939000	181000	2480	178500
17	177	285000	415100000	170000	2300	170000
18	176	288180	415309000	184000	2540	181460
19						
20	171	296040	415849000	339000	5100	339000
21	169	298000	416000000	170000	2300	170000
22	167	300240	416151000	197000	2730	194770
23						
24	165	304670	4164874000	161100	2230	163330
25						
26	160	309760	416840000	177000	2440	174560
27		312000	417000000	170000	2300	170000
28	167	314730	417202000	182000	2800	179500
29	165	317000	417400000	170000	2300	170000
30	154	319630	417558000	163000	2230	160770
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						

Feb 1999

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6
	Chlorine	Chlorine water meter -	meter Gallons -	Gallons Pumped	Loss Chlorine	TOTAL Gallons Used
1	150	356900	41794300	17000	2420	1702420
2	148	377300	41811500	17200	2360	169640
3	146	39870	4182900	15000	2300	152300
4	145	332260	41847800	174000	2390	171610
5	143	301870	41864000	15000	2300	152300
6	141	336890	41881000	150000	2070	147930
7	139	339400	41899600	15000	2560	152560
8	138	302220	41919900	203000	2770	200280
9	136	344870	4193200	198000	2300	190300
10	134	347100	41955300	161000	2230	158770
11	133	349900	41971200	209000	2300	171200
12	130.5	352390	41993700	175000	2420	172580
13	129	354130	4200500	165000	2300	165300
14	127	356910	42026400	182000	2520	179480
15	125	359450	4204200	18000	2300	182300
16	123	362020	42063500	180000	2570	183430
17	121.5	364740	4208000	18000	2730	182730
18	119	367670	42104600	212000	2930	209070
19	117	369300	4211700	18000	2300	182300
20	116.5	371460	42132200	156000	2150	153850
21						
22	113	376360	42167700	181000	2490	178510
23						
24	110	381630	422060000	174000	2420	171580
25						
26	106	386650	42242500	192000	2650	189350
27						
28	104	391190	42273600	170000	2320	172320
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						

March 1999 Pump House Readings

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6
	Chlorine Water WST.	Chlorine Meter Motor -	Master meter Gallons -	Gallons Pumped	Less Chlorine Used	TOTAL Gallons
1	101	395990	42294300	189000	8600	186400
2	99	396520	42314200	197000	2730	194270
3	98	396190	42333100	214000	2870	211330
4	96	401180	42348100	145000	1990	143010
5	94	408100	42360400	183000	2530	180470
6	93	405060	42380700	143000	2150	140850
7	91	408330	42390000	193000	2670	190330
8	89	410830	42418200	182000	2560	179500
9	87	413370	42436700	195000	2670	192400
10	86	413920	42455000	183000	2550	180450
11	84	415920	42476000	210000	2900	212900
12	83	420770	42490200	142000	1950	140050
13	81	423440	42509700	195000	3670	191330
14	259	425770	42520600	169000	2730	166270
15	258	425770	42531500	170000	2730	167300
16	257	431260	42544400	207000	2840	204160
17	256	431260	42555300	192000	2840	189160
18	254	437180	42609300	230000	3180	226820
19	253	437180	42620200	176000	2800	173200
20	253	4411370	42639800	131000	1820	129180
21						
22	251	446920	42679300	141000	2630	138370
23						
24	250	451930	427164100	179000	2440	176510
25						
26	244	457720	42750400	172000	2380	169420
27	242	457720	42761300	172000	2380	169420
28	240	462520	42793400	188000	2580	190580
29	238	462520	42804300	182000	2450	179800
30						
31	232	468470	42850000	375000	5120	369850
32						
33						
34						
35						
36						
37						
38						
39						
40						

April 1999 Pump house 3, 95016

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6	
							TOTAL
1	230	418930	42891300	24000	3460	1802540	
2	229	4175970	42891300	14900	2640	146960	
3	228	4175970	42891300	14900	2640	146960	
4	226	4181420	42893000	2411000	3310	237690	
5	225	4175970	42891300	14900	2640	146960	
6	224	4186210	42965700	144000	1960	142040	
7							
8	218	4191240	413002300	366000	5030	360970	
9	215	4175970	42891300	14900	2640	146960	
10	213	4196300	430770000	174000	2410	171590	
11	211	4175970	42891300	14900	2640	146960	
12	209	502170	413051600	237000	3270	233730	
13	207	502170	413051600	237000	3270	233730	
14	206	507360	413119200	189000	2600	186400	
15							
16	204	511710	413150500	131000	2340	128660	
17	201	511710	413150500	131000	2340	128660	
18	198	516270	431875000	222000	2610	209400	
19	195	516270	431875000	222000	2610	209400	
20	193	522190	43226700	188000	2600	185400	
21							
22	188	528320	43271300	254000	3490	250570	
23							
24	183	532660	43302700	177000	2450	174550	
25							
26	179	537850	43340300	192000	2640	189360	
27							
28	174	541370	43378800	175000	2400	172600	
29	172	541370	43378800	175000	2400	172600	
30	169	548440	434118200	198000	2750	195250	
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							

May 1999 & June

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6	
						TOTAL	
1	167	557360	43437000	1971000	2720	144260	1
2	165	554370	43459000	720000	3010	216990	2
3	163	552180	43437000	162000	2720	144260	3
4	161	559350	43495000	195000	2720	192280	4
5	158	561840	43507000	195000	2720	192280	5
6	157	562940	435215000	77000	1080	75920	6
7		563030	435257000	79000	1080	35570	7
8	153	568450	435614000	367000	5020	351980	8
9	151	575110	43573000	117000	1650	15510	9
10	BOOSTER Pump failed all motors are TL Sema						10
11	146	586380	43627000	52000	2550	5023000	11
12							12
13	139	584750	43679000	199000	2950	196050	13
14							14
15	135	590370	437207000	199000	2710	196260	15
16							16
17	133	596370	43765000	242000	3500	242500	17
18	130	596670	437662000	203000	3200	199800	18
19							19
20	127	601660	438625000	196000	2690	193610	20
21							21
22	124	607540	438952000	261000	2750	203750	22
23							23
24	119	613610	438814000	196000	2720	193280	24
25							25
26	198	622090	439285000	163000	6420	456880	26
27							27
28	235	6296000	43993000	222000	3060	218940	28
29							29
30	231	6344000	44039000	236000	3250	232750	30
31	229	6344000	44039000	236000	3250	232750	31
32	226	641230	440891000	265000	3670	261330	32
33							33
34	222	647270	44133000	439000	6640	432960	34
35							35
36	218	654810	44187000	270000	3790	270210	36
37							37
38	211	661220	44233000	270000	3790	266240	38
39							39
40	206	669710	44285000	306000	4220	301780	40

may 2 June 99

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6
					<i>total</i>	
1	202	676820	44397000	338000	7600	346000
2	201	678890	44357100	128000	1770	156300
3	200	682100	44385700	171000	180	202800
4	198	685220	444077000	226000	3120	202800
5	197	687100	444277000	210000	8000	197800
6	196	690990	444495000	208000	2870	209130
7	194	693570	444681000	186000	2570	185920
8	193	696400	444986000	205000	2830	207830
9	191	697610	445132000	246000	3010	217210
10	186.5	703100	445371000	239000	3490	235510
11	185	705000	445571000	183000	1700	183000
12	183	709980	445870000	196000	2700	193300
13	182	712870	446057000	177000	2300	177800
14	181	715200	446292000	215000	3030	218030
15	178	717000	446477000	177000	1700	177000
16	175	722900	446841000	302000	4880	297820
17	174	724000	447000000	277000	3700	197800
18	173	727730	447154000	200000	2750	197250
19	171	728000	447300000	177000	1700	177000
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						

July 99

Prepared By	Initials	Date
Approved By		

	1	2	3	4	5	6
					total	
1	170	733850	44757600	255350	8500	200190
2	168	736470	44778700	811000	8920	201080
3	167	739350	44799400	137000	2230	20150
4	165	742820	448246000	292000	34711	248530
5	163	746170	448498000	337000	7120	249000
6	161	749620	448737000	258000	3580	251420
7	159	753850	448974000	157000	3260	252400
8	157	756410	449230000	256000	3260	252940
9	156	757900	449480000	25000	1380	253000
10	155	757900	44976500	885000		
11	153	760780	450050000	132000	3260	253000
12	234	764200	450265000	237000	3370	253130
13	231	767450	450530000	132000		
14	230	772970	45086600	260000	3860	255140
15	229	776420	451137000	132000		
16	225	782750	451434000	273000	5495	267505
17	221	787480	451723000	132000		
18	216	793200	451888000	249000	8720	254720
19	215	796650	452159000	132000		
20	209	803910	452338000	197000	4910	192090
21	208	807360	452609000	132000		
22	206	810440	452844000	391000	6100	284890
23	205	815440	453144000	191000	3930	187070
24	205	825520	453348000	191000	3930	187070
25	204	828970	453619000	132000		
26	199	834470	453908000	201000	3750	253250
27	198	837920	454179000	132000		
28	195	843440	454484000	280000	4210	275790
29	194	846890	454755000	132000		
30	190	853160	455150000	331000	4810	326140
31	189	856610	455421000	132000		
32						
33						
34						
35						
36						
37						
38						
39						
40						

	Initials	Date
Prepared By		
Approved By		

SPT East Well Field Pump House Gaging Reading

Prepared By	Initials	Date
Approved By		

1999

	1	2	3	4	5	6
						TOTAL
1	236	101720	4682700	282000	4010	227880
2	235	1013120	4655760	249000	3840	265160
3	234	101250	4655760	249000	3780	265160
4	233	1020010	466056000	219000	3110	222110
5	232	1023040	466056000	209000	2030	222110
6	230.5	1025960	466469000	204000	2920	206920
7	227	1025960	466469000	211000	3530	252700
8	224	1032280	466907000	227000	3380	223620
9	223	1035330	466907000	213000	3050	223620
10	221	1035420	467365000	208000	3590	244410
11	219	1035420	467365000	208000	3590	244410
12	216	1044930	467789000	219000	3120	215880
13	215	1044930	467789000	219000	3120	215880
14	213	1051700	468260000	237000	3270	203730
15				231000	3270	203730
16	209	1054070	468703000	212000	3050	207950
17						
18	204	1064400	469166000	209000	3010	215890
19						
20	200	1071990	469666000	263000	2780	259220
21						
22	195	1078320	470117000	271000	3880	274880
23						
24	189	1085070	470584000	243000	3860	232440
25						
26	186	1091570	471039000	205000	2940	207940
27						
28	181	1097620	471480000	234000	3360	230650
29						
30	176	11052500	471990000	259000	3720	253280
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						

October 99 Bump House

Prepared By	Initials	Date
Approved By		

		1	2	3	4	5	6
		Gallons Chlorinated	Gallons Meter	Gallons Pumped	Chlorene total	Gallons - Chlorene total	
	lbs Chlorene						
1	174	107740	472140	164000	8230	161770	1
2	172	111120	47234800	254000	3640	251360	2
3	171	113300	475500	194000	2090	193300	3
4	169	116980	47280400	622000	3180	218820	4
5	167	119500	4732000	504000	2840	25160	5
6	166	122560	473193000	183000	2640	180360	6
7	164.5	1255900	47340000	229000	3340	215340	7
8	162	129100	473623000	221000	3200	217800	8
9	160	1321000	4737000	134000	2630	132130	9
10	159	1134870	47402700	220000	3140	216860	10
11	156	132000	4740000	100000	3000	313000	11
12	154	1141000	47445000	213000	3060	209940	12
13	152	1140000	4744000	229000	3050	229000	13
14	150	1148020	474941000	254000	3630	254650	14
15					3530	25160	15
16	144	1154290	4753378000	233000	3340	236340	16
17	141	1170000	4754000	217000	3250	217250	17
18	136	1163800	476024000				18
19	136	1163800	476024000		1330	476024000	19
20	134	1167040	476232000	228000	3270	231320	20
21							21
22	128.5	1174020	476728000	248000	3600	244400	22
23							23
24	124	1180090	477152000	187000	2680	184320	24
25							25
26	120	1187310	477652000	240000	3560	270040	26
27							27
28	115	1194400	478147000	309000	4460	304540	28
29							29
30	112	1199100	47857000	171000	2430	118570	30
31							31
32							32
33							33
34							34
35							35
36							36
37							37
38							38
39							39
40							40

November 99 Pump House

Prepared By	Initials	Date
Approved By		

		1	2	3	4	5	6
		Gallons	Gallons	Gallons	Chlorene	Gallons	
	lbs Chlorene	Chlorinated	meter	pumped	Total	-Chlorene	
					Total	Total	
1	109	1206090	47747800	263000	3000	267800	
2	118	1209720	479245600	267000	3630	263370	
3	106	1212070	47825000	260000	3000	300000	
4	105	1215230	47928000	179000	2540	176440	
5	1025	1211000	47780000	260000	3000	260000	
6	100	12217900	480086000	246000	3570	249570	
7	98	12246400	480286000	200000	2850	200000	
8	94	122850	480306000	270000	2870	266130	
9	92	1230600	480306000	260000	2850	260000	
10	89	1235016	481019000	263000	3650	269350	
11	88	1237750	48150000	180000	2740	180000	
12	291	1242000	481514000	306000	3340	302640	
13							
14	234	1247860	481915000	401000	5710	398290	
15	232	1247860	481915000	401000	5710	398290	
16	231	1254160	482363000	187000	2650	184350	
17	219	1254160	482363000	187000	2650	184350	
18	227	1266500	482370000	260000	3270	260000	
19							
20	222	1266030	483170000	200000	3010	200000	
21							
22	219	1271900	483380000	280000	3150	214850	
23							
24	215	1277120	483964000	197000	2820	194180	
25	212	1280000	484100000	200000	3000	200000	
26	211	1282940	484370000	197000	2880	201880	
27	209	1285000	484500000	200000	3000	200000	
28	206	1288790	484780000	260000	2700	213700	
29	204	1290000	484800000	260000	2700	260000	
30	202	12941320	485765000				
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							

December 99 Pump house

	Initials	Date
Prepared By		
Approved By		

WILSON JONES

G7506 Column-Write

lbs Chlorene	Gallons Chlorinated	Gallons meter	Gallons Pumped	Chlorene total	Gallons - Chlorene lost
200	1297640	485396000	23000	3320	227680
197	1300270	485578000	182000	2630	179370
195	1302930	485764000	186000	2660	183340
192	1305610	485951000	187000	2680	184320
190	1308490	486150000	196000	3820	192720
188	1311150	486338000	188000	2700	185300
185	1314330	486550000	217000	3140	213860
183	1316790	486727000	172000	2460	169540
181	1319440	486911000	184000	2650	181450
179	1322780	487113000	232000	3340	228660
177	1325050	487300000	157000	2270	152730
175	1327740	487487000	187000	2690	184310
173	1330340	487674000	187000	2660	184340
171	1333160	487868000	194000	2820	191140
168	1335680	488064000	176000	2520	173480
165	1338570	488297000	203000	2890	201110
163	1341050	488419000	172000	2480	109520
162	1344010	488626000	207000	2940	209960
160	1346380	488797000	171000	2370	173070
158	1349640	489017000	220000	3260	216740
155	1352470	489228000	195000	2830	192170
153	1354550	489359000	147000	2080	144920
151	1357650	489572000	218000	3160	214900
149	1360410	489768000	191000	2760	1188240
145	1365430	489981000	213000	5520	207480
140	1371130	490176000	195000	5200	189800
135	1376640	490371000	195000	5270	189730
130	138244	490584000	213000	5900	207200
127	13888	490803000	219000	5740	213260
126	1390650	490975000	172000	2470	16530
124	1393350	491162000	187000	2700	184300

Jan 2010

chlorine

Gallons Gallons Gallons chlorine
chlorinated water sum + total

~~total~~

1	122	1396370	491371000	209000	2000	207000	1
2	20	1399020	491557000	196000	2650	183350	2
3	116	1401510	491730000	173000	2490	170610	3
4	118	1402930	491850000	150000	2780	187220	4
5	112	1407080	492120000	196000	2790	187210	5
6	110	1410050	492320000	204000	2970	201030	6
7	108	1412550	492490000	175000	2500	173500	7
8	107	1415390	4927000000	201000	2840	203840	8
9	104.5	1418340	492903000	203000	2950	205950	9
10	103	1420640	493083000	180000	2600	1774000	10
11	101	143520	493262000	179000			11
12	98	1424870	493350000	98000			12
13	96	1429130	493657000	307000	4280	302720	13
14	94	1432000	493854000	197000	2850	194150	14
15	92	14314820	494052000	198000	2820	195180	15
16	90	143729	494223000	171000	2470	168530	16
17	89	1440200	494429000	201000	2610	198090	17
18	87	1442960	494616000	192000	2760	189240	18
19	262	1446230	494842000	226000	3270	222730	19
20	260	1449020	495038000	196000	2790	193210	20
21	258	1451250	495191000	153000	2230	150770	21
22	256	1454170	495394000	209000	3220	199780	22
23	254	1456030	495562000	171000	2460	118540	23
24	252	1459620	495774000	209000	2990	206010	24
25	250	1462830	495951000	177000	3210	173790	25
26	248	1468330	496149000	298000	5500	292500	26
27	244	1471440	496339000	190000	3110	186890	27
28	242	1474060	496520000	183000	2620	180380	28
29	240	1476850	496713000	191000	2790	193790	29
30	238	1479620	496907000	194000	2790	196770	30
31							31
32							32
33							33
34							34
35							35
36							36
37							37
38							38
39							39
40							40

Feb 00

Prepared By	initials	Date
Approved By		

WILSON, ONES

G7508 Column Width

2

3

4

5

6

chlorine

Gallons

Gallons

Gallons

Chlorine

total

chlorinator

meter

pump

Total

235

1484940

49725600

369000

3320

374320

233

1487660

497464000

188000

2720

190720

230

1490720

497678000

214000

3260

210740

228

1464150

497916000

238000

3430

239570

226

1466210

498058000

142000

2060

139940

224

1498980

498251000

193000

2770

190230

222

1502110

498467000

216000

3130

212870

220

1505480

498700000

233000

3370

229630

218

1507640

498953000

153000

2110

150840

216

1510750

499059000

206000

3110

202890

214

1512860

499200000

141000

2110

138840

212

1515670

499360000

186000

2810

183190

211

1518290

499500000

174000

2620

171380

209

1521270

499734000

174000

2980

171020

207

1523990

499913000

179000

2280

176320

205

1526630

500089000

178000

2690

173320

203

1530490

500344000

255000

3850

251150

201

1532440

500474000

130000

1960

128040

200

1535450

500672000

198000

3010

201010

198

1538050

500846000

174000

2600

176800

195

154068

501020000

174000

2630

171370

193

1543650

501219000

199000

2970

196630

190

1546910

501442000

186

1553400

501767000

325000

6490

389900

182

1558760

501951000

184000

5310

179610

179

1562000

502138000

187000

3240

183760

177

1564510

502305000

1107000

2570

164430

175

1568190

502489000

184000

3630

180370

march 00

initials Date

Prepared By

Approved By

Gains Pump

chlorine

Gains

Gains

Gains

Chlorine

Loss Chlorine

chlorine

meter

pump

Total

Gains Pumped

173

1571720 50267600 187000

3580

183420

171

1574490 50285900 183000

2770

180230

169

1577320 50304100 189000

2930

186170

166

1579970 50322600 188000

2690

185350

164

1583130 50343300 207000

3760

203240

162

1586210 50363600 203000

2980

200020

159

1589240 50383500 199000

3030

195970

157

1592220 50403100 196000

2980

193020

155

1594780 50419800 167000

2560

164440

153

1598020 50441200 214000

3640

210360

154

1600470 50457400 162000

2450

164450

151

1603250 50475700 183000

2780

185780

149

1605460 50493200 173000

2610

170390

147

1613730 50501000 202000

2960

190040

145

161770 50531800 206000

2950

203050

143

1615070 50553900 217000

3300

213700

142

1617770 50571400 177000

2700

174300

140

1620210 50587300 161000

2440

158560

138

1622820 50604400 171000

2610

168390

136

1625980 50621500 801000

3060

197940

135

1628920 50644500 200000

3040

203040

134

1631660 50662500 180000

2740

182740

133

1634760 50682900 204000

3100

200090

131

1637860 50703300 204000

3100

2009100

129

1640810 50721600 191000

2760

178250

127

1643720 50738900 175000

3110

172890

125

1646446 50759800 179000

3120

175880

123

1647170 50773400 178000

2730

175260

121

1651900 50795700 179000

2730

176260

118

1653700 50821700 180200

2860

177340

115

1657960 50834800 180500

2800

176320

June 2010

WILSON JONES

G7506 ColumnWrite ©

	Initials	Date
Prepared By		
Approved By		

	1	2	3	4	5	6
	Chlorene	Gallons Chlo	Gallons meter	Gallons Pumped	chlorene Total	Gallons less chlo Pumped Total
1	100	188900	552284000	316000	4400	4315540
2	95	192910	55256000	282000	4010	277990
3	214	196770	55282000	266000	3810	212190
4	211	200990	553120000	288000	4270	193730
5	239	205670	553457000	337000	4680	332320
6	237	209560	553730000	213000	3990	269110
7	230	213960	554030000	308000	4410	303600
8	224	218190	554325000	287000	4230	282700
9	233	222780	554629000	304000	4590	308590
10	232	227670	554979000	350000	4890	354890
11	228	232180	555300000	321000	4510	316490
12	226	236040	555610000	261000	3860	257140
13	224	240430	555860000	303000	4390	298610
14	222	245350	556214000	350000	4920	345080
15	220	249800	556575000	300000	4490	296550
16	218	254190	556818000	303000	4390	298610
17	215	258570	557105000	287000	4390	282680
18	212	263270	557441000	336000	4700	331320
19	210	268030	557787000	341000	4760	336290
20	208	271490	558017000	235000	36100	23590
21	206	275050	558261000	244000	3560	240990
22	204	280290	558490000	229000	3240	234240
23	203	286190	558714000	224000	5850	229850
24	201	289600	558952000	238000	3660	241660
25	198	293970	559301000	349000	3910	348080
26	193	296100	559497000	193000	2230	194770
27	91	300140	559779000	282000	4040	271960
28	189	304060	560047000	260000	3920	260080
29	187	308070	560324000	277000	4010	272990
30	185	312620	560626000	302000	4530	298790

July 2000
East Well Field

Prepared By	Initials	Date
Approved By		

WILSON JONES

G7.35 ColumnWrite .1

	1	2	3	4	5	6
Chlorene	Gallons Chlorene	Gallons meter	Gallons Pumped	Chlorene total	Gallons pumped less Chlorene total	
98	1975490	531141000	261000	3640	257860	1
96	1979700	53144000	300000	4210	295780	2
94	1984100	531748000	307000	4200	302800	3
94	1987700	5319800	250000	3700	246300	4
236	1991630	532291000	261000	3765	247285	5
234	1994980	53254000	241000	3350	287650	6
232	1998310	53278000	243000	3330	239670	7
230	2003150	533157000	374000	5380	368620	8
227	2005970	533550000	393000	5220	381780	9
224	2014170	533914000	364000	5260	358740	10
222	2018570	534217000	303000	4400	2986000	11
220	2022240	534566000	361000	4370	347630	12
213	2027840	534968000	420000	4900	415000	13
212	2032790	535308000	425000	4950	420050	14
211	2037800	535696000	388000	5011	393011	15
210	2042310	536054000	358000	4500	362500	16
206	2046370	536370000	316000	4060	311940	17
204	2051200	536799000	339000	4130	334270	18
201	2056500	537068000	349000	5300	343700	19
199	2059810	537271000	213000	3310	209690	20
196	2065210	537622000	361000	8400	345000	21
195	2069840	537960000	338000	4630	342630	22
194	2072950	538273000	313000	3110	316110	23
191	2077200	538583000	310000	4280	305720	24
189	1460	538928000	345000		345000	25
185	6290	539249000	321000	4830	31670	26
184	11170	539547000	298000	4880	293120	27
181	16380	539922000	375000	5210	369796	28
179	21410	540378000	391000	5000	360970	29
176	26050	540725000	407000	5240	1101760	30
174	315400	541106000	375000	4850	370110	31
				4		32
						33
						34
						35
						36
						37
						38
						39
						40

	Initials	Date
Prepared By		
Approved By		

Aug 2000

WILSON JONES

G7505 ColumnWrite

	1	2	3	4	5	6
	Chlorene	Gallons Chlo	Gallons meter	Gallons pumped	Chlorene total	Gallons pumped less Chlo total
1	171	36400	54144000	340000	4900	385100
2	169	41290	54178300	343000	4990	638100
3	167	46480	54214600	363000	4180	358820
4	165	51130	54248800	327000	4650	322360
5	164	36290	54287600	403000	5160	596820
6	161	61470	54327800	402000	5280	407280
7	156	67980	54372500	447000	5100	441900
8	154	70700	54394300	218000	2720	215280
9	152	76300	54431200	360000	5600	363400
10	150	81180	544663100	351000	4880	346120
11	146	86060	545021000	358000	4880	353120
12	144	91680	545395000	374000	5620	368380
13	142	97180	545746000	360000	5500	345500
14	140	102830	546115000	368000	6570	362425
15	137	108100	546503000	390000	5260	384730
16	133	1147400	546997000	394000	4640	389360
17	130	118840	547271000	280000	4100	2759000
18	128	123240	547681000	283000	4200	278800
19	127	127730	547944000	327000	3490	323510
20	125	131610	548160000	266000	3880	262100
21	123	135910	548485000	305000	4300	300700
22	120	140150	548785000	300000	4240	245760
23	118	145310	549162000	377000	5160	371840
24	116	149810	549492000	330000	4500	325500
25	114	154580	549839000	342000	4700	337230
26	113	160680	550259000	435000	6100	446100
27	112	165040	550559000	288000	4360	292360
28	110	169550	550885000	328000	4510	332510
29	110	174620	551253000	368000	5070	373070
30	105	179550	551612000	349000	4930	353930
31	103	184440	551968000	356000	4890	360890

[illegible]

Day	Chlorine Pounds	Chlorine Gallons	metered	Pumped	Chlorine Gallons Pumped	Total Pumped
1	231	497560	57339500	217000	3190	213'810
2	230	499710	57354600	151000	2150	145'850
3	229	502100	57371450	198000	2890	195'110
4	228	505530	57394700	203000	2930	200'070
5	224	508490	574150000	203000	2960	205960
6	224	511290	574344000	194000	2800	196800
7	222	514360	57455600	212000	3070	206930
8	221	517250	57475300	197000	2890	194'110
9	218	520240	57495900	206000	2990	208990
10	216	523080	575154000	195000	2840	197840
11						
12	215	527960	57552000	367000	4190	362'120
13	212	531570	575771000	250000	3610	246'390
14	211	533340	575918000	147000	1770	145'230
15	209	536300	57620000	202000	2960	199040
16	207	539250	576332000	212000	1950	210050
17	206	539580	576527000	195000	1330	193670
18	202	544360	576891000			
19	202	544360	576891000	364000	4780	359'280
20	201	547920	577147000	256000	3560	242'440
21	200	550210	577308000	155000	2290	152'710
22	198	552660	577504000	202000	2450	199'550
23	196	554710	577706000	203000	2050	200'950
24	194	558070	57795000	229000	3360	225'640
25	192	561060	578140000	205000	2990	202010
26	190	564500	578315000	239000	3440	231'560
27	188	5676800	878599000	224000	3300	229'700
28	186	571260	578835000	236000	3460	232540
29	184	574570	579062000	227000	3310	223690
30	182	578130	579307000	245000	3560	248560
31	180	581630	579524000	217000	3500	220500
	Pump house Pump Readings					

Jan 2000	Pounds	chlorine	merered	Pumped	Gallons Pumped	Pumped
1	178	584180	579738000	214000	2550	214550
2	174	586890	579925000	187000	2710	184290
3	172	589860	580128000	203000	2970	200030
4	170	592700	580222000	194000	2840	191160
5	17	595550	580318000	196000	2850	193150
6	166	598410	580714000	196000	2860	193140
7	164	602390	580883000	169000	2480	166520
8	163	603650	581070000	186000	2760	185240
9	161	606550	581272000	199000	2900	196100
10	159	607400	581465000	195000	2850	192150
11	157	611830	581550000	186000	2420	183520
12	156	614590	581840000	189000	2760	186240
13	155	61520	582000000	172000	2530	169470
14	153	620150	582261000	209000	2130	205970
15	150	622920	582409000	188000	2770	185230
16	149	625960	582618000	209000	3040	205960
17	148	62800	582762000	144000	2110	141860
18	146	631220	582979000	217000	3120	213880
19	144	633620	583134000	155000	2200	152800
20	142	636210	583325000	191000	2790	193790
21	140	638840	583506000	181000	2630	183630
22	139	641240	583668000	162000	2400	159600
23	137	644680	583900000	232000	3370	228630
24	135	646730	584042000	142000	2120	139679
25	134	649350	584222000	150000	2120	177380
26	132	652190	584409000	187000	2840	184160
27	130	654840	584589000	180000	2650	177350
28	128	657290	584757000	168000	2450	165550
29	126	660910	584964000	207000	3020	203980
30						
31	123	665740	585369000	405000	5480	399520
Pump		house Pump Reading				

[illegible]

Mar 2001 Day	Pounds	chlorine	metered	Pumped	Gallons Pumped	Pumped
1	229	742610	59241000	17200	2610	175390
2	221	745090	591018000	172000	2480	169520
3	219	747540	591187000	169000	2450	171450
4	217	750780	591406000	219000	3240	222240
5	216	753300	5920000	174000	2560	171410
6	215	756470	591796000	216000	3130	212870
7	211	759760	592019000	223000	3290	219710
8	212	762550	592190000	171000	2070	168930
9	211	764690	592388000	198000	28100	195140
10	210	767100	592511000	191000	2750	193250
11	209	769880	592702000	168000	2440	1165560
12	208	772880	592945000	207000	3000	200000
13	206	775950	593157000	213000	3060	209940
14	204	778810	593357000	199000	2870	196130
15	203	781500	593557000	172000	1880	176120
16	202	784100	593757000	193000	2450	190550
17	200	785690	593897000	175000	2550	172450
18	199	788710	594104000	207000	3020	203980
19	196	791200	594322000	198000	2230	195670
20	195	793710	594485000	183000	2670	185670
21	193	796250	594656000	171000	2540	173540
22	193	798570	594823000	167000	2370	169370
23	192	801120	594998000	175000	2550	172450
24	191	803830	595181000	183000	2710	185710
25	189	806230	595335000	174000	2400	176400
26	189	808640	595520000	165000	2410	162590
27	188	811230	595695000	175000	2590	172410
28	187	813220	595879000	184000	1990	182010
29	185	815960	596065000	186000	2740	183260
30	183	818530	596238000	173000	2570	170430
31	182	821490	596441000	203000	2960	200040
		Pump house	Pump Readings			

April 2001 Day	chlorine Pounds	chlorine	metered	Pumped	Gallons Pumped	Pumped
1	180	824130	596619000	178000	2640	175360
2	179	826760	596796000	177000	2630	174370
3	178	829400	596977000	181000	2640	178360
4	177	831850	597147000	170'000	2450	167550
5	175	835150	597371000	224'000	3300	220700
6	174	837970	597521000	141'000	2820	198180
7	172	840490	597735000	173'000	2520	170480
8	171	843190	597977000	182'000	2690	179310
9	170	845600	598107000	190'000	2420	187580
10	169	848080	598276000	169'000	2480	166520
11	167	850600	598446000	170'000	2520	167480
12	166	853210	598622000	176000	2610	173390
13	165	856010	598810000	192000	2900	189200
14	163	859220	599034000	220000	3210	223210
15	161	862570	599261000	227000	3350	230350
16	160	864580	599396000	135000	2010	132490
17	159	867180	599572000	176000	2600	173400
18	158	869910	599756000	184000	2730	181270
19	156	872620	599945000	184000	2710	186290
20	155	875380	600134000	189000	2860	186240
21	154	878140	600320000	186000	2760	183240
22	153	880280	600469000	149000	2140	146860
23	151	882410	6006617000	148000	2130	145870
24	150	885740	600851000	234000	3330	230670
25	148	888450	601037000	186000	2710	183290
26	146	891290	601228000	191000	2840	188160
27	145	894080	601420000	192000	2790	189210
28	143	896970	601618000	196000	2890	195710
29	141	899970	601820000	202000	3000	194000
30	140	902350	601999000	179000	2380	176620
31						
		Pump house	Pump Readings			



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 29, 2001

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

Doug Pochop, Mayor
City of Gregory
Box 436
Gregory SD 57533

Dear Mayor Pochop:

Future Use Permit No. 1622-2 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Times-Advocate printed at Gregory (Phone #835-8089). For your information, a copy of the recommendation of the Chief Engineer is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 29, 2001

Times-Advocate
Box 378
Gregory SD 57533-0378

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 1622-2 to be published twice. Please publish the first notice on June 6, 2001 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Gregory, Box 436, Gregory SD 57533.

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

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of May 29, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 1622-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on June 6, 2001 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved in 1979 and currently reserves 365 acre feet from the Ogallala Formation located in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ Section 7; NW $\frac{1}{4}$ Section 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; SE $\frac{1}{4}$ Section 17; SE $\frac{1}{4}$ Section 21; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; all in T97N-R72W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 on July 11, 2001 at 10:00 am, Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 2, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 2, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2001. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Gregory)

I, Cheryl Sperl

certify that the attached printed Notice was taken

from the Gregory Times-Advocate

printed and published in Gregory

County of Gregory and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 6, 2001

June 13, 2001

Cost of Printing \$60.14

Cheryl Sperl
(Signature)

Publisher
(Title)

June 13, 2001
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved in 1979 and currently reserves 365 acre feet from the Ogallala Formation located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 on July 11, 2001 at 10:00 am, Floyd Mathew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 2, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25-01 thru 74:02:01:25.03 and contested case procedures

contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 2, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by July 2, 2001. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(23-24)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2, City of Gregory**

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 Future Use Water Permit No. 1622-2, City of Gregory, PO Box 436, Gregory SD 57533.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT for 578 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the City has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$27.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City after the Board hearing.

Garland Erbele, Chief Engineer
May 29, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

REVISED
RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2, City of Gregory

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 Future Use Water Permit No. 1622-2, City of Gregory, PO Box 436, Gregory SD 57533.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the City has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$27.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the City after the Board hearing.

Garland Erbele, Chief Engineer
June 26, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 26, 2001

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

Enclosed is a Reissued Recommendation of Chief Engineer for Future Use Water Permit No. 1622-2 held by the City of Gregory.

The recommendation sent to you May 29, 2001 stated "...Permit No. 1622-2 REMAIN in EFFECT for 578 acre-feet annually...". The correct amount is 365 acre-feet annually. The notice published in the Wagner Post on June 6 and 13, 2001 was correct. Please disregard the May 29, 2001 recommendation.

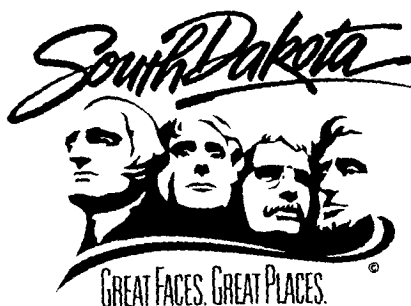
If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

1622-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 17, 2001

NOTICE

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

I am writing in response to action taken by the Water Management Board at the hearing on July 11, 2001 to review Future Use Permit No. 1622-2. The Board allowed the permit to remain in effect for 365 acre-feet of water annually. Future Use Permit No. 1622-2 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$27.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

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

CERTIFICATION

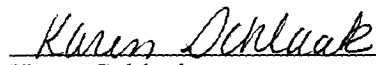
I hereby certify that on July 17, 2001, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated July 17, 2001 regarding Notice of review of Future Use Permit No. 1622-2 addressed as stated below:

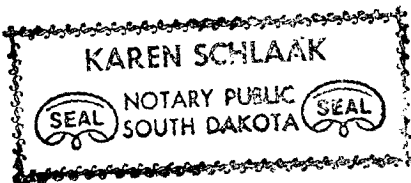
Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory, SD 57533


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of July, 2001.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416881

Pierre, August 9, 2001

RECEIVED OF City of Gregory, PO Box 436, Gregory, SD 57533

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. 1622-2 after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

27 50

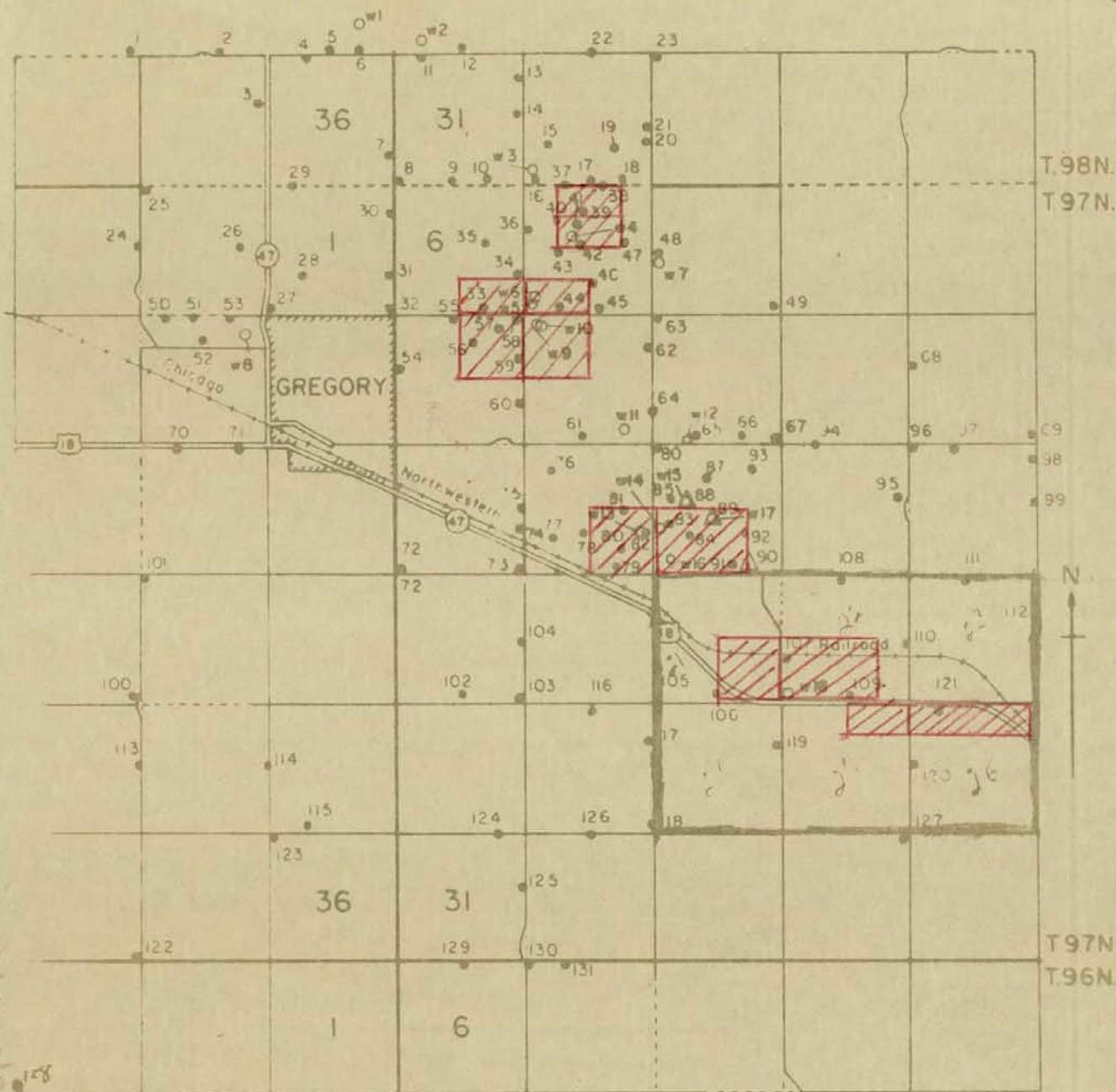
27 50

By

Darland Erbe

Chief Engineer

gm



A Barari, 1969 R 73W. R. 72W

EXPLANATION

- Water Sample
- South Dakota Geological Survey test hole
- △ Test wells drilled by Oliver Drilling Co.

SCALE
0 1/2 1 2 3 miles

 FUTURE USE AREA

Exhibit E to City
of Gregory applica-
tion for permit to

Figure 4. Data map of the Gregory area, appropriate water within the state of South Dakota, dated January 12, 1977. This map is taken from Special Report #49, Ground Water Investigation for the City of Gregory, prepared by the South Dakota Geological Survey, Vermillion, S. Dak., dated November 1969. Sections #21, 22, 23, 28, 27, and 26 of Township 97, North, Range 72, West, are outlined by heavy black border.

MAP NO. 1386-2 APPENDIX 1622-2

MAP NO. 1386-2 APPENDIX 1622-2

1622-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 28, 2008

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from groundwater (Ogallala Formation) which is held by the City of Gregory. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 365 acre-feet remain in reserve under this future use permit that was issued in 1979 and last reviewed in 2001.

Please respond in writing by May 1, 2008, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Permit No. 1622-2 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

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

CITY OF GREGORY

Al Cerny
City Administrator/
Finance Officer

Box 436
GREGORY, SOUTH DAKOTA 57533
Phone (605) 835-8270 Fax (605) 835-8422

Doug Pochop
Mayor

RECEIVED

APR - 9 2008

WATER RIGHTS
PROGRAM

April 7, 2008

Karen Schlaak
SD Dept. of Environment & Natural Resources
Water Rights Program
Joe Foss Building, 523 East Capitol
Pierre, SD 57501-3182

RE: City of Gregory future use water permit No. 1622-2

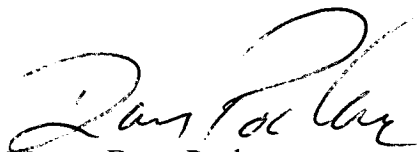
Dear Karen Schlaak:

The City of Gregory would like to retain future use water permit No. 1622-2. This permit reserves the water rights to our only source of city water. (The City is hooked up with Tripp County Rural Water but we only use this source as a backup and our allotment with the rural water is 200,000 gallons per day).

Normal usage for the City of Gregory is 200,000 to 225,000 gallons per day. I have attached our pumping records for your review. During peak usage, the City will use 400,000 to 500,000 gallons per day. So it is very important for the City to have access to the current water source. The City has also invested over \$340,000 for improvements to the well field through a SRF loan with the State.

The City will have a strong need to use the water reserved under 1622-2 because it is our main source of water and without it, the City could not meet it's water needs.

Thank you,



Mayor, Doug Pochop



**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 FUTURE USE WATER PERMIT
NO. 1622-2, City of Gregory SD**

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 Future Use Water Permit No. 1622-2, City of Gregory, PO Box 436, Gregory SD 57533.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$27.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Garland Erbele, Chief Engineer
May 14, 2008



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 14, 2008

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

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

Future Use Permit No. 1622-2 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used. The notice of this review has been sent to the Publisher of the Times-Advocate printed at Gregory SD (Phone #605 835-8089). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 14, 2008

Times-Advocate
PO Box 378
Gregory SD 57533

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 1622-2 to be published twice. Please publish the first notice on May 21, 2008 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 the City of Gregory, PO Box 436, Gregory SD 57533.

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-----

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of May 14, 2008 enclosing Notice of Hearing to Review Future Use Water Permit No. 1622-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper-Publish first publication of the following Notice on May 21, 2008 with 2nd publication 7 days later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, PO Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved 1979 and currently reserves 365 acre feet from groundwater (Ogallala Formation) located in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ Section 7; NW $\frac{1}{4}$ Section 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16; SE $\frac{1}{4}$ Section 17; SE $\frac{1}{4}$ Section 21; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at 10:00 am, July 2, 2008, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 23, 2008. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by June 23, 2008. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 23, 2008. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED

MAY 30 2008

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Gregory) SS

I, Cheryl Sperl

certify that the attached printed Notice was
taken

from the Gregory Times-Advocate

printed and published in Gregory

County of Gregory and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

May 21, 2008

May 28, 2008

Cost of Printing \$70.27

Cheryl Sperl
(Signature)

Publisher
(Title)

5-28-08
(Date Signed)

**NOTICE OF HEARING TO
REVIEW FUTURE USE**

WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, PO Box 436, Gregory, SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved 1979 and currently reserves 365 acre feet from groundwater (Ogallala Formation) located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 365 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at 10:00 am, July 2, 2008, Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 23, 2008. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre, SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit; the reasons for petitioner's opposition to or

support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing, impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by June 23, 2008. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 23, 2008.

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

(21-22)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 7, 2008

NOTICE

Doug Pochop, Mayor
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mayor Pochop:

I am writing in response to action taken by the Water Management Board at the hearing on July 2, 2008 to review Future Use Permit No. 1622-2. The Board allowed the permit to remain in effect for 365 acre-feet of water annually. Future Use Permit No. 1622-2 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$27.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

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

CERTIFICATION

I hereby certify that on July 7, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated July 7, 2008 regarding maintaining effectiveness of Future use addressed as stated below:

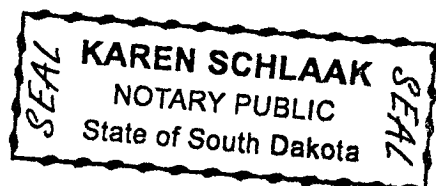
Steven W Meyer, City of Volga, PO Box 217, Volga SD 57071 6259-3
Larry G Schacht, Town of Pickstown, PO Box 107, Pickstown SD 57367 5113-3
Wade J Blasius, Aurora Brule RWS, PO Box 140, Kimball SD 57355 4456-3
Martin Jarrett, Big Sioux Comm. Water System, 23343 479th Ave, Egan SD 57024 3984A-3
Curt Hohn, WEB Water Dev. Assn. Inc., PO Box 51, Aberdeen SD 57402 3429-3
Wade Broome, City of Burke, PO Box 312, Burke SD 57523 1660-2
Doug Pochop, City of Gregory, PO Box 436, Gregory SD 57533 1622-2
Dennis Schroeder, City of Winner, PO Box 691, Winner SD 57580 551-2


Gail Jacobson
Secretary
Water Rights

[illegible]

Sworn to, before me, this 7th day of July, 2008.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2013



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/25, 20 08

RECEIVED OF City of Gregory PO Box 436 Gregory SD 57533

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>1622-2</u> after period of seven years.	27	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	27 50

No.

03703

By

Michael P. [Signature]
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 12, 2015

Al Cerny, Finance Officer
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mr. Cerny:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from groundwater (Ogallala Formation) held by the City of Gregory. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 269 acre-feet remain in reserve under this future use permit that was issued in 1977 and last reviewed in 2008.

Please respond in writing by April 15, 2015 regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 1622-2 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 269 acre-feet remain in reserve, the fee will be \$85.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

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

CITY OF GREGORY

Al Cerny
City Administrator/
Finance Officer

Box 436
GREGORY, SOUTH DAKOTA 57533
Phone (605) 835-8270 Fax (605) 835-8422

Maurice Schlaht
Mayor

RECEIVED

MAR 26 2015

WATER RIGHTS
PROGRAM

March 23, 2015

SD Dept. of Environment & Natural Resources
% Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RE: City of Gregory future use permit No. 1622-2

The City of Gregory would like to renew future water use permit 1622-2. Among some of the reasons for wanting to renew future use permit 1622-2 are: 1) The gallons pumped by the City of Gregory Municipal water utility system, remains constant over the years at over 75 million gallons. 2) The City is currently developing a 66 acre tract of land which will include industrial, commercial and residential development. As this area gets developed, the City will be required to make more water available for usage by this area, in addition to the other parts of the City. 3) Because of the uncertainties of what the future may bring, it is just good planning to have available additional water supply for possible use.

While it is hard to estimate the total City's water needs, the City would like to retain the current 269 acre feet that is currently reserved under future use water permit 1622-2.

Please feel free to contact me if there are questions or more information is needed.

Thank you,



Al Cerny
City Administrator/Finance Officer
605-835-8270
gregcity@gwtc.net



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2, City of Gregory SD

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 Future Use Water Permit No. 1622-2, City of Gregory, Box 436, Gregory SD 57533.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$85.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Jeanne Goodman, Chief Engineer
May 28, 2015

RECEIVED

JUN 12 2015

WATER RIGHTS
PROGRAM

**NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NO. 1622-2**

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Al Cerny, City Administrator, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved 1977 currently reserves 269 acre feet from groundwater (Ogallala Formation) located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at 10:00 am on July 8, 2015, at the Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition

with BOTH the permit owner and the Chief Engineer by June 29, 2015. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the hand-carried or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by June 29, 2015. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 29, 2015.

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

Published under the approximate cost of \$94.41

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF DAVISON)

Penny Hohbach of said county, being, first duly sworn, on oath, says; that he/she is the publisher or an employee of the publisher of The Daily Republic, a daily newspaper, published in the City of Mitchell, in said County of Davison, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Davison and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 issues(s), to wit:

Wednesday, June 10, 2015

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the fees charged for the publication thereof are: \$94.41

Signed: Penny Hohbach

Subscribed and sworn to before me this 10th day of June, 2015.

Deb Townsend

Notary Public
County of Davison

My Commission Expires: 09-21-18

Prepared by: The Daily Republic, P.O. Box 1288, Mitchell S.D. 57301 605-996-5515

DEB TOWNSEND
Notary Public
SEAL
South Dakota

RECEIVED

JUN - 8 2015

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Gregory) SS

I, Cheryl Sperl

certify that the attached printed Notice was
taken

from the Gregory Times-Advocate

printed and published in Gregory

County of Gregory and

state of South Dakota. The notice was
published

in the newspaper on the following date:

June 3, 2015

Cost of Printing \$38.72

Cheryl Sperl
(Signature)

publisher
(Title)

6-3-15
(Date Signed)

NOTICE OF HEARING TO RE- VIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is hereby given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Al Cerny, City Administrator, Box 436, Gregory, SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved 1977 currently reserves 269 acre feet from groundwater (Ogallala Formation) located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at 10:00 a.m. on July 8, 2015, at the Floyd Matthew Training Center, Joe Foss Bldg, 523 E. Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon face presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 29, 2015. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E. Capitol Ave, Pierre, SD 57501 (605-773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or sup-

port of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605-773-3352) by June 29, 2015. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed the Chief Engineer by June 29, 2015.

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

(22)

(Published once at the total
approximate cost of \$38.72).

Instruction to Newspaper-Publish the following Notice on June 10, 2015. The permit owner 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 HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Al Cerny, City Administrator, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved 1977 currently reserves 269 acre feet from groundwater (Ogallala Formation) located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 at 10:00 am on July 8, 2015, at the Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by June 29, 2015. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by June 29, 2015. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 29, 2015. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 29, 2015

Times-Advocate
PO Box 378
Gregory SD 57533

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 1622-2 to be published on June 10, 2015. 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

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Gregory, c/o Al Cerny, City Administrator, Box 436, Gregory SD 57533.

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 29, 2015

The Daily Republic
PO Box 1288
Mitchell SD 57301

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 1622-2 to be published on June 10, 2015. 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

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is the City of Gregory, c/o Al Cerny, City Administrator, Box 436, Gregory SD 57533.

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 29, 2015

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPERS RIGHT AWAY.

City of Gregory
c/o Al Cerny, City Administrator
Box 436
Gregory SD 57533

Dear Mr. Cerny:

Future Use Permit No. 1622-2 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted or used. The notice of this review has been sent to the Publishers of the Times-Advocate and the Mitchell Daily Republic. For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on June 10, 2015. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 13, 2015

NOTICE OF ENTRY OF ORDER

City of Gregory
c/o Al Cerny, City Administrator
Box 436
Gregory SD 57533

Dear Mr. Cerny:

I am writing in response to action taken by the Water Management Board at the hearing on July 8, 2015 to review Future Use Permit No. 1622-2. The Board allowed the permit to remain in effect for 269 acre-feet of water annually. Future Use Permit No. 1622-2 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$85.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

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

CERTIFICATION

I hereby certify that on July 13, 2015, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 13, 2015 regarding Future Use Permits addressed as stated below:

Permit No. 3429-3 - WEB Water Dev Assn, c/o Steve Harper, PO Box 51, Aberdeen SD 57402

Permit No. 6259-3 – City of Volga, c/o A W Bremseth, PO Box 217, Volga SD 57071

Permit No. 551-2 – City of Winner, c/o D Ayers, PO Box 691, Winner SD 57580

Permit No. 1622-2 – City of Gregory, c/o Al Cerny, PO Box 436, Gregory SD 57533

Permit No. 1660-2 – City of Burke, c/o Wade Broom, PO Box 312, Burke SD 57523



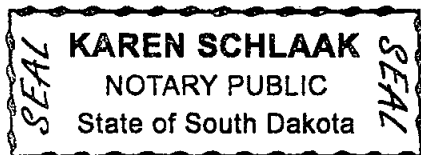
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13 day of July, 20 15.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/27, 20 15

RECEIVED OF City of Gregory PO Box 436 Gregory SD 57533

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	85	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>1622-2</u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
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. _____	85	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	85	00

No. 07460

By Jeanne Goodman
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

March 17, 2022

City of Gregory
Alex Hamilton, City Administrator/Finance Officer
PO Box 436
Gregory SD 57533

Dear Mr. Hamilton:

I am writing in regard to the seven year review of Future Use Water Permit No. 1622-2 from the Ogallala Formation held by the City of Gregory. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the city. Currently, our records show that 269 acre-feet remain in reserve under this future use permit that was issued in 1977 and last reviewed in 2015.

Please respond in writing by April 15, 2022, regarding the city's intention for the future use permit. If the city plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years. Our records indicate that we have not received your water use records for 2021.

Permit No. 1622-2 will then be public noticed at the city's expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 269 acre-feet remain in reserve, the fee will be \$85.00.

Please contact Ron Duvall or me, if you have any questions.

Sincerely,

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

CITY OF GREGORY

Scott Anshutz
Mayor

Box 436
GREGORY, SOUTH DAKOTA 57533
Phone (605) 835-8270 Fax (605) 835-8422

Alexander Hamilton
City Administrator/
Finance Officer

March 31, 2022

SD Dept. of Environmental & Natural Resources
%Water Rights Program
Joe Foss Building
523 E Capital Ave
Pierre, SD 57501-3182

RE: City of Gregory future use permit No. 1622-2

The City of Gregory would like to renew future water use permit No.1622-2 from the Ogallala formation. The best reasons being that the City's new development 66 acres, has recently became very popular. Avera is currently building a new Complex that will house not only the hospital but the clinic and a long-term care facility. This is roughly an 80,000 sq ft building. The City of Gregory's municipal water systems has successfully pumped millions of gallons over the years and remains constant with slight growth. Due to the fact of our slight growth right now and the uncertainties of what the future may bring, it is in the city's best interest to plan to have additional water supply if needed.

While is hard to estimate the city's future water needs, the city would like to retain the current 269-acre feet that is currently reserved under future use permit 1622-2.

Please feel free to contact me if there are questions or more information is needed.

Thank you,



Alex Hamilton
City Administrator/Finance Officer
City of Gregory
605-835-8270 Ext. 1
alex@cityofgregory.com

RECEIVED

APR 04 2022

WATER RIGHTS
PROGRAM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 1622-2, City of Gregory SD**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Future Use Water Permit No. 1622-2, City of Gregory, Box 436, Gregory SD 57533.

The Chief Engineer is recommending that Future Use Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 1622-2, 2) the city has demonstrated a reasonable need for the water reserved by Permit No. 1622-2, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 1622-2 is subject to payment of the \$85.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the city after the Board hearing.

Eric Gronlund, Chief Engineer
May 16, 2022

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Gregory--ss.

CHERYL SPERL

of said county being first duly sworn, on oath says that she is the publisher of the

GREGORY TIMES-ADVOCATE

a weekly newspaper printed and published in Gregory, said county of Gregory, and has full and personal knowledge of all the facts herein stated that said newspaper is a legal newspaper defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive and has a bona fide circulation of at least two hundred copies weekly and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was printed wholly or in part in an office maintained at said place of publication; that the

City

Notice of Hearing to Review Future Use Water Permit # 1622-2

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least one in each week for

1 successive weeks,
on the day of each week on which said newspaper was regularly published, to-wit:

05/25	20	22	20
	20		20
	20		20
	20		20
	20		20
	20		20

That the full amount of the fees for the publication of the annexed notice is \$ 68.48

Subscribed and sworn to before me this 25

day of May 2022

Notary Public.

County of Gregory, South Dakota

My Commission Expires
November 2, 2027

RECEIVED

JUN 10 2022

OFFICE OF
WATER

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Alex Hamilton, City Administrator, Box 436, Gregory, SD 57533, for progress made in the development of the water reserved by the Permit and for future plans for development of the water reserved by Permit No. 1622-2. This permit was approved in 1977 and currently reserves 269 acre-feet from the Ogallala Aquifer located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W, for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN IN EFFECT for 269 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use, and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 on July 6, 2022, at 9:30 a.m. (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board, and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the

permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26 shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre, SD 57501 or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by June 6, 2022.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the future use pPermit. The request for a delay must be filed with the Chief Engineer by June 6, 2022.

Any interested person may file a comment on the future use permit renewal with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer which is available online at: <https://danr.sd.gov/public> or by calling (605) 773-3352 or by writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 6, 2022.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7), notices must state that "If the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners

by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is June 6, 2022. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right, the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

(21)

(Published once at the total approximate cost of \$68.48).



Proof Of Publication

Huron Plainsman
49 3rd Street SE
Huron, SD 57350
605-353-7402

RECEIVED

MAY 27 2022

OFFICE OF
WATER

Legal Notice Number: 1444

I, Cadee Schelske, being duly sworn on oath say that the Plainsman is a daily paper published at Huron, Beadle County South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am a Legal Advertising Coordinator of said newspaper and know that facts herein state. The annexed notice headed: City of Gregroy- Alex Hamilton- Water No. 1622-2 was published for one day, in said newspaper and not in any supplement of the said newspaper; the publication was on 5/25/2022. That the full amount of the fee charged for the publishing \$ 68.29 insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.

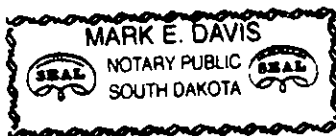


Subscribed and sworn to me before this date 5/25/22.



Notary Public, South Dakota

My Term Expires 12/27/2024



F. P. 05-25-22

**NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NO. 1622-2**

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Alex Hamilton, City Administrator, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved in 1977 and currently reserves 289 acre-feet from the Ogallala Aquifer located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 8; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T87N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN IN EFFECT for 289 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a

beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 on July 6, 2022 at 9:30 am (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal,

within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by June 6, 2022.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 1622-2 will

be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 6, 2022.

Any interested person may file a comment on the future use permit renewal with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 6, 2022.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated; any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is June 6, 2022. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

No. 1444 (adv.)
Published one time at the total approximate cost of \$68.29.

Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 17, 2022 8:18 AM
To: 'rcrandall@plainsman.com'
Subject: 1622-2, City of Gregory
Attachments: 1622-2FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on May 25, 2022.

City of Gregory, Alex Hamilton, City Administrator, Box 436, Gregory SD 57533 (605 835-8270) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

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

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 17, 2022 8:18 AM
To: Gregory Times-Advocate (gregorynews@gregorynews.com)
Subject: 1622-2, City of Gregory
Attachments: 1622-2FU REVIEWpubnotice_final.doc; FORM8.FRM.doc

Attached is a notice to be published on May 25, 2022.

City of Gregory, Alex Hamilton, City Administrator, Box 436, Gregory SD 57533 (605 835-8270) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

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

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, May 17, 2022 8:21 AM
To: 'Alex Hamilton'
Subject: 1622-2, City of Gregory
Attachments: 3453.pdf

Attached is a copy of the chief engineer recommendation and information regarding the public notice for the future use review. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

Karen Schlaak
DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 16, 2022

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPERS RIGHT AWAY.

City of Gregory
Alex Hamilton, City Administrator
Box 436
Gregory SD 57533

Dear Mr. Hamilton:

Future Use Permit No. 1622-2 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in the county where water will be diverted or used and the nearest daily paper. Notice of this review has been sent to the Times-Advocate, Gregory SD (605 835-8089) and the Plainsman, Huron SD (605 353-7414). For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER(S) IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on May 25, 2022. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Instruction to Newspaper - Publish the following Notice on May 25, 2022. The City of Gregory is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 1622-2

Notice is given that the Water Management Board will review Future Use Permit No. 1622-2 held by the City of Gregory, c/o Alex Hamilton, City Administrator, Box 436, Gregory SD 57533 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 1622-2. This permit was approved in 1977 and currently reserves 269 acre-feet from the Ogallala Aquifer located in the S 1/2 SW 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4 Section 5; S 1/2 SE 1/4 Section 6; NE 1/4 Section 7; NW 1/4 Section 8; SW 1/4, W 1/2 SE 1/4 Section 16; SE 1/4 Section 17; SE 1/4 Section 21; SW 1/4, W 1/2 SE 1/4 Section 22; all in T97N-R72W for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 1622-2 REMAIN in EFFECT for 269 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation with qualifications is available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

The Water Management Board will conduct the hearing to review Future Use Permit No. 1622-2 on July 6, 2022 at 9:30 am (Central Time), Floyd Matthew Training Center, Joe Foss Bldg, 523 E Capitol Ave., Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Any person who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, shall allege that the renewal of the future use permit, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the renewal, or other matter concerning the renewal within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition with BOTH the permit owner and the Chief Engineer. A petition opposing the renewal shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501" or call (605) 773-3352. The permit holder's mailing address is given above. If contesting the Chief Engineer's recommendation, the permit owner shall also file a petition. A petition filed by either an interested person or the permit owner must be filed by June 6, 2022.

The petition shall be in writing and shall include a statement describing the unique injury upon renewal of the future use permit on the petitioner, the reasons for petitioner's opposition to renewal of the future use permit, and the name and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The hearing to review Future Use Permit No. 1622-2 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03; and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose renewal of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by June 6, 2022.

Any interested person may file a comment on the future use permit renewal with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by June 6, 2022.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Department of Agriculture and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing. The telephone number for making arrangements is (605) 773-3352.

Under SDCL 1-26-17(7) notices must state that "if the amount in controversy exceeds \$2,500.00 or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing issued pursuant to SDCL 1-26-17." This is a Notice of Hearing, service is being provided by publication, and the applicable date to give notice to the Chief Engineer is June 6, 2022. However, since this particular matter is a future use permit renewal and not a monetary controversy in excess of \$2,500.00 or termination of a property right the Chief Engineer disputes the applicability of this provision and maintains that the hearing must be conducted by the Board.

Published once at the approximate cost of _____.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

July 7, 2022

NOTICE OF ENTRY OF ORDER

City of Gregory
Alex Hamilton, City Administrator/Finance Officer
PO Box 436
Gregory SD 57533

Dear Mr. Hamilton:

I am writing in response to action taken by the Water Management Board at the hearing on July 6, 2022 to review Future Use Permit No. 1622-2. The Board allowed the permit to remain in effect for 269 acre-feet of water annually. Future Use Permit No. 1622-2 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 1622-2 is \$85.00 pursuant to SDCL 46-2-13(2). Please make the check payable to the Water Rights Program and remit the fee within 60 days.

Please contact Karen Schlaak, if you have any questions.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
605 773-3352

CERTIFICATION

I hereby certify that on July 7, 2022, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class postage prepaid envelope containing a "NOTICE OF ENTRY OF ORDER" dated July 7, 2022 involving action taken by the Water Management Board hearing on July 7, 2022:

City of Winner, Troy Kruger, Public Works Director, PO Box 691, Winner SD 57580

City of Gregory, Alex Hamilton, City Administrator/Finance Officer, PO Box 436, Gregory SD 57533

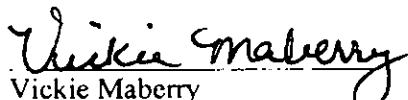
WEB Water Development Association Inc., Angie Hammrich, Manager, PO Box 51, Aberdeen SD 57401

Big Sioux Community Water System Inc., Jodi Johanson, General Manager, 23343 479th Ave., Egan SD 57024

Aurora-Brule Rural Water System, Wade Blasius, Manager, PO Box 140, Kimball SD 57355-0140

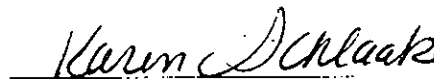
City of Volga, Michael Schulte, City Administrator, PO Box 217, Volga SD 57071

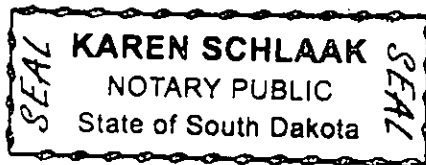
City of Burke, Wade Broome, Supt. Of Utilities, PO Box 312, Burke SD 57523


Vickie Maberry
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of July, 2022


Karen Schlaak Notary Public
My Commission expires April 1, 2025



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date July 25, 2022

RECEIVED OF City of Gregory PO Box 436 Gregory SD 57533

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. <u>1622-2</u> after period of seven years.	<u>\$85.00</u>
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$85.00</u>

By Eric Gronlund
Chief Engineer
Ume