

1. Considered: JULY 28, 1982 Water Right No. 1818-2
2. Name of Applicant GEORGE F. WELSH
3. Post Office Address Box 73 Ft PIERRE, SD
4. Amount of Water Claimed .10 maximum acre feet _____
5. Source of Water Supply 1250⁺ WELL (DAKOTA)
6. Water to be used for DOM HEATING acres to be irrigated -
7. County STANLEY about FT PIERRE m. N. of CITY LIMITS
8. PROOF OF PUBLICATION: Received 1st Not Received _____
- APPLICATION: Approved FEB. 15, 1984 Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY _____ Dated Received 6-3-82 Application complete-yes _____ no _____ FEE 150⁰⁰

Remarks DWNR wanted to have well plugged/waste of water, City want to bring before Board for a decision.

Corrected Application received _____ Period of Annual Use CONTINUOUSLY

WATER QUALITY _____

Received ~~yes~~ no ~~APPROVED/CONDITIONAL (Circle one)~~

WI-1 Description same as application-yes no Remarks _____

~~Disapproved _____ Returned _____~~

Diversion Point _____

SW Corner Lot 14, Block 11-T5N-R31E, City of Ft. Pierre.

Land to be irrigated _____

WELL LOG Driller Unknown - Licensed - yes _____ no _____

Depth 1250⁺ - flowing artesian well

Remarks _____

MAP Map No. 1572-2 Map located in Water Right ✓ Map file _____
 Type of Map Drawn Prepared by PE - Russell

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

6/15/82

Betty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date Final Decision, including F.F. & C. of Law were adopted _____

OF LAW, Date Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

FINAL DECISIONS ETC. Remarks _____

No. <u>1818-2</u>	Hydrologic Unit <u>10140102</u>
Map No. <u>1572-2</u>	Basin <u>Bad River</u>
Newspaper <u>The Times</u>	

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

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

Originally received
June 3, 1982 9:30 am

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant George Welsh Phone No. 223-2560

Post Office Address Box 73 Ft. Pierre State SD 57532
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 0.17

3. Source of water supply well - Dakota Formation 1360 feet deep

4. Location of point of diversion near SW corner of lot 14, Block 11, City of Ft. Pierre
T5N, R31E

County Stanley

5. Counties where water will be used _____

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

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

Gas is collected from flow of well and used for domestic heating purposes.

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

STATE OF SOUTH DAKOTA)
 County of Stanley)^{ss}

I, George Welsh the applicant, certify that I have read the foregoing application, 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 S/George Welsh

Subscribed and sworn to before me this 14th day of March 19 84

Kevin C. Larson Not. Resources Engineer
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1818-2
George F. Welsh Box 73 Ft. Pierre
(Applicant) (Post Office Address)
South Dakota 57532 With the following qualifications.
(State) (Zip Code)

The well approved under this Permit shall be valved and the flow reduced to the amount necessary to produce the methane gas required for household purposes. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

Approval of this Permit authorizes withdrawal of a maximum of 72 acre feet per year.

Date of first receipt of application June 3, 1982.

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

Date of receipt of corrected application _____, 19____. Approved February 15, 1984.

The Water Management Board hereby approves this Water Permit No. 1818-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is June 3, 1982.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before _____, 19____.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 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 Domestic heating
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.17 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for Domestic heating on or before February 15, 1984; said water to be used during the following described annual period: January 1 thru December 31

WATER MANAGEMENT BOARD
 By: John Hatch
Chief Engineer **JOHN HATCH**
 Division of Water Rights
 Dept. of Water and Natural Resources

March 14, 1984



D. Well Information

- (1) Drill Hole, Diameter unknown, Depth 1250' ± --- Drilled in 1905
- (2) Casing, Type Cast Iron, Diameter unknown, Thickness unknown
(wood, concrete, steel, etc.)
- (3) Screen, Type ?, Diameter ?, Length ?
- (4) Gravel Pack, Thickness ?, Length of gravel pack ?

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

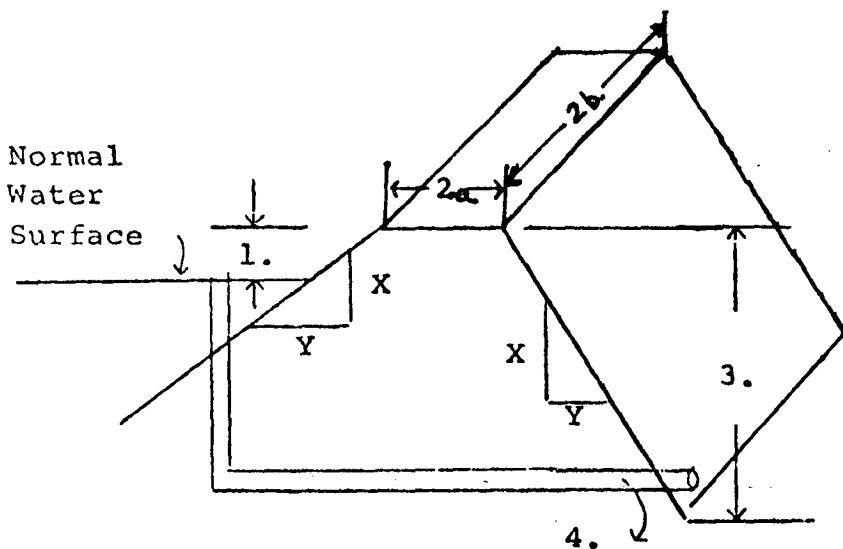
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

G. Water Storage Dams

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



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

George Welch
Signature of Applicant





5N - 31E



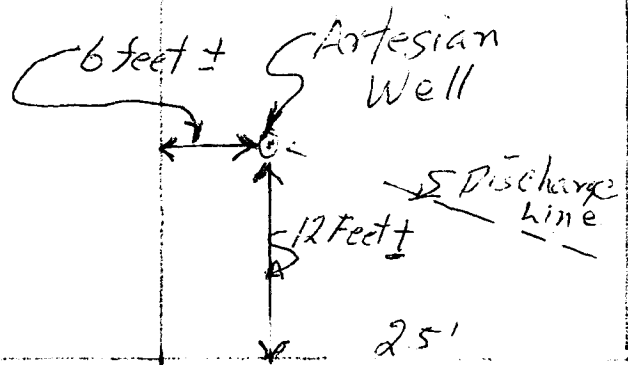
Block Eleven
City of Ft. Pierre
Stanley County, South Dakota

Lot
12

Lot
13

Lot
14

4th St



Steel Lot Corner Pin
25'

25'

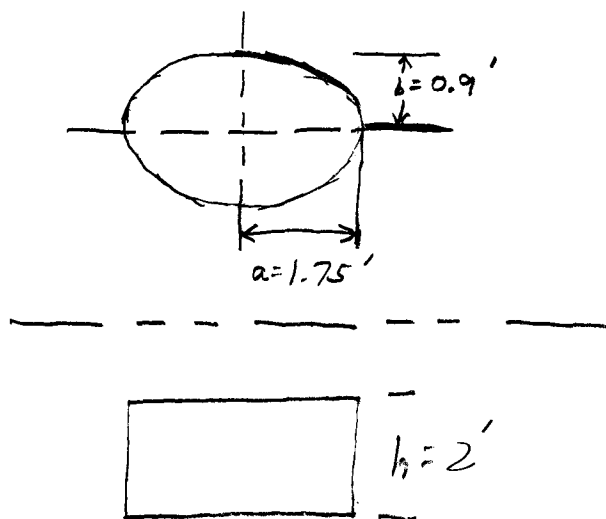
25'

1st Ave.

Discharges
into Bad River
at S. end of 4th St.
Approx 300 ft. S of 1st Ave.

George Welsh well flow measurement.

Volumetric measurement - elliptical stock tank



Calculate volume of tank

$$V = \pi a b h$$

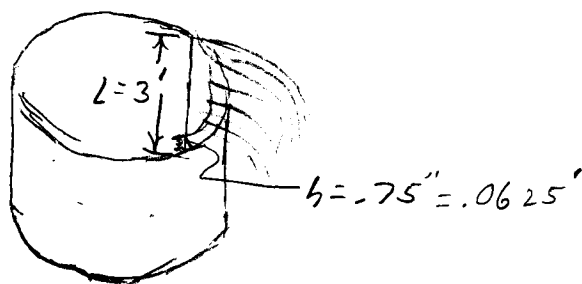
$$= \pi (0.9)(1.75)(2)$$

$$V = 9.89 \text{ ft}^3$$

$$V_{\text{gal}} = 9.89 (7.48) = 74.02 \text{ gal}$$

Trial	Time to fill	flow rate
1	61 s.	74 gpm
2	63 s	71 gpm

Check measurement - estimate weir flow over gas collection tank.

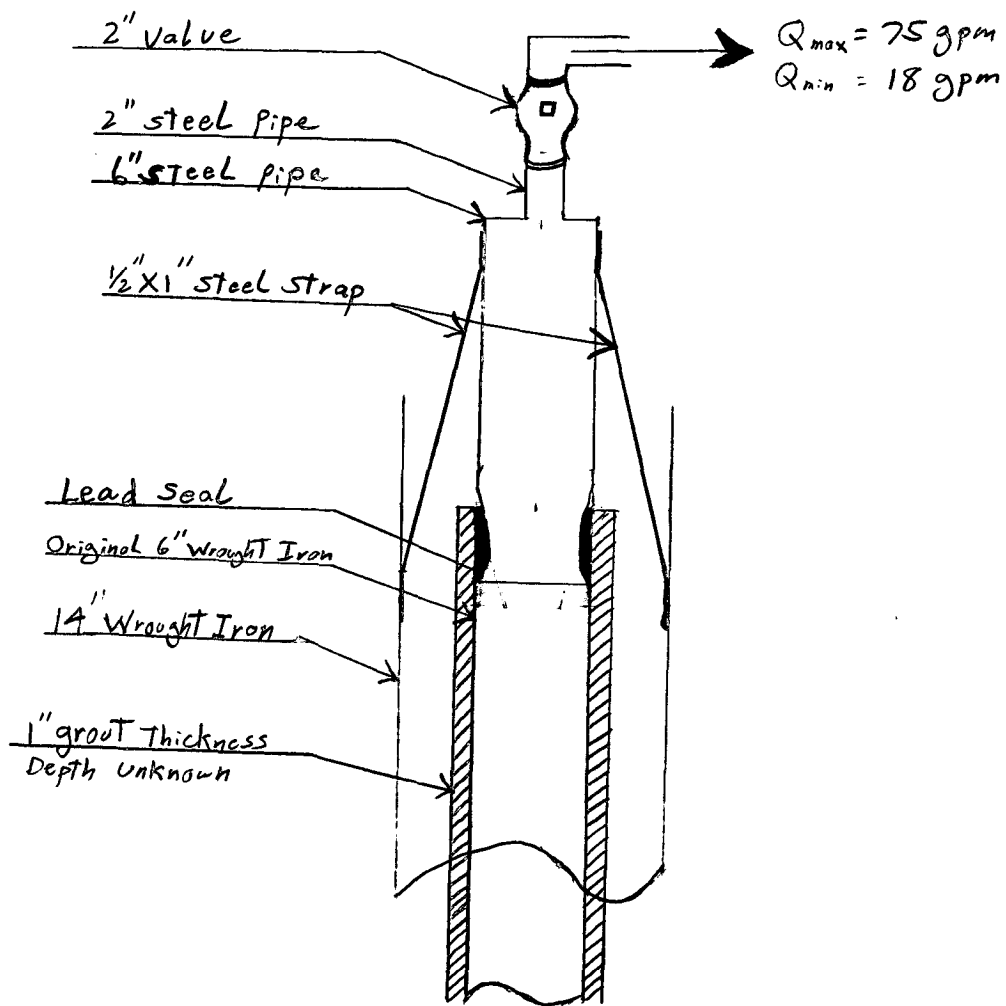


$$Q = 3.33(L - 0.2h) h^{1.5}$$

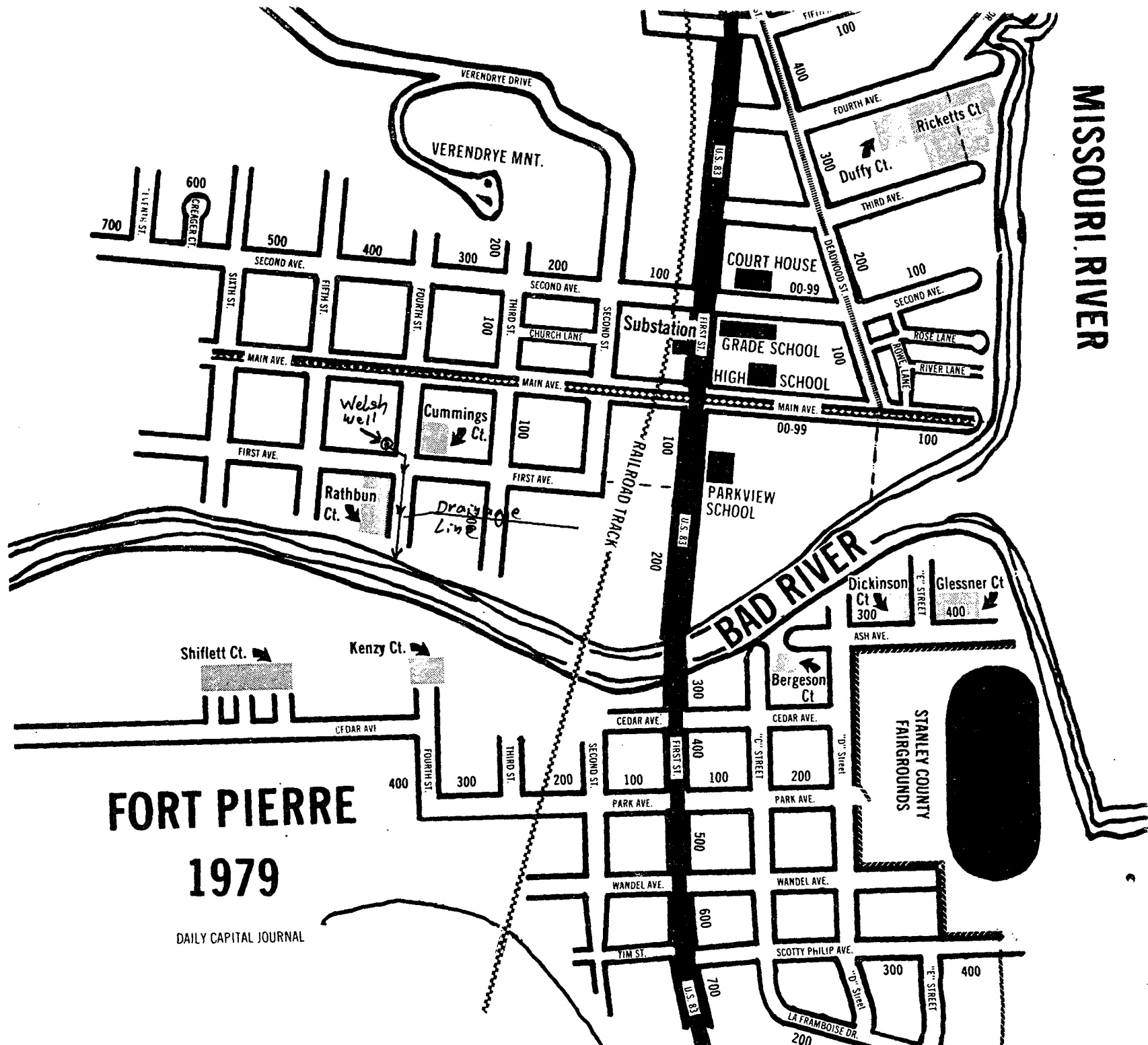
$$= 3.33 [3 - 0.2(.0625)] (.0625)^{1.5}$$

$$= .155 \text{ cfs}$$

$$= 70 \text{ gpm}$$



MISSOURI RIVER



FORT PIERRE
1979

DAILY CAPITAL JOURNAL

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8856

PIERRE, June 4, 1982, 19

RECEIVED OF George Welsh, Box 73, Ft. Pierre, SD 57532

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

Fee for Application for Permit to Appropriate Water No. 1818-2 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH (ms)

RECEIPT

415083

Division of Water Rights

South Dakota Department of Environment and Natural Resources

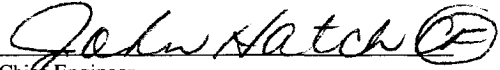
Pierre, _____ September 9, 19 96

RECEIVED OF George Welsh, Box 73, Ft. Pierre, SD 57532

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1818-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

Publish first publication, on or before June 25, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 15, 1982Notice is hereby given George F. Welsh whose post office

address is Box 73, Ft. Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (~~ground~~) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (~~future use~~) 46-5-38: (~~transfer lands~~) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (~~future use~~) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) ~~74:02:07:01 thru 74:02:07:05~~, for a permit to appropriate for beneficial use

0.10 cubic feet of water per second of time from groundwater (one well-existing) through the George Welsh Project, the point (a) of diversion which is (~~and~~) ~~to be~~ located in the Lot 14, Block 11, City of Ft. Pierre

~~of Section~~ , Twp. 5N, Range 31E. Said water to be used for purpose of ~~providing irrigation on portions of the following described land~~

Domestic HeatingThis Application No. 1818-2 will be considered by the Water Management Board atCivil Defense Room, State Capitol Building, Pierre upon the 28th day of July, 1982.SD

at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

Conversation or File Documentation

NAME OF PERSON OR FILE: George WelshADDRESS: FT. Pierre COUNTY StanleyDATE: 12-10-82 TELEPHONE _____RE: Inspection of flowing well by Jack Kiel of Huron Drilling.

COMMENTS:

Kiel thought the possibility of successfully controlling or plugging the well depended on whether the block in the casing at 8 feet could be opened up. If the block is caused by rocks dropped into the well, Kiel thought that trying to open it up may create a worse situation than already exists. If the block were caused by corrosion of the casing, then there is a good possibility that the well can be repaired or plugged.

Kiel agreed to write a report for Mr. Welsh to be presented at the Feb. board meeting, which would give his opinion on the risks and expenses involved in trying to repair or plug the well.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Frank Smith

Conversation or File Documentation

NAME OF PERSON OR FILE: George WelshADDRESS: FT. Pierre COUNTY StanleyDATE: 12-10-82 1:00-2:30 PM TELEPHONE _____RE: Inspection of flowing well by Jack Kiel of Hamm Drilling.

COMMENTS:

Kiel inspected the well. He thought the possibility of successfully controlling or plugging the well depended on whether the block in the casing at 8 ft. could be opened up. If the block were caused by rocks dropped into the well, Kiel thought that trying to open it up may create a worse situation than already exists. If the block were caused by corrosion of the casing, then there is a good possibility that the well could be repaired or plugged.

The ~~success~~ possibility of successfully controlling the well at a reasonable cost will probably depend on the type of material and the quantity of material that is lodged in the well casing.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: F. Smith

Hutmacher Bros.

Chamberlain, SD 57325

Name

Date _____

Address

Item

Cost

Total

Setup Charge	4	00
	+	5

5000.4

Alum. material, etc.	used.
----------------------	-------

Results not guaranteed	
------------------------	--

Lowly hatmakers

Balance Due

Huron Drilling Est:

Set up: 2000

Rig Time: \$90.00/hr.

No Guarantee



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

February 3, 1983

AMENDED NOTICE

TO: George Welsh

FROM: John Hatch, Chief Engineer, Water Rights Division

A handwritten signature in dark ink, appearing to read "John Hatch", written over the printed name.

SUBJECT: Reconsideration of Deferred Application No. 1818-2 in Stanley Co.

The Water Management Board will reconsider deferred permit application No. 1818-2, George Welsh at 1:30 pm, February 24, 1983 at Joe Foss Building, Room 216, 523 E Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-14, 46-2-9 through 46-2-11, 46-2-13, 46-5-1 through 46-5-8, 46-5-10 through 46-5-22, 46-5-25, 46-5-41, 46-6-3 through 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, Board Rules ARSD 74:02:01:01 through 74:02:01:15.

This application was previously deferred by the Board to allow time for you to make an effort to control the well.

After reconsideration of the deferred application the Board 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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, South Dakota, prior to the hearing date for assistance to assure access to the hearing.

ks

REPORT ON DEFERRED APPLICATION

1818-2

No. 1818-2, George Welsh

July 18, 1983

Water Permit Application No. 1818-2 requests 0.10 cfs of water from an existing 1360 foot deep flowing Dakota formation well for household natural gas production within the city limits of Ft. Pierre SD. The application was deferred by the Water Management Board July 28, 1982, was reconsidered by the Board on October 7, 1982 and again on February 24, 1983. The application was deferred because the well is not equipped with a valve for controlling the flow. The Water Rights Staff does not recommend approval of the application until the well is repaired and the flow controlled in compliance with SDCL 46-6-10, 46-6-14, 46-6-20, and 46-6-21. The staff has filed a complaint against Mr. Welsh in 6th Judicial Circuit Court, but agreed at the request of Mr. Welsh to bring the case before the Water Management Board.

Discussion

The flowing well which Mr. Welsh uses for gas production is located near the SW corner of Lot 14, Block 11, in the City of Ft. Pierre. He has been using gas from the well for domestic heating since he purchased the property from the City of Ft. Pierre in 1964.

The well was originally drilled in 1905 for the City of Ft. Pierre. The well was used for natural gas production by the City for approximately 30 years and then abandoned.

The well was drilled by Frank P. Rusk drilling company of Ithaca NY¹. The total depth of the hole was 1388 feet and was cased with 1350 feet of 6 inch wrought iron casing. Surface casing consisted of 400 feet of 10 inch wrought iron pipe and 1150 feet of 8 inch wrought iron pipe. The well was recased with 1350 feet of 4 inch cast iron pipe in 1909, and in 1916 an unspecified length of 14 inch pipe was driven around the outside of the well to prevent leakage through the existing surface casing. The two repair jobs were done by Norbeck-Nicholson of Redfield SD.²

The present condition of the well casing is unknown. At land surface, the 4 inch cast iron casing has deteriorated to the point that a valve cannot be connected to it and properly sealed to withstand the estimated static pressure of 50 psi. Mr. Welsh attempted to cement and seal a short length of pipe inside of the casing, which could be used to attach a valve. He could not control the flow adequately with the equipment he had available to allow the cement to set.

During an attempt by SDGS to log the well, it was found that the well is blocked by a solid object at a point 8 feet below land surface. No equipment can be lowered beyond this point without re-drilling or otherwise removing the obstruction from the well. The condition of the existing casing cannot be determined until the obstructions are removed.

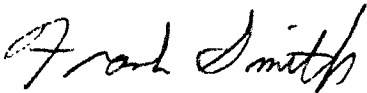
The well is located in a residential area. The nearest neighboring residence is 90 feet west of the well. The property boundaries of two trailer courts are also within 90 feet of the well. The uncontrolled flow from Mr. Welsh's well, with the potential for leaking through a deteriorated casing, is a hazard to both Mr. Welsh's property and the adjoining property.

Conclusions

1. George Welsh is the owner of property on which an uncontrolled flowing well is located.
2. Mr. Welsh's flowing well does not meet the minimum specifications of a flowing artesian well as required by ARSD 52:01:02.
3. Allowing the well to remain in its present condition is a violation of SDCL 46-6-10, 46-6-14, 46-6-20 and 46-6-21.
4. The well, in its present condition, has the potential for causing damage to property.

References

1. "Minutes of the Ft. Pierre City Council", March 29, 1905, April 18, 1905, May 12, 1905, and April 5, 1906.
2. "Drilling Records of Norbeck-Nicholson Artesian Well Company", on file with Sather Drilling Company, Prescho SD.
3. Verbal information from Ft. Pierre City offices.
4. Rothrock, E.P. and T.W. Robinson Jr., Artesian Conditions in West Central South Dakota, SDGS Report of Investigations No. 26, University of South Dakota, Vermillion, SD, December, 1938.



FRANK SMITH
Water Resources Engineer

George Welsh Well
Construction Diagram
Block 11 Lot 14
FT. Pierre, S. D.

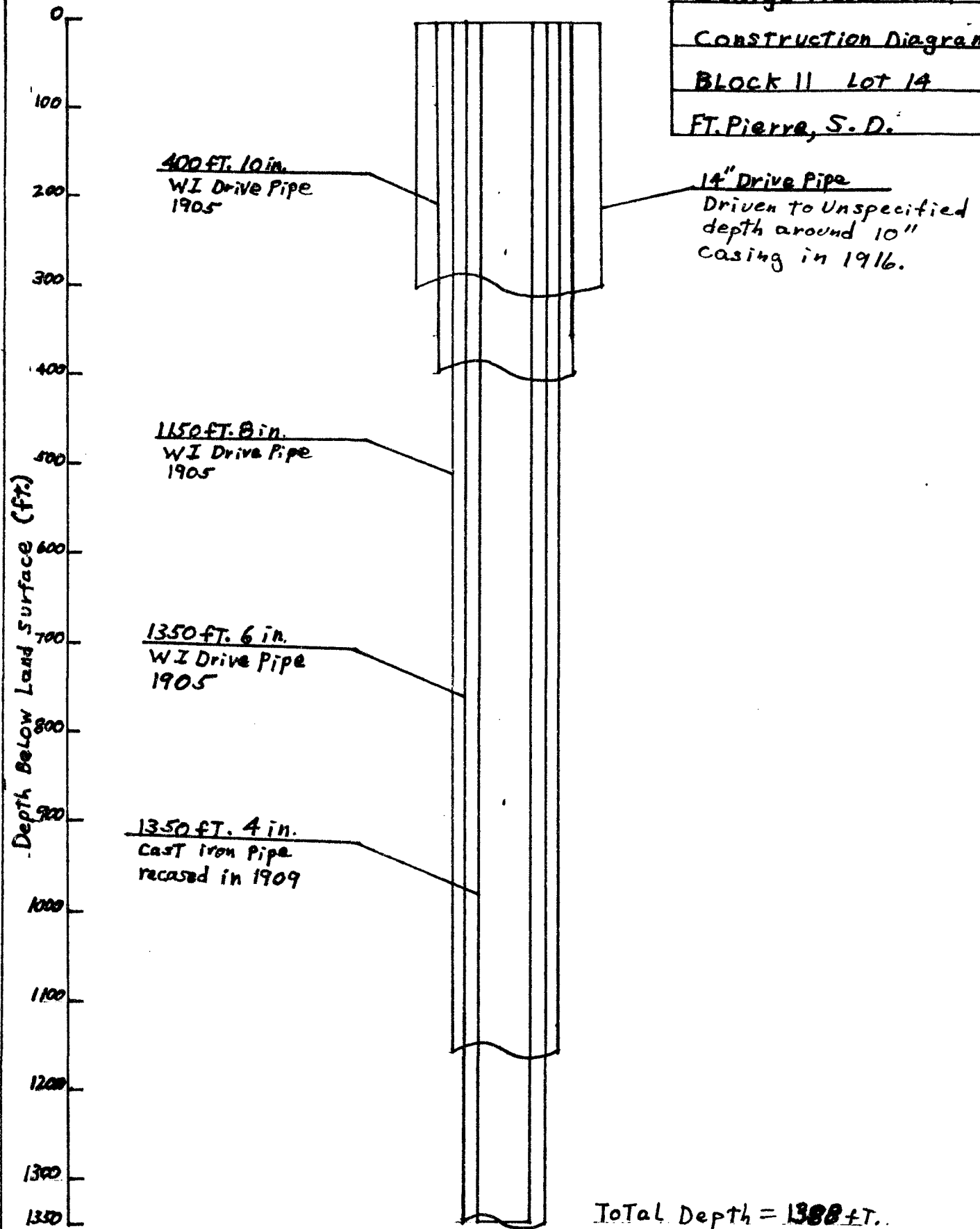


Figure I

Conversation or File Documentation

NAME OF PERSON OR FILE: George WelshADDRESS: FT. Pierre COUNTY StanleyDATE: 11-7-83 TELEPHONE _____RE: Repair of flowing well - shut down of flow.

COMMENTS:

The well was valued down to a flow of approximately 20 gpm at 2:00 pm. Maximum flow with the valve wide open was determined to be 75 gpm. Flow rates were measured by timing the filling of a 5 gallon bucket.

According to George, the well was ~~cased~~ sealed off by pushing a short section of 6" pipe with a ^{Tapered} flared end into the hole such that the ^{Tapered} flared end fit ~~over~~ ^{inside} a 6" pipe a few feet inside the hole. The outside of the flared pipe was sealed with lead, and ~~the~~ then cemented at the surface. Two steel straps were welded to the 6" pipe and anchored inside the well to prevent ~~it~~ it from being lifted out of the well when shut down. The valve is a 2" valve.

11-18-83 - The well held at 20 gpm for 11 days.

The following pressures were measured on 11-18-83

Flowing 75 gpm - 6 psi

Flowing 20 gpm - 52 psi.

Shut in pressure - 65 psi.

The well was opened up to 75 gpm on 11-18-83.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Frank Smith

Cast estimate - welsh well rehabilitation

Excavation and removal of obstructed casing	\$2500.00
1000 FT. std. black pipe - 2"	\$1393.00
Rig set up	\$2000.00
Rig Time - 24 hrs. @ \$90.00/hr	2160.00
Valve	
	\$8023.00

Estimate of Cost of rehabilitating water well.

Removal of obstruction(s).

Minimum cost \$2500.00

- Operation will require use of a backhoe for excavation of around casing to a depth of 15-20 feet. Removal of top 8 feet of casing and obstruction, & replacing casing.

The operation will require a 500 gpm pump for dewatering of excavation while work is being done on well.

Obstructions below this depth will have to be drilled out.

Logging of well to determine condition of casing.

- This operation can be done by SDGS. The service is provided free of charge to the well owner.

Recasing and Grouting operation. (if possible)

New casing will be pressure grouted with cement grout to a minimum depth of 150 ft. [AR052101:02:06]

~~2~~

1000 ft. 2" std. black pipe - $\$139.3/100 \times 10 = \1393.00

1700 ft 2" Type K copper pipe - $\$361/100 \times 10 = \3610.00

1000 ft 2" sch. 80 pvc $\approx \$1,000.$

Rig. Set up - \$2,000

10 ft.³ grout = 74.8 gal

$$\frac{7.83 - 6.89}{1.52 - 1.39} = \frac{.83}{x}$$

$$x \left(\frac{0.94}{0.13} \right) = .83$$

$$x = 0.115$$

$$0.115 = 1.52 - x$$

$$x = 1.40 \text{ cu. ft/sack of cement}$$

$$\frac{10}{1.4} = 7.2 \text{ sacks of cement}$$

REPORT ON
REPAIR OF GEORGE WELSH WELL

November 29, 1983

October 5, 1983, the Water Management Board ordered George Welsh to reduce the flow of his well to 18 gpm for a trial period of 10 days. Mr. Welsh testified that he had attached a valve to the well which he thought would be capable of reducing the flow.

Discussion

The well was valved down to a flow of approximately 18 gpm from November 7-18. Maximum flow with the valve wide open was determined to be 75 gpm.

The well was sealed off by pushing a short section of 6 inch steel pipe with a tapered end into the hole so that the tapered end fit inside of the 6 inch wrought iron casing. The annular space between the pipe and casing was sealed with lead. Two steel straps were welded to the 6 inch pipe and the 14 inch surface casing to anchor the pipe in place. A 2 inch steel pipe was then attached to the top of the 6 inch pipe and a 2 inch valve was attached.

Pressure readings were made on November 18. With the flow reduced to 18 gpm, the pressure was 52 psi, and when the well was shut off completely the pressure was 65 psi.

There was no indication that the well was leaking underground during the 11 day period that the flow was reduced to 18 gpm.

Conclusions

1. Mr. Welsh successfully valved his well down to a flow of 18 gpm for a period of 11 days.
2. There was no evidence of leakage during the time that the well was valved down.



FRANK SMITH
Water Resources Engineer

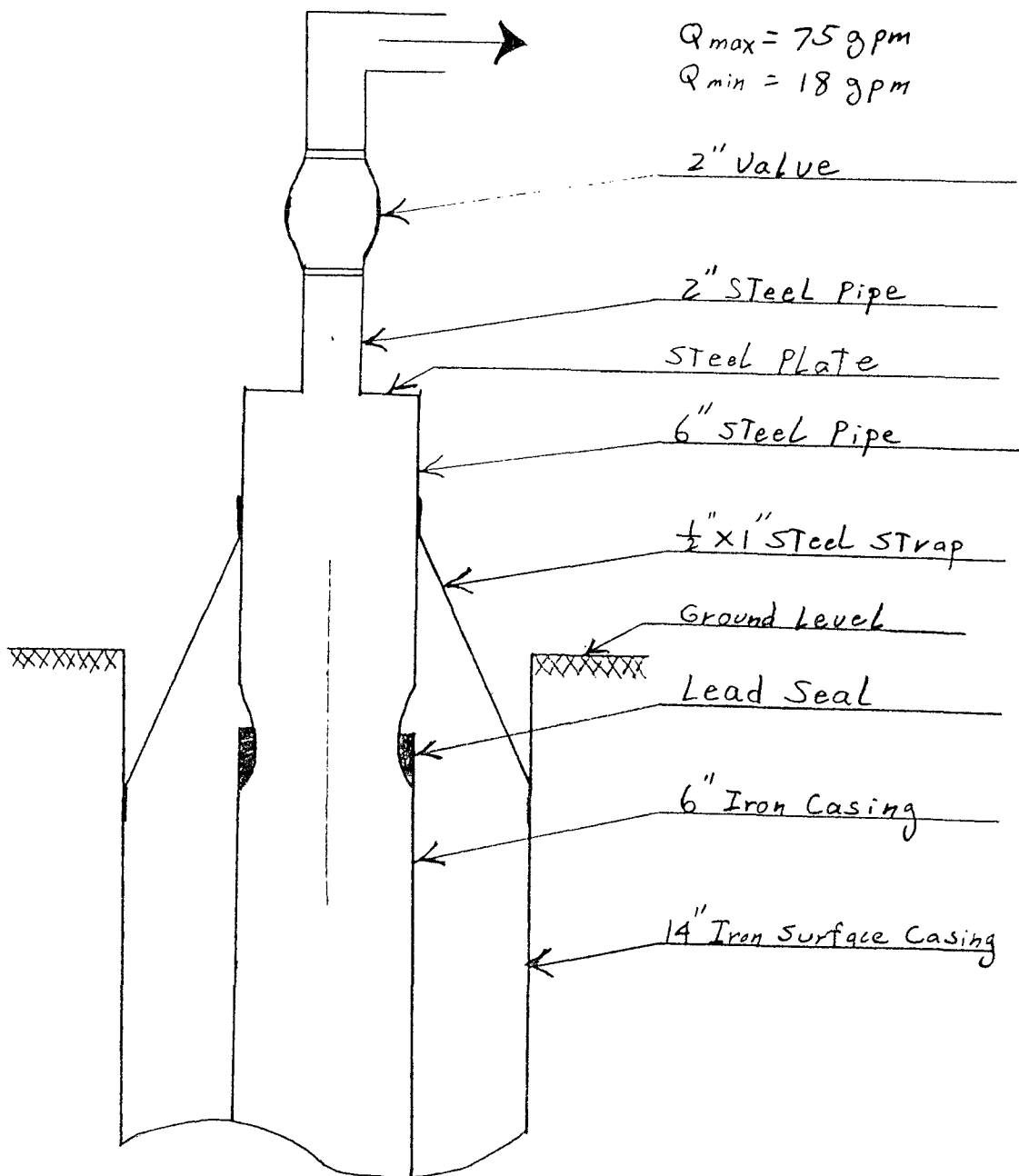
George Welsh Well

Block 11 Lot 14 .

FT. Pierre, S.D.

Well Repair Diagram

November 29, 1983



Hutmacher Bros.

Phone 734-6631

St Pierre

Estimate on well

FINANCE CHARGE is computed by a periodic rate of 1½% per month, which is an ANNUAL PERCENTAGE RATE of 18% applied to the PAST DUE BALANCE.

Balance Due



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 3, 1984

1818-2

George Welsh
Box 73
Ft. Pierre SD 57532

Dear Mr. Welsh:

You are hereby notified that your Application No. 1818-2 for a permit to appropriate water for domestic heating use, has been examined and now found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the TIMES printed at Pierre, South Dakota. For your information, a copy of this notice and the recommendation of the Chief Engineer is enclosed. Please review and contact this office, if you have any questions.

Our office will pay the cost of the publication.

Sincerely,

KEVIN C LARSON
Water Resources Engineer

ks

enclosures

Equal Opportunity Employer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1818-2, George Welsh

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 Water Permit Application No. 1818-2, George Welsh, Box 73, Ft. Pierre, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1818-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit shall be valved and the flow reduced to the amount necessary to produce the methane gas required for household purposes. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

Approval of this Permit authorizes withdrawal of a maximum of 72 acre feet per year.


JOHN HATCH, Chief Engineer
January 3, 1984

Instruction to Newspaper - Publish first publication of the following Notice on or before January 5, 1984 with 2nd publication 1 week later. The ~~applicant~~ ^{Water Rights Office} is responsible for payment.

NOTICE OF HEARING on Application No. 1818-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that George F Welsh whose mailing address is Box 73, Ft. Pierre, South Dakota has made an application for a permit to appropriate a maximum of 0.17 cubic feet per second from an existing 1360 foot deep Dakota formation well. This application was deferred July 28, 1982 by the Water Management Board until such time as the well could be controlled. The point of diversion is located in Lot 14, Block 11, City of Ft. Pierre, T5N, R31E. Water is to be used for domestic heating. This application is being readvertised to change the diversion rate from 0.1 to 0.17 cubic feet per second.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 1818-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be ~~considered~~ ^{reconsidered} by the Water Management Board at Civil Defense Meeting Room, State Capitol Building, Pierre, South Dakota February 15 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46 5 38 thru 46 5 40, (transfer lands) 46 5 30.4, 46 5 33 thru 46 5 35, (10,000 AFA) 46 5 20.1, 46 5 8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15.02 thru 74:02:01:15.03.~~

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 3, 1984.

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Hughes)

I, Corrine Taylor hereby

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

Water was taken from the The Times

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 Pierre

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

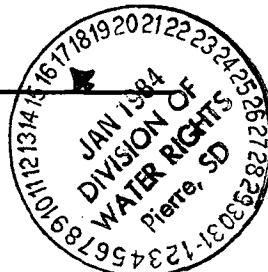
1-5

1-12

Corrine Taylor
(Signature)

Proof Reader
(Title)

1-13-84
(Date Signed)



Cost of Printing: 43.01

8 pt 11 ems

110 lines .391

No. 7073 2tT 1-5, 1-12

NOTICE OF HEARING
On Application No. 1818-2
to Appropriate Water

Notice is hereby given that George F. Welsh whose mailing address is Box 73, Ft. Pierre, South Dakota has made an application for a permit to appropriate a maximum of 0.17 cubic feet per second from an existing 1360 foot deep Dakota formation well. This application was deferred July 28, 1982 by the Water Management Board until such time as the well could be controlled. The point of diversion is located in Lot 14, Block 11, City of Ft. Pierre, T5N, R31E. Water is to be used for domestic heating. This application is being readvertised to change the diversion rate from 0.1 to 0.17 cubic feet per second.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1818-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be reconsidered by the Water Management Board at Civil Defense Meeting Room, State Capitol Building, Pierre, South Dakota February 15, 1984 at 11:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg., Pierre, S.D. (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 3, 1984.

Permit No. 1818-2Bad River: 10140102 Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by George Welsh
_____ of FT. Pierre, S.D. holder of
Permit No. 1818-2, bearing the priority of June 3 1982 authorizing
the diversion of 0.17 cu. ft. per second of the waters of Dakota Formation
for Domestic Heating purposes, in STanley County.

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

A. Works used to divert the water:

One Dakota Formation Well. Depth- 1350' ±, Maximum flow = 75 gpm

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

4" plastic pipe from well to gas collection tank.6" drainage pipe from gas collection tank to Bad River. Approx. 300 ft.

C. Works used to apply water to beneficial use:

Gas collection apparatus and plastic pipeline designed and
built by Mr. Welsh.The system is in the following condition PoorThe point of diversion is located Lot 14, Block 11, City of FT. Pierre.4530 ft. N. 43° 13' E. of SW corner S. 33 T. 5 N R. 31 E.The works are capable of diverting and conveying to the place of use 0.17cu. ft. per second of water which is to be used for Domestic Heating

Water has been put to beneficial use to the maximum extent as follows: Mr. Welsh has used
the well for household heating since 1965.

comprising a total of _____ acres of land and the license should be issued for _____ cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date March 14, 1984Frank Smith
(signature)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

1818-2

March 14, 1984

George F. Welsh
Box 73
Fort Pierre, SD 57532

Dear Sir:

Enclosed herewith is your Water Permit No. 1818-2 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1818-2.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 25, 1996

1818-2

George Welsh
PO Box 73
Ft Pierre SD 57532-0073

Dear Mr. Welsh:

I am contacting you in regard to your Water Permit No. 1818-2. The water permit for domestic heating purposes was approved February 15, 1984, and inspected for licensing purposes on March 14, 1984.

The permit has not yet been licensed due to lack of the \$50.00 fee assessed for the inspection and issuance of the license. On March 14, 1984, Water Permit No. 1818-2 was forwarded to you along with a request for payment of the \$50.00 fee (copy of letter enclosed). When reviewing the file, I noticed that we had neglected to send any reminder letters to you requesting the fee.

The water license is the final document or step in the water permitting process. Enclosed is a copy of the "Report of Examination of Works". If the information contained in the report is still accurate, a water license can be issued upon payment of the \$50.00 fee. If your use of water is different than what appears in the report, another investigation should be conducted prior to licensing. Let me know if you feel the information we have is inaccurate.

Please remit the required fee of \$50.00 as soon as possible. Submission of the fee will allow us to process the water license based on the 1984 examination of works.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

1818-2

George F. Welsh
P.O. Box 73
Ft. Pierre, SD 57532-0073

Dear Mr. Welsh:

Enclosed is Water License No. 1818-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415083 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1818-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1818-2

(1) George F. Welsh, PO Box 73, Ft Pierre, SD 57532-0073 made Application No. 1818-2, June 3, 1982 for a water permit to divert 0.17 cubic feet of water per second from ground water (one well), Stanley County, South Dakota for domestic heating purposes. Permit No. 1818-2, with a priority date of June 3, 1982 was approved February 15, 1984 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.17 cubic feet of water per second for beneficial use. The location of the diversion point is 4,530 feet N43°13'E of the SW corner of Section 33, T5N, R31E (Lot 14, Block 11 - City of Ft Pierre).

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

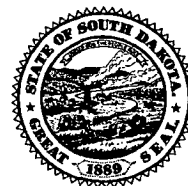
(4) Pursuant to South Dakota Water Law 46-5-30.1 George F Welsh, PO Box 73, Ft Pierre, SD 57532-0073 the holder and/or owner of Water Permit No. 1818-2 is issued a license to appropriate water, the right to use 0.17 cubic feet of water per second from ground water (one well) with a priority date of June 3, 1982 from the location specified in (2) of this license, for domestic heating purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1818-2 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

OCT 17 1996

date



Stanley Co.

Water Rights Division
(605) 773-3352

June 1, 1981

George F Welsh
191 S 4th
Ft. Pierre, SD 57532.

Dear Mr. Welsh:

The flowing well located at the corner of 4th Street and 1st Avenue (Block 11, Lot 13-14) Ft. Pierre, South Dakota was recently inspected by Water Rights Division Personnel. The well was found to be in violation of SDCL 46-6-10, 46-6-14 & 46-6-21, which prohibits the wrongful use and waste of water from an artesian well.

As the present owner of this property and well, you are responsible for controlling the flow. The well must either be plugged by filling the well with cement grout or a valve must be installed which can control and shut off the flow. A valve is unacceptable, however, if the well casing has deteriorated so that underground leakage can occur. The required plugging procedure will be to pump cement grout down through a pipe inside the well from the bottom of the well to the top.

You are ordered to plug or control this well within 90 days. If you have questions, or require technical assistance, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/FS/gy

Stanley County

MEMORANDUM

To : Dan Doyle, Assistant Attorney General
From : John Hatch
Subject : George Welsh uncontrolled artesian well
Date : November 23, 1981

The George Welsh flowing well, located on the corner of 4th Street and 1st Avenue in Ft. Pierre, was first inspected by Water Rights in May, 1981. The flow was estimated to be 80-100 gallons per minute. There is no mechanism on the well for controlling the flow. The well is cased with 4 inch cast iron at the surface. Wastewater from the well is drained from the Welsh property by a sewer line, which runs south beneath 4th Street and discharges into the Bad River.

Very little written information could be found about the construction of the well. According to local residents, the well was drilled in about 1905 by the City of Ft. Pierre. It is approximately 1200 feet deep, penetrating the Dakota Sandstone Formation. For many years the City extracted natural gas from the well, which was used for heating and power generation. The City abandoned the well about 1940.

Mr. Welsh purchased the well from the City in 1964, along with the three corner lots where it is located. Since that time he has used the gas from the well for domestic heating. During the spring and summer the gas collecting apparatus is disassembled, and the water is allowed to run uncontrolled.

Mr. Welsh was contacted by Water Rights on June 1, 1981. He was informed by telephone that his well was not in compliance with state law. A written order to control the well within 90 days was issued, based on SDCL 46-6-10, 46-6-14 and 46-6-21.

As of this date, Mr. Welsh has not made the necessary repairs to his well. The 90 day limit has expired. The Water Rights staff believes that Mr. Welsh may have the right to use the well for domestic heating, but that the well should be repaired to comply with state standards. Since he has not complied with the order, the matter should be resolved in court.