

Considered: _____

WATER PERMIT NO. 1846A-2 *BW*

MAP No. 1846A-2 *2nd.*

Name of Applicant East Gregory County Rural Water System

Post Office Address POBox 217, Fairfax 57335

Amount of Water Claimed .07 Total Acres _____

Source of Water Supply 3 wells existing 80' deep on 1846-3

Water to be used for RWS County Gregory

About 1/2 miles south of Bonesteel.

PROOF OF PUBLICATION: Received 10-29-84 Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 8/29/84 Fee 50.00 Remarks _____

8/29/84 additional diversion on permit 1846-2

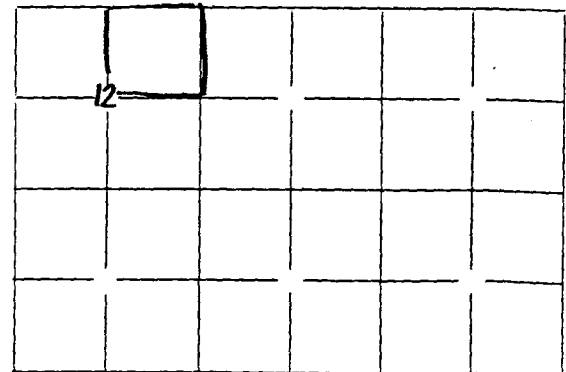
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

not applicable

Diversion Point _____
NE 1/4 Section 12-T95N-R69W



Land to be Irrigated _____

Well Log: Driller unknown as yet have Licensed YES _____ NO _____

Depth of Well 80' SD Geological Survey logs REMARKS _____

Type of Map Drawn PREPARED BY PE Ken W Royse Reviewed and the Number _____

assigned on 9/11/84 By Betty Westlund

Betty Westlund NRA III

cc Nelson

No. 1846A-2 Hydrologic Unit 10150001
 Map No. 1846A-2 Basin KE
 Newspaper ENTERPRISE Box 157 Bonesteel 57317

THURS

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 ☐

Type of Application: Check one or more of the following

☒ New ☐ Vested Right ☐ Future Use ☐ Change Use ☐

☒ Amend Permit No. 1846-2 with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☒ Increase Discharge

☐ 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 East Gregory Co. Rural Water Assoc., Inc. Phone No. (605)654-2217

Post Office Address P.O. Box 217, Fairfax State SD 57335
(Street, RR or Box) 0.07 cfs additional Zip Code

2. Amount of water claimed (c.f.s.) .25 Total (previous approval was for .18 c.f.s. total)

3. Source of water supply Ground Water (3 wells)

4. Location of point of diversion NE 1/4, Sec. 12-T95N-R69W

County Gregory

5. Counties where water will be used Gregory

6. Annual period during which water is to be used Continual

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)

Project involves the complete development of three (3) wells. A previously approved permit (i.e. permit 1846-2) had underestimated the quantity of water available from the wells. Water from the 3 wells will be transported by a raw water line to an existing water storage tank and distribution system. Service will be to the users of the East Gregory County Rural Water Association.

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

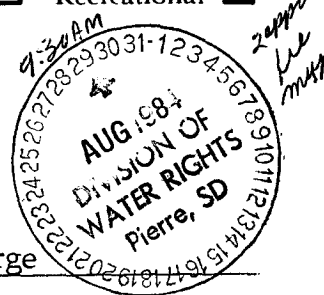
STATE OF SOUTH DAKOTA)
 County of Gregory)^{ss}

I, East Gregory County Rural Water Assoc., Inc. 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 Theresa J. Marshall

Subscribed and sworn to before me this 28 day of Aug 1984

Notary Public (or other qualified officer)



WATER PERMIT

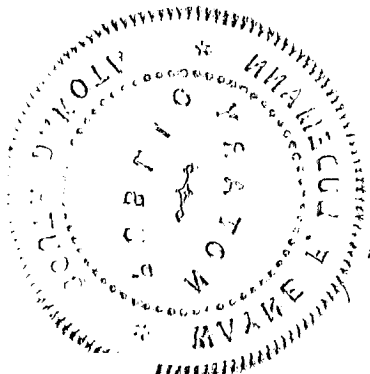
The Water Management Board hereby approves Water Permit Application No. 1846A-2
East Gregory Rural Water System P.O. Box 217 Fairfax
(Applicant) (Post Office Address)
S.D. 57335 With the following qualifications.
(State) (Zip Code)

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

Date of first receipt of application September 29, 1984
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—. Approved December 5, 1984

The Water Management Board hereby approves this Water Permit No. 1846A-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 September 29, 1984.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before JUNE 5, 1987.
3. The whole of said work is to be completed on or before December 5, 1989.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 5, 1993.
5. The water appropriated shall be used for the purpose of rural water system
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 0.07 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 rural water system use on or before December 5, 1993; said water to be used during the following described annual period: January 1 to December 31



WATER MANAGEMENT BOARD

By: John Hatch
JOHN HATCH Chief Engineer,
 Division of Water Rights
 Dept. of Water and Natural Resources

January 2, 1985

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 15" Depth 80'
- b) Casing Type PVC Diameter 6.625 Thickness 0.316"
- c) Screen Type PVC Diameter 6.625 Thickness 4-8"
- d) Gravel Pack Thickness 4" Length of Gravel Pack 6-10'
- e) Depth to Top of Water Bearing Material 10-12 feet
- f) Depth of Water (ground surface to water level) 10-12 feet
- g) Distance to nearest existing domestic well:
- On applicants property Approx. 1000 feet On property owned by others 4000-5000 feet

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

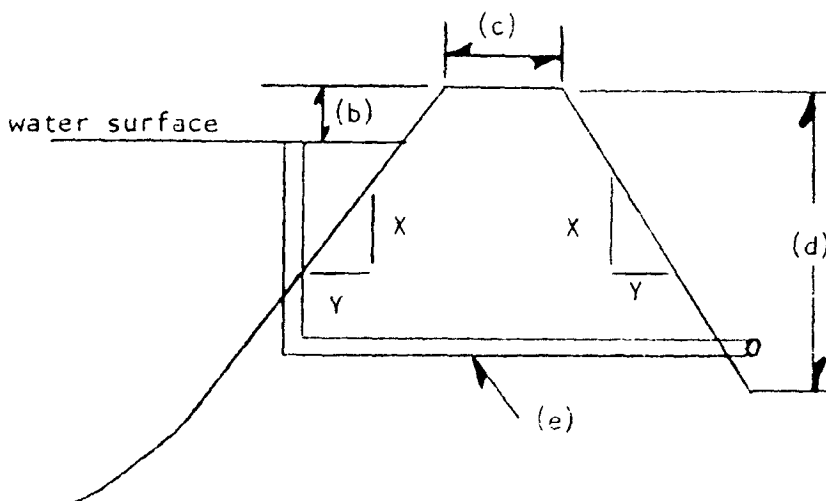
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



SOUTH DAKOTA GEOLOGICAL SURVEY

Location 95N - 69W - 12acdd

Location SE1/4 SE1/4 SW1/4 NE1/4 Section: 12

T. 95N

R. 69W

Test Hole: CO-6-83

Well:

Land Owner:

County: Gregory

Date: 5-10-83

Elevation: 1915(T)

E-Log: No

Samples: No

Drilling Company: SDGS

Project: E. Gregory RWS

Geologist: Holly

Rotary: Combo

Auger:

Driller: Hammond

COPY

Thickness	Lithologic Description	From - to Feet
	Topsoil, black, silty	0-2
	Silt, tan, clayey	2-5
	Gravel, sandy	5-7
	Clay, Dk. gray-brn, silty	7-13
	Clay, gray-brown, silty	13-16
	Sand, med.	16-23
	Clay, gray-brown, Silty	23-26
	Sand, med.	26-40
	Clay, tan, silty	40-44
	Sand, med., no clay layers noticed	44-62
	Sand, medium, drilled slower (clay) Lt. tan silt in samples.	62-66
	Shale, dk. gray	66-70
	TD = 70'	
	60' PUC + 5' Sdpt = 65' well	
	3' stickup	
	Depth to Water $\approx$ 10 feet	

2-2-2

Attachment Well A

SOUTH DAKOTA GEOLOGICAL SURVEY

Location

75N-69W-12adch

Location adch 2

Section: 12

T. 75N

R. 69W

lot 43

long 98

Test Hole:

Well:

Land Owner: H. Schockenmaier

County: Gregory

Date: 5-23-84

Elevation: 1918 (T)

E-Log: 0, SP, Res

Samples:

Drilling Company: Sioux World Drilling

Project: East Gregory RWS

Geologist: D Holly

Rotary: ☒

Auger:

Driller: W Wagner

JUL 25 1984

Thickness	<u>Log compiled from diller's log, E-log & gamma</u> Lithologic Description and samples	From - to Feet
0-1	Silt, black (topsoil)	
1-3	Clay, dark brown	
3-5	Clay, light brown	
5-8	Gravel, reddish-brown, Fine	
8-12	Clay, light-brown, silty to sandy	
12-24	Sand, light-brown, Fine; mostly subrounded quartz grains, clay lense from 16-18 Feet	
24-27	Clay, light-brown	
27-34	Sand, light-brown, Fine, silty	
34-37	Clay, light-brown, silty	
37-43	Sand light-brown; silty	
43-46	Clay, light-brown, silty	
46-63	Sand, light-brown, Fine to medium; mostly subrounded quartz grains	
63-66	Clay, light brown, silty, sandy	
66-71	Sand, light-brown, medium to coarse; mostly subrounded quartz grains	
71-80	Mud-shale, dark gray to black (Pierre Shale)	
	TD 80' 6" hole (test hole drilled 5-23-84)	
	6"-Well installed 5-25-84	
	70 Feet deep	
	Johnson PVC Screen from 53-70'	

W.L. 11.23 6-5-84

ATTACHMENT WELL C

RECEIPT

Division of Water Rights

No 4 9740

South Dakota Department of Water and Natural Resources

Pierre, August 31 1984

RECEIVED OF East Gregory Co. Rural Water Assoc., Inc., PO Box 217 Fairfax, SD 57305
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1846A to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	50	00

By John Hatcher
Chief Engineer JOHN HATCHER/ms

REPORT ON APPLICATION NO. 1846A-2
EAST GREGORY COUNTY RURAL WATER SYSTEM

October 3, 1984

Application No. 1846A-2 is to increase the withdrawal rate from three existing wells authorized by No. 1846-2 from 0.18 cfs to 0.25 cfs. This will be an additional 0.07 cfs of water. The water will be used for rural water system use.

The application proposes to withdraw water from the Ogallala formation (Valentine). The formation consists of sand and gravel under both water table and artesian conditions. Two studies conducted by the South Dakota Geological Survey show that the formation varies in saturated thickness from 17 to 42 feet. Water samples show that nitrates are a problem from this formation.

The aquifer in the location of this permit is monitored by two Water Rights Division observation wells (GY-78D and GY-78C). The water levels of these wells indicate that the gradient is from the southwest to the northeast with natural discharge of the systems through Houston springs. The water levels for these two wells have come up approximately 6 feet since they were installed. This indicates that the aquifer is not being mined and that the system is being recharged.

Conclusions

1. Unappropriated water is available for permit No. 1846A-2.
2. Observation wells exist to monitor the aquifer.
3. The aquifer is being recharged.

Gale N Selken

GALE N SELKEN, PE
Hydrologist

References

1. Barari, Beissel, City of Bonesteel Study, field work 1973, published 1976.
2. Barari, Beissel, East Gregory Rural Water District, field work 1975, published 1976.
3. DWNr, Water right files, observation well files and computer files, unpublished.
4. Selken, Report on Applications No. 1421-2 and 1459-2, presented to Water Rights Commission, 1979, unpublished.
5. Selken, Report on Application No. 1719-2, presented to Water Management Board, 1980, unpublished.
6. Selken, Report on Application No. 1846-2, dated August 16, 1983, unpublished.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1846A-2, East Gregory County Rural Water Assn.

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. 1846A-2, East Gregory County Rural Water Assn., Inc., PO Box 217, Fairfax, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1846A-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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

See the attached report for additional information.

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
October 11, 1984

Instruction to Newspaper - Publish first publication of the following Notice on or before October 18, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1846A- to Appropriate Water
and/or to Amend Water Permit or Water Rights No. 1846-2

Notice is hereby given that the East Gregory County Rural Water Association, Inc.
POB 217, Fairfax, South Dakota has made an application for a permit

to appropriate an additional 0.07 cubic feet per second of water from three existing wells 80 feet deep authorized by water permit No. 1846-2 into the Ogallala formation (Valentine) located in the NE $\frac{1}{4}$ Section 12-T95N-R69W. The water will be used for a rural water system.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1846A- 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 by the Water Management Board at Joe Foss Building
Room 216, 523 E. Capitol, Pierre, South Dakota, December 5, 1984 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 November 23, 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 74:02:01:15:05.

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 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 November 23, 1984.

No. 1846-A-2

PROOF OF PUBLICATION

Public Notice

STATE OF SOUTH DAKOTA)
County Gregory) ss.

I, Carol A. Perlenfein hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bonesteel Enterprise

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 Bonesteel

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

Oct. 18, 1984
Oct. 25, 1984

Carol A. Perlenfein
(Signature)

Publisher
(Title)

Oct 25, 1984
(Date Signed)



Cost of Printing: \$38.02

11pi. 19pt. = 19.2 x 110 lines = \$21.12

2nd insertion at 80% = 16.90

Total \$38.02

NOTICE OF HEARING on
Application No. 1846A-2 to Approp-
riate Water and to Amend
Water Permit No. 1846-2.

Notice is hereby given that the
East Gregory County Rural
Water Association, Inc., whose
mailing address is POB 217,
Fairfax, South Dakota has made
an application for a permit to
appropriate an additional 0.07
cubic feet per second of water
from three existing wells 80 feet
deep authorized by water permit
No. 1846-2 into the Ogallala
formation (Valentine) located in
the NE 1/2 Section 12-T95N-R69W.
The water will be used for a rural
water system.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
APPROVAL of Application No.
1846A-2 because 1) unappropri-
ated water is available, 2) will be
no unlawful impairment of exist-
ing rights, 3) is beneficial use of
water and 4) is in the public
interest.

This application will be consid-
ered by the Water Management
Board at Joe Foss Building
Room 216,, 523 E. Capitol,
Pierre, South Dakota, December
5, 1984 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 November
23, 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 provision 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15;

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, 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 November 23, 1984.

O-18-25(110L)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

1846A-2

January 3, 1985

East Gregory Rural Water System
P.O. Box 217
Fairfax, South Dakota 57335

Dear Sir:

Enclosed herewith is your Water Permit No. 1846A-2 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1846A-2.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

2435-2

East Gregory County Rural Water Association, Inc.
%Terry Seiler
P.O. Box 217
Fairfax, SD 57335

Dear Mr. Seiler:

Enclosed are Water Permit and Water License No. 2435-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2435-2, 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.

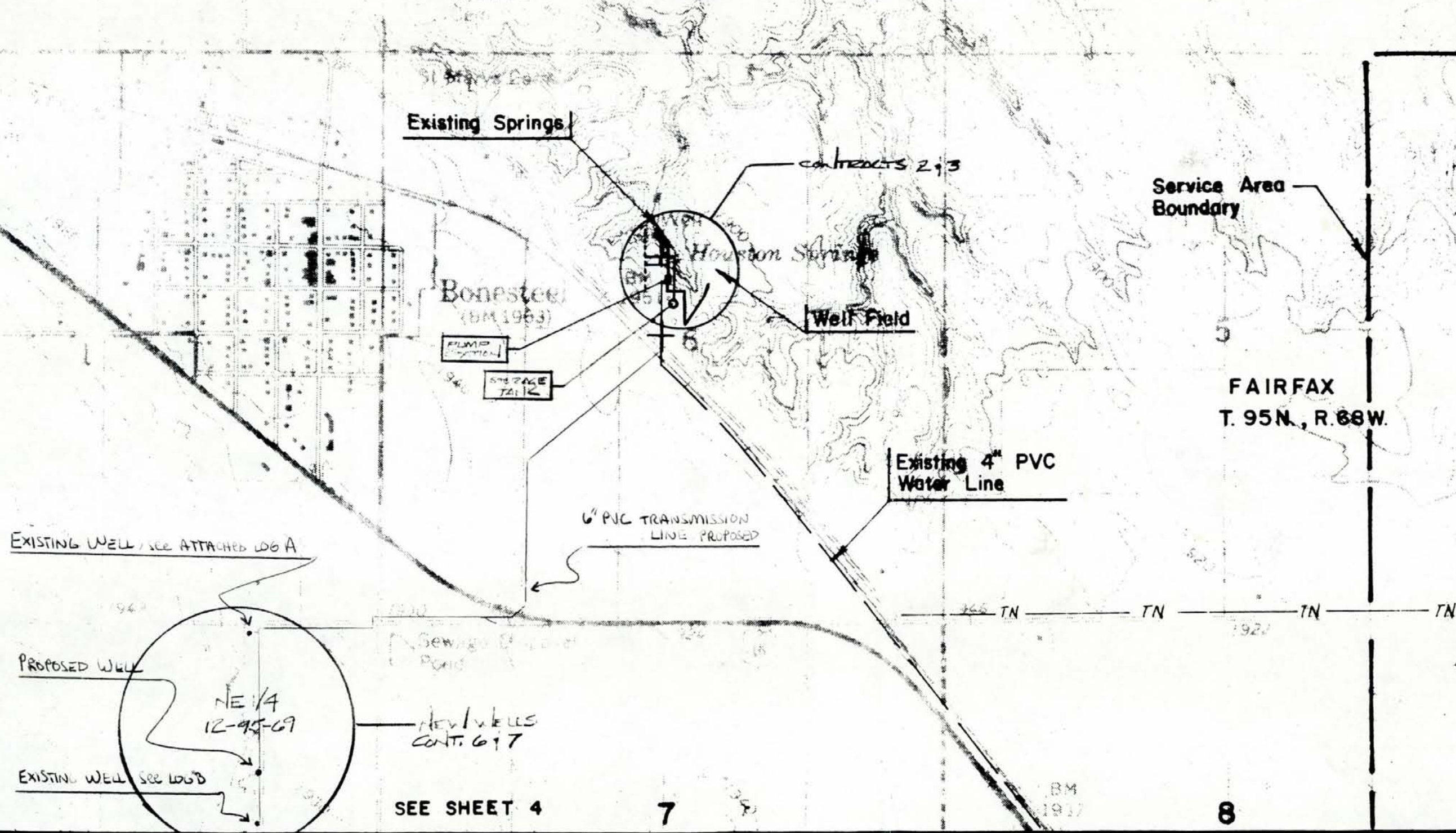
Sincerely,

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

ks
enclosures

NOTE: The applicable portions of Nos. 1846-2 and 1846A-2 are incorporated into Water License No. 2435-2.

GENERAL LOCATION MAP



This map was prepared by a
Registered Professional
Engineer in the State of
South Dakota.

Ken Royse
Ken Royse, P.E.

