

Considered: _____

WATER PERMIT NO. 1976-2

MAP No. same

Name of Applicant Town of Kennebec (municipal corporation)

Post Office Address Box 262, Kennebec SD 57544

Amount of Water Claimed .25 cfs & .09 cfs Total Acres NA

Source of Water Supply groundwater - Dakota

Water to be used for municipal use County Lyman

About _____ miles _____ of in Kennebec.

PROOF OF PUBLICATION: Received 8/25/86 Not Received _____

APPLICATION: Approved Sept. 3, 1986 Subject to _____

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

PRIORITY Date Received June 25, 1986 Fee 225⁰⁰ Remarks appl. is

.25 cfs June 25, 1986

.09 cfs Jan 1, 1926

For new well constructed in 1986 and to transfer authority to
divert .09 cfs from old well to new well

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

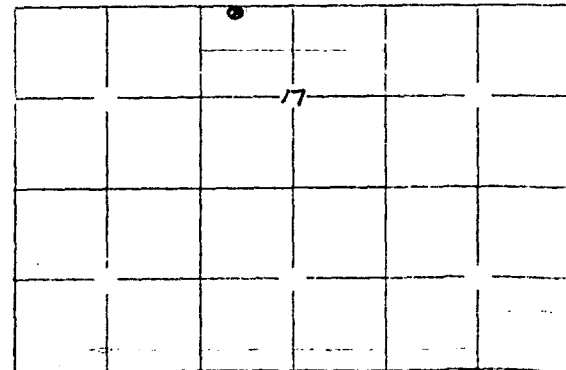
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point well: 1050 ft East and 170 ft

S from NW corner of sec 17-T105N-R75W

Land to be Irrigated NA



Well Log: Driller Huron Drilling Licensed YES _____ NO _____

Depth of Well 1320 ft REMARKS _____

Type of Map Plat PREPARED BY State of SD Reviewed and the Number

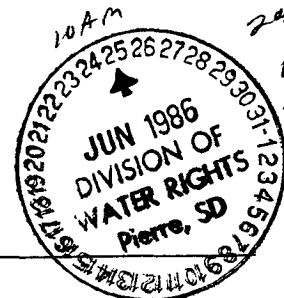
assigned on July 7, 1986 By Ron Duvall

No. 1976-2 Hydrologic Unit 10140104
 Map No. same Basin Missouri River
 Newspaper Kennebec Advocate Leader, Box 325
 (Wed)

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. _____ with old priority date retainedChange 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 Town of Kennebec (municipal corporation) Phone No. 869-2263Post Office Address Box 262 Kennebec State S.D. 57544
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s.) .25 cfs (new appropriation)
150 gallon per minute .09 cfs (transfer diversion
 authority)*3. Source of water supply ground water approx. 1300 ft.4. Location of point of diversion 1050' east and 170' south of NW corner of Sec. 17,
T 105-N R75 W 5th P.M., Lyman County, S.D.County Lyman5. Counties where water will be used Lyman6. Annual period during which water is to be used January 1st to December 31st

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)

Replace old well with new one. Old well was drilled in approximately 1926 and used thereafter, at first steady and later periodically. Replacement well will be used for town's water supply. * The application proposes to transfer authority to divert .09 cfs from the old well to the new well drilled in June, 1986. The total authorized appropriation by this application will be .34 cfs.

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 Lyman)^{ss}

I, Raymond Moore, President, Board of Trustees of Town of Kennebec 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

Raymond Moore
 President, Board of Trustees

Subscribed and sworn to before me this

18th

day of

June1986

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1976-2
Town of Kennebec (Applicant) Box 262, Kennebec (Post Office Address)
SD (State) 57544 (Zip Code) With the following qualifications.

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

The well approved under this permit shall be valved and the flow reduced to the amount necessary or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules.

Date of first receipt of application June 25, 1986.

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

Date of receipt of corrected application _____, 19____. Approved September 3, 1986.

The Water Management Board hereby approves this Water Permit No. 1976-2 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 .25 cfs June 25 1986
.09 cfs January 1, 1926.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before February 3, 1989.
3. The whole of said work is to be completed on or before September 3, 1991.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is September 3, 1995.
5. The water appropriated shall be used for the purpose of a municipal water supply for Kennebec.
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 .34 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 municipal use on or before September 3, 1995; said water to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John Halach Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

NOV 14 1986

_____, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 7 7/8 Depth 1320 ft.
- b) Casing Type Copper Type K Diameter 3" Thickness _____
- c) Screen Type Stainless Diameter 3 3/4 OP Thickness _____
- d) Gravel Pack Thickness 2" Length of Gravel Pack 80 ft
- e) Depth to Top of Water Bearing Material 1235
- f) Depth of Water (ground surface to water level) 60 G.P.M.
- g) Distance to nearest existing domestic well:
 On applicants property 50 ft to Town's old well On property owned by others approx. 1/2 mile

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 _____

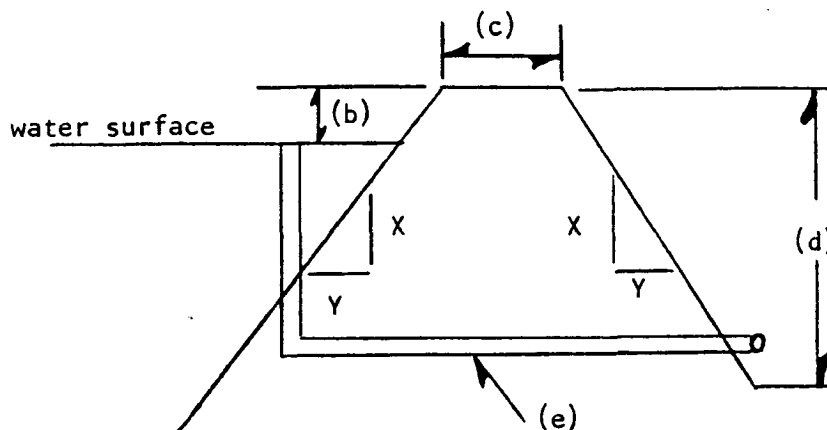
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



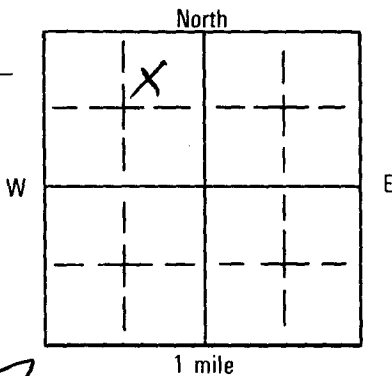
Town of Kennebec
Raymond Moore President Board of Trustees
 Signature of Applicant

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 12 1/4 NW 1/4 Sec 17 Twp 105 Rg 75County Hyman

Please mark well location with an "X"

Well Completion Date June 25, 1986

PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

CASING DATA:

☒ Steel ☐ Plastic ☒ Other
If other describe TYPE "K" Chandler

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>28.55</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>353</u> FT	<u>18 1/4</u> IN
<u>TYPE "K"</u> LB/FT	<u>3</u> IN	<u>353</u> FT	<u>1320</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? Top - Bottom FEETWhat is grouting material? Portland CementIf cement, number of sacks? 100 - 145Describe grouting procedure Trim Pipe Plug

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 3 IN Length 80 FEETMaterial 304 SSSlot Size 30 Set From 140 Feet To 1320 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Gravel PackedWas a packer or seal used? ☒ YES ☐ NOIf so, what material? BentoniteDescribe packer(s) and location? Above ScreenWas well disinfected upon completion? ☐ YES ☒ NOExplain FlowsBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

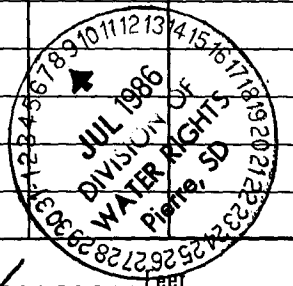
Well Owner:

Name Four Well KennecottAddress Kennecott S. Dak.

Well Log:

Depth

Formation	From	To
<u>Yellow Clay</u>	<u>0</u>	<u>30</u>
<u>Gravel</u>	<u>30</u>	<u>35</u>
<u>Silt/E</u>	<u>25</u>	<u>120</u>
<u>Gravel/E</u>	<u>120</u>	<u>160</u>
<u>Silt/E</u>	<u>160</u>	<u>1235</u>
<u>DAKOTA SANDSTONE</u>	<u>1235</u>	<u>1320</u>



STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure 48 PSIGPM flow 75 through 3 inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? Yes

WELL TEST DATA:

☒ Pumped☐ BailedDescribe: Sub Pump☐ Other

Pumping Level Below Land Surface

23 ft. After 6 Hrs. pumped 120 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

City Pumps Well
@ 150 GPM - Can
Produce As much As
300 GPM. - Water Very
Clear - Good Well

This well was drilled under license # 94

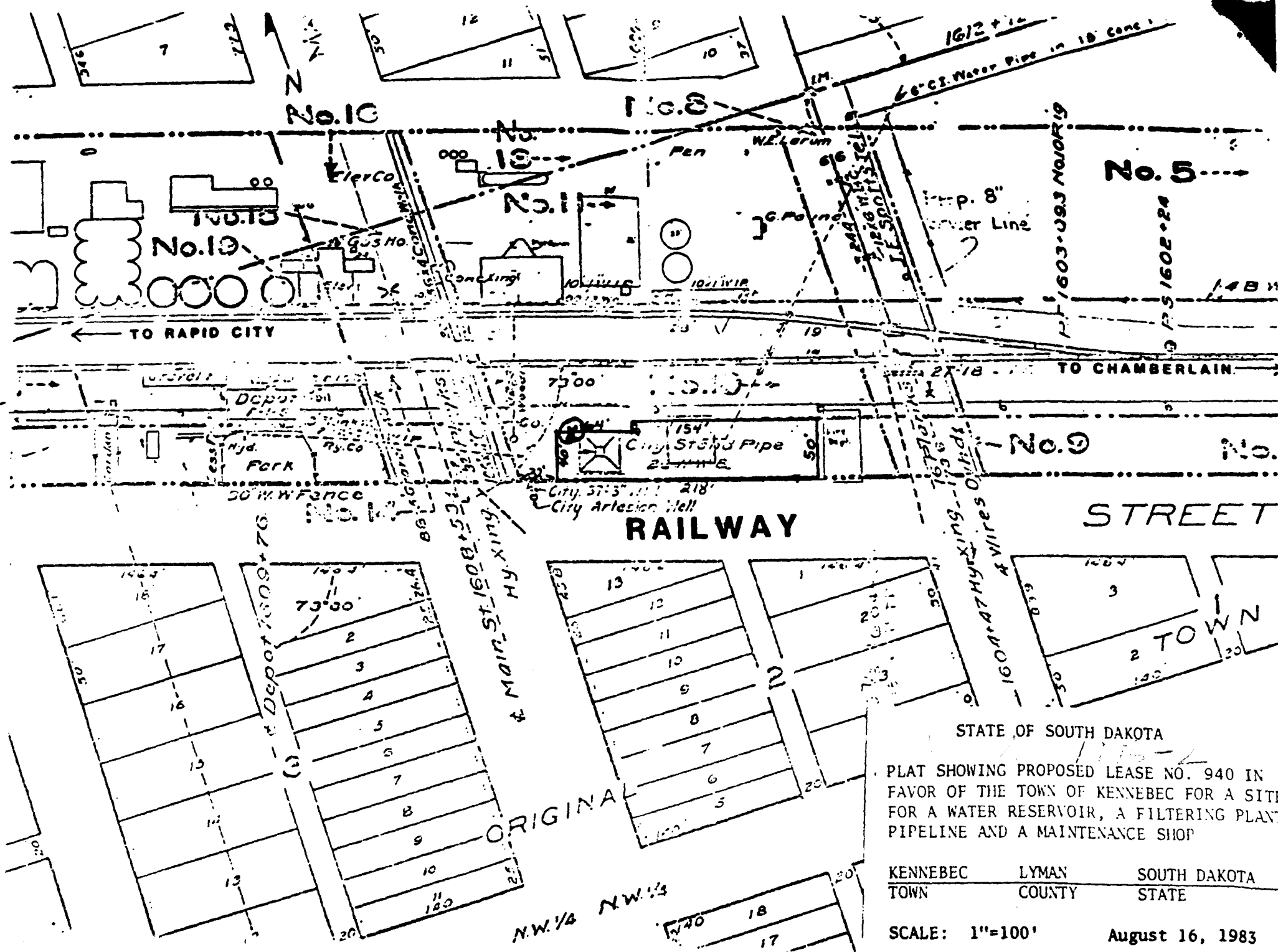
And this report is true and accurate.

Drilling firm Veron Drilling Co

Signature of License Representative: _____

Signature of Well Owner: _____

Date June 30, 1986



NW corner of Sec. 17-105-75
 Approximately
 1050 ft east
 and 170' south
 of said corner.

⊗ = new well

STATE OF SOUTH DAKOTA

PLAT SHOWING PROPOSED LEASE NO. 940 IN
 FAVOR OF THE TOWN OF KENNEBEC FOR A SITE
 FOR A WATER RESERVOIR, A FILTERING PLANT
 PIPELINE AND A MAINTENANCE SHOP

KENNEBEC TOWN	LYMAN COUNTY	SOUTH DAKOTA STATE
------------------	-----------------	-----------------------

SCALE: 1"=100' August 16, 1983

RECEIPT

Division of Water Rights

410433

South Dakota Department of Water and Natural Resources

Pierre, July 7, 1986

RECEIVED OF Town of Kennebec, Box 262, Kennebec SD 57544

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	225 00

By John Hatch
Chief Engineer
JOHN HATCH (KS)

Permit Application No. 1976-2 & 1976A2
Town of Kennebec
July 15, 1986

Water Permit Application No. 1976A-2 was submitted by the Town of Kennebec to validate a vested right claim. This application proposes to transfer authority to divert 0.09 cubic feet of water per second from a Dakota Formation well drilled in 1926 to a new well (Dakota Formation) 1320 feet deep. Water Permit Application No. 1976-2 was submitted by the Town of Kennebec to appropriate an additional 0.25 cubic feet of water per second from a 1320 foot Dakota formation well. The well for both applications is located in the NW 1/4 NW 1/4 of Section 17-T105N, R75W. The water is for municipal use by the Town of Kennebec. The well was constructed in June of 1986 after the Town's water source, Lake Byre Dam, failed.

Surficial Geology

The well site is located in the unglaciated western section of the state, in the Pierre Hills physiographic division, which consists primarily of broad, rolling shale plains covered with grasses and scattered cropland.

Aquifer Characteristics

A well log submitted with the application indicated that the water was being drawn from the Dakota Formation. This formation is primarily a fine to medium grained, friable to well consolidated sandstone that ranges in color from yellow to white. Thin localized shale beds also exist in the formation (Schoon, 1971). Schoon noted that only 0.01% of the water in storage is being withdrawn in a given year, an indication that water is available for appropriation. Testimony before the Water Management Board concerning Application No. 4599-3 (January 28 and 29, 1981 meeting) stated that the pressure in the Dakota Formation is "approaching a static type condition which would indicate that the rate of recharge is approaching the rate of withdrawal."

A study of the amount of recoverable water in the Dakota Formation indicates that 308 million acre-feet of water is available in western South Dakota with over 28 million acre-feet of recoverable water available in Lyman county (Allen and others, 1984). The Division of Water Rights monitors one observation well (BL83A) near Chamberlain (approximately 25 miles east of the application) that was drilled into the Dakota aquifer in 1983. The water level measurements indicate no appreciable change in the water levels (Water Rights Division observation well files, 1986).

There are other water permits for wells into the Dakota aquifer in Lyman county and various domestic water users from the formation. The closest permit is in the City of Presho which is located approximately 12 miles to the west of Kennebec. The closest known domestic well is located approximately 1/2 mile from Kennebec's well. With the small amount of water requested and the distances to other known users there should be no adverse affects from the operation of Permit Application Nos. 1976A-2 and 1976-2.

The Town of Kennebec has been utilizing the well for the two applications since the end of June 1986 with no complaints being received by the Division of Water Rights.

Conclusions

1. The Dakota Formation has shown significant head pressure declines in portions of the state. The observation well nearest the Town's well (BL-83A) has shown little fluctuation in the three years of records indicating that the head pressure has or is approaching static conditions in this area.
2. Recoverable water in storage in the Dakota formation is estimated at 28 million acre-feet in Lyman county and the usage of 0.34 cfs of water from this well will have no noticeable affect on the water levels in the formation.
3. With the small amount of water from the formation and the location of domestic and permitted water users from the application's well, there should be no noticeable affect on existing users.

Gale N. Selken

Gale N. Selken P.E.
Hydrologist III

References

Allen, Johnette. C., and others, 1984, Analysis of Ground Water and Streamflow Data, Western Dakota Region of South Dakota, Groundwater Resource inventory: Prepared by Department of Water and Natural Resources, Division of South Dakota Geological Survey for U.S. Army Corps of Engineers Planning Division, 8 p. plus appendixes.

Brander, Tom, Report to Water Management Board on Permit Application No. 1944-2 submitted September 30, 1985, Division of Water Rights files

Schoon, Robert A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota: South Dakota Geological Survey Report, No. 104. 55p.

Water Rights Division, 1985, Complaint Files, Drillers logs, Observation Well Logs, and Permit Files. South Dakota State Planning Bureau Report, 382 p.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1976-2

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 Water Permit Application No. 1976-2, Town of Kennebec, Box 262, Kennebec SD.

The Chief Engineer is recommending APPROVAL of Application No. 1976-2 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 transfer of diversion points can be made without impairment of existing rights, 4) the proposed use is a beneficial use and 5) in the public interest with the following qualifications:

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

The well approved under this permit shall be valved and the flow reduced to the amount necessary or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board rules.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
July 28, 1986



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

July 29, 1986

NOTE:

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

Town of Kennebec
Box 262
Kennebec, South Dakota 57544

Dear Sir:

Your Application No. 1976-2 for a permit to appropriate water for

municipal use, has been examined and 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

Kennebec Advocate Leader printed at Kennebec

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are 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 to authorize publication of your notice
of intent to appropriate water and to arrange for payment. Early contact with
the paper can eliminate delays. The publisher has been instructed to publish
your notice once each week for two consecutive weeks with the last publication
to occur at least thirty days before the board meeting. We must receive
Proof of Publication before the application can be considered by the Water
Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

July 29, 1986

Kennebec Advocate Leader
Box 325
Kennebec, South Dakota 57544

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Town of Kennebec
Application No. 1976-2, in Lyman County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before August 6, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
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 before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST
Publication
Transmittal

No. _____ Date _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter dated _____ and Notice of Hearing to
Appropriate Water by Application No. _____. The notice was first published
in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____ NEWSPAPER _____

Equal Opportunity Employer

Instruction to Newspaper - Publish first publication of the following Notice on or before August 6, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1976-2 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that the Town of Kennebec whose mailing address is Box 262, Kennebec, South Dakota has made an application for a permit

to appropriate .25 cubic feet of water per second from one well (Dakota formation) 1320 feet deep drilled in June, 1986. This application also proposes to transfer authority to divert .09 cubic feet of water per second from a Dakota Formation well drilled in 1926 to the well drilled in June, 1986. The wells are located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17-T105N-R75W. The water is for municipal use by the Town of Kennebec.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1976-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) the transfer of diversion points can be made without impairment of existing rights, 4) is beneficial use of water and 5) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, September 3 1986 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) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(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 August 22, 1986.

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

No. 1976

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lyman) ss.

I, Hubert E. Alewel hereby

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

Water was taken from the Advocate Leader

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

town of Kennebec

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

August 7, 1986

August 14, 1986

Hubert E. Alewel
(Signature)

Public
(Title)

8/22/86
(Date Signed)

Cost of Printing: Aug 7 - \$23.03

Aug 14 21.89

Total 44.92



NOTICE OF HEARING
ON APPLICATION NO. 1976-2
TO APPROPRIATE WATER

Notice is hereby given that the Town of Kennebec whose mailing address is Box 262, Kennebec, South Dakota, has made an application for a permit to appropriate .25 cubic feet of water per second from one well (Dakota formation) 1,320 feet deep drilled in June, 1986. The application also proposes to transfer authority to divert .09 cubic feet of water per second from a Dakota Formation well drilled in 1926 to the well drilled in June 1986. The wells are located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17-T106N-R75W. The water is for municipal use by the Town of Kennebec.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1976-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) the transfer of diversion points can be made without impairment of existing rights, 4) is beneficial use of water and 5) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD Sept. 3, 1986, at 10 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 Aug. 22, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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 through 46-1-9, 46-1-12 through 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 through 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 through 46-5-11, 46-5-13 through 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 46-5-30.4, and Board Rules ARSD 74:02:01:01 through 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 recommendations, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, 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 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 Aug. 22, 1986.
(Aug. 7-8)



Water & Natural Resources

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

Water Rights Division
605 773-3352

NOV 14 1986

Town of Kennebec
Box 262
Kennebec, South Dakota 57544

Dear Sir:

Enclosed is your Water Permit No. 1976-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the 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: ns

enclosure

Water Rights Division - DENR

Conversation Documentation

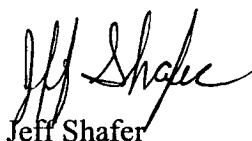
Name of Person: **Don Manger, Town of Kennebec**

Address: **Kennebec SD** County: **Lyman**

Date: **8/25/98** Telephone:

RE: **1976-2, 1976B-2**

Comments: **Mr. Manger runs the water treatment plant for the town of Kennebec. I visited with him about Water Permit Nos. 1976-2 and 1976B-2. He said that the old well was not hooked up to the system and wasn't used. The new well was hooked into the system as a backup for the water supply from Lake Byre Dam. The old well is permitted under 1976B-2 and should be cancelled. The new well is permitted under 1976-2 and should be incorporated into 1976A-2.**

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

Jeff Shafer

Natural Resources Engineer

REPORT ON INSPECTION OF PERMIT NO. 1976A-2

DATE OF INSPECTION: August 25, 1998

Other permit(s) associated with the project: 1976-2

Contact Person & Address: Town of Kennebec, Box 262, Kennebec SD 57544

DIVERSION POINT LEGAL LOCATION: NW ¼ NW ¼ Section 17 T105N-R75W

WATER SUPPLY Source: Groundwater

Well Information:

- | | |
|--|-------------------------------------|
| 1) Well Drilling Firm: <u>Huron Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>1320</u> feet | 4) Well log is available <u>Yes</u> |

Casing:

- | | |
|---------------------------|----------------------------------|
| 1) Diameter <u>8", 3"</u> | 2) Length <u>353', 887'</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|------------------------------------|--------------------------|
| 1) Type <u>304 SS</u> | 2) Length <u>80</u> feet |
| 3) Static water head <u>48 psi</u> | |

Pump:

- | | |
|------------------------------------|----------------------------|
| 1) Make <u>Unknown submersible</u> | 2) Model <u>Unknown</u> |
| 3) Size <u>3"</u> | 4) Capacity <u>150</u> GPM |

Motor:

- | | |
|-----------------------------------|--------------------------------|
| 1) Franklin Electric | 2) Model No. <u>2871034100</u> |
| 3) Horsepower rating <u>10</u> hp | |

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>Yes</u> |
| 2) All structures, wells and lands on map <u>Yes</u> |

Comment: 1976A-2 is a licensed vested right for a well with a flow of 0.09 cfs. The amount was transferred to a new well in 1976-2, with an additional 0.25 cfs from the new well, for a total of 0.34 cfs. The well is valved and is not flowing.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 8, 1999

1976-2

Town of Kennebec
Royalee Metz, Finance Officer
P.O. Box 61
Kennebec, SD 57544-0061

Dear Ms. Metz:

The investigation of your water use system was conducted on August 25, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1976-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416093

Pierre, _____ April 14, 19 99

RECEIVED OF Town of Kennebec, P.O. Box 61, Kennebec, SD 57544-0061

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. 1976-2

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatch (J)

Permit No. 1976-2
White River - Water District

**Report Of Examination Of Works And/Or Application of Water To
Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, August 25, 1998, I made a thorough examination of the water use system constructed by the Town of Kennebec holder of Permit Nos. 1976-2, bearing the priority of June 25, 1986 authorizing the diversion of 0.25 cu. ft. per second of groundwater for municipal backup purposes, in Lyman County.

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

A. Works used to divert the water:

1320' well, submersible pump, Franklin motor

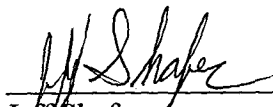
B. Works used to apply water to beneficial use:

City water treatment plant, distribution system

The system is in the following condition excellent. The point of diversion is located 490' south and 1010' east of the NW corner of Section 17, T105N-R75W. The works are capable of diverting and conveying to the place of use 0.34 cu. ft. per second of water which is to be used for municipal backup. The license should be issued for 0.25 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: none - The works are capable of a diversion rate greater than the authorized rate because the Town of Kennebec also hold Vested Right 1976A-2 authorizing 0.09 cfs. The well is valved and is not flowing uncontrolled.



Jeff Shafer
Natural Resources Engineer
DENR, Water Rights Program

4/23/99

Date

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1976-2

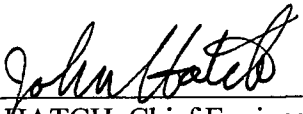
(1) The Town of Kennebec, PO Box 61, Kennebec, SD 57544-0061 made Application No. 1976-2, June 25, 1986 for a water permit to divert 0.25 cubic feet of water per second from ground water, Lyman County, South Dakota for municipal purposes. Permit No. 1976-2, with a priority date of June 25, 1986 was approved September 3, 1986 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 3, 1991 and for the application to beneficial use of said water on or before September 3, 1995.

Water Permit No. 1976-2 also authorized a transfer of diversion authority of 0.09 cfs to the new well. The 0.09 cfs diversion rate retains a priority date of January 1, 1926, and is authorized under Vested Water Right No. 1976A-2. This well is used as a backup water supply for the town and is capable of diverting 0.34 cfs.

(2) It is certified that the permit holder 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 0.25 cubic feet of water per second for beneficial use. The location of the diversion point is 490'S and 1,010'E of the NW corner of Section 17, T105N, R75W (NW ¼ NW ¼).

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

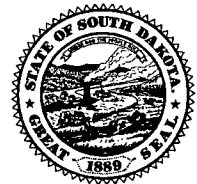
(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Kennebec, PO Box 61, Kennebec, SD 57544-0061 the holder and/or owner of Water Right No. 1976-2 is issued a license to appropriate water, the right to use 0.25 cubic feet of water per second from ground water with a priority date of June 25, 1986 from the location specified in (2) of this license. The water is used for the purpose of municipal use (back-up water supply). This license is subject to any limitations or qualifications listed in Water Right No. 1976-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 26 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 26 1999

1976-2
1976A-2

Town of Kennebec
Sandra Manger, Finance Officer
P.O. Box 61
Kennebec, SD 57544-0061

Dear Ms. Manger:

Enclosed is Water License No. 1976-2 and Reissued Vested Right Water License No. 1976A-2. These are the final water right documents completing your process of obtaining a Water Right. Enclosed is Receipt No. 416093 in the amount of \$50.00 which you paid for the investigation and issuance of Water License No. 1976-2.

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. 1976-2 and Vested Water Right No. 1976A-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 Licenses, 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

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

TOWN OF KENNEBEC
PO BOX 61
KENNEBEC SD 57544 0061

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1976-2. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: DAKOTA FORMATION
Management Unit: NOT APPLICABLE

County: LYMAN
Pumping Pt. Legal: SEC 17-T105N-R75W
Type of Water Use: MUNICIPAL

1) Please estimate your year 2000 water use from the above water source: 0 gallons

2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

We use Lake Byre

Contact Person:

Royalee Metz

Telephone No:

869-2263

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

