

WATER PERMIT NO. 2285-2

Phone: 669-2931

Name of Applicant: West River Rural Water System, Inc.

Post Office Address: PO Box 523, Murdo SD 57559

Amount of Water Claimed: 0.7 Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rural water system County: Pennington

About 12 miles North of Wall

PRIORITY Date Received: 5-17-93 Fee: \$300 Remarks: _____

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: SW 1/4 NE 1/4 Sec 28-T3N-R16E or

NW 1/4 SW 1/4 Sec 22-T3N-R16E

Land to be Irrigated: _____

20		21		22	
			23		
24		25		26	

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 3300 feet REMARKS: _____

Type of Map: topo PREPARED BY: Bruce Jennings Reviewed and the Number

Assigned on: 5-18-93 By: Karen Schlaak

No. 2285-2 Hydrologic Unit 10/20/12
Map No. _____ Basin Lower Cheyenne
Newspaper Pennington Co. Courant, Box 435, Wall**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 West River Rural Water System, Inc. Phone No. 669-2931
Post Office Address P.O. Box 523 Murdo State SD 57559
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s) 0.7
3. Source of water supply Lakota Formation
4. Location of point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T3N, R16E; or
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T3N, R16E; 1 well
County Pennington
5. Counties where water will be used Pennington
6. Annual period during which water is to be used 12 months Jan 1 - Dec 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)

Creighton area subsystem of West River Rural Water System component of Mni Wiconi Water Project. This project will be constructed as an advance feature of the Mni Wiconi Project. The well will provide water supply now for up to 100 rural connections, and standby service for the City of Wall. The well will provide permanent standby service for this area after future system connection to Mni Wiconi Missouri River water.

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 _____)I, Mike Kurle for West River Rural Water System, Inc.

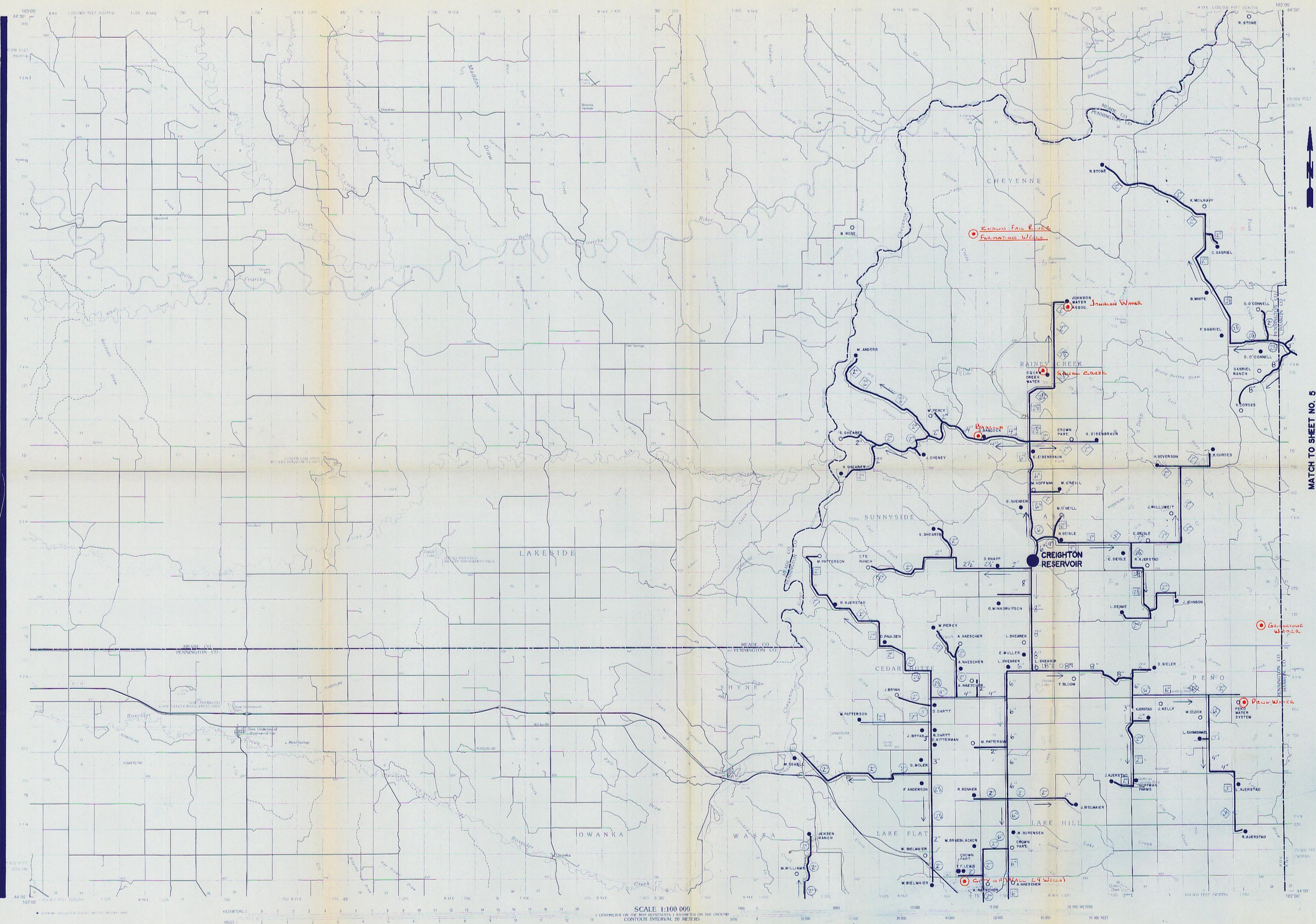
the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed

Mike Kurle
Mike Kurle, ManagerSubscribed and sworn to before me this 17th day of MAY 1993

Notary Public

9-17-2000



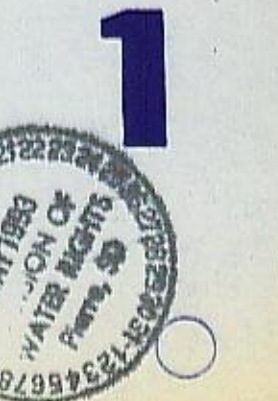
MNI WICONI COOPERATIVE
WEST RIVER & LYMAN JONES RURAL WATER SYSTEMS
PIPELINE DISTRIBUTION SYSTEM

Date Drawn By
Approved
Revised

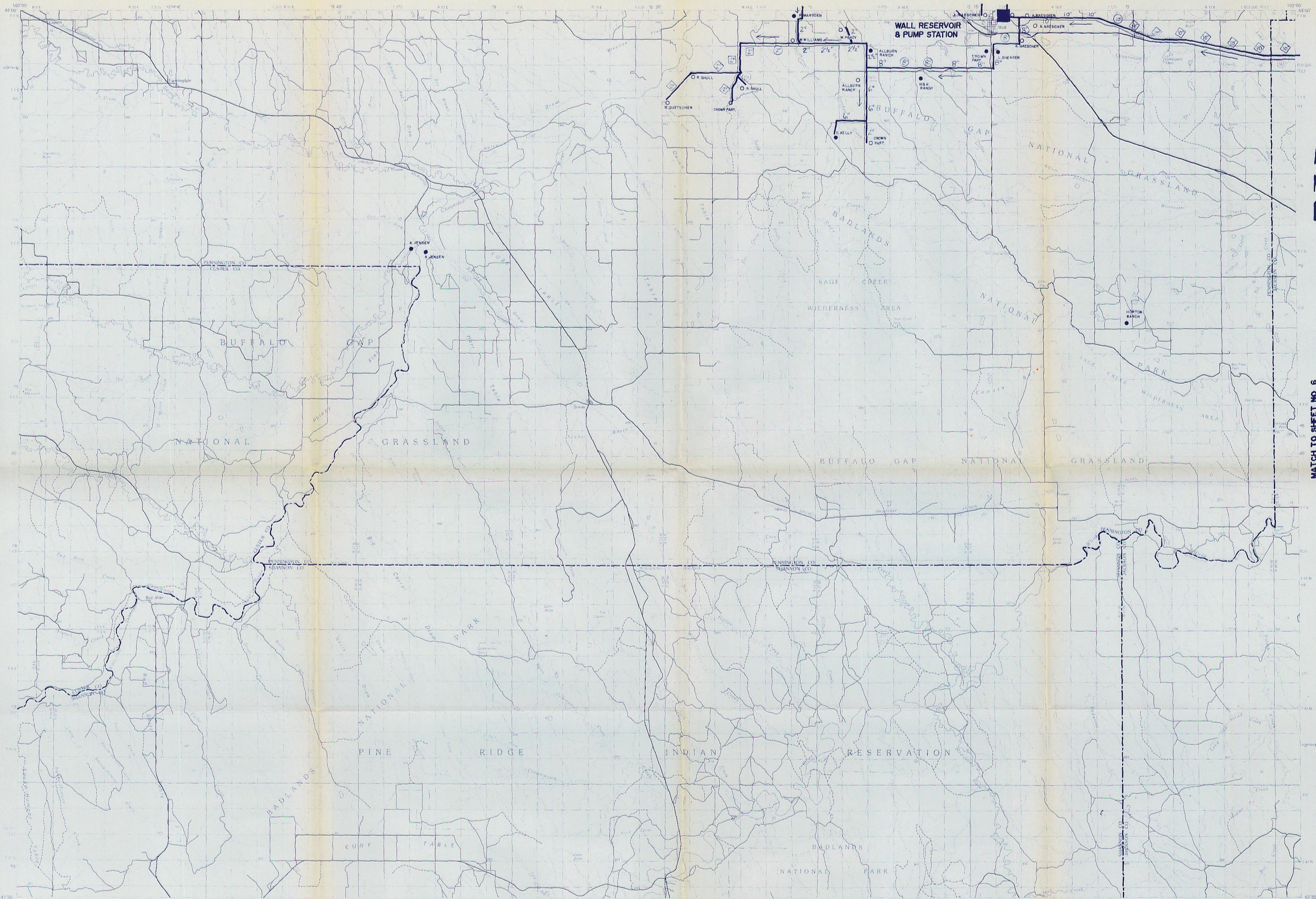
SPN
Schmucker Paul Nohr
Michell, SD

IDER
DeWild Grant Reckert
Rock Rapids, IA

Project Number
3918 - 3919



MATCH TO SHEET NO. 1



MATCH TO SHEET NO. 6

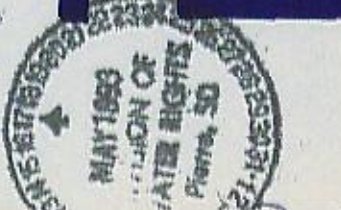
MNI WICONI COOPERATIVE 2285-2
WEST RIVER & LYMAN JONES RURAL WATER SYSTEMS
PIPELINE DISTRIBUTION SYSTEM

Date
Drawn By
Approved
Revised

SPN
Schmucker Paul Nohr
Mitchell, SD

INDER
DeWild Grant Rackert
Rock Rapids, IA

Project Number
3918 - 3919



SCALE 1:100 000
1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND
CONTOUR INTERVAL 20 METERS
MATCH TO SHEET NO. 3

**SOUTH DAKOTA
WATER PERMIT NO. 2285-2**

Date of first receipt of application May 17, 1993.

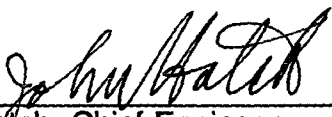
The Water Management Board approved Water Permit Application No. 2285-2 on July 7, 1993 for West River Rural Water System, Inc., PO Box 523, Murdo SD 57559 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2285-2 appropriates 0.7 cubic feet of water per second from one well (Inyan Kara Formation) approximately 3300 feet deep located in either the SW 1/4 NE 1/4 Section 28 or the NW 1/4 SW 1/4 Section 22; all in T3N-R16E. The water is for rural water system use in the Creighton area subsystem of the West River Rural Water System component of the Mni Wiconi Water Project. The well will provide water for up to 100 rural connections and will serve as a standby water supply for the City of Wall.
2. The water appropriated shall be used for the purpose of supplying water for the rural water system and may not exceed the amount of water needed for beneficial use for rural water system purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is May 17, 1993.
5. One-fifth of the construction is to be completed on or before January 7, 1996.
6. All construction is to be completed on or before July 7, 1998.
7. Water is to be put to beneficial use on or before July 7, 2002.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2285-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

SEP 17 1993

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 12" ^{12"} Depth: 0'-1,400' ^{12"} 1,401'-3,300' ^{7"}
- b) Casing Type Steel Diameter 5.563" Thickness 0.322" to 1,400'
8.625" Thickness 0.258" to 3,300'
- c) Screen Type Wirewound Stainless Diameter 5" Thickness 0.025" slot
- d) Gravel Pack Thickness 1.5" Length of Gravel Pack 150 ft.
- e) Depth to Top of Water Bearing Material 3,300 ft.
- f) Depth to Water (ground surface to water level) 500 ft.
- g) Distance to nearest existing domestic well:
 On applicants property None On property owned by others 5 miles (this formation)
1.5 miles (other formations)

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

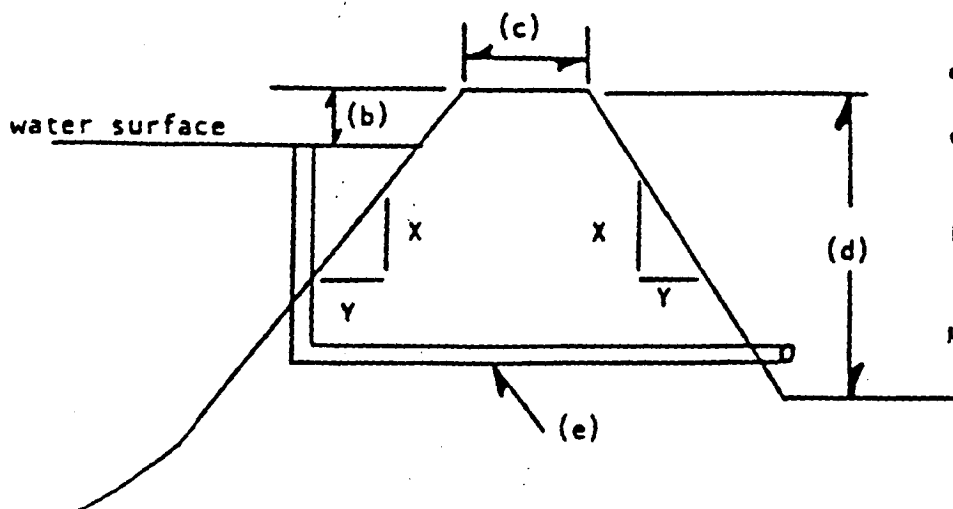
g) X & Y Slope:
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

Topographic map showing proposed well location alternatives. The map includes contour lines, a grid with section numbers (20, 21, 22, 27, 28, 29, 33, 34), and a north arrow. Two specific locations are marked with dots and labeled "Proposed Well Location Alternatives". Other features include a "LANDING STRIP" and various elevation points.

Scale: 1" = 2,000'

State of South Dakota Registration No 3812

By Bruce Denning Date 5-12-93

DEAR

Date _____
 Drawn By _____
 Approved _____
 Revised _____

WEST RIVER RURAL WATER CREIGHTON AREA SYSTEM

୧୧୫-୧

RECEIPT

Division of Water Rights

413775

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 17, 19 93

RECEIVED OF West River Water Development District, Box 523, Murdo, SD 57559

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

Fee for Application for Permit No. <u>2285-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	300	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 _____		

(Any Other Work Provided by Law)	Total	300 00

By John Haddad
Chief Engineer

MNI WICONI

RURAL WATER SUPPLY PROJECT

West River Rural Water System, Inc. / Lyman-Jones Water Development Association, Inc.
P.O. Box 523 • Murdo, South Dakota 57559 • (605) 669-2931



May 13, 1993

Mr. John Hatch, Chief Engineer
Water Rights Division
523 E Capitol
Pierre, SD 57501

Subject: Water Right Application

Dear Mr. Hatch,

I enclose an application for water rights on behalf of the West River Water Rural Water System. The water will be used for that portion of the West River Rural Water systems in the area of Wall. A copy of our Final Engineering Report for the Mni Wiconi project, of which West River is a part and maps of the service area are enclosed. Our Check, in the amount of \$300, for the application fee, is also enclosed.

If you need any additional information please contact me or our engineer, DeWild Grant Reckert and Associates Co. (Bruce Jennings, 712-472-2531).

Sincerely,

Mike Kurle, Manager

cc: John Madden

REPORT ON APPLICATION NO. 2285-2
for West River Rural System, Inc.
May 25, 1993

Application No. 2285-2 proposes to appropriate 0.7 cfs (315 gpm) from one well approximately 3300 feet deep located in either the SW 1/4 NE 1/4 of section 28 or the NW 1/4 SW 1/4 of section 22; all in T3N R16E in Pennington County. The water is for rural water system use in the Creighton area subsystem of the West River Rural Water System component of Mni Wiconi Water Project. The well will provide water for up to 100 rural connections and will serve as a standby water supply for the City of Wall.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara consists of the Fall River, Fuson and Lakota Formations in descending order. The entire sequence attains an average thickness of about 200 feet and underlies 1.245 million acres and contains an estimated 23.35 million acre feet of recoverable water in storage in Pennington County (Allen, 1984). The aquifer extends into Meade County to the north, Shannon and Custer Counties to the south and to the east into Haakon and Jackson Counties. The aquifer is confined and under artesian conditions at this site.

The Division of Water Rights does not monitor any observation wells completed into the Inyan Kara in this area. Water level information for this area is poor. There is some information available for the City of Wall which indicates that water levels have declined in the Wall area over 100 feet since 1960.

No driller's log is available for this application; however, the proposed depth is comparable to other Inyan Kara wells in the area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water permits/rights Nos. 1103-2, 1222-2, 1250-2 and 1834-2 in the 8 to 10 radius of this application which also obtain water from the Inyan Kara Formation. This site is about 8 miles from the nearest existing well. Interference is not expected to be a concern. Drawdown will occur as a result of pumping, but this should not adversely affect any other user.

CONCLUSIONS

1. Water is available from the Inyan Kara Formation.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. This should not be significant at the distance between wells. Interference should not be a problem.

3. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The well will be used to supply water to the Creighton subsystem until Missouri River water is made available through the West River Rural Water System of the Mni Wiconi Water Project.
5. This well will be used to supply 100 rural connections and as a backup to the City of Wall.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2285-2, West River Rural Water System, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2285-2, West River Rural Water System, Inc., c/o Mike Kurle, PO Box 523, Murdo, SD 57559.

The Chief Engineer is recommending APPROVAL of Application No. 2285-2 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2285-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04: ~~28~~.

30.

ESH

See report on application for additional information.


JOHN HATCH, Chief Engineer
May 27, 1993

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Pennington) ss

I, Ann Holsether

certify that the attached printed Notice was

taken from the Pennington County

Courant

printed and published in Wall

County of Pennington and State of

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

June 3, 1993

June 10, 1993

Cost of Printing: \$52.51

Ann Holsether
(Signature)

Legal Advertising Manager
(Title)

June 24, 1993
(Date Signed)

NOTICE OF HEARING

ON APPLICATION NO. 2285-2 TO APPROPRIATE WATER

Notice is given that West River Rural Water System, Inc., PO Box 523, Murdo, SD 57559 has filed an application for a water permit to appropriate 0.7 cubic feet of water per second from one well (Inyan Kara Formation) approximately 3300 feet deep located in either the SW 1/4 NE 1/4 Section 28 or the NW 1/4 SW 1/4 Section 22; all in T3N-R16E. The water is for rural water system use in the Creighton area subsystem of the West River Rural Water System component of Mni Wiconi Water Project. The well will provide water for up to 100 rural connections and will serve as a standby water supply for the City of Wall.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application no. 2285-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person of the applicant must be filed by June 28, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., July 7, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 7, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 28, 1993.

Any hearing will be an adversary proceeding. Any person filing a peti-

tion and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 28, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Robert E. Roberts, Secretary,
Department of Environment
and Natural Resources.

Publish: June 7, and 10, 1993





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 28, 1993

Mike Kurle
West River Rural Water System, Inc.
PO Box 523
Murdo, SD 57559

Dear Mr. Kurle:

Water Permit Application No. 2285-2 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Pennington County Courant printed at Wall, SD (Ph # 279-2565). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing 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 twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

cc: John Madden



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 28, 1993

Pennington Co. Courant
Box 435
Wall, SD 57790

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2285-2 to be published twice. Please publish the first notice on June 3, 1993, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is West River Rural Water System, Inc., PO Box 523, Murdo, SD 57559 (Ph # 669-2931).

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 3, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2285-2 to Appropriate Water

Notice is given that West River Rural Water System, Inc., PO Box 523, Murdo, SD 57559 has filed an application for a water permit to appropriate 0.7 cubic feet of water per second from one well (Inyan Kara Formation) approximately 3300 feet deep located in either the SW 1/4 NE 1/4 Section 28 or the NW 1/4 SW 1/4 Section 22; all in T3N-R16E. The water is for rural water system use in the Creighton area subsystem of the West River Rural Water System component of Mni Wiconi Water Project. The well will provide water for up to 100 rural connections and will serve as a standby water supply for the City of Wall.

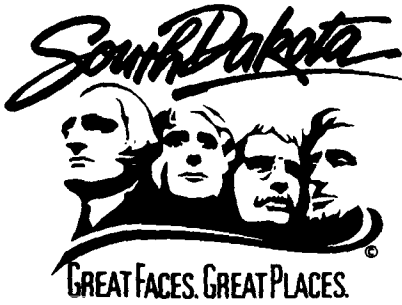
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2285-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 28, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., July 7, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 7, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 28, 1993.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 28, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1993

Mike Kurle
West River Rural Water System, Inc.
PO Box 523
Murdo, SD 57559

Dear Mr. Kurle:

Enclosed is Water Permit No. 2285-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

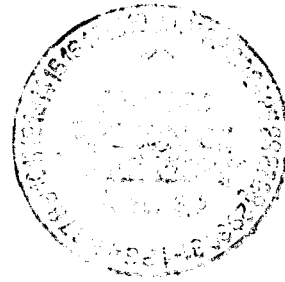
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

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.

January 15, 1994
19318 Geigle Road
Wall, S.D. 57790



Chief Engineer
Water Rights Division
Foss Building
523 East Capitol
Pierre, S.D. 57501

Dear Chief Engineer,

My name is Norman A. Geigle and I own both the surface and mineral rights in the NW1/4 SW1/4 Section 22 T3N-R16E in Pennington County, So. Dak. The parcel of property I've just described is included in Water Permit No. 2285-2 which is to be amended in Permit No. 2285A-2.

I request that in the amendment process that this parcel of property be completely deleted from Permits No. 2285-2 and No. 2285A-2 and be returned to it's original status.

I never was contacted by anyone from the West River Rural Water Systems, Inc., or anyone else for that matter, as to whether I would allow a permit for a well to be applied for on this piece of property. I find it highly inappropriate that anyone could or would apply for a permit on property for which they did not have the property owner's permission to do so.

The person who has legal ownership of a piece of property deserves to be contacted in writing, other than public notices in a newspaper, any time some legal action affecting that property is proposed by anyone. This notification should be initiated by all parties involved.

I do not feel that I am responsible for the expense involved in removing this permitting process from my property.

Sincerely,

Norman A. Geigle
19318 Geigle Road
Wall, S.D. 57790

cc: West River Rural Water Systems, Inc.
Kirk Cordes
Paul Goldhammer

MNI WICONI

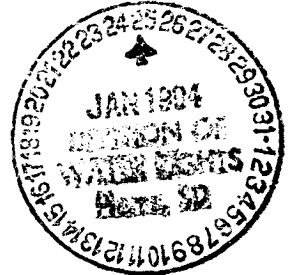
RURAL WATER SUPPLY PROJECT

West River Rural Water System, Inc. / Lyman-Jones Water Development Association, Inc.

P.O. Box 523 • Murdo, South Dakota 57559 • (605) 669-2931

January 24, 1994

John Hatch, Chief Engineer
Water Management Board
Department of Environment and Natural Resources
Joe Foss Office Building
523 East Capital
Pierre, SD 57501



Dear Mr. Hatch,

We are writing in support of concerns presented by Mr. Norm Geigle. He has raised questions in regard to the proposed change in point of diversion for Permit No. 2284-2.

It is the intent of West River Rural Water System, by this action, to transfer all authority of Permit No. 2284-2 from the originally named site to the new site. In so doing, it is the understanding of West River Rural Water System that they will relinquish their water right and their authority to divert water from that location. We support any further clarification that you make in the record stating that West River Rural Water System has no rights at the prior point of diversion and that the original point of diversion be no longer recorded against his property.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Kurle".

Mike Kurle, Manager

cc: Norm Geigle



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 1994

Norman A. Geigle
19318 Geigle Road
Wall, SD 57790

Dear Mr. Geigle:

I am writing in response your concerns that West River Rural Water System's Water Permit No. 2285-2 was issued for a legally described area you own. The area was included along with another area as potential well sites for the Rural Water System. Issuance of Permit No. 2285-2 did not grant the Rural Water System access to your property. The issuance of a water permit does not relieve the applicant of the responsibility to obtain an easement or an agreement with the landowner for access to the property.

The Rural Water System applied for an amendment to their water permit to change the well location to the NW¼ SW¼ Section 28, T3N, R16E. This application has now been approved. Since the approval of this amendment, the Rural Water System's water permit no longer authorizes a well to be located on your property in the NW¼ SW¼ Section 22, T3N, R16E.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

c: Mike Kurle, West River Rural Water System, Inc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 1999

Permit No. 2285A-2

West River Rural Water Systems, Inc.
%Chuck Holsether, Operations Manager
P.O. Box 523
Murdo, SD 57559

Dear Mr. Holsether:

The investigation of your water use system was conducted on October 5, 1998, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 2285-2 and 2285A-2. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2285-2 will be incorporated into 2285A-2.

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**

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 3 1999

2285A-2

West River Rural Water Systems, Inc.
%Chuck Holsether, Operations Manager
P.O. Box 523
Murdo, SD 57559

Dear Mr. Holsether:

Enclosed is Water License No. 2285A-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416234 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. 2285A-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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2285-2 have been incorporated into Permit No. 2285A-2.