

WATER PERMIT NO. 2604-2

Name of Applicant: City of Gregory

Address: PO Box 436, Gregory SD 57533

Phone: 605 835-8270

Amount of Water Claimed: 0.056 cfs

Total Acres: 6

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation of city park

County: Gregory

Type of Waste Disposal System:

Location: within city limits

PRIORITY

Date Received: 9-15-06

Application/License Fee: \$100

Corrected Application Received:

Period of Annual Use: June 1 – October 31

Remarks:

Diversion Point: NW ¼ NW ¼ Sec 12-T97N-
R73W

Land to be Irrigated: NW ¼ NW ¼ Sec 12-T97N-
R73W

Depth of Well: 63 feet deep

Well Driller: : Hutmacher Drilling Inc.

Remarks:

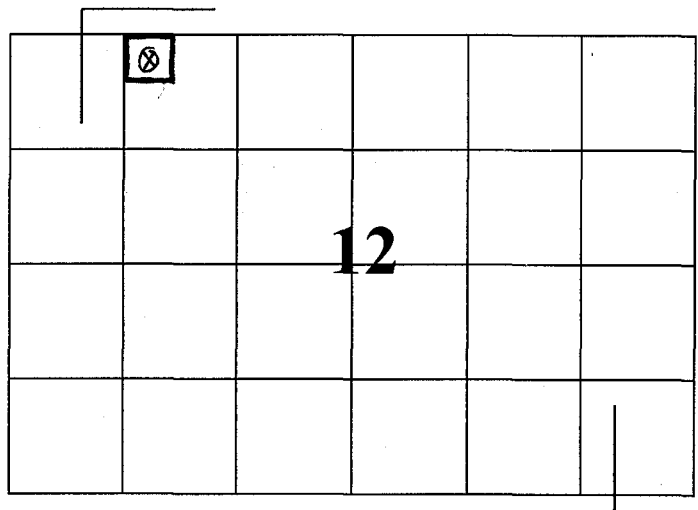
Type of Map: aerial

Prepared by: Vernon Arens, PE

Reviewed and the Number Assigned on: 9-19-06

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>2604-2</u>	Hydrologic Unit <u>10150001</u>
	Basin <u>Nebraska Trib</u>	
	Newspaper <u>Times-Advocate, Gregory</u>	

RECEIVED
SEP 15 2006
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant City of Gregory Phone 605-835-8270
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address PO Box 436, Gregory State SD 57533
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.056*CFS or 25**GPM ***AF Total Acreage 6
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Groundwater well located in City Park
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well located in NW 1/4, NW 1/4, Section 12, T97N, R73W
County Gregory
- County or counties where water will be used Gregory
- Annual period during which water is to be used June to October 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>S 1/2, NW 1/4, NW 1/4, Sec 12, T97N, R73W</u>	<u>6</u>		

8. Give a description of the project. (Attach sheet if more space is needed)

Well Water to be used to irrigate a portion of the City Park, - est. 6 acres out of the 31 acres. Attached sheet show the locations.

STATE OF SOUTH DAKOTA) SS

County of Gregory

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Doug Pochop, 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.

Applicant's signature Doug Pochop

Subscribed and sworn to before me this 12 day of September 20 06

Allen Arney 3-17-09
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 2604-2

Date of first receipt of application September 15, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2604-2 to the City of Gregory, PO Box 436, Gregory SD 57533 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. 2604-2 appropriates 0.056 cubic feet of water per second (25 gallons per minute) from one well completed into the Ogallala Formation (63 feet deep) located in the NW ¼ NW ¼ Section 12 to irrigate 6 acres of the city park located in the NW ¼ NW ¼ Section 12; all in T97N-R73W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: June 1 – October 31.
3. The date from which applicant may claim right is September 15, 2006.
4. The date of approval of Permit No. 2604-2 is November 13, 2006.
5. One-fifth of the construction is to be completed on or before May 13, 2009.
6. All construction is to be completed on or before November 13, 2011.
7. Water is to be put to beneficial use on or before November 13, 2015.
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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 07 2006
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 34" Depth 63'
- b) Casing Type Fiberglass Diameter 30" Thickness _____
- c) Screen Type Fiberglass Diameter 30" Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack 9
- e) Depth to Top of Water Bearing Material 55'
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 1,000'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

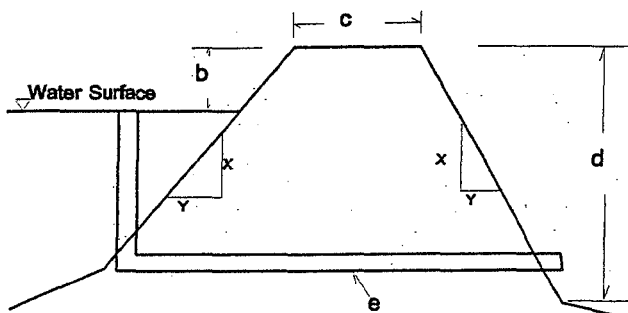
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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 _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 6, 20 06

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

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

Fee for Application for Permit No. <u>2604-2</u> to Appropriate Water, to construct 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. <u>2604-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

No.

002148

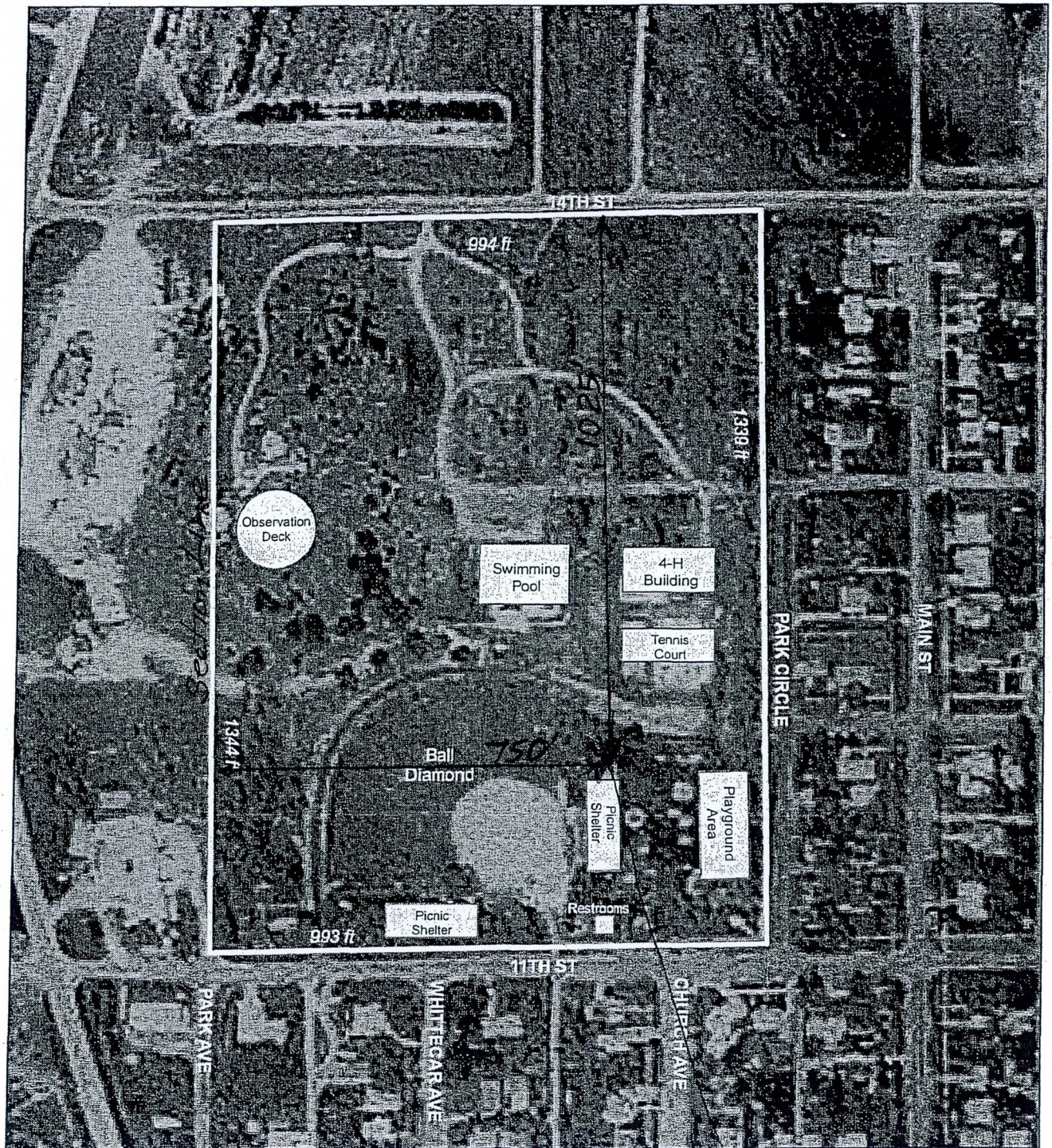
By

Garland Erbe

Chief Engineer

1/KS

SITE MAP OF GREGORY CITY PARK

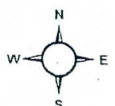


Arens Engineering C-1357
V. Arens PE

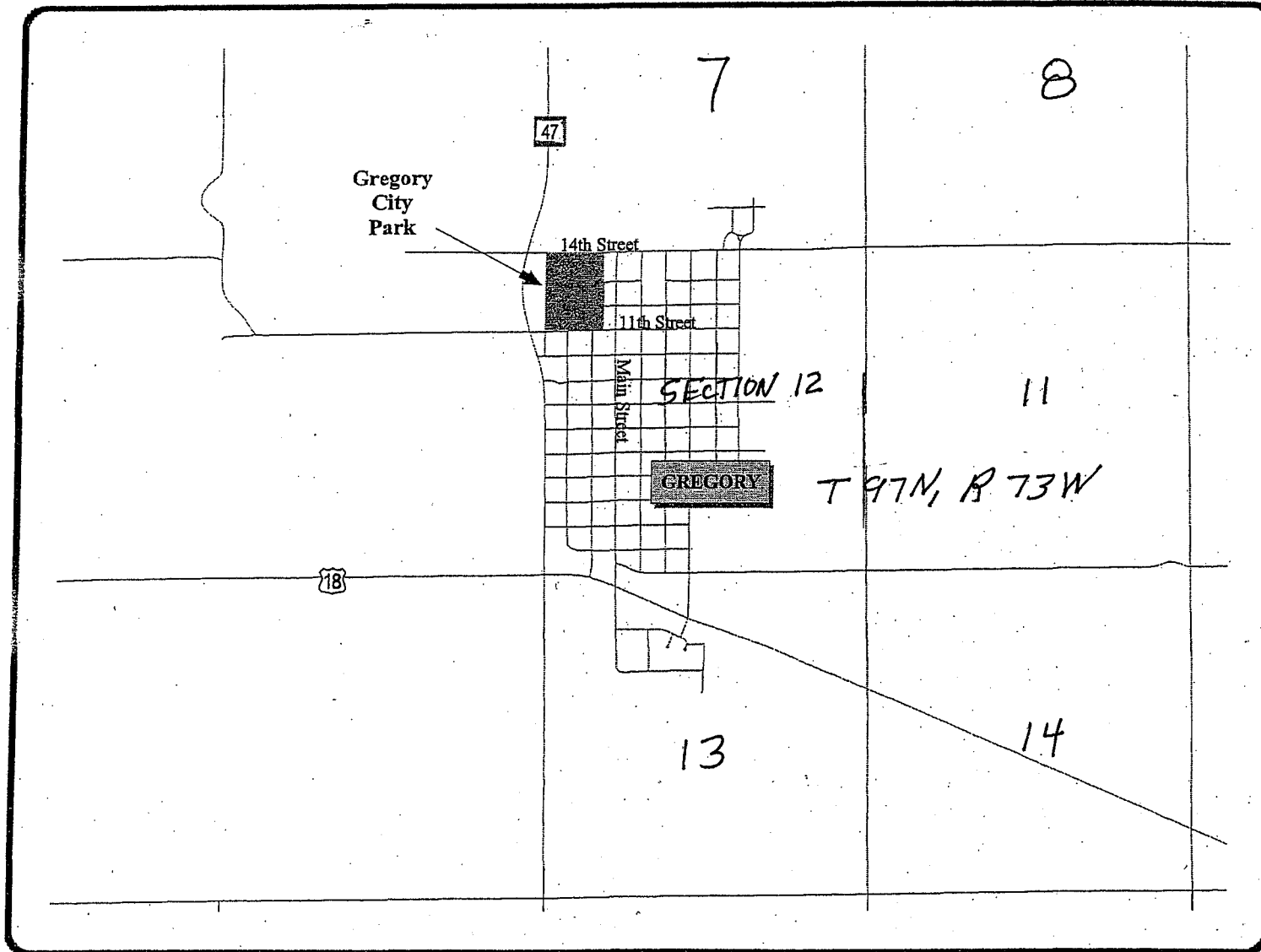
0 65 130 260 390 520 Feet

Map prepared by
 Planning & Development District III
 April 19, 2005

Location of
 New City Park
 well



PROJECT LOCATION



0 0.5 1 1.5 2 Miles



WARRANTY DEED

OFFICE OF REGISTER OF DEEDS

South Dakota)
SS
County)

Gregory County S.D.

I certify the within instrument was filed for the record on the 23 day of March 1911 at 9 o'clock and 5 minutes A.M. and recorded in book 10 on Page 293 of the records of said Register of Deeds' office of said County.

Mark Myers
Register of Deeds

HIS INDENTURE Made the 22d day of May in the year of our Lord One Thousand Nine Hundred and even, by and between Francis M. Ziebach, President of the Board of Trustees of the town of Gregory, South Dakota and Trustee for the occupants of the Townsite of Gregory of the County of Gregory, in the State of South Dakota, party of the first part, and The Incorporated Town of Gregory of the County of Gregory and State of South Dakota, party of the second part, WITNESSETH, That the said party of the first part, being duly authorized thereto by a resolution of the Board of Trustees adopted on the 7th day of May, 1906, for and in consideration of the sum of --- Dollars, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained sold and conveyed, and by these presents does bargain, sell and convey unto the said party of the second part, and to its heirs and assigns forever, all of a certain piece or parcel of land situated in the County of Gregory and State of South Dakota, described as follows, to-wit:

Beginning at a point 1295 feet north of the quarter section corner upon the west side of section twelve ~~in~~ in township 97 north of range 73 west of the ^{5th} Principal Meridian, thence east 992.8 feet upon a line which coincides with the north boundary line of blocks 22, 23 and 24, thence north 1339.8 feet upon a line which coincides with the west boundary line of blocks 19, 10, and 5; thence west 994.6 feet upon the section line to the north-west corner of section 12; thence north 1344 feet to the point of beginning, containing 31.3 acres --all of said described land being within the boundaries of the incorporated town of Gregory South Dakota, the same having been set apart and designated as a public park, by the board of Trustees of said town of Gregory.

DO HAVE AND TO HOLD, The said premises with the appurtenances to the said party of the second part, its heirs and assigns forever; and the said Francis M. Ziebach, as trustee aforesaid, for himself and successors in office, does covenant and agree to and with the the said party of the second part, its heirs and assigns that he is well seized in fee of the land and premises aforesaid and that the same are free from all encumbrances whatsoever.

That Article 15 Chapter 16 Revised Political Code of South Dakota, has been duly complied with, and further that the said party of the first part, for himself and successors in office, and all and every other person lawfully claiming or to claim by, from or under him or them, shall and will from time to time, and at all times hereafter, make and execute or cause to be made and executed all such further deed or deeds whatsoever, for the further and more perfect assurance and confirmation of the said premises hereby granted, with the appurtenances, unto the said party of the second part, its heirs and assigns, as by him or them shall be required.

IN WITNESS WHEREOF, The said party of the first part, has hereunto set his hand and seal the day and year first above written.
Signed and delivered in the presence of
H. Russell.

President Board of Francis M. Ziebach (SEAL)
President Board of Trustees Town of Gregory S.D.

State of South Dakota)
SS
County of Gregory)

BE IT REMEMBERED, That on this 22d day of May in the year One Thousand Nine Hundred and even, before me M.H. Russell, a Notary Public within and for said County and State personally appeared Francis M. Ziebach, President of the Board of Trustees of Gregory, South Dakota, well known to me to be the person who is described in and who executed the within and foregoing instrument, and duly acknowledged to me that he executed the same freely.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal at said County the day and year

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

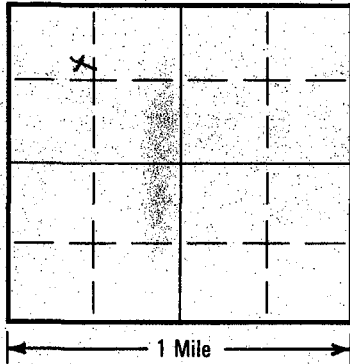
Location NW 1/4 NW 1/4 Sec 12 Twp 97N Rg 73W
 County Gregory North

Please mark well location with an "X"

W

E

Well Completion Date

10-20-05

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 150' ft. from Public Sewer & Rain (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☒ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☐ Plastic ☒ Other

If other describe Fiberglass

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>30</u> IN	<u>4</u> FT	<u>63</u> FT	<u>34</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>6</u>	<u>9.2</u> lb./gal	<u>9</u> ft	<u>6</u> ft
		lb./gal	ft	ft

Describe grouting procedure PressureSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 30 IN Length _____ FEETMaterial FiberglassSlot Size 40 Set From 25 Feet to 30 FeetOther information 33 - 38
56 - 59WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, HowChlorine☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: City of GregoryBusiness Name: PO Box 436Address: Gregory SD 57533

WELL LOG:

DEPTH

FORMATION

FROM

TO

Clay09SAND916Clay Magnesia1633SAND3337Clay3763

STATIC WATER LEVEL

9

Feet

If flowing: closed in pressure _____

PSI

GPM flow _____ through _____

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____

GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: _____

☒ Bailed☐ Other _____

Pumping Level Below Land Surface

55 ft. After 1 Hrs. pumped 45 GPM55 ft. After 2 Hrs. pumped 15 GPM

If pump installed, pump rate _____

GPM

REMARKS

Test hole for Ball Field
irrigation

RECEIVED

NOV - 2 2005

This well was drilled under license # 213

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm Huttmacher Drilling Inc

Signature of License Representative _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 10-23-05

HUTMACHER DRILLING, INC.

**PO Box 294
Chamberlain, SD 57325
(605)734-6631**

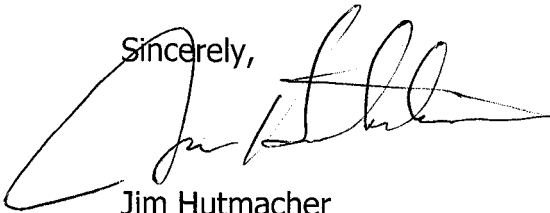
June 7, 2005

Ken Buhler
SD DENR
SD Water Rights
520 E. Capitol Ave.
Pierre, SD 57501

Dear Ken,

I would like to request permission to construct a test well for the City of Gregory. The well will be used for irrigation in the city park. The well will be located in the SE ¼ of Section 12, 97N, 73W. The estimated depth is 50' – 75' in clay and sand.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hutmacher", written over the word "Sincerely,".

Jim Hutmacher

RECEIVED

JUN 13 2005

**WATER RIGHTS
PROGRAM**



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 2005

Jim Hutmacher
Hutmacher Drilling, Inc.
PO Box 294
Chamberlain, SD 57325

Dear Mr. Hutmacher:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Hutmacher Drilling, Inc. is authorized to construct a test hole for the City of Gregory prior to approval of a water permit. The test well will be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T97N-R73W. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 1, 2005

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

Dear Mr. Pochop:

A well driller's report filed by Hutmacher Drilling, Inc. shows that they completed a new well for irrigation of the city park.

Enclosed are the necessary forms and instruction sheet to apply for an *Application for a Permit to Appropriate Water*. The completed forms with the application fee and map can be returned to this office.

If you have any questions completing the application forms, please contact Eric Gronlund or me at 605 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 2006

Al Cerny
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mr. Cerny:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation of the city park. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. The map needs to reference the location of the well in relation to a government section corner or quarter corner.
- Also, the map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 7, 2006

Al Cerny
City of Gregory
PO Box 436
Gregory SD 57533

Dear Mr. Cerny:

On January 6, 2006, you submitted an Application for Permit to Appropriate Water Within the State of South Dakota for irrigation of the city park. You were notified what additional information was required to complete the application. A copy of that letter is enclosed. To date, we have not received the required information.

Obtaining a water permit that accurately reflects the city's water use ultimately benefits the city by protecting it's right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

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

enclosures

CITY OF GREGORY

Al Cerny
Finance Officer

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

Doug Pochop
Mayor

RECEIVED

SEP 15 2006

**WATER RIGHTS
PROGRAM**

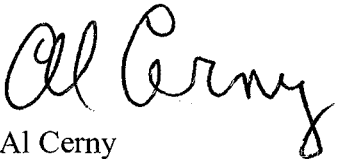
September 13, 2006

Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

RE: Application for permit to appropriate water

Enclosed please find the City of Gregory's application to appropriate water for use in the City's park. According to my records, the City had issued a Check for \$100 back on January 4, 2006---check # 21867, for the permit. At that time, it was indicated that I needed an engineer or surveyor to give the exact location of the well. We finally got that done and I am re-submitting the application.

Thanks,



Al Cerny

REPORT ON WATER PERMIT APPLICATION NO. 2604-2
For the City of Gregory
September 27, 2006

Application No. 2604-2 proposes to appropriate 0.056 cfs (25 gpm) from one well approximately 63 feet deep located in the NW ¼ NW ¼ of section 12 to irrigate 6 acres of the city park located in the NW ¼ NW ¼ of section 12; all in T97N R73W in Gregory County.

AQUIFER – OGALLALA (OGLL)

The Ogallala is a surficial sand and clay bedrock formation that is under water table conditions in this area. The aquifer underlies 193,280 acres and contains an estimated 1.93 million acre-feet of recoverable water in storage in Gregory County (Allen, 1984). A study completed for the City of Gregory includes a saturated thickness map of the sands within the Valentine Formation (Barari, 1969). The area of this application is indicated as a potentially poor area for development. However, the map also indicates that the aquifer is variable changing quickly over short distances.

The well completion report filed with the application indicates a 63 feet deep well that has a static water level of 9 feet below land surface and was capable of producing 45 gpm for about one hour. It appears the well may sustain a pumping rate of 15 gpm for at least two hours. This well appears to be completed in accordance with SD Well Construction Standards.

The Water Rights Program monitors an observation well GY-77A completed into the Ogallala and about four miles to the southeast of this application. Water levels for this observation well show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. A hydrograph for this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2006).

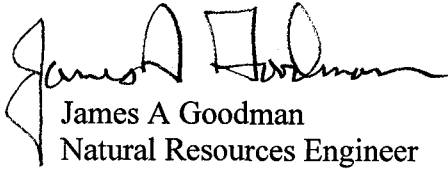
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area. Interference is not a concern. This is a low yield well and pumping at the requested rate should not adversely impact any other nearby well. The City of Gregory obtains water from the Ogallala aquifer but their well field is located to the south and east of town. This application is about three miles from an existing city well.

CONCLUSIONS

1. Water is available from the Ogallala aquifer.
2. There will be very little drawdown created by pumping at the requested rate. Interference is not a concern.

3. The well appears to have been constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

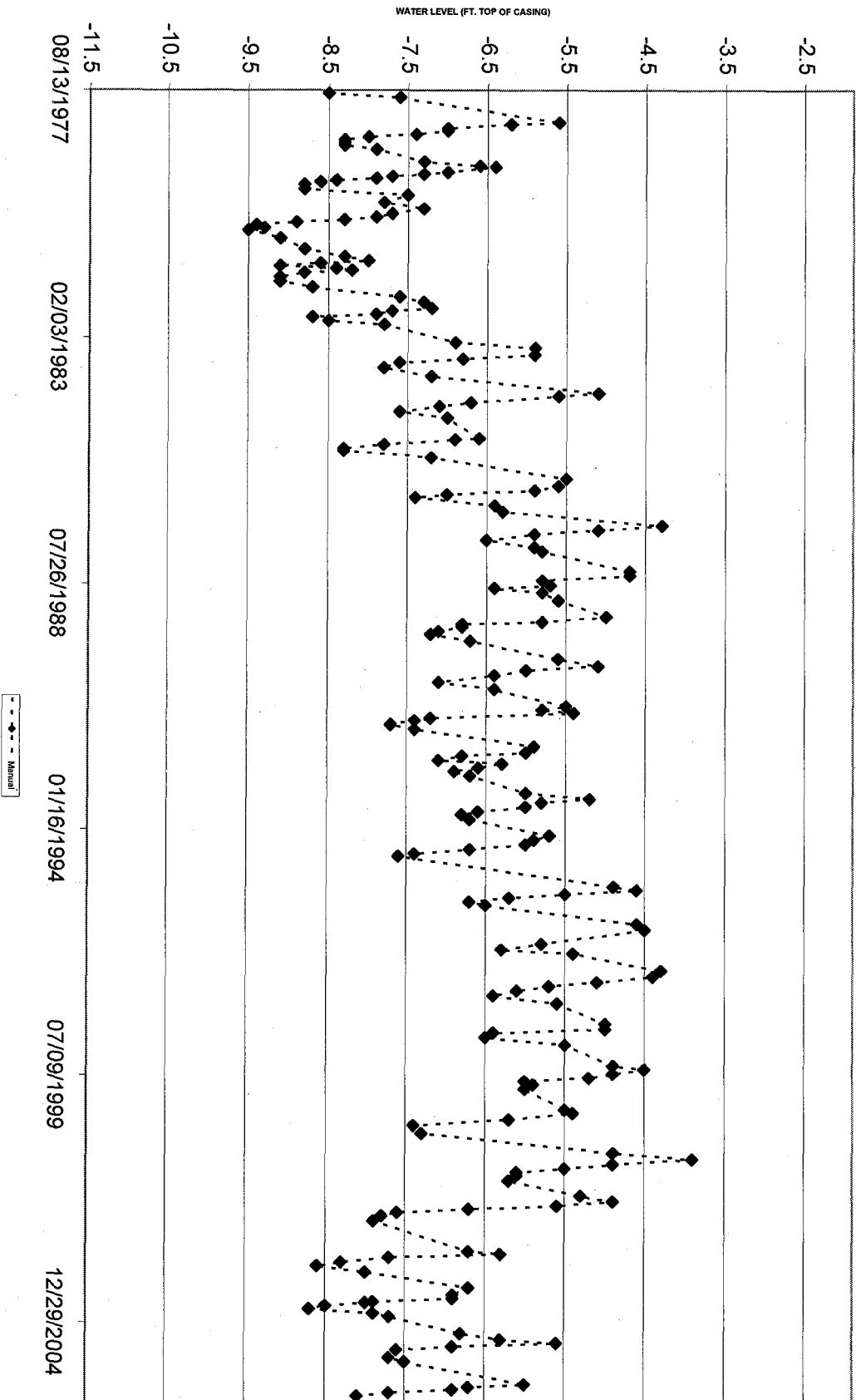
BIBLIOGRAPHY

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

Barrari, A., 1969, Ground-Water Investigation for the City of Gregory, Special Report 49, SDGS, Vermillion, SD, 57069.

Water Rights, 2006, Unpublished Observation Well Data for Gregory County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
GY-77A





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2604-2, City of Gregory**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2604-2, City of Gregory, c/o Mayor Doug Pochop, PO Box 436, Gregory SD 57533.

The Chief Engineer is recommending APPROVAL of Application No. 2604-2 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) it is 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 13, 2006

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Gregory) SS

I, Cheryl L. Sperl

certify that the attached printed Notice was
taken

from the Gregory Times-Advocate

printed and published in Gregory

County of Gregory and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

October 25, 2006

November 1, 2006

Cost of Printing \$41.85

Cheryl Sperl
(Signature)

Publisher

(Title)

11/1/06

(Date Signed)

NOTICE OF APPLICATION NO. 2604-2 to Appropriate Water

Notice is given that the City of Gregory, PO Box 436, Gregory, SD 57533 has filed an application for a water permit to appropriate 0.056 cubic feet of water per second (25 gallons per minute) from one well completed into the Ogallala Formation (63 feet deep) located in the NW 1/4 NW 1/4 Section 12 to irrigate 6 acres of the city park located in the NW 1/4 NW 1/4 Section 12; all in T97N-R73W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2604-2 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 November 13, 2006.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(43-44)

RECEIVED
NOV - 2 2006
WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on October 25, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2604-2 to Appropriate Water

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 16, 2006

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

Dear Mayor Pochop:

Water Permit Application No. 2604-2 for irrigation of City Park use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Time-Advocate printed at Gregory, SD (Ph # 605-835-8089). You will need to contact the newspaper and authorize publication of this notice. 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also 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
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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 16, 2006

Times-Advocate
PO Box 378
Gregory SD 57533-0378

ATTENTION: Legal Public Notice

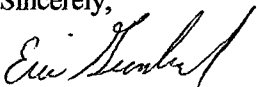
Enclosed is a Notice on Application No. 2604-2 to Appropriate Water to be published twice. Please publish the first notice on October 25, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

Please BILL the APPLICANT for the cost of publication. The APPLICANT is City of Gregory, PO Box 436, Gregory SD (Ph # 605-835-8270).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2604-2

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

Date _____

We are in receipt of your letter of October 16, 2006 enclosing Notice to Appropriate Water by Application No. 2604-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 07 2006

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

Dear Mayor Pochop:

Enclosed is Water Permit No. 2604-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 2604-2
Missouri 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

I have this day, 8/23/2011, made a thorough examination of the water use system constructed by City of Gregory of PO Box 436, Gregory, SD 57533 holder of Permit No. 2604-2, bearing the priority of 09/15/2006 authorizing the diversion of 0.056 cu. ft. per second of the waters of the Ogallala aquifer for irrigation purposes, in Gregory County.

Inspection contact & relationship **Michael Jacobsen—Water Superintendent**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Hutmacher Drilling**
- 2) No. of Wells 1
- 3) Depth(s) 63 feet
- 4) Well log is available yes—see file
- 5) Comment:

Casing:

- 1) Diameter 30 inches
- 2) Length 59 feet
- 3) Type Fiberglass

Screen:

- 1) Type Manuf. Fiberglass
- 2) Length 13 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Grunfos
- 2) Model Unknown
- 3) Size 2 hp
- 4) Capacity 25 GPM

Motor:

- 1) Make Unknown
- 2) Model No.
- 3) Horsepower rating _____ hp

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

- 1) Type Poly
- 2) Size 1 inches
- 3) Length ~1,000 feet

C. Works used to apply water to beneficial use:**Irrigation system:**

- 1) Make Toro - Super
- 2) Overall length Unknown - 18 Zones feet
- 3) Number of sprinkler heads: ~70
- 4) Distance between towers NA feet
- 5) End gun NA
- 6) High or low pressure Low
- 7) Capacity 25 GPM

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes
- 3) Exceptions to compliance are: None

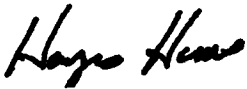
The system is in **good** condition with the point of diversion located as follows: **650 feet east and 1,020 feet south of the NW corner of Section 12, Township 97 North, Range 73 West, lat/long N 43.23844 W -99.43275.** The works are capable of diverting and conveying to the place of use **0.056** cu. ft. per second of water of the Ogallala aquifer which is to be used for **turf irrigation.** Water has been put to beneficial use to the maximum extent as follows:

The City of Gregory uses the water to irrigate the lawn in the City park. Irrigation records indicate the city irrigates 2-3 acres, the permit was for irrigation of six (6) acres. The most that can be irrigated is 3.5 acres due to the size of the block minus the building structure. All are located in the NW ¼ NW ¼ Section 12, T97N, R73W.

comprising a total of 3.5 acres of land and the license should be issued for 0.05 cfs.

All structures, wells and lands on map No---sprinkler irrigation system is not shown.

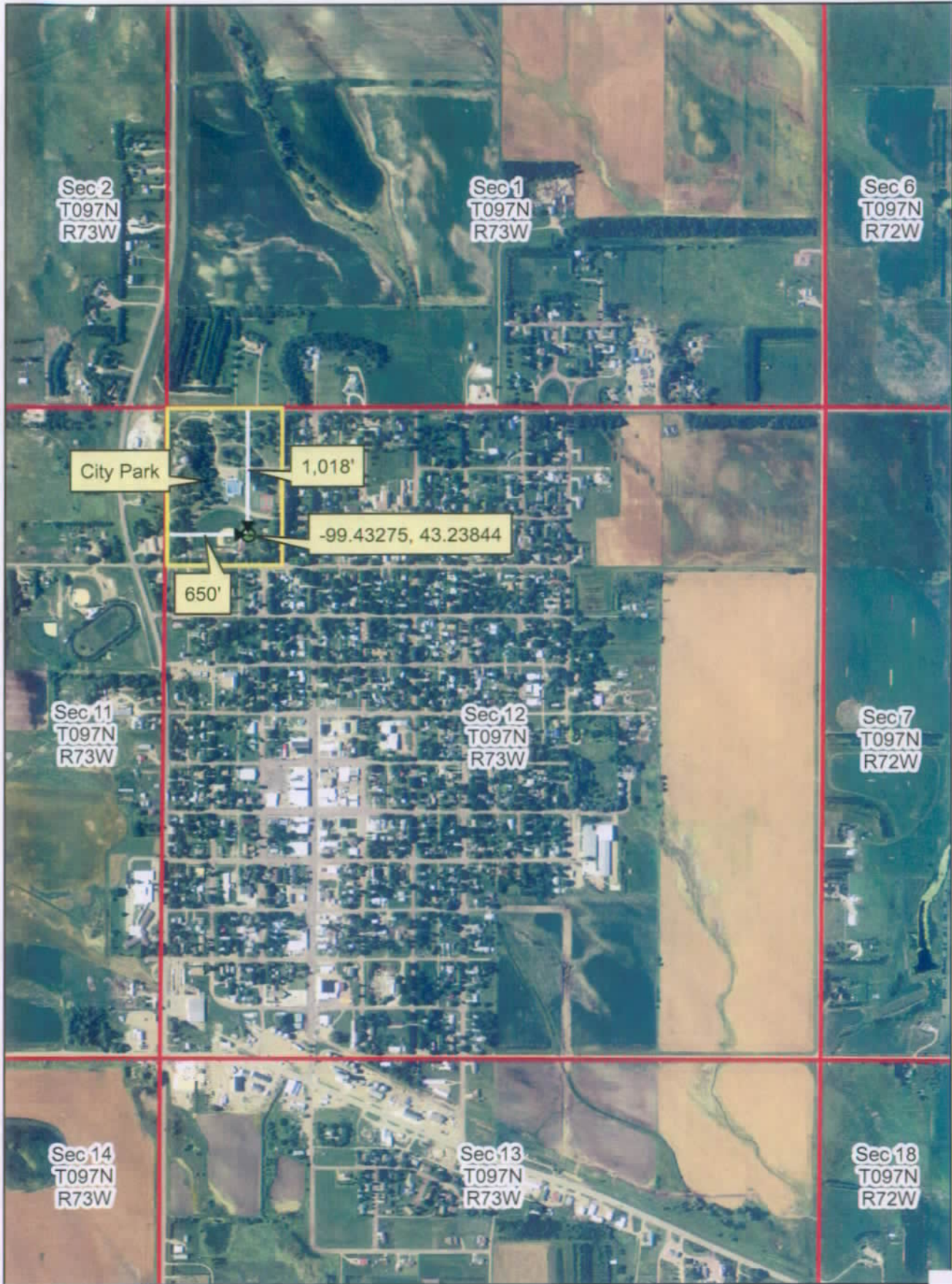
Comments or other permit(s) associated with the project: **Sprinkler irrigation system is an underground system consisting of approximately 1,000 feet of 1-inch poly lines distributing water to approximately 70 sprinkler heads in 18 zones throughout the park.**



Hayes Haas
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 12/15/2011

2604-2
City of Gregory



South Dakota



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAY 02 2012

2604-2

Michael Jacobsen, Water Supt
City of Gregory
PO Box 436
Gregory SD 57533-0436

Dear Mr. Jacobsen:

Enclosed is Water License No. 2604-2. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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. 2604-2, 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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2604-2

(1) City of Gregory, PO Box 436, Gregory SD 57533-0436 made Application No. 2604-2, September 15, 2006 for a water permit to divert 0.056 cubic feet of water per second from ground water (one well – Ogallala Formation), Gregory County, South Dakota for irrigation purposes. Permit No. 2604-2, with a priority date of September 15, 2006 was approved November 13, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 13, 2011 and for the application to beneficial use of said water on or before November 13, 2015.

(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 0.05 cubic feet of water per second for beneficial use.

The location of the diversion point is 650 feet east and 1,020 feet south of the NW corner of Section 12, T97N, R73W (NW ¼ NW ¼)

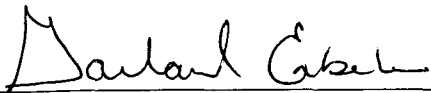
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

- 3.5 acres of the city park located in the NW ¼ NW ¼ Section 12, T97N, R73W

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Gregory, PO Box 436, Gregory, SD 57533 the holder and/or owner of Water Right No. 2604-2 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from ground water (one well – Ogallala Formation) with a priority date of September 15, 2006 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2604-2 and subject to the following qualification:

- 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 02 2012

date



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: City of Gregory, PO Box 436, Gregory SD 57533

DATE: March 14, 2022

TELEPHONE: 605 835-8270

RE: Water Right No. 2604-2

COMMENTS:

The on-line submission of the irrigation questionnaire for 2021 from the City of Gregory stated the well pump went bad and they no longer use it. The comment also indicated the well was capped.

On today's date, I called and spoke with Alex Hamilton (finance officer and city administrator) to find out their intent towards the water right.

He indicated they have not yet made a decision on whether to put in another well or hook the irrigation of the city park directly into the city's municipal water supply.

I requested that he keep us in the loop and contact us when they had made a decision.



Genny McMath
Water Rights Program