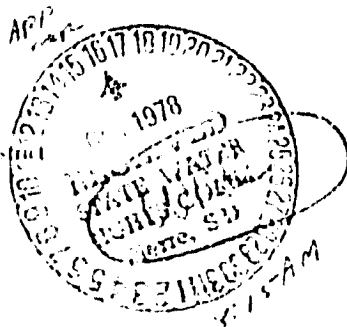


2409-3

1. Considered NOVEMBER 15 1978
2. Name of Applicant CITY OF SISSETON
3. Post Office Address _____
4. Amount of Water claimed 4.5
5. Source of Water supply GROUND WATER 80' DEEP WELL
6. Water to be used for MUNICIPAL USE 36-126-51
Acres to be irrigated —
7. Water to be diverted and used in ROBERTS County
about 3 miles EAST of SISSETON
8. Proof of Publication
Received 11-6-78
Not Received ~~11-15-78~~
9. Application
Approved 11-15-78
Subject to Domestic well clause
Not Approved _____
Action Deferred _____
10. Remarks:

No. 2909-3Map No. 1786-3 Water Division No. 3 WHETSTONE CREEK District

(Blanks to be filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant CITY OF SISSETON
 Postoffice address SISSETON, State SOUTH DAKOTA
 If a corporation show date and place of incorporation INCORPORATED ON 8-17-07
 2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
 3. Name of diversion work MUNICIPAL WELL
 4. Amount of water claimed (cubic feet per second) 4.5
 5. Source of water supply UNDERGROUND (WELL)
 6. Location of point of diversion SECTION 36 - R 51 W - T 126 N
of the Sth P.M.
 County ROBERTS

7. Annual period or periods during which water is to be used DAILY
 8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) MUNICIPAL
 9. For irrigation use, Total number of acres to be irrigated NONE

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system TWO years. Additional time required to complete application of water to the proposed beneficial use NONE years.
 11. Choice of newspaper for Notice of Intent to Appropriately Use Water publication THE SISSETON COURIER - SISSETON
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

WELL

B. Works proposed to transport water to place of use.

PIPELINE WITH PUMPS

C. Works proposed to apply water to beneficial use.

EXISTING MUNICIPAL WATER SYSTEM
 Estimated Total Cost \$ 10,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of ROBERTSI, NORMAN TCHIDA - PRES. OF COUNCIL

the applicant, certify that I have read the foregoing application and 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 Norman T. TchidaSubscribed and sworn to before me this 28th day of AUGUST, 1978

X Robert L. Jensen
 Notary Public (or other qualified officer)

MUNICIPAL FINANCE OFFICER
 CITY OF SISSETON, S.D.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2409-3

CITY OF SISSETON
(Applicant)

90 NORMAN TCHIDA
(Post Office Address)

SOUTH DAKOTA 57262 With the following modifications:
(State)

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

Date of first receipt of application OCTOBER 16, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved NOVEMBER 15, 19 78, Recorded in Book 20 Page 99

WATER RIGHT PERMIT NO. 2409-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2409-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which a applicant may claim right is OCTOBER 16, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 15, 19 79
3. The whole of said work is to be completed on or before NOVEMBER 15, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED ~~FE~~
5. The water appropriated shall be used for the purpose of MUNICIPAL USE

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 injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 4.5 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 use~~ ~~and if for the irrigation purpose said appropriation must be limited to not more than 1 cubic foot per acre per year and be limited to not more than one cent (1/100) of one cubic foot of water per second of time for each acre of land~~ which water is USED FOR MUNICIPAL PURPOSES actually and beneficially ~~applied for irrigation~~ on or before THIS DATE ~~FE~~; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 17th day of NOVEMBER, 19 78

WATER RIGHTS COMMISSION

By:

John Haled
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 20", Depth 80'
- (2) Casing, Type STEEL - SCH. 40 Diameter 16" Thickness 1/2"
(wood, concrete, steel, etc.)
- (3) Perforated Screen
Type SLOTTED SCREEN, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 0", Length of gravel pack 20'

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

- (1) Water Bearing Materials (Please attach a copy to test well log if available.)

Character of Water bearing materials SAND & GRAVEL

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 80'

Thickness of water bearing material 70'

Depth to water (ground surface to water level) 10'

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

THERE ARE NO OTHER WELLS EXCEPT CITY WELLS IN THIS SECTION
On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

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

X Norman S. Schell
Signature of Applicant

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 20", Depth 80'

(2) Casing, Type steel-Schedule 40 (wood, concrete, steel, etc.) Diameter 16" Thickness 1/2"

(3) Perforated Screen.

Type Slotted Screen, Diameter 14", Length 20'

(4) Gravel Pack, Thickness 0", Length of gravel pack 20'

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

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

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Sand and Gravel

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 80'

Thickness of water bearing material 70'

Depth to water (ground surface to water level) 10'

(2) Distance to nearest existing household or livestock watering wells. * There are no other wells except City Wells in this ~~half~~ section.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

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

Roy Pearson
Signature of Applicant

May 17, 1976

Water Right
Application No. 2409-3

Howard Paul
Schmucker, Paul and Nohr
620 North Lawler
Mitchell, South Dakota 57301

- Dear Mr. Paul:

The City of Sisseton has made application to appropriate 4.5 cfs from a new well. The application was advertised with the location to be in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31-T126N-R50W based upon a map provided by your firm. Prior to the public hearing it was brought to our attention that the location in the application advertisement was not correct. I believe the location should be in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36-T126N-R51W. Would you please check your records and submit a correct map? This application is presently deferred pending receipt of a correct map. It will be necessary to advertise this application again.

Very truly yours,

John Hatch, Chief Engineer

JH:nrf

Publish first publication, on or before October 27, 1978 No. 2409-3

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 16, 1978

Notice is hereby given that the City of Sisseton ~~whose post office~~

~~address is~~ _____, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 4.5 cubic feet of water per second of time from groundwater (existing well)

through the Municipal well, the point of diversion of which is to be located in the SW 1/4 NE 1/4

of Section 36, Twp. 126N Range 51W. Said water to be used for the purpose of providing ~~irrigation on portions of the following described land:~~

municipal water supplies for the City of Sisseton

This Application No. 2409-3 will be considered by the Water Rights Commission at SDEA Auditorium, 411 E. Capitol, Pierre, SD upon the 15th day of November, 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund,
Water Rights Specialist

cc: Norman Takida, Pres. of Council, City of Sisseton, SD 57262

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County ROBERTS) ss.

I, JACK ADAMS hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the SISSETON COURIER

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

CITY of SISSETON

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

Oct. 26, 1978

Nov. 2, 1978

Jack Adams
(Signature)
PUBLISHER
(Title)

Nov. 2, 1978

(Date Signed)

NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE
WATER

Pierre, S.D. 57501

October 16, 1978

Notice is hereby given that
the City of Sisseton, South
Dakota, has made an ap-
plication in accordance with the
provisions of SDCL 46-1-1 thru
46-1-8; 46-2-9 thru 46-2-11, 46-2-
13; 46-3-1 thru 46-3-8; 46-5-10
thru 46-5-22, 46-5-41, 46-6-3, 46-6-
5, 46-6-6.1, 46-6-10, 46-6-14 and
Commission W Rules of ARSD
52:01:01:01 thru 52:01:01:13, for
a permit to appropriate for
beneficial use 4.5 cubic feet of
water per second of time from
groundwater (existing well)
through the Municipal well, the
point of diversion of which is to
be located in the SW 1/4 NE 1/4 of
Section 36, Twp. 126N Range
51W. Said water to be used for
the purpose of providing
municipal water supplies for
the City of Sisseton.

This Application No. 2409-3
will be considered by the Water
Rights Commission at SDEA
Auditorium, 411 E. Capitol,
Pierre, S.D. upon the 15th day of
November, 1978 at 10 a.m. The
Commission is authorized to
make a determination on this
application at the hearing. All
interested persons may appear
and be heard. Any person who
may be affected by a Com-
mission decision who desires to
present evidence or cross-
examine witnesses according to
SDCL 1-26 may notify the
Commission in writing prior to
the hearing or orally at the
hearing.

This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These
and other due process rights
will be forfeited if they are not
exercised at the hearing.
Decisions of the Commission
may be appealed to the Courts
as provided by law.

WATER RIGHTS
COMMISSION

Betty Westlund

Water Rights Specialist
(Oct. 26-Nov. 2-2w)



Form 9. - Forwarding Permit to
Appropriate Water

No. 2409-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

November 27, 1978

City of Sisseton
Sisseton, SD 57262

Gentlemen:

Enclosed herewith is your Water Right Permit No. 2409-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said

Water Right Permit No. 2409-3.

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 Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

JH/gy

Encl: As stated

Permit No. 2409-3
Minnesota River - Water District

Contact Person & Address: Randy Leikness, 513 Veterans Ave, Sisseton SD

Related Permits 3006-3

Report Of Examination Of Works

On, August 15, 2001, I made a thorough examination of the water use system constructed by the City of Sisseton of 513 Veterans Ave, Sisseton holder of Permit No. 2409-3, bearing the priority of October 16, 1978 authorizing the diversion of 4.5 cu. ft. per second of the waters of ground water (Willnot) for municipal purposes, in Roberts County.

The system is in the following condition good. The point of diversion is located from the NE corner of Sec 36 T126N-R51W (Res): 1435 ft west, 1720 ft south with a longitude of -96.98374 and a latitude of 45.65507. The works are capable of diverting and conveying to the place of use 0.67 cu. ft. per second of water which is to be used for municipal use. Water has been put to beneficial use and the license should be issued for 0.67 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na.
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | |
|---------------------------------------|------------------------------------|
| 1) Well Drilling Firm: <u>unknown</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>80</u> feet | 4) Well log is available <u>no</u> |

Casing:

- | | |
|------------------------------|-------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>?</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|-------------------------------------|-------------------------|
| 1) Type <u>unknown</u> | 2) Length <u>?</u> feet |
| 3) Static water level <u>?</u> feet | |

Pump:

1) Make submersible

2) Model ?

3) Size ?

4) Capacity 300 GPM

Motor:

1) Make GE

2) Model No. ?

3) Horsepower rating ? hp

DISTRIBUTION LINES OR CANALS:

1) Type municipal distribution system

Comments : This well is used as a standby well for the city



Mark D. Rath

Natural Resources Engineering Specialist
DENR, Water Rights Program

9/17/01

Date



September 26, 2001

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

2409-3
5006-3

Joan Rice, Finance Officer
City of Sisseton
513 Veterans Ave
Sisseton, SD 57262

Dear Ms. Rice:

On August 15, 2001, the investigation of the water use systems, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 2409-3 and 5006-3, was completed by Mark Rath, a staff engineer with our program. The final water right document, the water license, can now be issued for each permit.

State law requires that we charge a \$50.00 fee (each) for the investigation and issuance of a water license. Upon receipt of the \$100.00 fee, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and the city abides by the permit requirements.

If you have any questions regarding the water permits, investigation of the water use systems or payment of the fee, please contact me.

Sincerely,

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

RECEIPT

N2 416936

2001

Water Rights Program

Department of Environment and Natural Resources

Pierre, October 12,

South Dakota Department of Environment and Natural Resources
Sisseton, SD 57262

513 Veterans Ave.

City of Sisseton, Sisseton, SD

RECEIVED OF City of Sisseton, Sisseton, SD for services rendered as provided for by law.
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 _____ to Appropriate Water, for Future

Fee for Application for Permit No. _____ after period of seven years.

Use _____ after period of seven years.

Fee to retain Future Use Permit No. _____

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water

License No. 2409-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

Total 50.00

By Darland E. Eide gm

(Any Other Work Provided by Law)

Chief Engineer

STATE OF SOUTH DAKOTA

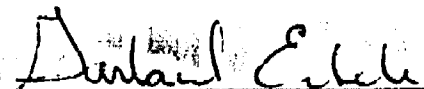
WATER LICENSE NO. 2409-3

(1) The City of Sisseton, 513 Veterans Ave, Sisseton SD 57262 made Application No. 2409-3, October 16, 1978 for a water permit to divert 4.5 cubic feet of water per second from groundwater (one well), Roberts County, South Dakota for municipal purposes. Permit No. 2409-3, with a priority date of October 16, 1978 was approved November 15, 1978 and issued to the applicant for diversion of water with construction of the described water supply system to be completed and put to beneficial use by November 15, 1980.

(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 0.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1,435 feet west and 1,720 feet south of the northeast corner of Section 36-T126N-R51W (Res.).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. This well is maintained as a backup supply for the city.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Sisseton, 513 Veterans Ave, Sisseton SD 57262 the holder and/or owner of Water Right No. 2409-3 is issued a license to appropriate water, the right to use 0.67 cubic feet of water per second from groundwater (one well) with a priority date of October 16, 1978 from the location specified in (2) of this license for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Right No. 2409-3 and subject to South Dakota State Law.


GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 07 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 07 2001

2409-3, 5006-3

Joan Rice, Finance Officer
City of Sisseton
513 Veterans Ave
Sisseton, SD 57262

Dear Ms. Rice:

Enclosed are Water License Nos. 2409-3 and 5006-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416936 and 416937 in the amount of \$50.00 which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2409-3 and 5006-3, 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.

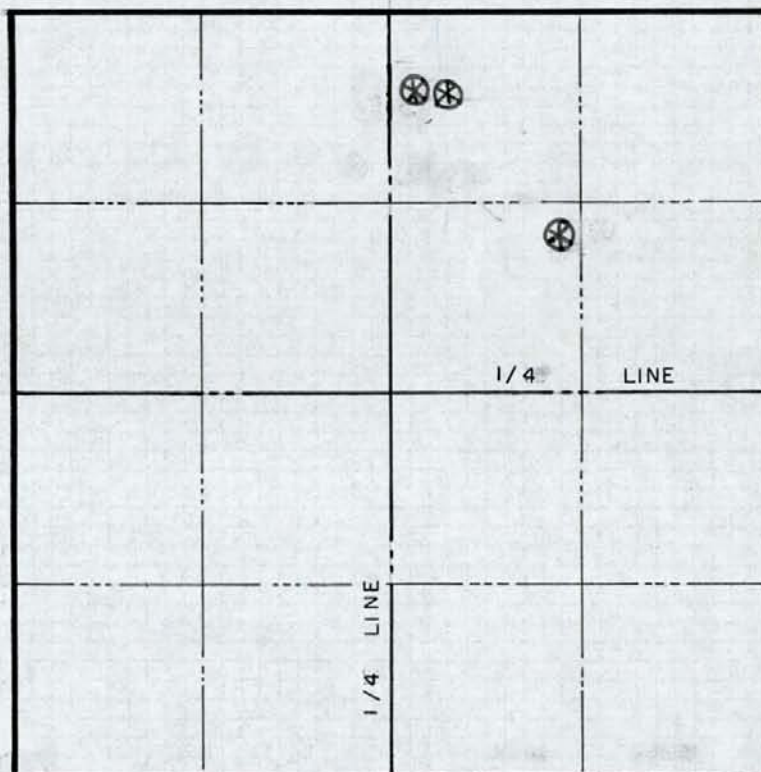
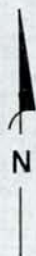
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

schmucker . paul . nohr & associates



SECTION 36, T 126 N, R 51 W, OF
THE 5th P.M., ROBERTS COUNTY, S. D.

⊗ = LOCATION OF EXISTING CITY WELLS

SCHMUCKER, PAUL, NOHR and ASSOCIATES

BY

PMU Weber

DATE

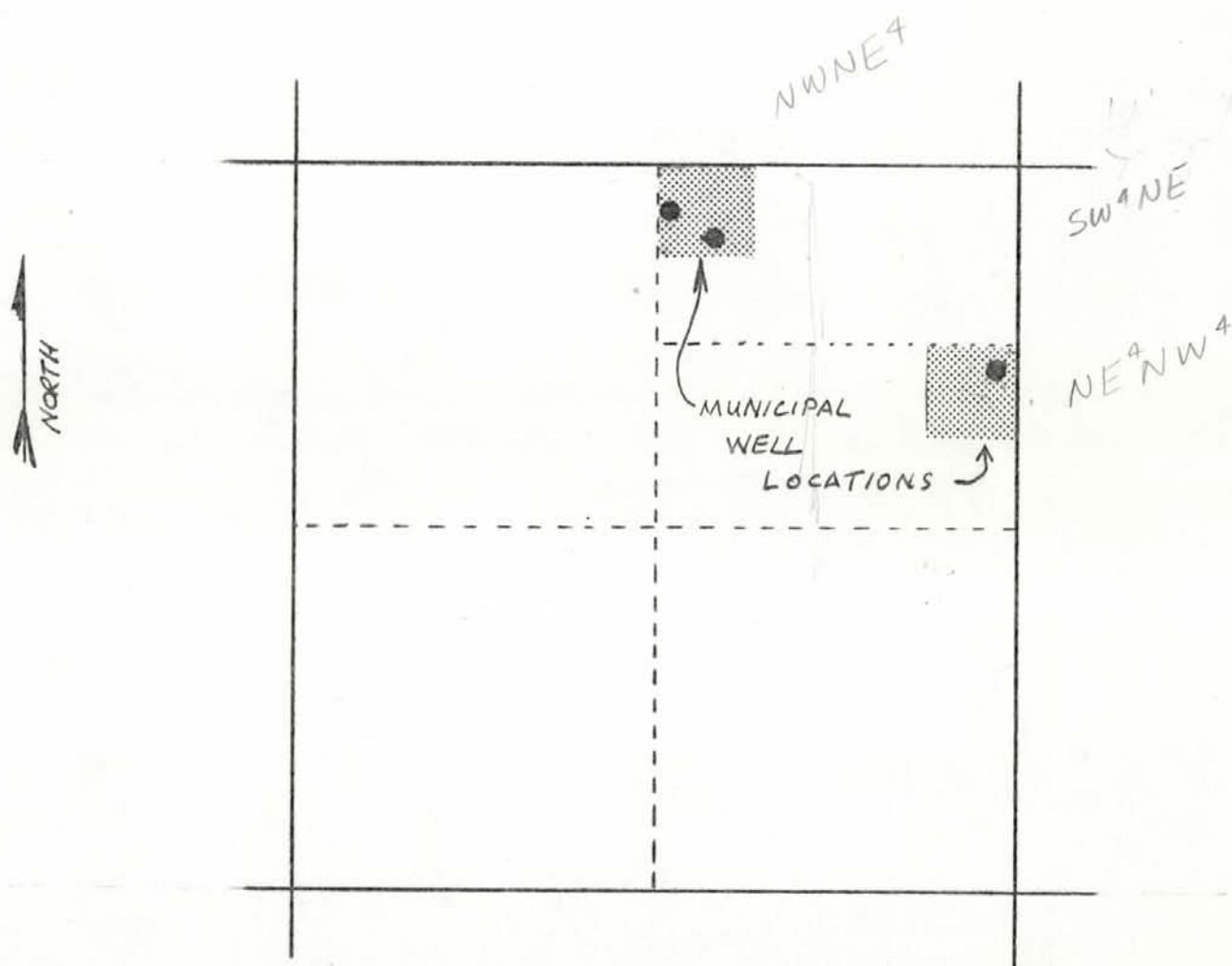
8-28-78

mitchell, south dakota

SPN
ASSOCIATES

~~MAP 1786-3~~ APPL 2409-3

schmucker . paul . nohr & associates



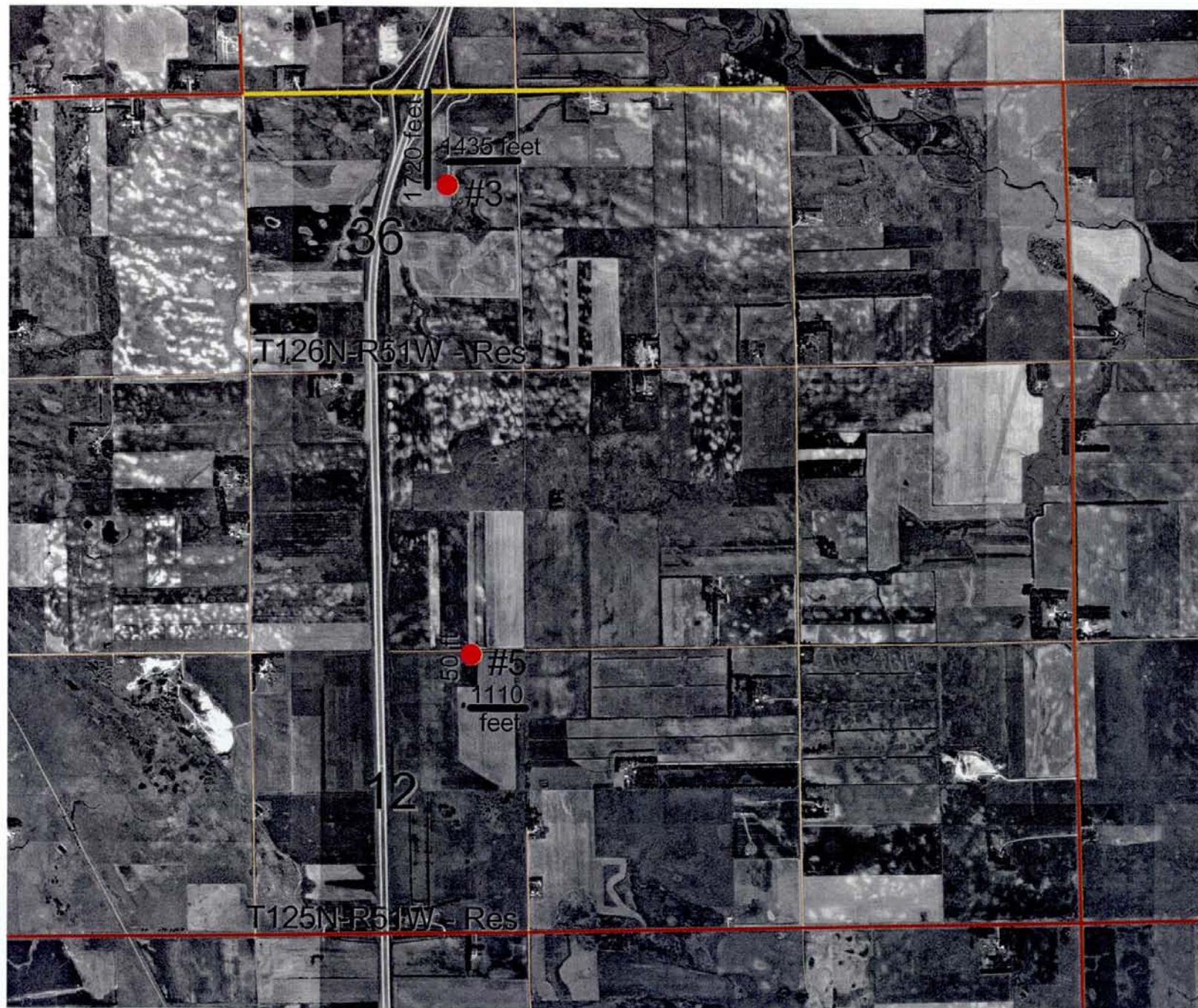
SECTION 36 - T126N - R51W

MUNICIPAL WELL LOCATIONS FOR CITY OF SISSETON, S.D.

mittchell, south dakota

SPN
ASSOCIATES

No. 2409-3



1 0 1 Miles



Mark D. Rath
SD DENR