

Water Division No. 372-5 District 372-5
(Blank to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

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

1. Name of applicant City of Sioux Falls, South Dakota
Postoffice address Sioux Falls, County Hinsdale, State So. Dakota

I. If a corporation Municipal Corporation

- (a) Name of same -----
(b) Date and place of incorporation -----
(c) Amount of capital stock -----
(d) Amount paid in -----
(e) Names and addresses of directors Fay Whelken, Mayor

John M. Browning, Commissioner

Bert J. Yeager, Commissioner

(NOTE--A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Completed by contract.

- (b) Cash on hand, \$ ----- (c) Treasury stock, \$ -----
(d) Bonds to be issued, \$ ----- (e) Other resources, \$ -----

2. Name of diversion work Well No. 23
3. Amount of water claimed Max cap well feet per second 144.2 CFS.
4. Source of water supply Ground Water
5. Location of point of diversion T101N R30W 560' So. Ctr Sec 5; 35' East Ctr Sec 5
on ----- bank Hinsdale County.
6. Annual period or periods during which water is to be used continuous
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? -----

- (a) Number of acres to be irrigated ----- acres.

(b) Legal subdivisions to be irrigated -----

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) -----

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use Municipal Water supply.
Name any of the above uses claimed
(b) Amount of power to be generated ----- horse power.
Amount claimed for engine cooling -----
(c) Location of plant -----
(d) Method of developing power -----
(e) Point where water will be returned to stream Sioux Falls Sewage Treatment Plant.

8. Estimated cost of work: (To be shown on Form 2A)

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works: (To be shown on Form 2A)

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....
 (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;

Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....1950.....years.

11. Time required for complete application of water to the proposed beneficial use.....1950.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....
 (No advertising required for vested right)

STATE OF SOUTH DAKOTA

County of.....} ss.

I,....., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed.....

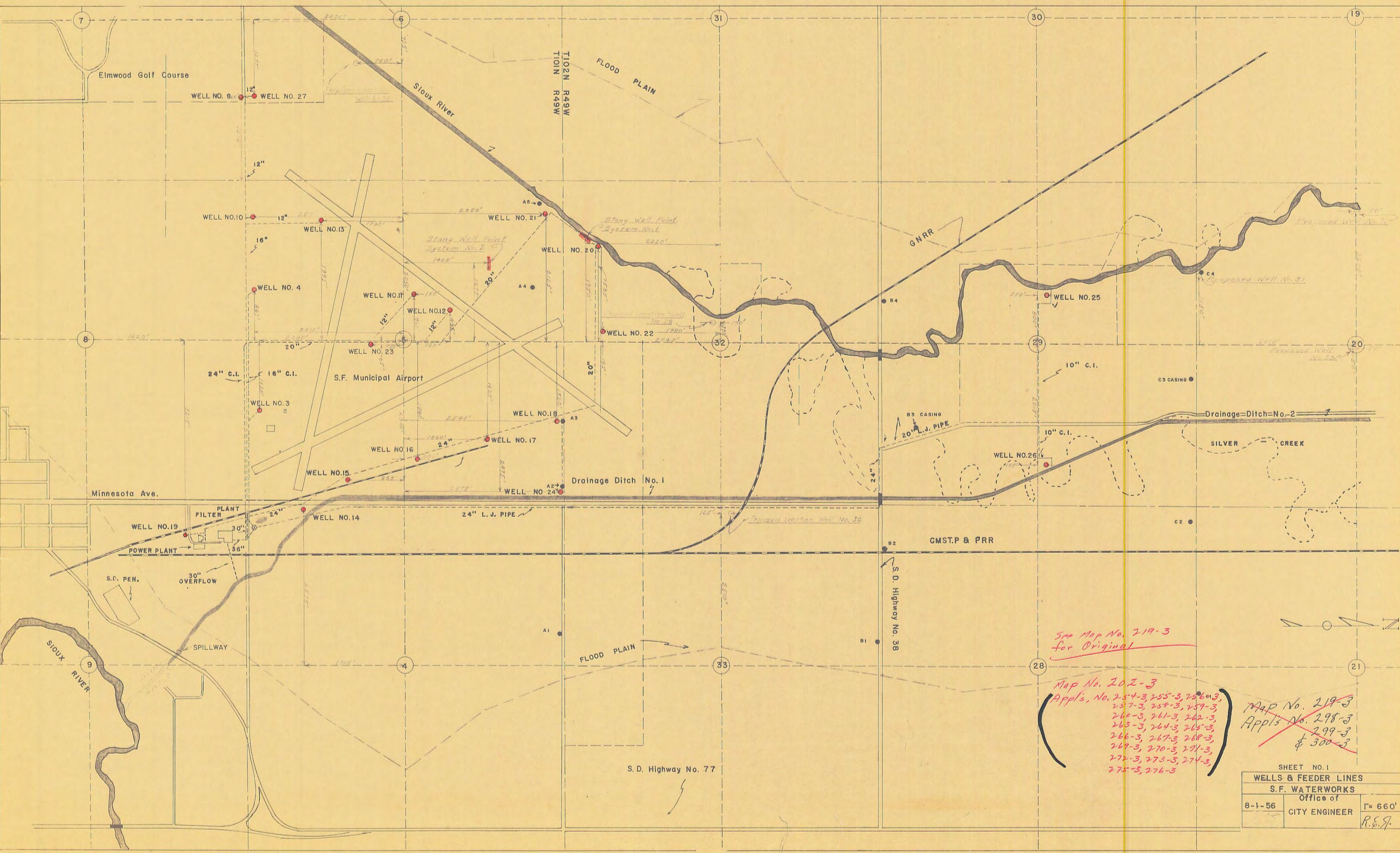
Subscribed and sworn to before me this.....1st.....day of.....August.....1956.....

Fay Wheelton, Mayor

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My Commission Expires April 1, 1957



See Map No. 219-3 for Original

Map No. 202-3
App's, No. 254-3, 255-3, 256-3, 257-3, 258-3, 259-3, 260-3, 261-3, 262-3, 263-3, 264-3, 265-3, 266-3, 267-3, 268-3, 269-3, 270-3, 271-3, 272-3, 273-3, 274-3, 275-3, 276-3

MAP No. 219-3
App's No. 298-3, 299-3
\$ 300.00

SHEET NO. 1		
WELLS & FEEDER LINES		
S.F. WATERWORKS		
Office of		
8-1-56	CITY ENGINEER	1"= 660'
		R.E.F.

Remarks by State Water Resources Commission:

Corrected 5/19/41

STATE OF SOUTH DAKOTA
 County of Madison } ss.

Pierre, South Dakota, September 11, 1956

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
A.m. upon the 12 day of August, 1956

State Water Resources Commission
 By: Joe Krinner
 Chief Engineer, Executive Officer

Corrected 5/19/41
 Number of permit 272-3

Date of first receipt of application August 10, 1956

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right 1950, 19____

Approved September 11, 1956, Recorded in Book 155-7, 17 Page 30

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

- 1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before Completed, 19____
- 2nd. The whole of said work is to be completed on or before Completed, 19____
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Completed, 19____
- 4th. The water appropriated shall be used for the purpose of municipal use

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.44 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before Completed, 19____; said water to be used during the following described annual period:

Continued 14

Witness my hand this 13 day of December, 1956

State Water Resources Commission
 By: Joe Krinner
 Chief Engineer, Executive Officer

Certificate of Construction Issued December 13, 1956

Water License Issued December 13, 1956

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 40' , Depth 41.5'

Type of casing Concrete
(wood, concrete, steel, etc.)

Size of casing 40' , Thickness of casing 15"

Length of casing 41.5' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen None

Size of perforated screen ,
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials
Water bearing sand & gravel.

Thickness of water bearing material

(d) Pump and Motor

Type of pump Deep well turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Pomona , size 1,200 GPM.

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 25 , Name of Motor F.M.

(e) Complete well

Capacity 650 GPM. at drawdown of 10-12 Ft. Estimated cost \$32,062

(f) Owner of land upon which well is located City of Sioux Falls, South Dakota
Name

51 South Dakota

(g) Distance to nearest existing wells

On same owner's property 73 rods. On property owned by others 160+ rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 272-3

WHEREAS, On the 10 day of August A. D. 1956

The City of Sioux Falls

of Sioux Falls County of Minnehaha and State of

South Dakota duly made application (No. 272-3) to us for a permit to use Vested Right 1.44

cubic feet per second of the waters of Ground Water

County of Minnehaha, State of South Dakota, for Municipal purposes; and

WHEREAS, On the 13 day of December A. D. 1956

Vested Right 272-3 issued to said applicant... for the diversion of said water, and recognizing

completion of the works of diversion therein described xxxxxxxxxx in 1950 xxx

xxxxxx and xxx application to beneficial use of said

water xxxxxxxxxx in 1950 xxxxx xxxxx

and,

WHEREAS, On the 10 day of August A. D. 1956

the holder of said Vested Right permit duly made proof of the completion of adequate works for the diversion of 1.44

cubic feet per second of said waters, as evidenced by our Certificate No. 272-3

dated December 13, 1956 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 1.44 cubic feet per second of water, with date of

priority of 1950 xxx xxx

WHEREAS, On the 10 day of August A. D. 1956

proof was duly made of the application to beneficial use of 1.44 cubic feet per second of said water;

in the distribution system of the City of Sioux Falls

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to The City of Sioux Falls
of Sioux Falls, South Dakota the holder and owner of said permit No. 272-3
a water right, dating from 1950 to the use of 1.44
cubic feet per second of the waters of Ground Water
In the County of Minnehaha and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at 550 feet South and 65 feet
East of the C. Cor, Sec 5, T 101N, R 50W
and conducted to ~~XXXXXX~~ the residents of the City of Sioux Falls

for the purpose of Municipal use.

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 13 day of December A. D. Nineteen
Hundred and fifty-six

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____
To _____

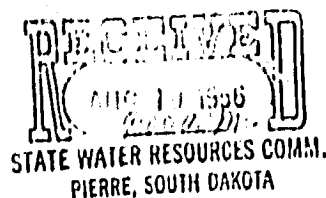
Source of Supply _____

County _____
Am't _____ c. f. s.
Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____
Recorded _____
to Book _____ of _____ Page _____

Location No. 272-3Water Division No. 7 Sioux Falls Water District

Proof of Application of Water to Beneficial Use

WELL No. (23)

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. R. E. Bregstad, City EngineerSioux Falls, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to it, and your authority for appearing in its behalf.

Ans. City of Sioux Falls, South Dakota

Ques. 2. State date of posting and date of recording notice of appropriation.

Ans. -----

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. See Form 2 for information.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. See Form 2A for information.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Municipal Water Supply

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. -----

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 500 GPM.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Since 1911 the city of Sioux Falls has constructed various wells for its Municipal Waterworks. Pumpage has varied from 4.0 to 18.0 million gallons per day. See Forms 2 & 2A for existing wells.

(Sign) *R. B. [Signature]*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sioux Falls, County of Minnehaha.

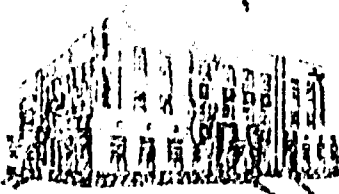
State of South Dakota, on this 1st day of August A. D. 1956.

R. E. [Signature]
James G. [Signature] } Witnesses. My Commission Expires April 2nd, 1959

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

[Signature]

Location No. _____	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water <u>1.45</u> c.f.s.	Source <u>Sioux Falls Municipal Water</u>	County <u>Minnehaha</u>	Purpose <u>Municipal Waterworks</u>	Place of Use <u>Sioux Falls</u>	Date of recording _____	Received and filed _____
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SIoux FALLS

City of Sioux Falls, South Dakota

December 14, 1956

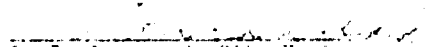
State Water Resources Commission
Pierre, South Dakota

Attention: J. W. Grimes

Dear Sir:

Referring to application for vested rights for 43 acres for the City of Sioux Falls recently forwarded to your office on Form 11 under date of August 16, 1956, it is requested that in order to meet maximum demands during peak periods a total of 1000 c.f.s. be allocated. This request to be applied to applications from 276-3 to 276-3 inclusive.

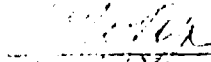
Sincerely,

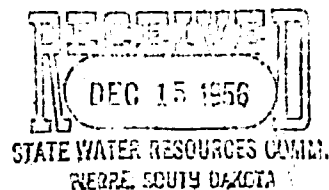

H. F. Engsted, City Engineer

RE: 101

Subscribed and sworn to before me

this 14th day of December, 1956


Notary Public





DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 7, 1991

Lyle D Johnson, Water/Wastewater Manager
Utilities Department
224 W 9th Street
Sioux Falls SD 57102

Dear Mr. Johnson:

This letter is in response to my inspection of the City's water permits/rights completed on January 16, 1991.

Several of the city's permits can be licensed after receipt of the following information:

- 1) Permit Nos. 5127-3 and 5127A-3 (Well Nos. 53 thru 58).
Permit No. 5115-3 (Well Nos. 48 thru 52).
Permit No. 5235-3 (Well Nos. 60 thru 65).
- Sustained pump rate for each well under optimal operating conditions,
- Type and horsepower of the submersible units in each of the wells, and
- Brief description of the distribution system.

I have located a well completion report (copy enclosed) for a well that appears to be north of well No. 58. A copy of the well completion report for well No. 58 is also enclosed. No well was noted north of No. 58 during my inspection. Please explain if the well exists as described on the enclosed report and if the well is being used by the city.

- 2) Permit No. 5202-3 for water impounded in Silver Creek by the Big Sioux diversion dam. Two units are used with a capacity of 700 gpm each.
- Type and model no. of the motor and pump with the horsepower.
- 3) Permit No. 5334-3 for the Big Sioux River pump facility.
- Brief description of the operation of the facility at peak operating capacity.

An application (forms enclosed) needs to be approved to increase the permitted pumping rate to 46.4 cfs and to increase the annual volume of water if you plan to exceed the current 10,000 acre-feet. If approved, No. 5334-3 and the new permit would be issued one water license.

(continued)

272-3

February 7, 1991
Lyle D Johnson
Page 2 of 3

The following changes are needed to correct errors on the current licenses:

- 1) The following licenses need to have R50W deleted and be reissued for R49W:
254-3, 255-3, 256-3, 257-3, ^{cancel RD 5/13/91} 258-3, 259-3, 260-3, 261-3, 262-3, 264-3, 266-3, 267-3, 269-3, 270-3, 272-3, 273-3, 275-3, 276-3, and 274-3 needs the same range correction plus should be T102N instead of T103N.

License No. 300-3 needs to have section 32 deleted and be reissued for section 33. The original notice of hearing and application are correct.

License No. 4101-3 needs to have T101N deleted and be reissued for T102N and 2,030 feet east rather than 2,030 feet west. The original notice of hearing is correct.

License Nos. 4098-3, 4099-3, 4100-3, and 4812-3 also need to be reissued to identify the correct location of the wells. The original notices of hearing are correct for each license.

- 2) The notice of hearing for 1306-3 needs to be readvertised to correct a diversion point error (should be NW1/4 NW1/4 instead of NE1/4 NE1/4).

The notice of hearing for 4811-3 needs to be readvertised to correct a diversion point error (should be T102N instead of T101N).

Each of these changes (Nos. 1 & 2) will be initiated by the Division of Water Rights. Item No. 2 will require publication of a notice of hearing. The city will be notified of the completion of the corrections.

Well Nos. 30, 31, 32, and 33 have been rehabilitated in the last two years. Revisions may also be needed to some of the water rights held by the city to reflect changes in the pumping capacity of the wells. If the sustained pump rate of these wells under optimal operating conditions is less than the permitted pump rate, then the licenses should be reissued for the reduced pump rate. If the sustained pump rate exceeds the permitted amount, then a new permit is needed for the increase in the pump rate. Please indicate what the sustained pump rates are for well Nos. 30, 31, 32, 33, and other wells as rehabilitation efforts and aquifer conditions allow.

259-3 RD 5/13/91

Water Right Nos. 254-3, 255-3, 265-3, 268-3, 271-3, and 1579-3 will be scheduled for a hearing to allow the Water Management Board to consider cancellation of the water rights due to abandonment and/or forfeiture. Notice will be given of the time and place of hearing. If the Parks and Recreation Department is using of the well authorized by No. 1579-3, please inform me.

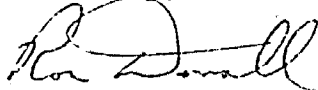
February 7, 1991
Lyle D Johnson
Page 3 of 3

In response to your questions during our meeting on January 17, 1991, the city can plug abandoned wells if the work is completed according to the Well Construction Standards. A copy of the standards and some plugging report forms are enclosed for the city's use.

Water Permit No. 1790-3 held by the Lincoln County Rural Water System is for supplying the rural water system from the city's well field. Enclosed is a copy of Permit No. 1790-3, including the affected city permits and a resolution signed by the mayor of Sioux Falls.

Thank you and your staff for the assistance we received concerning these inspections. I appreciate Mr. Holden taking the time to show us around. If you have any questions regarding any of this information, please contact me.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

cc: Glenn Dostal, HDR Engineering, Inc.

272-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 272-3

Date of Receipt of Claim August 10, 1956.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 272-3 for the City of Sioux Falls Water Department, 224 W. 9th Street, Sioux Falls, South Dakota 57102 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 272-3 appropriates 1.44 cubic feet per second of water from a well located in the NW1/4 SE1/4 Section 5, T101N, R49W.

2. The appropriated water is used for supplying water for the City of Sioux Falls and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:
January 1 - December 31

3. The priority date of the Vested Water Right is: January 1, 1950
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: [Signature]
Chief Engineer

MAR 15 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

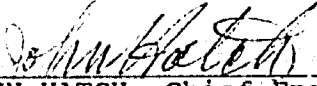
VESTED RIGHT WATER LICENSE NO. 272-3

(1) The City of Sioux Falls, Water Department, 224 W 9th Street, Sioux Falls, South Dakota 57102 made Application No. 272-3, August 10, 1956, for validation of a vested right claim to appropriate 1.44 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for municipal purposes. Vested Water Right No. 272-3 was validated September 30, 1992, with a priority date of January 1, 1950. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

The original water license, issued in December, 1956, contained an error in the legal description of the diversion point. The range was described as being "R50W" and should have been described as being in "R49W". Based upon a January 16, 1991 inspection of the water use system and subsequent validation of the vested right claim, this license is being reissued to correct the error.

(2) The vested right holder is entitled to divert 1.44 cubic feet of water per second for beneficial use. The location of the diversion point is: NW 1/4 SE 1/4 Section 5, T101N, R49W.

(3) Pursuant to Section 46-5-30.1, the City of Sioux Falls, Water Department, 224 W 9th Street, Sioux Falls, SD 57102, the holder and owner of Vested Water Right No. 272-3, is issued a license to appropriate 1.44 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1950 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 272-3 and subject to South Dakota State Law.

 MAR 15 1993
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



MAR 15 1993

272-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Lyle Johnson, Water/Wastewater Manager
City of Sioux Falls
224 W 9th St
Sioux Falls SD 57102

Dear Mr. Johnson:

The Water Management Board on September 30, 1992, validated the enclosed Vested Water Right Claims. These validations give legal status to the claims and are the final document for the City's vested rights. Several of the water licenses were reissued to reflect the correct location of the diversion point as validated by the Board.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosures

City of Sioux Falls



**CITY OF SIOUX FALLS
PUBLIC WORKS**

Providing a Better Quality of Life for You!

Administration/GIS
224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8600 F: 367-4605

Engineering/Real Estate
224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8601 F: 367-4310

Environmental
1203 North Western Avenue
Sioux Falls, SD 57104-1201
T: 605-367-8276 F: 367-4886

Fleet Management
1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8240 F: 367-8239

**Household Hazardous
Waste Facility**
1015 East Chambers Street
Sioux Falls, SD 57104-7200
T: 605-367-8695 F: 367-4993

Landfill
224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8162 F: 367-8167

Light
2000 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7006 F: 367-8306

Street
1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8255 F: 367-7010

Utility Billing
1201 North Western Avenue
P.O. Box 7401
Sioux Falls, SD 57117-7401
T: 605-367-8131 F: 367-7341

Utility Maintenance
688 West Algonquin Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7020 F: 367-7883

Water Purification
2100 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7025 F: 367-8475

Water Reclamation
4500 North Sycamore Avenue
Sioux Falls, SD 57104-9612
T: 605-367-8188 F: 367-8484

August 23, 2016

Eric Gronlund
Water Rights Program, DENR
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Subject: Well Standby Status

Dear Mr. Gronlund,

The City of Sioux Falls has existing water rights to the Sioux Falls unit of the Big Sioux Aquifer. Water samples from a number of wells in the Big Sioux Aquifer were sampled, analyzed, and were found to have contaminants listed as Perfluoroalkyl substances or PFAS's. This man-made chemical has been used to keep food from sticking to cookware, to make sofas and carpets resistant to stains, to make clothes and mattresses more waterproof, and may also be used in some food packaging, as well as in some firefighting materials such as firefighting foam. Some products that use or used PFAS's include dental floss, non-stick cookware, microwave popcorn bags, pizza boxes, fast food wrappers, outdoor gear with durable water resistant coatings, shampoo, nail polish, facial moisturizers, and eye make-up. Drinking water is only one of many potential sources where a consumer may be exposed to PFAS's.

As a result of the sampling a total of 19 wells have been found to have PFAS contamination. These wells are located in an area south of 60th Street North, east of the Big Sioux River, west of the diversion channel. All wells impacted are within the boundaries of the Sioux Falls Regional Airport.

The Water Division is formally requesting support and approval from the Water Rights Chief Engineer to place the 19 contaminated wells in stand-by until further notice. At this time the Sioux Falls water plant does not have a treatment technology to remove the PFAS contamination from the source. The Water Division also does not have the means or methods required to remove the PFAS contamination from the Big Sioux Aquifer water. The Water Division is actively looking for options to respond to this challenge. At this time nothing has been identified.

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The Sioux Falls Water Division is asking to place the following wells and water rights in stand-by.

Well Number	Water Right	Well Number	Water Right
3	256-3	20	269-3
4	257-3	21	270-3
10	259-3	23	272-3
11	260-3	24	273-3
12	261-3	27	276-3
13	262-3	28	298-3
14	263-3	29	299-3 – 7363-3
15	264-3	64	5710-3
17	266-3	65	5710-3
18	267-3		

If you have any questions or comments please contact me at 605-373-6940

Sincerely,



Greg Anderson
Water Superintendent
Sioux Falls Water Division

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WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

August 29, 2016

Greg Anderson, Water Superintendent
Sioux Falls Water Division
PO Box 7402
Sioux Falls SD 57117-7402

Dear Mr. Anderson:

The Department of Environment and Natural Resources (DENR) is in receipt of your letter dated August 23, 2016. The letter explains that 19 existing wells are to be placed on standby status due to contamination. The city intends for the wells to be held on standby until treatment technology becomes available to treat or remove the contaminant from the source.

Administrative Rule of South Dakota 74:02:01:37.02 found below provides for exceptions to the nonuse of water. This includes water supply maintained for standby purposes provided the water diversion works are maintained in working condition for immediate use upon demand.

74:02:01:37.02. Exceptions to nonuse of water. A water supply maintained for either fire protection or standby purposes, or both, is not nonuse of a water permit, right, or vested right if the water diversion works are maintained in working condition for immediate use upon demand. Works to divert appropriated water must include wells equipped with functional motors, pumps, and appurtenances to convey water or functional motors, pumps, and appurtenances to convey water from a surface source, as applicable. Wells that are capped, sealed, or plugged are not standby or fire protection works.

Your letter will be included in the administrative record for each water right associated with these wells.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us