

Considered: _____

WATER PERMIT NO. 4300-3C

MAP No. 4300-3

Name of Applicant South Lincoln Rural Water System

Post Office Address P.O. Box 155, Canton

Amount of Water Claimed none Total Acres NA

Source of Water Supply ground water

Water to be used for the rural water system County Union

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted May 7, 1987 Not Approved _____ Deferred _____

PRIORITY _____ Date Received Jan 12, 1987 Fee \$50⁰⁰ Remarks Application
na is to add Alcester to the rural water system

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

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

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

Diversion Point see Permit No. 4300-3, 4300-3A

& 4300-3B

Land to be Irrigated NA

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS see Permit No. 4300-3, 4300-3A
and 4300-3B

Type of Map none PREPARED BY _____ Reviewed and the Number
assigned on _____ By Ron Duvall

No. 4300-3C Hydrologic Unit 10170102
 Map No. none Basin Vermillion River
 Newspaper Sioux Valley News, Box 255, Canton (Thurs)
Alcester Union, Box 217 (Thurs)
The New Era, Box 577, Parker (Thurs)
Argus Leader, P.O. Box 5034 (daily)

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☒ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☐ Future Use ☐ Change Use ☐

☒ Amend Permit No. 4300-3, 4300-3A and 4300-3B
with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant South Lincoln Rural Water System Phone No. (605) 372-4211

Post Office Address P.O. Box 155, Canton State SD Zip Code 57013
(Street, RR or Box)

2. Amount of water claimed (c.f.s) NA No add'l _____

3. Source of water supply see existing permits 4300-3, 4300-3A, and 4300-3B.

4. Location of point of diversion see existing permits 4300-3, 4300-3A and 4300-3B.

_____ County Lincoln

5. Counties where water will be used Lincoln, Turner and Union and Minnehaha

6. Annual period during which water is to be used 12 months per year January 1 - December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Add the City of Alcester to existing distribution system.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

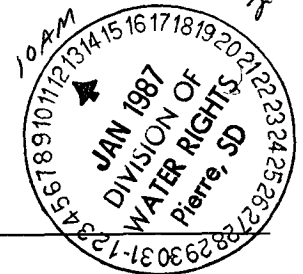
STATE OF SOUTH DAKOTA)
 County of Lincoln)^{ss}

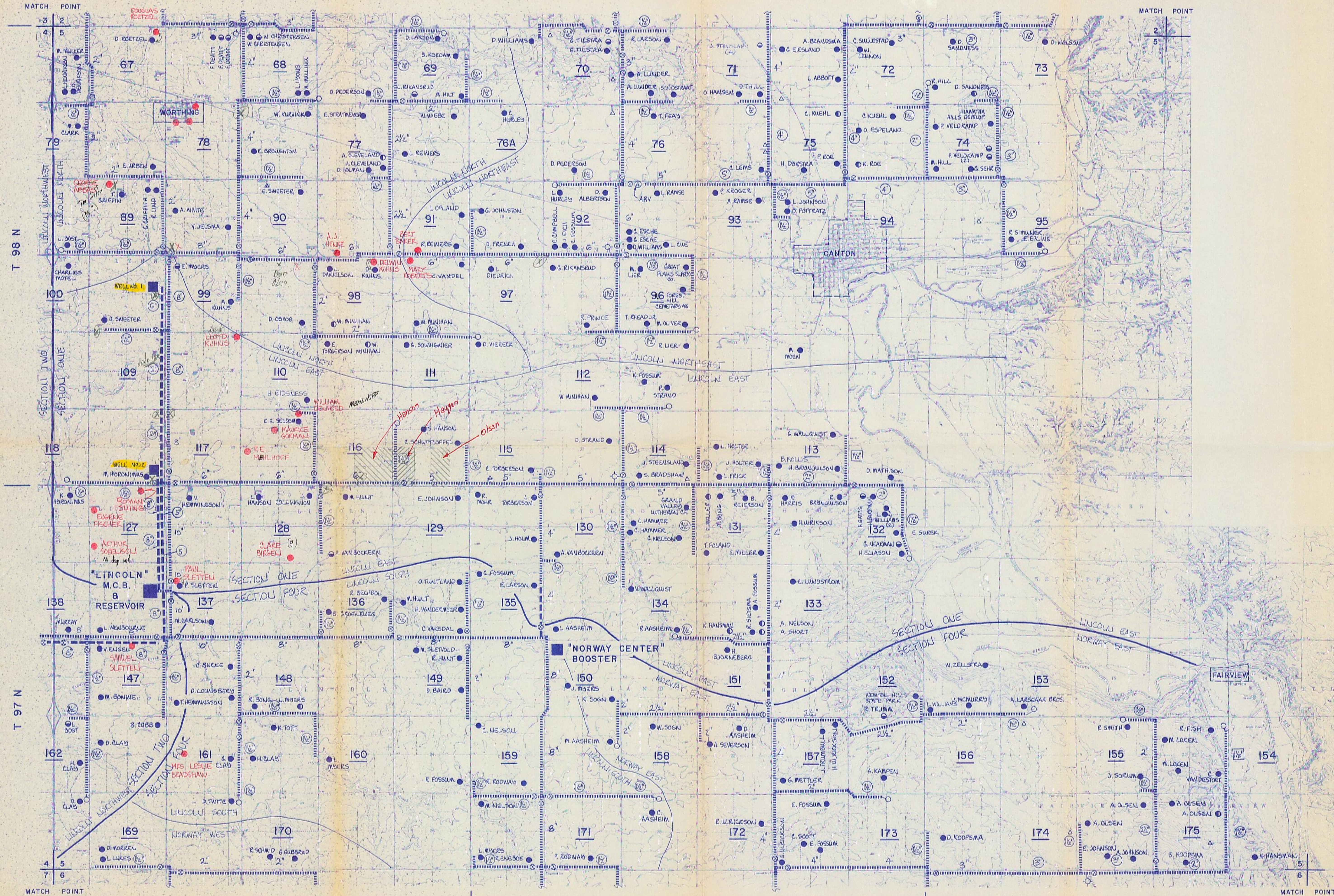
I, Charles Kuehl on behalf of S.L. Rural Water the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Charles Kuehl

Subscribed and sworn to before me this 9th day of January 19 87

John Dennis
 Notary Public (or other qualified officer)





R 48 W

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 4300-3C

South Lincoln Rural Water System P.O. Box 155, Canton
(Applicant) (Post Office Address)

SD 57013 With the following qualifications.
(State) (Zip Code)

1. That the South Lincoln Rural Water System report to the chief engineer annually the amount of water withdrawn each year.
2. That the rural water system wells used to supply this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The rural water system, under this permit, shall control its withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application January 12, 19 87.

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

Date of receipt of corrected application Jan. 15, 19 87. Approved May 7, 19 87.

The Water Management Board hereby approves this Water Permit No. 4300-3C authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:
City of Alcester added to the South Lincoln Rural Water System distribution system with no priority date assigned.

2. The equivalent of at least one-fifth of the specified work is to be completed on or before October 7, 19 89.
3. The whole of said work is to be completed on or before May 7, 19 92.
4. The limit of time from proof of beneficial use of water ~~appropriation~~ is May 7, 19 96.
5. The water ~~permit~~ shall be used for the purpose of adding the City of Alcester to the rural water system distribution system
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed no add'l cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for adding the City of Alcester to the RWS on or before May 7, 19 96; said water to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD

By: John Hatten
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

AUG 19 1987

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410715

Pierre, January 15, 1987

RECEIVED OF South Lincoln Rural Water System, Box 155, Canton, SD 57013

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

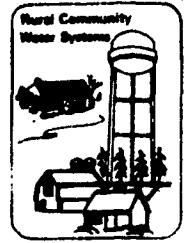
Fee for Application for Permit No. <u>4300-3C</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch
JOHN HATCH ms

South Lincoln Rural Water



Box 155

Canton, South Dakota

Ph. 372-4211

January 14, 1987

SD Dept. of Water & Natural Resources
Joe Foss Building
Pierre, SD 57501
Attn: Ron DeVault



RE: filing fee

Dear Mr. DeVault:

In regards to your phone call the other day, please find enclosed a check in the amount of \$50.00 to cover the filing fee necessary for the application which was submitted.

Should additional information be needed please contact our office at 372-4211.

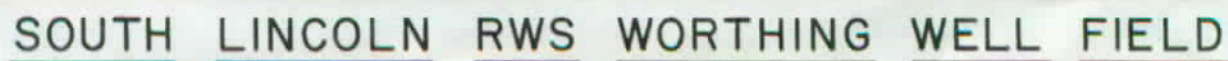
Thank you for your time.

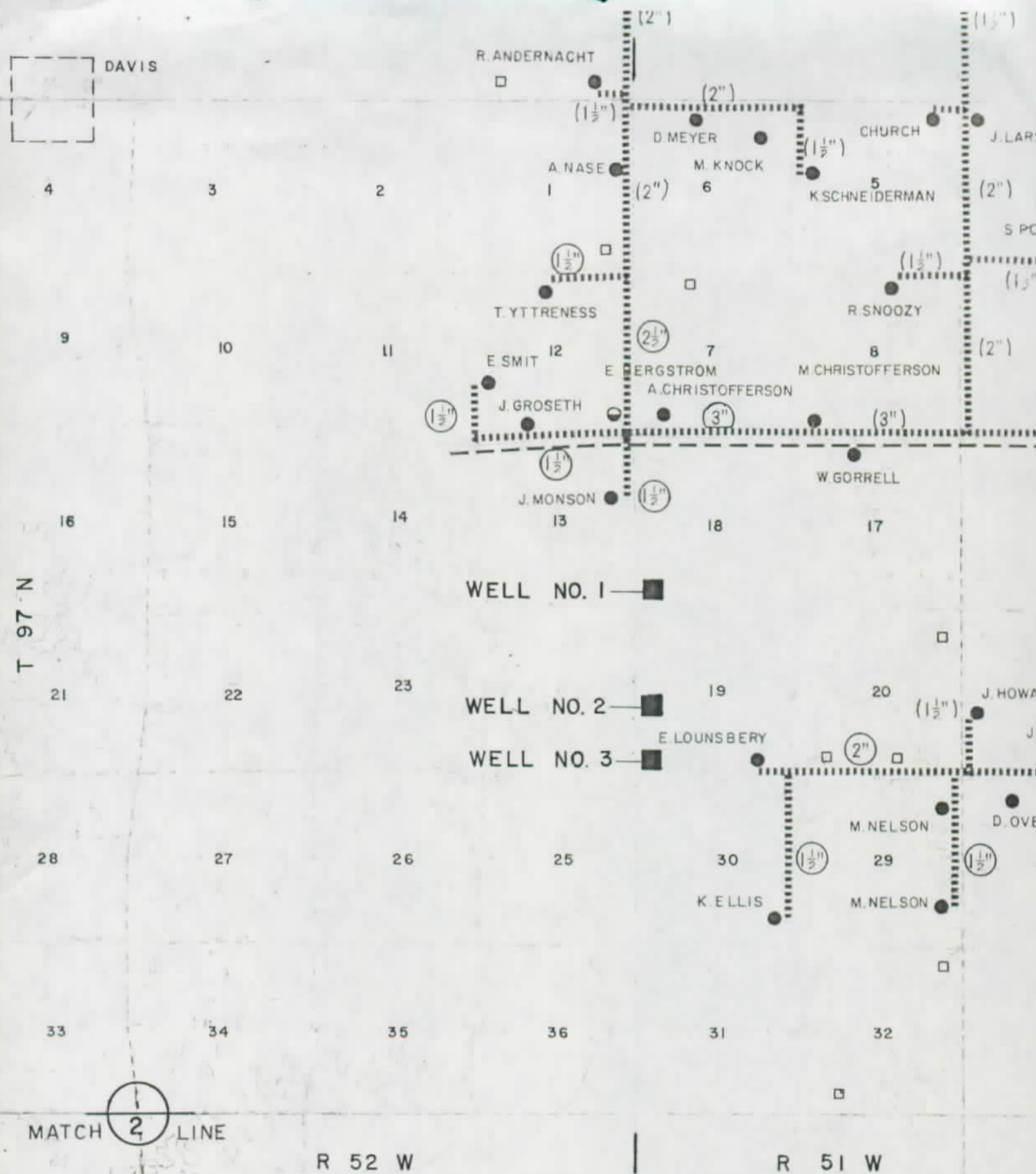
Sincerely,

A handwritten signature in cursive script, which appears to read "John Sievers".

John Sievers
Manager
South Lincoln Rural Water System, Inc.

JS:jls
enclosure





SOUTH LINCOLN RWS WELL FIELD NO. 2

I, John M. Madden do hereby certify that this map identifies a reasonably accurate description of the proposed South Lincoln RWS Well Field No. 2.

John M. Madden
 John M. Madden, P. E.
 So. Dak. Reg. No. 1787

Date 7-7-78



APPL No. 4301-3

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Well Owner: South Lincoln Rural
Name Water District

Address

Water Level Information:

Static water level 49.32 below land surface
If flowing: closed in pressure PSI
rate of flow GPM

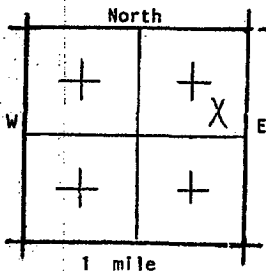
Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other; specify

Well Location:

Mark location
with an "X"



County Lincoln
* * * Sec. 20 Twp. 98N Rg. 50W

Proposed Use:

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

Method of Drilling:

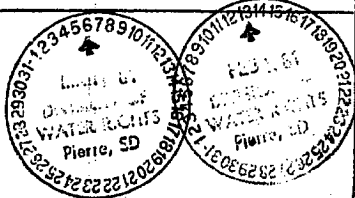
☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 17 1/2
Depth 460
Casing ☒ Steel ☐ Concrete
☐ Plastic ☐ Other
If other, specify

Was casing end left open No
Was a well screen installed Yes
Describe Well Screen
Diameter 5 PS Material SS
Slot size 20
Was well gravel packed Yes
Was well grouted Yes
Was water sample taken Yes

Remarks:



Well Test Data:

☒ Pumped

☐ Bailed

Describe:

☐ Other

Pumping Level Below Land Surface

238 ft. After 72 Hrs. pumped 360 GPM
" " " " " " " " " " " "

Well Log:

Formation	Depth	
	From	To
Top soil	0	3
Yellow clay	3	24
Blue clay	24	100
Sand & Gravel	100	140
Sand	140	144
Shale	144	372
Sand	372	387
Shale	387	402
Sand	402	416
Shale	416	434
Sand	434	440
Sand streaks in shale	440	445
Rocky w/fine sand	445	454
Shale w/sand	454	460

(Use Back if Necessary)

Date Completed: 10-24-80

Driller:

Thew Well Co. Inc. 475
Driller's or Firm's Name License NO.

Clear City, MN 56222
Address

W. J. Thew 2-81
Signed By Date

TEMPORARY CAP

12" CASING

16" MINIMUM BORE HOLE

CEMENT GROUT MIXTURE

GRAVEL PACK MEDIA

12" MINIMUM BORE HOLE

5" PS STAINLESS STEEL SCREEN

5" BLANK SECTION

BOTTOM PLATE

± 315

2'-0"

11310

FINAL GRADE - ROUGH GRADING TO BE COMPLETED BY OWNER PRIOR TO WELL CONSTRUCTION!

EXISTING GROUND

5" BLANK SECTION TO EXTEND 20'-0" INTO 12" CASING

RELATIVE ELEVATION - DATUM (0) BASED ON EXISTING GROUND - SEE DRILLERS LOG

APPROX 435'

175'

20'	430
20'	450
10'	460
10'	470
30'	500
60'	560
30'	990
15'	605

PROFILE
PROPOSED DEEP WELL #1 (AS BUILT)

9174
 South Lincoln Rural Water
 Lincoln County
 SEX of NEK-20-98-50
 March 1, 1979

WELL REPORT

HURON
 DRILLING CO.
 Huron, S. D.

OWNER	DESCRIPTION	DATE
Depth 640 ft.	CASING LOG	
Flows gpm	640 ft. 2" Sch. 80 Plastic	pipe to 640 ft.
Pumps 15 gpm		pipe to ft.
Head 167 ft.		pipe to ft.
210 Ft. Slotted @ bottom		pipe to ft.
Perforations		pipe to ft.

Pressure
 6 days

REMARKS

Drilling Time 430-640 Slotted
 Rig No. 12 1 - 6 1/2" Gear Bit
 Raymond Kuehl 1 - 4 1/2" V3S Rock Bit
 DM Foreman

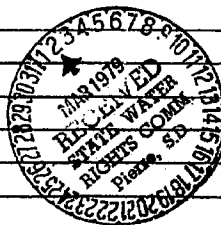


DRILLING INC. DRILLERS LOG

5179

PAGE NO.

JOB NAME		LOCATION		DATE	RIG NO.	FOREMAN
Lincoln Rural Water		SE 1/4 of NE 1/4-20-48-50 Lincoln County		2/20/79	12	Raymond Kuehl
#	DEPTH	TIME	REMARKS			
1	20		0-3	Top soil		
2	40		3-24	Yellow clay		
3	60		24-100	Blue clay		
4	80					
5	100		100-140	Sand and Gravel		
6	120	11:30	140-144	Sand		
7	140	11:50	144-160	Shale		
8	160	2:35	160-239	Shale		
9	180	2:50				
10	200	3:10				
11	220	3:25	239	Hard S.		
12	240	5:00		4 1/2" V-3S Gear Bit : 240 Ft.		
13	260	5:25		Shale		
14	280	9:00 AM		Shale		
15	300	9:40		Shale		
16	320	10:25		Shale		
17	340	11:00		Shale		
18	360	11:40		Shale		
19	380	1:05	372-380	Sand		
20	400	1:50	382	Greenhorn H.S.		
21	420	2:55	380-387	Sandy		
22	440	3:30	387-400	Shale		
23	460	4:15	402	H.S.		
24	480	5:00	402-416	Fair sand		
25	500	10:00 AM	416-420	Shale		
26	520	10:15	420-434	Shale, sand streaks		
27	540	10:45	434-440	Sand, good		
28	560	12:15	440-452	Fair sand		
29	580	12:45	452	H.S.		
30	600	1:15	452-460	Tuff		
31	620		460-480	Tuff		
32	640	TD	480-500	Streaked sand		
			514	Rock- 6 Ft. thick		
			520-540	Sand, good		
			540-552	Sand, good		
			552-560	Shale		
			560-580	Shale small sand streaks		
			580-592	Shale small sand streaks		
			592-600	Fair sand (Hard)		
			600-620	Fair sand, shale streaks		
			620-640	Mostly shale		

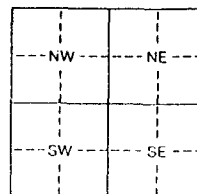




FARGO, N.D.
HUTCHINSON, MA



↑
N



Sec. 32 T 98 R 50

DRILLERS LOG

Drilled for South Lincoln Rural Water By Fargo Office
 Location of Test Hole 20' S. of pump house - SE 32-98-50 S. of Sioux Falls on
I-29 to Davis Exit, 1½ E. Test Hole No. 1-97 Well No. _____
 Size of test hole 6 3/4 Date started 9-10-97 Date completed 9-17-97 Total Hours 33¼

FORMATIONS DRILLED

TYPE OF FORMATION	COLOR OF FORMATION	STARTED AT WHAT DEPTH	ENDED AT WHAT DEPTH	THICKNESS OF FORMATION
Sandy clay	Brown	GL	14	14
Soft clay	Gray	14	37	23
Lenses of sand and clay	Gray	37	39	2
Sandy clay	Gray	39	61	22
Sand & light gravel took water	Gray	61	77	16
Hard clay	Gray	77	87	10
Sticky shale	Gray	87	300	213
Hard sandy shale	Gray, Blk	300	342	42
Sandy shale	Gray	342	382	40
Lenses of dirty sandstone & shale	Gray	382	395	13
Sandy shale w/small lenses of sand	Gray, Blk	395	405	10
Rock	Gray, Blk	405	406	1
Very sandy shale	Gray	406	413	7
Dirty sandstone w/coal mixed sample	Gray, Blk	413	429	14
Fine sandstone (drilled good) w/small lenses shale	Gray	429	441	12
Very sandy shale w/small lenses sand	Gray	441	448	7
Very dirty sandstone (poor sample)	Gray	448	453	5
Very sandy shale w/small lenses sand	Gray	453	463	10
Dirty sandstone (poor sample)	Gray	463	473	10
Dirty sandstone	Gray	473	478	5
Fine sandstone (drilled good) good sample	Gray	478	489	11
Fine sandstone w/lenses of shale (sample)	Gray	489	496	7
Fine sandstone (drilled good) sample	Gray	496	508	12
Sandy shale	Gray	508	516	8

Signed Don Hejzmanek Driller

Sec. 32 T 98 R 50

DRILLERS LOG

Drilled for South Lincoln Rural water By Fargo Office

Location of Test Hole S. of Sioux Falls on 29 to Exit 59, 1½ E. SE 32 98 50

Test Hole No. 1-97 Well No.

Size of test hole 6 3/4 Date started 9-10-97 Date completed 9-17-97 Total Hours 33 1/4

FORMATIONS DRILLED

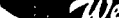
[illegible]

Signed Don Hejtmanek Driller

Owner South Lincoln R/W

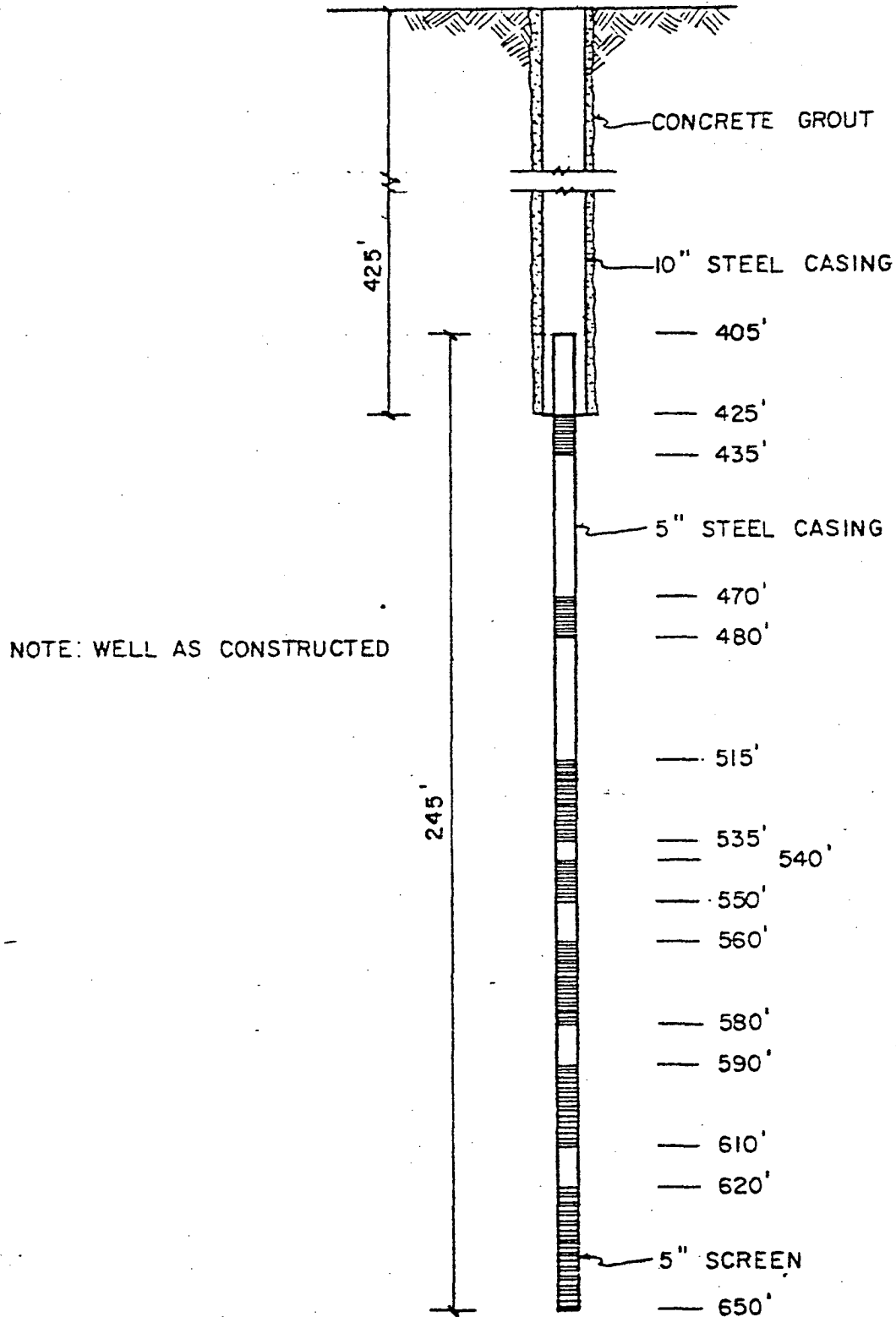
Location Canton, SD

Static 186' 2' AG



LTP Enterprises, Inc.
Well Drilling

[illegible]

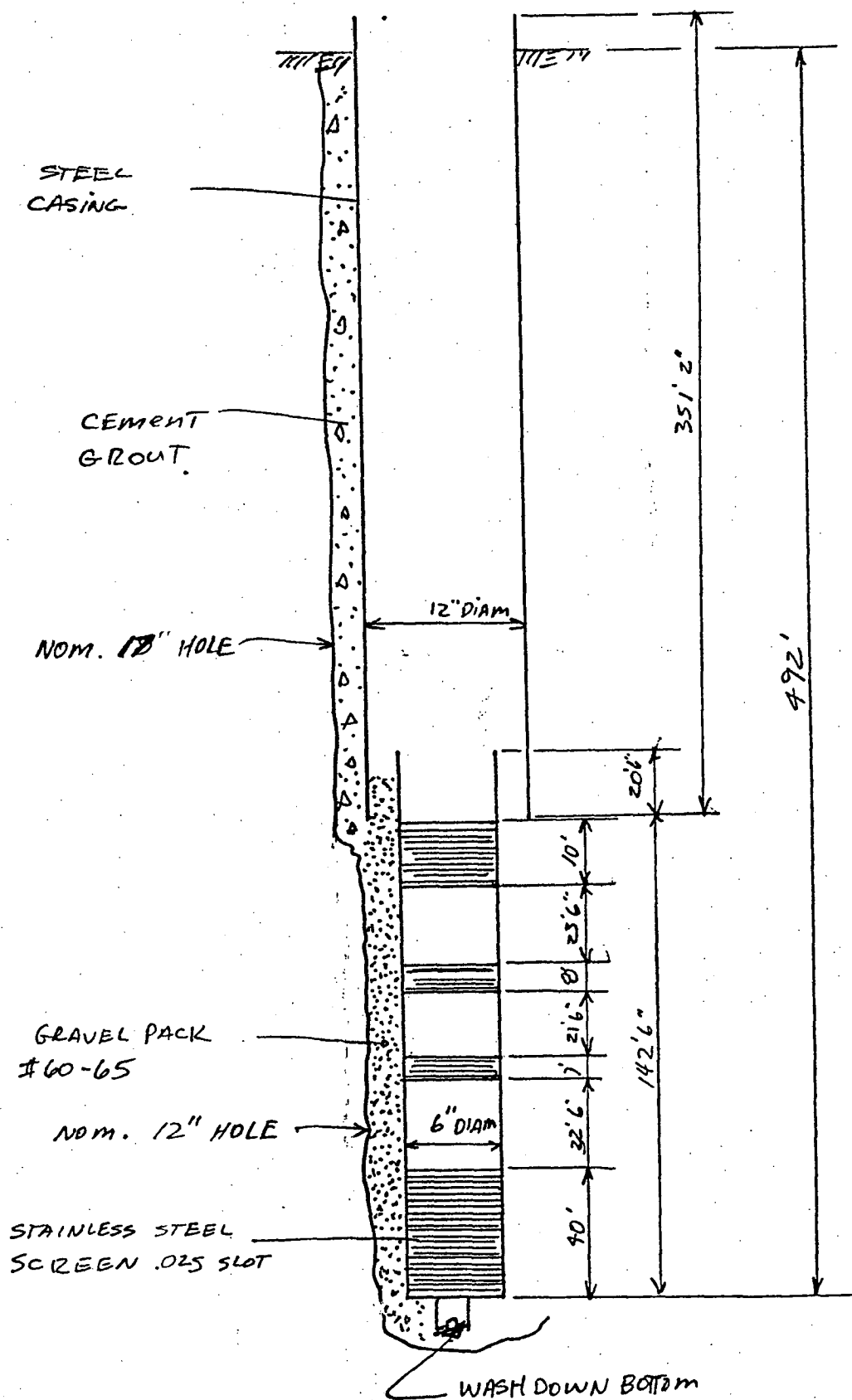


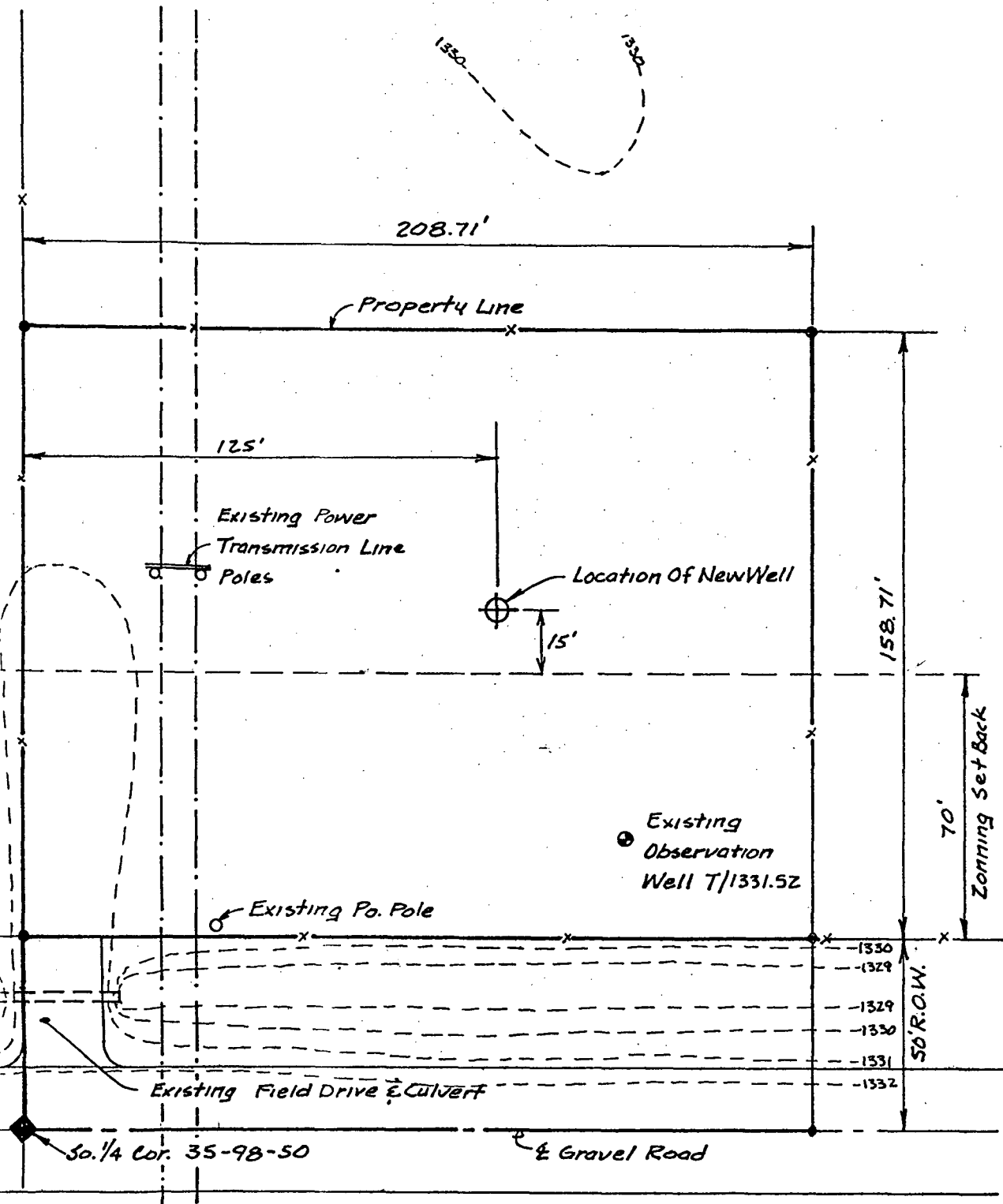
PRODUCTION WELL NO. X 2 - Replaced in 1997



DeWild Grant Reckert & Associates Co.
 Architecture Engineering Planning
 Rock Rapids, Iowa
 Sioux City, Iowa
 Sioux Falls, South Dakota

Date
 Drawn By
 Approved
 Revised





Worthing Well No. 3 Site Plan

Scale: 1"=40'



Bench Mark: R.R.
Spike In West Trans.
Line Pole On Site.
Elev. 1333.00



DeWild Grant Reckert & Associates Co.
Architecture Engineering Planning
Rock Rapids, Iowa
Sioux City, Iowa
Sioux Falls, South Dakota

Date 12/24/80
Drawn By LBR
Approved
Revised

JOB NO. 26102

SOUTH LINCOLN
RURAL WATER
CANTON, SOUTH DAKOTA

LINCOLN DRILLING INC. DRILLERS LOG

PAGE NO.

Lincoln Water System JOB NAME		Lincoln Coun LOCATION	Jan. 10, 1952 DATE	9 RIG NO.	Jack Kuchl FOREMAN
DEPTH	TIME	REMARKS			
20					
40					
60					
80					
100		351-359 Sand - good			
120		359-380 Shale, streaked sand			
140		380-400 Mostly shale, streaked sand, coal			
160		400-413 Hard sand			
180					
200		413 H.S. 2 Ft.			
220		413-418 Hard sand			
240		418-423 Shale, tuff			
260		423-432 Shale, tuff			
280		432 HS			
300		432-441 Sand - fair			
320		441-452 Sand - hard			
340	11:30	452-461 Sand - good			
360	11:40	461-470 Sand - good			
380	1:00	470-480 Sand - good			
400	1:40	480-492 Sand - good			
420	4:30	492-500 Hard			
440	5:10	500-520 Hard sand			
460	5:45	520-535 Tuff			
480	6:00	535 Rock			
500					
520					
535		Hole took about 500 gallons water over night			

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4300-3C

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4300-3C, South Lincoln Rural Water System, PO Box 155, Canton SD

The Chief Engineer is recommending APPROVAL of Application No. 4300-3C because 1) the City of Alcester can be added to the South Lincoln Rural Water System distribution system without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. That the South Lincoln Rural Water System report to the chief engineer annually the amount of water withdrawn each year.
2. That the rural water system wells used to supply this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The rural water system, under this permit, shall control its withdrawals so there is not a reduction in needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
January 23, 1987

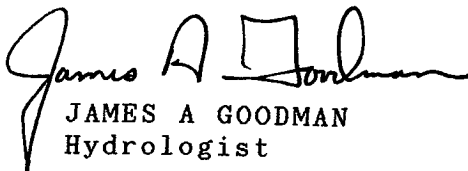
Report on Application No. 4300-3C
South Lincoln Rural Water System (SLRWS)
January 19, 1987

This application proposes to allow SLRWS to serve the City of Alcester within the limitation of SLRWS existing permit authority. This application does not authorize any additional diversion rate for SLRWS. The points of diversion for this application include the present well field as defined by permits Nos. 4300-3, 4300-3A, and 4300-3B and the Davis Well Field as defined by Permit No. 4301-3.

Aquifers - Dakota Formation, Parker-Centerville outwash

Conclusions

1. SLRWS permits Nos. 4300-3, 4300-3A and 4300-3B authorize 1.44 cfs from 3 wells for a total of 1048 acre-feet per year from the Dakota Formation
2. SLRWS Future Use Permit No. 4817-3 authorizes a diversion rate of 2.0 cfs for a maximum annual use of 1448 acre-feet per year from the Dakota Formation.
3. SLRWS Permit No. 4301-3 authorizes a diversion rate of 2.0 cfs for a maximum annual use of 1448 acre-feet per year from the Parker-Centerville outwash.
4. SLRWS in 1986 utilized 385 acre-feet under permits 4300-3, 4300-3A and 4300-3B
5. The feasibility study prepared by DeWild, Grant, Reckert and Associates, Co., indicates a demand of 2,100,000 million gallons per month for Alcester or about 77 acre-feet per year. The existing SLRWS permits can supply the City of Alcester from the Dakota Formation.
6. Water is available from the Dakota Formation. The water is already allocated to SLRWS.
7. This application in essence only allows the SLRWS to supply the City of Alcester with water and does not specify a diversion rate or volume of water.
8. Article 74:02:01:03.01 of the Water Management Board Rules requires a water permit to add or connect a separate water distribution system to the existing water distribution system.


JAMES A GOODMAN
Hydrologist



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

January 28, 1987

NOTE:

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

South Lincoln Rural Water System
Box 155
Canton, South Dakota 57013

Dear Sir:

Your Application No. 4300-3C for a permit to appropriate water for

municipal use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been send to the Publisher of the
Argus Leader printed at Sioux Falls
The New Era printed at Parker
Alcester Union printed at Alcester
Sioux Valley News printed at Canton

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least thirty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 28, 1987

Alcester Union
Box 217
Alcester, South Dakota 57001

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by South Lincoln Rural Water System
Application No. 4300-3C, in Union County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before February 5, 1987.

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

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

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

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

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

FIRST
Publication
Transmittal

No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 28, 1987

Sioux Valley News
Box 255
Canton, South Dakota 57013

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by South Lincoln Rural Water System
Application No. 4300-3C, in Union County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before February 5, 1987.

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

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

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

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

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

FIRST
Publication
Transmittal

No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 28, 1987

The New Era
Box 577
Parker, South Dakota 57053

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by South Lincoln Rural Water System
Application No. 4300-3C, in Union County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before February 5, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
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A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

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

Thank you for your assistance.

Sincerely,

RON DUVAL
Natural Resources Engineer

cc: applicant

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

FIRST
Publication
Transmittal

No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 28, 1987

Argus Leader
Box 5034
Sioux Falls, South Dakota 57117

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by South Lincoln Rural Water System
Application No. 4300-3C, in Union County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before February 5, 1987.

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

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

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

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

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

FIRST Publication Transmittal No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer

Instruction to Newspaper - Publish first publication of the following Notice on or before February 5, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

Water Permit
NOTICE OF HEARING on Application No. 4300-3C ~~to Appropriate Water~~
~~and/or to Amend Water Permit or Water Right No.~~

Notice is hereby given that the South Lincoln Rural Water System whose mailing address is P.O. Box 155, Canton, South Dakota has made an application for a permit to add the City of Alcester to the South Lincoln Rural Water System distribution system. Water to supply the South Lincoln Rural Water System is authorized by Water Permit Nos. 4300-3, 4300-3A, 4300-3B and 4301-3. Water Permit No. 4300-3 was approved for 2.0 cubic feet per second from three wells to be located in the NE $\frac{1}{4}$ Section 20 and SE $\frac{1}{4}$ Section 32, T98N, R50W and SW $\frac{1}{4}$ Section 36, T98N, R51W. Water Permit No. 4300-3A authorized a change in the location of Well #3 from the SW $\frac{1}{4}$ Section 36, T98N, R51W to the S $\frac{1}{2}$ Section 35, T98N, R50W. The three wells developed under Permit Nos. 4300-3 and 4300-3A are capable of diverting a total of 650 gpm. Permit No. 4300-3B deleted an annual withdrawal restriction of 455 acre-feet on Permits Nos. 4300-3 and 4300-3A. Maximum annual withdrawal under Permits No. 4300-3, 4300-3A and 4300-3B is 1048 acre-feet. Water Permit No. 4301-3 is a standby water supply of 2.0 cubic feet from 3 wells located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18; SW $\frac{1}{4}$ Section 19; all in T97N-R51W. Approval of Application No. 4300-3C will not change the authorized diversion rates or the maximum annual withdrawal.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4300-3C because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 2:00 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

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

No. 4300-3C

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, Bruce J. Bormann hereby

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

Water was taken from the The New Era

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 Parker

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

Thursday, February 5, 1987

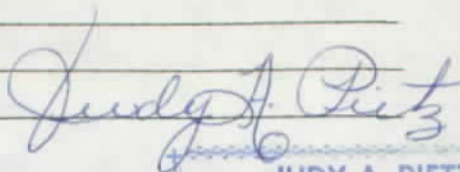
Thursday, February 12, 1987

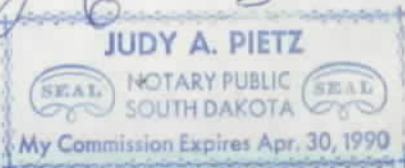

(Signature)

Publisher
(Title)

February 12, 1987
(Date Signed)

Cost of Printing: \$44.69





NOTICE OF HEARING

on Water Permit Application No. 4300-3C

Notice is hereby given that the South Lincoln Rural Water System whose mailing address is P.O. Box 155, Canton, South Dakota has made an application for a permit to add the City of Alcester to the South Lincoln Rural Water System distribution system. Water to supply the South Lincoln Rural Water System is authorized by Water Permit Nos. 4300-3, 4300-3A, 4300-3B and 4301-3. Water Permit No. 4300-3 was approved for 2.0 cubic feet per second from three wells to be located in the NE 1/4 Section 20 and SE 1/4 Section 32, T98N, R50W and SW 1/4 Section 36, T98N, R51W. Water Permit No. 4300-3A authorized a change in the location of Well #3 from the SW 1/4 Section 36, T98N, R51W to the S 1/2 Section 35, T98N, R50W. The three wells developed under Permit Nos. 4300-3 and 4300-3A are capable of diverting a total of 650 gpm. Permit No. 4300-3B deleted an annual withdrawal restriction of 455 acre-feet on Permits Nos. 4300-3 and 4300-3A. Maximum annual withdrawal under Permits No. 4300-3, 4300-3A and 4300-3B is 1048 acre-feet. Water Permit No. 4301-3 is a standby water supply of 2.0 cubic feet from 3 wells located in the SW 1/4 SW 1/4 Section 18; SW 1/4 Section 19; all in T97N-R51W.

Approval of Application No. 4300-3C will not change the authorized diversion rates or the maximum annual withdrawal.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4300-3C because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 2:00 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

(2tc46 - February 5 & 12, 1987)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Minnehaha)

I, R. Deutscher hereby

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

Water was taken from the Argus Leader

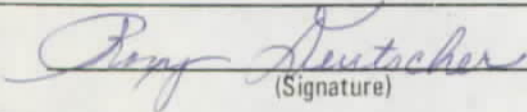
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Sioux Falls

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

Tuesday, February 3, 1987

Tuesday, February 10, 1987


(Signature)

Controller
(Title)

2/10/87
(Date Signed)



Cost of Printing: \$97.55

NOTICE OF HEARING
On Water Permit Application
No. 4300-3C

Notice is hereby given that the South Lincoln Rural Water System whose mailing address is P. O. Box 155, Canton, South Dakota has made an application for a permit to add the City of Alces to the South Lincoln Rural Water System distribution system. Water to supply the South Lincoln Rural Water System is authorized by Water Permit Nos. 4300-3, 4300-3A, 4300-3B and 4301-3. Water Permit No. 4300-3 was approved for 2.0 cubic feet per second from three wells to be located in the NE 1/4 Section 20 and SE 1/4 Section 32, T98N, R50W and SW 1/4 Section 36, T98N, R51W. Water Permit No. 4300-3A authorized a change in the location of Well #3 from the SW 1/4 Section 36, T98N, R51W to the SW 1/4 Section 35, T98N, R50W. The three wells developed under Permit Nos. 4300-3 and 4300-3A are capable of diverting a total of 650 gpm. Permit No. 4300-3B deleted an annual withdrawal restriction of 455 acre-feet on Permits Nos. 4300-3 and 4300-3A. Maximum annual withdrawal under Permits No. 4300-3, 4300-3A and 4300-3B is 1048 acre-feet. Water Permit No. 4301-3 is a standby water supply of 2.0 cubic feet from 3 wells located in the SW 1/4 SW 1/4 Section 18, SW 1/4 Section 19, all in T97N, R51W. Approval of Application No. 4300-3C will not change the authorized diversion rates or the maximum annual withdrawal.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4300-3C because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest. This application will be considered by the Water Management board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 2:00 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County LINCOLN)

I, CONNIE RENLI hereby

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

Water was taken from the SIOUX VALLEY NEWS

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 Canton

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

February 5, 1987

February 12, 1987

Connie Renli
(Signature)

Bookkeeper
(Title)

February 12, 1987
(Date Signed)



Cost of Printing: \$50.38

NOTICE OF HEARING
ON WATER PERMIT
APPLICATION NO. 4300-3C

Notice is hereby given that the South Lincoln Rural Water system whose mailing address is P.O. Box 155, Canton, South Dakota has made an application for a permit to add the City of Alcester to the South Lincoln Rural Water System distribution system. Water to supply the South Lincoln Rural

Water System is authorized by Water Permits Nos. 4300-3, 4300-3A, 4300-3B and 4301-3. Water Permit No. 4300-3 was approved for 2.0 cubic feet per second from three wells to be located in the NE 1/4 Section 20 and SE 1/4 Section 32, T98N, R50W and SW 1/4 Section 36, T98N, R51W. Water Permit No. 4300-3A authorized a change in the location of Well No. 3 from the SW 1/4 Section 36, T98N, R51W to

the S 1/2 Section 35, T98N, R50W.

The three wells developed under Permit Nos. 4300-3 and 4300-3A are capable of diverting a total of 650 gpm. Permit No. 4300-3B deleted an annual withdrawal restriction of 455 acre-feet on

Permits Nos. 4300-3 and 4300-3A. Maximum annual withdrawal under Permits No. 4300-3, 4300-3A and 4300-3B is 1048 acre-feet. Water Permit No. 4301-3 is a standby water supply of 2.0 cubic feet from 3 wells located in the SW 1/4 SW 1/4 Section 18; SW 1/4 Section 19; all in T97N-R51W.

Approval of Application No. 4300-3C will not change the authorized diversion rates or the maximum annual withdrawal.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4300-3C because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 2:00 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualification, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer

by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-11, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

(2-5 12)

No. 4300-3C

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Union) ss.

I, Don Bruce hereby

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

Water was taken from the Alcester Union

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

Alcester Union of Alcester, SD

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

Feb 5, 1987

Feb 12, 1987

Don Bruce
(Signature)

Mgr.
(Title)

Feb 12, 1987
(Date Signed)



Cost of Printing: 41.16

103 lines @ 222

2nd publication at 80%

NOTICE OF HEARING ON
WATER PERMIT APPLICATION
No. 4300-3C

Notice is hereby given that the South Lincoln Rural Water System whose mailing address is P.O. Box 155, Canton, South Dakota has made an application for a permit to add the City of Alcester to the South Lincoln Rural Water System distribution system. Water to supply the South Lincoln Rural Water System is authorized by Water Permit Nos. 4300-3, 4300-3Z, 4300-3B and 4301-3. Water Permit No. 4300-3 was approved for 2.0 cubic feet per second from three wells to be located in the NE $\frac{1}{4}$ Section 20 and SE $\frac{1}{4}$ Section 32, T98N, R50W and SW $\frac{1}{4}$ Section 36, T98N, R51W. Water Permit No. 4300-3A authorized a change in the location of Well No. 3 from the SW $\frac{1}{4}$ Section 36, T98N, R51W to the S $\frac{1}{2}$ Section 35, T98N, R50W. The three wells developed under Permit Nos. 4300-3 and 4300-3A are capable of diverting a total of 650 gpm. Permit No. 4300-3B deleted an annual withdrawal restriction of 455 acre-feet on Permits Nos. 4300-3 and 4300-3A. Maximum annual withdrawal under Permits No. 4300-3, 4300-3A and 4300-3B is 1048 acre-feet. Water Permit No. 4301-3 is a standby water supply of 2.0 cubic feet from 3 wells located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18; SW $\frac{1}{4}$ Section 19; all in T97N-R51W.

Approval of Application No. 4300-3C will not change the authorized diversion rates or the maximum annual withdrawal.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 4300-3C because 1) will be no unlawful impairment of existing rights, 2) is beneficial use of water and 3) is in the public interest.

This application will be considered by the Water Management board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 2:00 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3-1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and board Rules ARSD 74:02:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

Pub. Feb. 8, 15, 1987.

**SOUTH Dakota Department of
Water & Natural Resources**

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

February 12, 1987

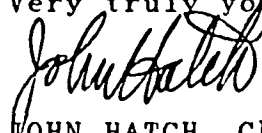
John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

Dear Mr. Sievers:

This is a formal request for water level data for observation wells LN-79B and LN-77E. These two wells are located next to production Wells #1 and #2. As per request by South Lincoln Rural Water System, the Division of Water Rights discontinued measuring these wells in 1982. It was our understanding at that time that South Lincoln Rural Water System would provide this data to us upon request.

The reason for this request is that Wanda Sletten (FODSA) requested data from us for these two observation wells.

Very truly yours,



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

MASTEN, MYRABO & IRONS, P.C.

A PROFESSIONAL CORPORATION
LAWYERS

P.O. BOX 348

108 SOUTH BROADWAY

CANTON, SOUTH DAKOTA 57013-0348

SAM W. MASTEN
(1915-1980)

JEFF MASTEN
LLOYD K. MYRABO
EUGENE J. IRONS*

VANCE S. MYRABO**

February 16, 1987

AREA CODE 605
987-4351

MARGARET MCVAY
LEGAL ASSISTANT

* MEMBER OF SOUTH DAKOTA AND MINNESOTA BARS
** MEMBER OF SOUTH DAKOTA AND IOWA BARS

Mr. John Hatch
Chief Engineer
Water Rights Division
Dept. of Water and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501



In Re: South Lincoln Rural Water System, Inc.

Dear John:

It is my understanding that you have requested certain information from South Lincoln regarding their wells located on their property.

It is also my understanding that you are making this request pursuant to some agreement you had with South Lincoln going back to 1982.

Would you please provide me with a copy of the Agreement or whatever information you have regarding the basis of such an agreement.

As you well know, South Lincoln has been and still is most willing to cooperate fully with your department and to provide it with any information it needs to perform its duties.

However, as I understand the situation, your present request for information is made solely on the basis of a request being made by some private person who desires to view the information in question.

Certainly, there has never been any problem with the State of South Dakota and its use of such information, but there have been occasions in the past when information such as this has been turned over to private individuals who were neither sophisticated enough or educated enough to properly understand what they were receiving and who on several occasions have attempted to make use of the information in a manner which was detrimental to the best interests of either the rural water system or the State of South Dakota.

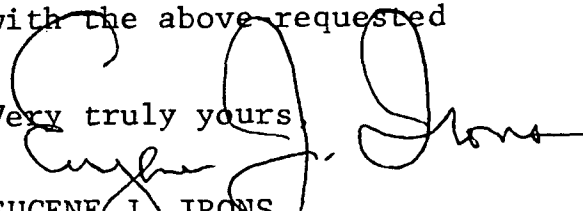
Mr. John Hatch
February 16, 1987
Page 2.

Therefore, if your only reason for requesting this information is to satisfy the desires of some private party we would have to respectfully decline to provide the information, and it would seem to me that the private party would not be entitled to make such a request where the information is not already part of the State file.

As I indicated above, we are more than willing to cooperate fully with the State of South Dakota and its legitimate agencies in the performance of their duties, and we intend to extend such cooperation in connection with your present request.

I will await your reply together with the above requested information and/or documentation.

Very truly yours,

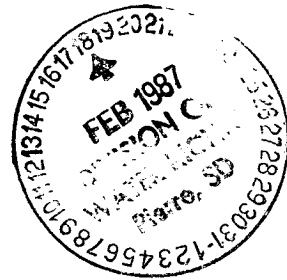


EUGENE J. IRONS,
For the firm.

EJI:ds
cc: John Sievers

FRIENDS OF DAKOTA SANDSTONE AQUIFER
Rt. 2 Box 82
Beresford, South Dakota 57004

February 17, 1987



Mr. John Hatch, Chief Engineer
Water Rights Division
Department of Water and Natural Resources
Joe Foss Building
Pierre, SD 57501

Dear John:

Re: Application #4300-3C

This letter serves as a Petition to oppose the above application.

FODSA represents a group of domestic well owners who rely on the Dakota Formation as their source of water and are in the area within which the wells of South Lincoln Rural Water System are located. FODSA has also been involved with all applications made by South Lincoln Rural Water System as is shown by the record.

The reason for our opposition is that we feel it is unnecessary for South Lincoln Rural Water System to add the City of Alcester to their distribution system, particularly when there is an alternative; that the alternative would not unlawfully impair the existing rights granted to members of FODSA by law; that the members of FODSA may be affected by any decision the Water Management Board may make regarding this application.

We are also requesting the automatic extension of the date of the hearing as provided.

FODSA will have as counsel, Dennis McFarland, 505 West 9th St., Sioux Falls, SD 57104.

Sincerely,

Wanda J. Sletten
Secretary

cc: South Lincoln Rural Water System
Dennis McFarland



SADDLE CREEK FARM, INC.

RT. 2 BOX 82

BERESFORD, SOUTH DAKOTA 57004

PHONE 372-4688 OR 372-4689

AREA CODE 605

February 17, 1987



Mr. John Hatch, Chief Engineer
Water Rights Division
Department of Water and Natural Resources
Joe Foss Building
Pierre, SD 57501

Dear Mr. Hatch:

Re: Application #4300-3C

This letter serves as a Petition to oppose the above application.

Saddle Creek Farm, Inc. is the owner of domestic wells which are in the Dakota Sandstone Formation and these wells are geographically located within the area of the wells of South Lincoln Rural Water System.

The reason for the opposition by Saddle Creek Farm, Inc. is that the Board of Directors of Saddle Creek Farm, Inc. has determined that the City of Alcester has an alternative they could pursue rather than being added to the South Lincoln Rural Water System distribution system; that the alternative would not unlawfully impair the existing rights granted to Saddle Creek Farm, Inc. by law; that Saddle Creek Farm, Inc. may be affected by any decision made by the Water Management Board on this application.

Saddle Creek Farm, Inc. is also requesting the automatic extension of the date of the hearing as provided.

Saddle Creek Farm, Inc. has retained as counsel, Dennis McFarland, 505 West 9th St., Sioux Falls, SD 57104.

Sincerely,

Samuel E. Sletten
President

SES/ws

cc: South Lincoln Rural Water System
Dennis McFarland

February 19, 1987

South Dakota Dept. of Water & Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501

Attn: John Hatch

Re: South Lincoln Rural Water
Application No. 4300-3C and No. 5116-3

Dear Mr. Hatch:

With regard to the Saddle Creek Farm and FODSA opposition to the above referenced applications, South Lincoln Rural Water and Alcester respectfully request that the Water Management Board reschedule the March hearing delayed by the noted opposition for April 1987. Without timely project development and construction, the City of Alcester will face summer with but one operational well which exceeds the maximum contaminant level for nitrates and is unable to meet average summer demands.

Sincerely yours,

Charles Kuehl

Charles Kuehl, Chairman
South Lincoln Rural Water System

Roger Walz

Roger Walz, Mayor
City of Alcester





Department of Water & Natural Resources

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

February 19, 1987

NOTICE

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Automatic Continuance of Hearing on Water Permit
Applications No. 4300-3C and 5116-3, South Lincoln
Rural Water System

Petitions in opposition to Permit Application Nos. 4300-3C and 5116-3 and requesting automatic continuance of the hearings have been received from Samuel E Sletten and Wanda Sletten, Secretary, Friends of Dakota Sandstone Aquifer represented by Dennis McFarland, Attorney. Pursuant to SDCL 46-2A-4 and 46-2A-5, the hearings for Application Nos. 4300-3C and 5116-3 are automatically continued until the May 6 and 7, 1987 Water Management Board meeting. The hearings on Application Nos. 4300-3C and 5116-3 will now be held in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD, May 6, 1987 at 10:30 am.

cc: Samuel E Sletten
Wanda Sletten, Secretary
Friends of Dakota Sandstone Aquifer
Dennis McFarland, Attorney
Michael Kezar, Finance Officer, City of Alcester
Dan Doyle, Assistant Attorney General
Water Management Board
Legislative Oversight Committee

Box 155

Rural Community Water Systems

Ph. 372-4211

South Dakota Dept. of Water & Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501

Attn: John Hatch

Re: South Lincoln Rural Water

Dear Mr. Hatch:

South Lincoln Rural Water and City of Alcester would request that we be placed on the agenda of the March 4th, 1987, Water Management Board Meeting at 1:00 P.M.

As you are aware of Alcester dilemma with summer's flows approaching, we would like to ask the Board of Water Management to place us on the agenda in Chamberlain on March 26, 1987, special hearing.

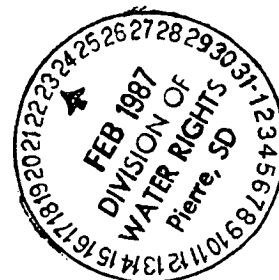
Thank you.

Sincerely,

Charles Kuehl

Charles Kuehl
Chairman
South Lincoln Rural Water System, Inc.

CK: jls





SADDLE CREEK FARM, INC.

RT. 2 BOX 82

BERESFORD, SOUTH DAKOTA 57004

PHONE 372-4688 OR 372-4689

AREA CODE 605

February 24, 1987



Mr. John Hatch, Chief Engineer
Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501-3181

Dear Mr. Hatch:

Re: Application #4300-3C
#5116-3

Your Notice dated February 19, 1987 indicates that you had received a Petition to Oppose and a request for continuance from the undersigned.

It would be appreciated if you would correct the record to show that the Petition and request was received from Saddle Creek Farm, Inc. and not from Samuel E. Sletten individually.

Sincerely,

Samuel E. Sletten
President

SES/ws



Department of Water & Natural Resources

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

February 24, 1987

Samuel and Wanda Sletten
Rt. 2, Box 82
Beresford, SD 57004

Dear Ms. Sletten:

I am writing to advise you that the South Lincoln Rural Water System will appear before the Water Management Board at 1:00 pm on March 4, 1987 to request a special Board meeting to consider Application Nos. 4300-3C and 5116-3. Petitioners may also participate in the request for a special Board meeting. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

Ron Duvall
Natural Resources Engineer

cc: Dennis McFarland → sent certified mail



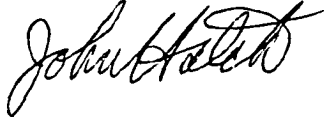
Department of Water & Natural Resources

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

March 6, 1987

NOTICE

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Hearing on Water Permit Applications No. 4300-3C and
5116-3, South Lincoln Rural Water System

March 4, 1987 the Water Management Board granted a request by South Lincoln Rural Water System for a hearing on Water Permit Applications No. 4300-3C and 5116-3 prior to the scheduled May 6, 1987 meeting. The hearing on Applications No 4300-3C and 5116-3 will be in the Brule County Courthouse, Community Room, Chamberlain SD at 1:00 pm on March 26, 1987. Although the hearing on these applications is scheduled for 1:00 pm, this hearing may not start or be completed until March 27.

cc: Samuel E Sletten
Saddle Creek Farm, Inc.
Wanda Sletten
Friends of the Dakota Sandstone Aquifer
Dennis McFarland, Attorney
Michael Kezar, Finance Officer, City of Alcester

CERTIFICATION

I hereby certify that on March 6, 1987 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice pertaining to the Hearing on Water Permit Applications No. 4300-3C and 5116-3, South Lincoln Rural Water System as stated below:

John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

Samuel E Sletten
Saddle Creek Farm, Inc.
Rt 2, Box 82
Beresford SD 57004

Wanda Sletten, Secretary
Friends of the Dakota Sandstone Aquifer
Rt 2, Box 82
Beresford SD 57004

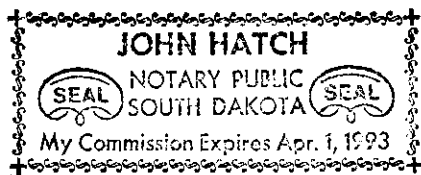
Dennis McFarland, Attorney
505 W 9th St
Sioux Falls SD 57104

Michael Kezar, Finance Officer
City of Alcester
PO Box 128
Alcester SD 57001

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of March, 1987.



John Haled
Notary Public



Department of Water & Natural Resources

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

March 6, 1987

NOTICE

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Hearing on Water Permit Applications No. 4300-3C and
5116-3, South Lincoln Rural Water System

March 4, 1987 the Water Management Board granted a request by South Lincoln Rural Water System for a hearing on Water Permit Applications No. 4300-3C and 5116-3 prior to the scheduled May 6, 1987 meeting. The hearing on Applications No 4300-3C and 5116-3 will be in the Brule County Courthouse, Community Room, Chamberlain SD at 1:00 pm on March 26, 1987. Although the hearing on these applications is scheduled for 1:00 pm, this hearing may not start or be completed until March 27.

cc: Samuel E Sletten
Saddle Creek Farm, Inc.
Wanda Sletten
Friends of the Dakota Sandstone Aquifer
Dennis McFarland, Attorney
Michael Kezar, Finance Officer, City of Alcester

FRIENDS OF DAKOTA SANDSTONE AQUIFER
Rt. 2 Box 82
Beresford, South Dakota 57004

March 16, 1987

Mr. John Hatch
Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501



Dear John:

Re: Application #4300-3C
#5116-3

At the March, 1986 hearing on the South Lincoln Rural Water System request to amend their permit to remove the acre feet restriction, the members of the Water Management Board had not been given a copy of the DGR report which was part of the evidence to be considered by the members of the Board.

As a Petitioner to Oppose the above applications, we are requesting that the members of the Water Management Board receive, prior to the March 26, 1987 scheduled hearing on these applications, a copy of the following:

1. Feasibility Study and Water Source Identification for Alcester, South Dakota, 1986, as prepared by DeWild, Grant, Reckert and Associates.
2. Recommendations of Chief Engineer and Goodman reports on each of the above applications.
3. Letter dated January 23, 1987 from Charlie Kuehl, Chairman of SLRWS to the Department of Water and Natural Resources, together with attachments thereto.

We feel that this request will assist in expediting the hearing process and lessen the likelihood that the hearing will extend into Saturday, March 28, 1987.

Thank you for your consideration.

Sincerely,

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

Wanda J. Sletten
Secretary

cc: Dennis McFarland

South Lincoln Ave



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

March 19, 1987

Wanda Sletten
Route 2, Box 82
Beresford, South Dakota 57004

Dear Mrs. Sletten:

Please find enclosed copies of the Water Level Readings South Lincoln Rural Water System has provided our office on March 18, 1987.

Very truly yours,

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

John Hatch, Chief Engineer
Water Rights Division

JH:KB:ms
Enc.

WELL NUMBER..... I

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
July 1, 1985	175	25	165	18	173
3	185	26	170	22	167
5	175	28	174	24	165
8	176	30	160	26	165
10	178	Sept 2, 1985	163	28	165
12	178	4	165	30	170
14	177	6	164	Nov 1, 1985	172
16	178	9	170	5	163
18	175	11	165	7	162
19	175	13	160	11	167
22	170	16	164	13	170
24	200	18	173	15	163
25	175	20	167	17	169
26	167	21	170	19	162
29	178	23	168	21	164
31	168	25	170	25	165
Aug 2, 1985	162	27	165	27	165
5	164	30	167	29	178
7	164	Oct 2, 1985	172	Dec 2, 1985	176
9	165	4	173	4	168
12	165	6	172	6	164
14	170	7	167	7	164
16	176	9	168	9	164
19	175	11	165	11	164
21	168	14	167	16	167
23	165	16	170	19	165

WELL NUMBER.....

I

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
25	171	24	162	24	164
27	170	26	162	26	162
30	167	28	162	30	167
Jan 3, 1986	162	Mar 3, 1986	162	31	166
6	162	5	162	May 1, 1986	162
8	165	7	162	2	179
10	167	10	166	5	166
13	166	12	162	7	177
15	162	14	162	9	177
17	162	17	162	11	166
20	162	19	174	12	166
22	176	21	164	14	166
24	174	24	172	16	166
27	162	26	164	20	164
29	162	28	162	21	166
31	166	31	161	23	166
Feb 4, 1986	162	Apr 2, 1986	162	26	160
5	162	3	174	27	166
7	162	5	177	28	177
10	162	9	164	30	169
12	162	10	162	June 2, 1986	167
14	162	12	162	4	166
17	160	15	162	6	165
18	160	17	164	7	164
19	166	19	162	9	170
21	170	22	174	11	176

WELL NUMBER.....I

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
14	177	15	166	15	164
16	177	18	166	17	164
18	180	20	172	20	165
21	179	22	175	22	172
23	166	25	172	24	176
25	165	27	167	27	170
30	166	29	165	29	175
July 2, 1986	178	Sept 1, 1986	164	31	165
5	177	3	172	Nov 3, 1986	164
7	177	5	172	5	170
9	172	8	174	7	166
11	172	10	165	10	172
14	167	12	164	12	166
16	170	15	165	14	164
18	172	17	166	17	166
21	172	19	169	19	174
23	167	22	172	21	174
25	166	24	166	25	172
28	168	26	165	26	164
30	176	29	166	28	165
Aug 1, 1986	177	Oct 1, 1986	175	Dec 1, 1986	164
4	173	3	166	3	166
6	167	6	172	5	165
8	167	8	166	8	174
11	175	10	165	10	166
13	166	13	165	12	165

WELL NUMBER.....

[illegible]

WELL NUMBER #2

	DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL	
July 85	1	185	29	162	21	173	
	3	185	Sept 85		23	170	
	5	180		2	165	25	185
	8	191	4	167	27	189	
	10	175	6	160	29	186	
	12	172	9	175	31	187	
	14	172	11	187	Nov 85		
	16	174	13	184		1	174
		18	173	16	188	5	173
		19	190	18	182	7	185
	22	181	20	162	11	183	
	24	185	21	160	13	173	
	26	175	23	162	15	170	
	29	178	25	167	17	173	
	31	190	27	165	19	179	
Aug 85	2	182	30	185	21	178	
	5	185	Oct 85		25	175	
	6	185		2	176	27	164
	7	185	4	185	29	172	
	12	167	6	187	Dec 85		
	14	165	7	185		3	173
	16	165	9	188	4	172	
	19	175	11	189	6	177	
	21	187	14	182	8	175	
	23	182	16	174	10	172	
	24	165	18	164	12	176	

WELL NUMBER... #2

	DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
Dec 85	16	183	12	177	5	174
	18	178	14	176	9	182
	20	177	17	176	10	177
	23	178	18	185	12	175
	25	172	19	176	15	177
	27	168	21	174	17	174
	30	181	24	185	20	172
Jan 86	3	188	26	186	22	176
	6	186	28	176	24	177
	8	172	March 86		28	172
	9	172	3	176	29	173
	10	173	5	174	May 86	
	13	173	7	174	1	174
	14	186	10	174	2	172
	15	186	12	185	5	172
	17	176	14	187	7	172
	20	173	17	177	9	172
	22	172	19	175	10	174
	24	172	21	172	12	186
	27	186	24	173	14	185
	29	172	26	176	20	189
	31	176	28	177	21	188
Feb 86	4	172	31	187	23	177
	5	181	April 86		26	187
	7	187	2	177	27	189
	10	186	3	174	28	174

WELL NUMBER... #2

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
May 86 30	177	28	190	22	175
June 86 2	189	30	185	24	174
4	188	Aug 86		26	177
6	177	1	176	29	176
8	177	4	175	Oct 86	
9	188	6	188	1	174
11	179	8	190	3	176
13	172	11	177	6	174
16	172	13	175	8	186
18	174	15	190	10	187
20	175	18	190	13	178
23	174	20	175	15	187
25	189	22	174	17	177
27	177	25	175	20	186
30	189	27	177	22	176
July 86 2	168	29	190	24	175
5	167	Sept 86		27	175
7	175	1	188	29	186
9	177	3	177	31	187
11	186	5	175	Nov 86	
14	190	8	174	3	187
16	177	10	175	5	177
18	175	12	186	7	177
21	175	15	187	10	176
23	185	17	175	12	174
25	186	19	175	14	185

WELL NUMBER...A2

[illegible]

WELL NUMBER. 3

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
July 85	1	241	22	241	230
	2	243	28	252	241
	3	240	29	210	235
	4	240	30	238	240
	5	232	31	235	240
	6	235	Aug. 1-85	238	230
	7	235	2	230	235
	8	241	3	233	233
	9	241	4	235	240
	10	238	5	236	236
	11	238	6	234	Sept 1-85 233
	12	242	7	235	231
	13	238	8	236	233
	14	245	9	237	235
	15	242	10	240	235
	16	244	11	240	233
	17	235	12	236	238
	18	245	13	232	235
	19	235	14	235	238
	20	237	15	233	245
	21	238	16	235	200
	22	235	17	238	230
	23	236	18	242	238
	24	238	19	238	236
	25	238	20	232	238
	26	235	21	235	234

WELL NUMBER. 3

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
Sept. 17-85	235	13	238	8	222
18	235	14	237	9	227
19	235	15	223	10	228
20	249	16	233	11	227
21	245	17	235	12	225
22	238	18	237	13	235
23	244	19	227	14	227
24	245	20	235	15	233
25	240	21	238	16	235
26	245	22	235	17	232
27	242	23	233	18	233
28	242	24	234	19	223
29	238	25	239	20	223
30	231	26	233	21	220
Oct. 1-85	250	27	237	22	222
2	206	28	238	23	233
3	240	29	233	24	238
4	238	30	234	25	246
5	234	31	233	26	205
6	237	Nov. 1-85	227	27	215
7	234	2	228	28	223
8	235	3	232	29	226
9	233	4	229	30	226
10	233	5	229	Dec. 3-85	225
11	237	6	225	4	223
12	235	7	224	5	224

WELL NUMBER 3

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
Dec. 6 - 85	218	Jan 1 - 86	223	27	223
7	220	2	223	28	226
8	208	3	225	29	217
9	220	4	224	30	215
10	226	5	226	31	226
11	224	6	227	Feb. 1 - 86	215
12	222	7	220	2	228
13	224	8	216	3	222
14	227	9	217	4	226
15	225	10	224	5	218
16	220	11	226	6	223
17	222	12	228	7	226
18	224	13	217	8	222
19	222	14	215	9	223
20	220	15	222	10	226
21	218	16	220	11	218
22	215	17	224	12	224
23	216	18	220	13	228
24	216	19	223	14	212
25	218	20	223	15	224
26	220	21	223	16	223
27	232	22	215	17	218
28	223	23	225	18	221
29	227	24	215	19	218
30	224	25	224	20	224
31	226	26	220	21	217

WELL NUMBER ³.....

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
Feb. 22-86	228	20	225	16	212
23	210	21	221	17	210
24	226	22	223	18	212
25	224	23	221	19	213
26	222	24	224	20	212
27	218	25	219	21	215
28	220	26	220	22	225
Mar. 1-86	220	27	223	23	224
2	227	28	217	24	227
3	219	29	212	25	220
4	224	30	212	26	227
5	222	31	223	27	215
6	217	April 2-86	223	28	215
7	227	3	219	29	220
8	224	4	212	30	219
9	219	5	216	31	220
10	232	6	222	May 1-86	215
11	221	7	215	2	212
12	223	8	216	3	212
13	212	9	219	4	-
14	223	10	222	5	197
15	210	11	215	6	210
16	223	12	212	7	230
17	223	13	211	8	226
18	224	14	210	9	224
19	223	15	212	10	226

WELL NUMBER. 3.

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
May 11 - 86	212	6	221	2	232
12	224	7	224	3	231
13	232	8	210	4	208
14	230	9	227	5	207
15	229	10	229	6	200
16	240	11	224	7	195
17	215	12	229	8	200
18	209	13	232	9	212
19	201	14	217	10	223
20	212	15	215	11	220
21	211	16	233	12	—
22	214	17	232	13	—
23	210	18	228	14	190
24	200	19	226	15	220
25	202	20	237	16	205
26	200	21	240	17	200
27	200	22	219	18	207
28	200	23	200	19	—
29	201	24	219	20	—
30	194	25	228	21	195
31	200	26	232	22	205
June 1 - 86	194	27	228	23	221
2	196	28	215	24	218
3	219	29	—	25	223
4	226	30	197	26	—
5	212	July 1 - 86	216	27	—

WELL NUMBER 3...

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
July 28-86	195	23	—	18	205
29	222	24	—	19	220
30	225	25	195	20	—
31	230	26	219	21	—
Aug 1-86	225	27	200	22	225
2	—	28	200	23	219
3	—	29	220	24	220
4	195	30	—	25	216
5	219	31	—	26	217
6	230	Sept 1-86	194	27	—
7	225	2	195	28	—
8	229	3	219	29	216
9	—	4	212	30	219
10	—	5	219	Oct. 1-86	226
11	195	6	—	2	225
12	215	7	—	3	212
13	205	8	220	4	—
14	220	9	219	5	—
15	225	10	212	6	225
16	—	11	216	7	226
17	—	12	220	8	224
18	200	13	212	9	220
19	219	14	—	10	225
20	220	15	219	11	—
21	215	16	220	12	—
22	219	17	212	13	230

WELL NUMBER 3...

DATE	WATER LEVEL	DATE	WATER LEVEL	DATE	WATER LEVEL
Oct 14-86	224	9	—	5	222
15	220	10	223	6	—
16	226	11	—	7	—
17	219	12	220	8	223
18	—	13	216	9	220
19	—	14	219	10	212
20	230	15	—	11	219
21	225	16	—	12	216
22	224	17	212	13	—
23	226	18	210	14	—
24	223	19	219	15	214
25	—	20	216	16	205
26	—	21	223	17	224
27	219	22	—	18	212
28	220	23	—	19	216
29	226	24	—	20	—
30	224	25	222	21	—
31	218	26	221	22	199
Nov 1-86	—	27	—	24	—
2	—	28	214	25	—
3	219	29	—	26	—
4	224	30	—	27	—
5	215	Dec 1-86	218	28	—
6	220	2	221	29	—
7	219	3	220	30	—
8	—	4	214	31	190

**SOUTH Dakota Department of
Water & Natural Resources**

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

March 20, 1987

Water Management Board:

Wanda Sletten, Secretary, Friends of Dakota Sandstone Aquifer, Petitioner to oppose Application No. 4300-3C and 5116-3, South Lincoln Rural Water System (SLRWS) has requested the following information be provided to the Water Management Board prior to the hearing March 26, 1987. Enclosed are:

1. Feasibility Study and Water Sources Identification for Alcester, 1986.
2. Chief engineer's recommendations and Goodman report for each application.

Mr. Irons, attorney for SLRWS agreed that the above two items could be sent to the Board prior to the March 26 meeting. A copy of a letter dated January 23, 1987 from Charlie Kuehl, Chairman of SLRWS with attachments will be provided at the time of the hearing.

Very truly yours,



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

cc: Wanda Sletten
Dennis McFarland, Attorney
Sam Sletten, Saddle Creek Farms
Eugene Irons, Attorney
Dan Doyle, Assistant Attorney General
John Guhin, Assistant Attorney General



Department of Water & Natural Resources

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

April 1, 1987

NOTICE

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

A handwritten signature in cursive script, appearing to read "John Hatch", written over the typed name and title.

SUBJECT: Preparation of Findings of Fact, Conclusions of Law and
Final Decision

The Water Management Board has directed Mr. Guhin, the Board's attorney to prepare proposed Findings of Fact, Conclusions of Law and a Final Decision on approval of Water Permit Applications No. 4300-30 and 5116-3, South Lincoln Rural Water System. The Board will consider the proposed Findings, Conclusions and Final Decision at 3:15 pm, May 6, 1987, Room 216, Joe Foss Building, Pierre SD.

The Board has requested that a copy of the proposed Findings, Conclusions and Final Decision be mailed to the Board and other interested parties by April 16, 1987. Any comments pertaining to the proposed Findings, Conclusions and Decision are to be mailed to the Board and other interested parties by April 24, 1987.

The public hearing on approval of Water Permit Applications No. 4300-3C and 5116-3, South Lincoln Rural Water System was completed March 27, 1987. No additional testimony will be received on May 6, 1987.

cc: Dennis McFarland, Attorney
Jeff Masten, Attorney
John Guhin, Assistant Attorney General
Daniel Doyle, Assistant Attorney General

FRIENDS OF DAKOTA SANDSTONE AQUIFER
Rt. 2 Box 82
Beresford, South Dakota 57004

April 3, 1987



Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501

Dear Sirs:

We are requesting a copy of the tape made at the hearing held on March 27, 1987 at Chamberlain on the applications made by South Lincoln Rural Water System.

We are also requesting a copy of the official minutes of the hearing and would like to be advised if these will be the minutes prepared by Staff or the transcript as taken by the court reporter who was present.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Wanda".

Wanda J. Sletten
Secretary



Department of Water & Natural Resources

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

April 14, 1987

Wanda J Sletten, Secretary
Friends of Dakota Sandstone Aquifer
Rt 2, Box 82
Beresford SD 57004

Dear Mrs. Sletten:

As requested in your letter dated April 3, 1987, enclosed are copies of the cassettes made at the hearing held on March 27, 1987 at Chamberlain on the applications made by South Lincoln Rural Water System.

The official minutes have been prepared by the Court Reporter. You can request a copy of the transcript by contacting Richard Christoffer, PO Box 903, Pierre SD 57501.

Very truly yours,

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

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

enclosures

MASTEN, MYRABO & IRONS, P.C.

A PROFESSIONAL CORPORATION
LAWYERS

P.O. BOX 348

108 SOUTH BROADWAY

CANTON, SOUTH DAKOTA 57013-0348



SAM W. MASTEN
(1915-1980)

JEFF MASTEN
LLOYD K. MYRABO
EUGENE J. IRONS*

VANCE S. MYRABO**

April 22, 1987

AREA CODE 605
987-4351

MARGARET MCVAY
LEGAL ASSISTANT

* MEMBER OF SOUTH DAKOTA AND MINNESOTA BARS
** MEMBER OF SOUTH DAKOTA AND IOWA BARS

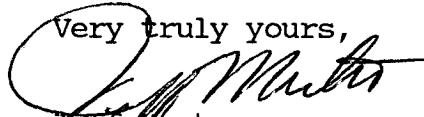
Mr. John P. Guhin
Assistant Attorney General
Natural Resource Section
Room B-102, Anderson Building
Pierre, South Dakota 57501-3188

re: IN THE MATTER OF THE APPLICATION
FOR PERMIT NOS. 4300-3C AND 5116-3
BY SOUTH LINCOLN RURAL WATER
SYSTEM

Dear Mr. Guhin:

This letter is to advise you that we have examined the Findings of Fact, Conclusions of Law and Final Decision regarding the approval of the Applications for Water Permit Nos. 4300-3C and 5116-3 of the South Lincoln Rural Water System proposed by you and find them to properly reflect the evidence and law applied at the hearing. Therefore, the System will not be proposing additional or alternative Findings, Conclusions or Decisions.

Very truly yours,

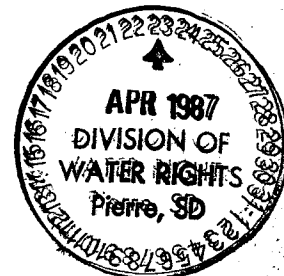


Jeff Masten
for the firm

JPM:jm

FRIENDS OF DAKOTA SANDSTONE AQUIFER
Rt. 2 Box 82
Beresford, South Dakota 57004

April 22, 1987



MEMORANDUM

TO: Members of the Water Management Board and Persons Interested
in the Application of Water Permit Nos. 4300-3C and 5116-3;
South Lincoln Rural Water System

FROM: Wanda Sletten, Secretary, Friends of Dakota Sandstone Aquifer

RE: IN THE MATTER OF THE APPLICATION FOR PERMIT NOS. 4300-3C
and 5116-3 BY SOUTH LINCOLN RURAL WATER SYSTEM

Wanda Sletten

I am enclosing herewith copies of comments and exceptions to the proposed Findings of Fact, Conclusions of Law, and Final Decision which were enclosed with the April 16, 1987 Memorandum from John P. Guhin, Assistant Attorney General.

Enclosure

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF THE APPLICATIONS	)	COMMENTS
FOR WATER PERMIT NO. 4300-3C AND	)	AND
WATER PERMIT NO. 5116-3 FOR SOUTH	)	EXCEPTIONS
LINCOLN RURAL WATER SYSTEM	)	

EXCEPTIONS TO FINDINGS OF FACT

1. Findings of Fact #18 generally discusses volume and availability of water. Therefore, in the 13th sentence of that paragraph, we believe that "quality" should be changed to "quantity" since quality of water was not an issue at the hearing held on March 27, 1987.

2. If "quality" is changed to "quantity" in Findings of Fact #18, the sentence wherein this is contained is in error, since evidence was presented at the March 27, 1987 hearing regarding pumps having had to be lowered in two domestic wells covering the period from the fall of 1985 to and including the fall of 1986.

3. In the second sentence of Findings of Fact #20, there was no testimony given to support this finding and is in direct conflict with the first sentence of Findings of Fact #27. The wording implies that the additional diversion point will only be used in the event of a well breakdown. The use of the additional diversion point was questioned by a member of the Water Management Board and was told by John Madden, DGR Engineer for South Lincoln Rural Water System that such was not the case and that the additional diversion point would be used in conjunction with the three existing South Lincoln Rural Water System wells.

4. In Findings of Fact #27, it is implied that by putting the fourth well in routine use, the drawdown of the three existing production wells would decline. Reference in this regard was made only

by John Madden, DGR Engineer for South Lincoln Rural Water System who is not a geologist or hydrologist and his statement was as follows:

"If we add an additional withdrawal point, then influences that previously were made by the three wells will now be made by the four wells and general influence would be over a larger area to a lesser extent."

5. The last sentence in Findings of Fact #32 is not supported by any testimony given at the March 27, 1987 hearing.

6. Findings of Fact #33 is in direct conflict with testimony given at the March 27, 1987 hearing with regard to two domestic wells having to have pipe added to prevent pumping of air in the fall of 1985 and the fall of 1986.

7. With regard to Findings of Fact #42, it states that "Thomas maintains a farm in the area of the well." There was no testimony given at the March 27, 1987 hearing of the Water Management Board to support this statement. The implication of the statement is that Thomas is a large user of water, whereas, as the testimony reflects, he has a residence there. Further, testimony reflects that Thomas had not been billed for any water. Since SLRWS is obligated to supply water free of charge to Thomas, there would be no billing for water he might have used. Additionally, there was no testimony from Thomas as to whether or not his well has been affected by the pumping of the nearby production well of South Lincoln Rural Water System.

8. Findings of Fact #44 is based not on fact, but on a hypothetical situation presented by Mr. Jeff Masten in a question to Mr. Derric Iles, as follows:

Masten: Assume for the purpose of this question that we define adequate as a well that's drilled into the formation and capable of lowering a pump into a formation, for instance, the Dakota Sandstone, so, if that's an adequate well and the located production well is an arbitrary distance and the pump setting in the production well is above the formation, is there any way that that production well can draw the water down to deprive the domestic well of access to water?

Iles: No, not under the conditions you described.

9. In Findings of Fact #53, there was no testimony given to support the statement that the South Lincoln Rural Water System wells are "relatively free from the danger of contamination."

EXCEPTIONS TO CONCLUSIONS OF LAW

1. Conclusions of Law #4.(a) is not supported by testimony given at the March 27, 1987 hearing. Testimony given by Jim Goodman in this regard was as follows:

"I believe there is a domestic well - would be about - little less than 1/4 mile - about 1300' away from a production well. I believe there will be some testimony that they will be concerned about the effects of this production well on their domestic well. I believe that it will be affected - I have no doubt in my mind that the water levels will fluctuate in that well. I do not believe this is an insurmountable issue, however. I think that - well, we won't know what those actual affects are until the production well is put in and tested, ..."

We would ask that the members of the Water Management Board give favorable consideration to the exceptions we have outlined before making their final decision on the acceptance of the Findings of Fact, Conclusions of Law and Final Decision at the scheduled May 6, 1987 meeting to be held in Pierre, South Dakota.



Department of Water & Natural Resources

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

April 30, 1987

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

SUBJECT: Findings of Fact, Conclusions of Law and Final Decision

The Findings of Fact, Conclusions of Law and Final Decision for Water Permit Application Nos. 4300-3C and 5116-3, South Lincoln Rural Water System will be considered at 3:15 pm, May 6, 1987 not 2:15 pm as stated in John Guhin's Memorandum dated April 16, 1987.

cc: Dennis McFarland, Attorney
Jeff Masten, Attorney
John Guhin, Assistant Attorney General
Daniel Doyle, Assistant Attorney General



Department of Water & Natural Resources

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

May 22, 1987

NOTICE

TO: John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Findings of Fact, Conclusions of Law and Final Decision

This is to notify you that a Final Decision including Findings of Fact, Conclusions of Law were adopted by the Water Management Board for approval of Water Permit Applications No. 4300-3C and 5116-3, South Lincoln Rural Water System which was considered at the May 6, 1987 meeting.

A copy of the Final Decision, Findings and Conclusions are enclosed. South Dakota Statutes provide that the decisions of the Board may be appealed to the Courts.

cc: Dennis McFarland, Attorney
Jeff Masten, Attorney
Wanda Sletten, Friends of the Dakota Sandstone Aquifer

CERTIFICATION

I hereby certify that on May 22, 1987 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice pertaining to Findings of Fact, Conclusions of Law and a Final Decision on Applications Nos. 4300-3C and 5116-3, South Lincoln Rural Water System addressed as stated below:

John Sievers, Manager
South Lincoln Rural Water System
PO Box 155
Canton SD 57013

Dennis McFarland, Attorney
505 W 9th St
Sioux Falls SD 57104

Jeff Masten, Attorney
108 S Broadway
Canton SD 57013

Wanda Sletten
Friend of Dakota Sandstone Aquifer
Rt 2, Box 82
Beresford SD 57004

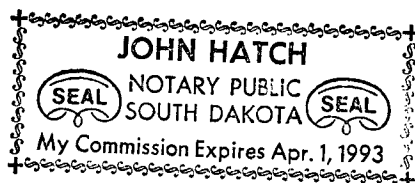
Karen Schack

KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of May, 1987.


Notary Public



STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF THE APPLICATIONS	)	FINDINGS OF FACT,
FOR WATER PERMIT NO. 4300-3C AND	)	CONCLUSIONS OF LAW
WATER PERMIT NO. 5116-3 FOR SOUTH	)	AND FINAL DECISIONS
LINCOLN RURAL WATER SYSTEM	)	

FINDINGS OF FACT

1. On February 3, 1979, the South Lincoln Rural Water System (SLRWS) was granted Water Permit No. 4300-3. The permit was for 2 c.f.s. of groundwater from three wells for a rural water system.

2. The permit was granted subject to several conditions as follows:

"I. The annual withdrawal [is] limited to 455 acre feet and . . . the total withdrawal is subject to review and adjustment by the Water Rights Commission.

II. Before any water is used, all proposed wells must installed at least 2-1/2 miles apart, with all three wells ready for pumping prior to any use of water.

III. The system install one observation well into the upper layer of the Dakota Formation about 200 feet from each production well to be used for monitoring drawdown near the production well.

IV. The rural water system wells approved under this permit will be located near domestic

wells which may obtain water from the same aquifer. The rural water system under this permit shall control its withdrawals, to protect needed water supplies in adequate domestic wells or in wells having prior water rights.

Withdrawals will be restricted, if the aquifer head pressure declines 20 feet at designated measuring points during a four year period, beginning with the date the first water is pumped into distribution system. The head pressure decline to be determined by using an average of three of the seven proposed observation wells located at least 2 miles from one or more production wells. The lowest measurements, to be based upon an average of each observation well measurements taken over a three month period, will be used in determining head pressure decline.

- V. If the aquifer head pressure does decline more than 20 feet in the four year period, or if observation well measurement data indicates the 20 foot head pressure decline level would be reached in the four year period, the rural water system upon order of

the Commission will have to change to a new source of water.

VI. No wells shall be located within 1,300 feet of existing Dakota Formation wells unless waived by the well owner.

VII. The Davis area well field shall be developed and placed on line prior to pumping from any Dakota Formation wells."

3. The grant of the permit was sustained in both the Circuit Court and the South Dakota Supreme Court.

4. SLRWS subsequently applied for an amended permit. This was known as Water Permit No. 4300-3A. The application requested relief from Conditions II and VII of Water Permit No. 4300-3 and asked for a change in the point of diversion of well no. 3. The Board on November 20, 1980, approved the application by granting relief from Condition II "subject to the limitation that there be an annual withdrawal restriction of 304 acre feet until the third well is put on line." The Board likewise granted relief as to Condition VII by "deleting the words 'placed on line prior to any pumping from the Dakota well' and substituting the words 'therein be fully operational by November 1, 1981.'" The Board deferred action on the change in location of well no. 3.

5. Water Permit No. 4300-3A therefore constituted a modification of Permit No. 4300-3. The

Board's decision declared that a new set of qualifications "superseded the previous qualifications" as follows:

1. That the system be limited to an annual withdrawal of 455 acre-feet and that the total withdrawal be subject to review by the Board;
2. The system can be pumped with the two wells already completed, if annual withdrawal restrictions are limited to 304 acre feet until the 3rd well is developed and put on line (approved September 25, 1980 - Findings of Fact, Conclusions of Law approved November 20, 1980); spacing between wells must be at least 2-1/2 miles;
3. That the rural water system wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The rural water system under this Permit shall control its withdrawals, to protect needed water supplies in adequate domestic wells or in wells having prior water rights;

Withdrawals will be restricted, if the aquifer head pressure declines 20 feet at designated measuring points during a four year period, beginning with the date the first water is pumped into distribution

system. The head pressure decline to be determined by using an average of three of the seven proposed observation wells located at least two miles from one or more production wells. The lowest measurements, to be based upon an average of each observation well measurements taken over a three month period, will be used in determining head pressure decline;

4. If the aquifer head pressure does decline more than 20 feet in the four year period, or if observation well measurement data indicates the 20 foot head pressure decline level would be reached in the four year period, the rural water system upon order of the Board will have to change to a new source of water;
5. That no wells be located within 1,300 feet of existing Dakota Formation wells unless waived by the well owner;
6. That the Davis area well field be developed and therein be fully operational by November 1, 1981.

Priority for this Permit No. 4300-3A is established under Water Permit No. 4300-3.

6. SLRWS on January 26, 1981, again requested relief from the Davis Well Field qualification (Condition

No. VII in Water Permit No. 4300-3 and Condition No. 6 in Water Permit No. 4300-3A); SLRWS also requested relief from the qualification regarding observation wells (Condition No. III of Water Permit No. 4300-3). The Board denied relief from the Davis Well Field qualification. (The Board, however, purported to grant relief from the requirement for certain observation wells contained in Condition No. III to Water Permit No. 4300-3. The conditions attached to Water Permit No. 4300-3A, however, by their own terms, superseded any conditions on 4300-3; the conditions on 4300-3A did not include reference to the need for observation wells. Thus the effect of the Board's decision was simply to affirm what it had already accomplished by granting Permit No. 4300-3A with the new conditions.) The Board's decision as to the Davis Well Field was appealed to the Circuit Court which affirmed the Board action by Memorandum Decision dated June 19, 1981.

7. On September 26, 1985, SLRWS applied for a second amended permit known as Water Permit No. 4300-3B. This application requested the deletion of Condition No. 1 on 4300-3 and Condition No. 1 to 4300-3A; those Conditions set out the 455 acre feet limitation on the quantity of water which might be used. The Board granted the application. It held the following:

The application for Water Permit No. 4300-3B is granted. The maximum flow rate under this permit is 1.44 c.f.s. The maximum annual use is 593 acre

feet, that being the difference between the water now permitted under 4300-3 and 4300-3A (455 acre feet) and 1048 acre feet.

The Conditions applicable to 4300-3, 4300-3A and 4300-3B are as follows:

1. That the South Lincoln Rural Water System report to the chief engineer annually the amount of water withdrawn each year.
2. That the rural water system wells approved under this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The rural water system, under this permit, shall control its withdrawals so there is not a reduction in needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

8. The SLRWS has now requested two additional permits as follows. The application for Permit No. 4300-3C would allow SLRWS to serve the city of Alcester from its permitted system. This application would not allow any additional diversion rate or any additional water over the 1048 acre feet now allowed to SLRWS under existing permits. The application is made necessary by virtue of ARSD 74:02:01:03.01.

9. The application for Water Permit No. 5116-3 proposes to divert and place to beneficial use .67 c.f.s.

(300 gallons per minute) of water now reserved by SLRWS Future Use Permit No. 4817-3. The proposed project is for construction of one well approximately 650 deep in the Dakota Formation. The permit does not request an increase over the annual maximum withdrawal of 1048 acre feet now authorized by permits no. 4300-3, 4300-3A, and 4300-3B.

9A. Findings of Fact 10 to 16 apply most particularly to Permit No. 4300-3C to add Alcester to SLRWS. Findings of Fact 17 to 57 apply most particularly to the SLRWS application to add an additional well. Each finding, however, applies to both permits so far as relevant.

ALCESTER ISSUE NO. 10

10. The present supply of water for the city of Alcester is shallow wells. The well waters of the city are currently threatened by a high nitrate level. A high nitrate level can cause serious injury or death, especially to children. The evidence indicates that the high nitrate level in the wells may be caused by the Alcester dump.

11. The city of Alcester also faces increased contamination of its wells by pesticides. The pesticides also pose a hazard to the health of the Alcester residents. The evidence indicates that the fertilizer plant in Alcester may contribute to or cause the problem.

12. The city of Alcester considered two options beyond that of using the SLRWS water - shallow wells and deep wells.

13. Shallow wells which lie in the direction of the groundwater which flows from the dump or the fertilizer plant areas are not practicable as water from such wells may be subject to contamination. Shallow wells to the east of the city do not appear to be practical because of the absence of a substantial sand layer as revealed by test holes.

14. Deep wells do not appear to be practical, in monetary terms, because the cost of the deep wells would substantially exceed the cost of hookup to the SLRWS system to Alcester. The Board finds, in this connection, that the use of the purchase cost of \$1.25 per thousand for water purchased from SLRWS was proper because this is the amount stated in the contract of SLRWS with Alcester.

15. The use of water by SLRWS to supply Alcester is a beneficial use and is in the public interest.

16. The city can be added to the SLRWS system without unlawful impairment of existing rights. This finding is valid whether or not the additional well requested by Application 5116-3 is allowed by the Board.

ADDITIONAL WELL

17. Under the application for Water Permit No. 5116-3 SLRWS seeks to add an additional 650 foot Dakota Formation well to its system. The diversion rate sought is .67 c.f.s. The diversion is sought under SLRWS's Future Use Permit No. 4817-3. The applicant does not seek to increase

the total volume of water available to it under previous permits; that volume is 1048 acre feet per year.

18. Because the applicant does not seek a volume of water beyond the 1048 acre feet to which it is entitled now under the existing permits, it may not be necessary to determine whether water is available. Nonetheless, to the extent that additional water will be used because of the addition of Alcester to the SLRWS, and the additional diversion rate, the Board finds that such water is available. Specifically, the Board finds that although the rate of recharge of the Dakota Formation is not known, the Dakota Formation wells brought to the attention of the Board are stabilizing. Moreover, there is no evidence that pumping by South Lincoln Rural Water System has appreciably affected the quality of water available to other users of water in the Dakota Formation. Finally, the aquifer in which the pumping will occur contains over 4 million acre feet of recoverable water in Lincoln County alone.

19. It is mandated under both the "beneficial use" requirement and the "public interest" requirement that an applicant have a use for the water it seeks.

20. Because the applicant seeks an additional diversion point and an additional rate of diversion, it is necessary to determine if the applicant has the need for the new point and rate. Applicant states that it will employ the new well to supply water to the system in the event of a well breakdown especially during peak demand.

21. The present pumping rate of the three on-line SLRWS wells is 300 gallons per minute, 340 gallons per minute, and 55 gallons per minute.

22. Repairs to a pump in a well can take a substantial period of time - some repairs can take more than a week.

23. Water use varies substantially. During periods of high temperature, water use in cities will rise two and one-half times that of an average day. This is called a "peak" period. Water use will also rise or peak during periods of high temperature in rural areas, reflecting increased consumption of water by livestock at pasture taps and otherwise; high temperatures in rural areas will likewise increase human consumption. Water use will also peak when farmers are engaged in fertilization or application of any water treated chemical, regardless of the temperature.

24. In the event of a shutdown of a 300 gallon per minute SLRWS well for a week during a peak period, the SLRWS system would be unable to handle the load it now handles.

25. In the event that the city of Alcester is added to the system, the SLRWS system would not be able to handle its load after a period of two days if it lost a 300 gallons per minute well.

26. At present the use of the wells is not constant; that is, only one, two or three wells will be used at one time while the remainder of the wells are at rest.

27. The well proposed by this permit would be put in rotation with the other wells. The result of putting the fourth well in routine use would be that the magnitude of the drawdown of the three remaining wells would decline.

28. The applicant has demonstrated that it has a use for the new diversion rate and point it seeks thus satisfying in that respect the "beneficial use" and "public interest" requirements.

29. The opponents to the permit have correctly stated that the Board has previously required production wells to be two and one-half miles from each other with regard to the SLRWS permits.

30. The diversion point for the proposed well is approximately one and one-half miles south of the SLRWS existing Well No. 2.

31. The original spacing requirement of two and one-half miles was not dictated by any rule of hydrology or geology. It is not necessarily better to space production wells two and one-half miles from each another. The two and one-half mile requirement was a result of the perception of the Board that the geology and hydrology of the aquifer was relatively little known and that the requirement would satisfy all interested parties.

32. The hydrology of the area is now better known than it was when the two and one-half mile requirement was imposed. There are a total of 37 monitoring wells in the aquifer. The Derrick Iles study has been published on the Dakota Formation; this study specifically considers an area which ends about two miles from the area of the new wells but the same aquifer was, of course, studied. Additionally, there are six monitoring wells actually in the area of the proposed well. The studies reveal that there is substantially more water in the formation than was believed at the time the two and one-half mile requirement was imposed.

33. The opponents of the permit have not shown any harm to them from the placement of production wells two and one-half miles from each other.

34. The placement of production wells at a distance of one and one-half miles from each other has not been demonstrated to be contrary to the public interest.

35. The opponents have also challenged the use of additional water to supply Alcester on the grounds that it will increase the use of better quality water which now exists in this area of the Dakota Formation. The water to be used dates approximately from the pleistocene era and is about 30 to 40 thousand years old. The recharge entering the area has a higher dissolved mineral content than the water now used by SLRWS. The question of whether to use the water in the aquifer for a specific need, i.e., to supply

Alcester and the remainder of the SLRWS system, or to let the water remain unused for an uncertain purpose presents a question of the public interest. The Board finds that the public interest is better served by allowing SLRWS to utilize the water to relieve the problems of Alcester and to supply rural and other customers than to allow the water to remain unused into the indefinite future.

36. A domestic user, Saddle Creek Farm, owns a well which is located about 1,000 feet from the proposed production well.

37. The 1,000 feet distance is closer than the 1,300 feet distance requirement previously imposed for a production well from a domestic well.

38. There is no particular hydrologic or geologic reason that a production well should be 1,300 feet from a domestic well.

39. The adoption of the 1,300 feet limit in the earlier Board decision was the result of the Board's perception that the area had been subject to only limited study and that all interests could be reasonably satisfied by imposing the 1,300 feet limitation.

40. As noted above, the area has now been more thoroughly studied.

41. The 1,300 feet limit was not intended to and did not set a precedent which was binding on the Board in future cases especially after further study.

42. There is at least one domestic well which is now located about 300 feet from a SLRWS production well. That well is owned by Duane Thomas. SLRWS is obligated to supply water free of charge to Thomas should he have a shortage. Thomas maintains a farm in the area of the well. Thomas has not, in the last five years, requested such water service.

43. The public interest would not be served by maintaining the 1,300 foot limit for the distance between production wells and domestic wells or in maintaining the two and one-half mile limit between production wells.

44. There are two additional separate requirements in dealing with domestic wells. First, a new well cannot interfere with an adequate domestic well. (An adequate domestic well is one in which the inlet to the pump can be placed, if necessary, not less than 20 feet into the saturated aquifer or formation.)

45. The Saddle Creek Farm well is an adequate domestic well. The opponents to the permit have not charged that the use of the new production well will prevent the Saddle Creek well from obtaining water if the well inlet is lowered into the aquifer.

46. Second, domestic well owners, and others, sometimes rely on artesian head pressure. Artesian head pressure operates so that when a well is drilled into a formation with such head pressure, water will rise from the formation under its own force for some distance into the

well. In the case of the Dakota, the top of the formation is about 400 to 450 feet below the land surface. When a well is drilled into the Dakota, water will rise to about 100 to 200 feet below the land surface. The result is that the domestic well owner will not have to pump the water up the full 400 to 450 feet but only has to pump the well 150 to 250 feet.

47. When water in a formation under artesian head pressure is used, the level of the water will necessarily be subject to fluctuations when surrounding wells are pumped. The water in the domestic well will be subject, in other words, to "influence" from the pumping of other wells.

48. The amount of water available to the public if artesian head pressure is relied upon exclusively will be quite small compared to the case of when well users must pump their water from the aquifer formation itself.

49. The Water Management Board is not required by law to protect artesian head pressure for use of the domestic well owner but must consider the effect of a limitation or loss of artesian head pressure under the public interest requirement.

50. The inlet to the Saddle Creek well is set at 250 feet. The Saddle Creek well can be lowered to 501 feet. The Saddle Creek well is an adequate well which relies on head pressure.

51. It has been estimated that the head pressure will decline, at a maximum, around 30-40 feet in the Saddle

Creek well as a result of the pumping of the new well. Water will continue to be available to the Saddle Creek well; the water will be under artesian head pressure, though it will be less, during some periods of time, than before.

52. No party has made an estimate of the increased cost to the Saddle Creek well assuming the maximum drawdown is 30-40 feet or assuming any other maximum drawdown.

53. There is a high value to the public in supplying water to the South Lincoln Rural Water System. The system has deep wells which provide a reliable source of water to a large number of persons and the wells are relatively free from the danger of contamination. Furthermore, the wells may provide relief to Alcester from a serious water contamination problem.

54. The Board also recognizes the value to Saddle Creek Farm of artesian head pressure.

55. The location of the proposed well is near the SLRWS headquarters and so will be convenient to it for maintenance and repair.

56. The public interest would be better served by allowing SLRWS to drill and use a well near its headquarters than to preserve 100 percent of the artesian head pressure which now exists in this case.

57. The formation from which water will be taken, the Dakota Formation, is lower than the Green Horn Formation.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter.
2. All notices required by constitutional and statutory law have been given.
3. Because the Dakota Formation is lower than the Greenhorn Formation and because SLRWS is a nonprofit water supply company, it is unnecessary for the Board to make a determination regarding the rate of annual recharge as otherwise would be required by SDCL 46-6-3.1.
4. With regard to the application for Water Permit No. 4300-3C, the Board concludes that:
 - (a) The city of Alcester can be added to the South Lincoln Rural Water System distribution system without unlawful impairment of existing rights, including those of domestic user Saddle Creek Farms;
 - (b) The proposed use of water by the system for the city is a beneficial use; and
 - (c) While it is not ordinarily necessary for an applicant to demonstrate that his proposed method of obtaining water is more desirable than other methods, it may be possible to raise this issue under the public interest umbrella. To the extent that this is

permissible, the Board finds that the South Lincoln Rural Water System is the most desirable source of water for Alcester, and that the application is, in this respect, in the public interest. Moreover, the Board finds that considering all factors and challenges, the proposed use is in the public interest.

- (d) There is a reasonable probability that unappropriated water is available to fulfill the applicant's proposed use.

5. With regard to the application for Water Permit No. 5116-3, the Board concludes:

- (a) The proposed diversion of 300 gallons per minute or .67 c.f.s. can be developed without impairment of existing rights;
- (b) The proposed use is a beneficial use; and
- (c) The proposed use is in the public interest.
- (d) There is a reasonable probability that unappropriated water is available to fulfill the applicant's proposed use.
- (e) The priority date for the .67 c.f.s. is established by Future Use Permit 4817-3 and the water available under the Future Use Permit is herewith decreased by the .67 c.f.s.

FINAL DECISION WITH REGARD TO THE APPLICATION FOR
WATER PERMIT NO. 4300-3C

The application for Water Permit No. 4300-3C to add the city of Alcester to the South Lincoln Rural Water System is granted with the following qualifications:

1. That the South Lincoln Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year.
2. That the rural water system well used to supply this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The rural water system under this permit shall control its withdrawals so there is not a reduction in needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

FINAL DECISION WITH REGARD TO THE APPLICATION FOR
WATER PERMIT NO. 5116-3

The application for Water Permit No. 5116-3 to add a new well is granted with the following qualifications:

1. That the South Lincoln Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year.
2. That the rural water system well approved under this permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The

rural water system, under this permit, shall control its withdrawal so there is not a reduction in needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

3. That prior to the use of water from the new production well authorized by Permit No. 5116-3 that the South Lincoln Rural Water System install one observation well near the new production well to allow the Chief Engineer to monitor water levels.
4. That approval of Permit No. 5116-3 does not authorize annual withdrawals from Permits No. 5116-3, 4300-3, 4300-3A, and 4300-3B of more than 1048 acre feet.

Dated and signed this 20th day of May, 1987.

Marian B. Gundersen
BY THE BOARD



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

AUG 19 1987

Charles Kuehl, Chairman
South Lincoln Rural Water System
PO Box 155
Canton, South Dakota 57013

Dear Mr. Kuehl:

Enclosed herewith is your Water Permit No. 4300-3C as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4300-3C.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ^{ms}

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

STATE OF SOUTH DAKOTA



OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
Pierre, South Dakota 57501-5090
Phone (605) 773-3215

ROGER A. TELLINGHUISEN
ATTORNEY GENERAL

March 9, 1988



Mrs. Wanda J. Sletten
Rt. 2 Box 82
Beresford, South Dakota 57004

RE: South Lincoln Rural Water System

Dear Mrs. Sletten:

Thank you for your letter of March 3, 1988, concerning the above-noted rural water system. We have contacted Mr. John Hatch, Chief Engineer, Division of Water Rights, concerning your allegation that the rural water system is being operated without a license.

Mr. Hatch informs us that South Lincoln Rural Water System has approved permits, that an inspection was performed August 20, 1986, and the license fee of \$50.00 was received December 12, 1986. The Division of Water Rights has not yet issued the license because it knew at the time some changes were going to be made in the system. It appears to me, however, that South Lincoln Rural Water System has done what the statute requires and there is no violation.

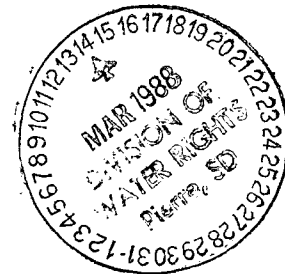
Sincerely,

A handwritten signature in cursive script that reads "Roger A. Tellinghuisen".

ROGER A. TELLINGHUISEN
ATTORNEY GENERAL

RAT:pjh

cc: John Hatch ✓



NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date March 9, 1988

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

FROM: South Lincoln Rural Water System Box 155 Canton S.Dak.
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 4300-3C.

Water Permit No. 4300-3C states that the diversion system is to be constructed by May 7, 1992, and that the water it put to beneficial use by City of Alcester S.Dak.

The diversion system was completed on Nov. 6, 1987.
Applying the water to beneficial use was completed on Nov 6, 1987.

You may schedule an inspection so that the Water License may be issued.

Charles Kuehl chr
signature SLRWS

4300-3C



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 30 2004

6490-3

South Lincoln Rural Water System Inc
% John Sievers
PO Box 155
Canton SD 57013

Dear Mr. Sievers:

Enclosed are Water Permit and Water License No. 6490-3. The Water License is the final water right document completing your process of obtaining a Water Right.

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

Sincerely,

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

NOTE: The applicable portions of No. 4300-3B and 4300-3C are incorporated into Water License No. 6490-3.

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6490-3

(1) South Lincoln Rural Water System, Inc., PO Box 155, Canton SD 57013 made Application No. 6490-3, March 31, 2004 for a water permit to divert 0.45 cubic feet of water per second (cfs) from groundwater (three existing wells), Lincoln County, South Dakota for rural water system use purposes. Permit No. 6490-3, with a priority date of March 31, 2004 was approved June 7, 2004 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

Permit No. 6490-3 increased the diversion rate authorized by Water Right No. 4300-3B and 4300-3C. Water Right No. 4300-3B authorized 1.44 cfs from three wells. No. 4300-3C added the City of Alcester to the water distribution system. The applicable portions of No. 4300-3B and 4300-3C are incorporated into No. 6490-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and owner of Incorporated Water Right No. 6490-3 is issued a license, bearing priority dates of September 26, 1985 (1.44 cfs) and March 31, 2004 (0.45 cfs) to appropriate a total of 1.89 cubic feet of water per second from three wells. A total annual withdrawal is not to exceed 1,048 acre feet of water (August 30, 1977 – 465 acre feet; September 26, 1985 - 593 acre feet).

The diversion points are located: all in T98N-R50W

Well # 1 – 2,550 feet south and 150 feet west of the northeast corner Section 20 (SE ¼ NE ¼)

Well # 2 – 180 feet north and 1,180 feet west of the southeast corner Section 32 (SE ¼ SE ¼)

Well # 3 – 135 feet north and 2,515 feet west of the southeast corner Section 35 (SW ¼ SE ¼)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6490-3 including the following now applicable qualifications:

- The wells approved under South Lincoln Rural Water System's water right/permit may 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.
- Water Right Nos. 5647-3, 4300B-3 and 6490-3, combined, authorize a total annual diversion of 1,048 acre feet of water.
- South Lincoln Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Dakota Formation.



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

NOV 30 2004

date

