

REPORT ON INSPECTION OF PERMIT NO. 4444-3**DATE OF INSPECTION: 7-24-96**Other permit(s) associated with the project: noneNAME & ADDRESS OF INSPECTION CONTACT: Mark PetersonRELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Mayor of AlpenaNAME & ADDRESS OF PERMIT HOLDER: Town of Alpena, Box 75, Alpena, SD 57312**DIVERSION POINT LEGAL LOCATION: 660' south and 360' east of the NW corner of Section 11, T108N, R63W, located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11.****WELL INFORMATION:**

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 975 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 4 inches
- 2) Length 725 feet
- 3) Type brass/K copper

Screen:

- 1) Type K copper
- 2) Length 500 feet
- 3) Static water level flowing well feet

Pump:

- 1) Make Dayton
- 2) Model # 1
- 3) Size # 1
- 4) Capacity # GPM 275

Comments: The combination of flow and pump is 275 gpm.

Motor:

- 1) Make Dayton
- 2) Model No. 3N649
- 3) Horsepower rating 3 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc - mainline
- 2) Size 6 and 4 inches
- 3) Length # feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 27, 1997

4444B-3

Leann Wagner, Finance Officer
Town of Alpena
Box 75
Alpena, SD 57312

Dear Ms. Wagner:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4444A-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

444413-3

Permit No. 4444-3
James River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, 7-24-96 made a thorough examination of the water use system constructed by the Town of Alpena of Box 75, Alpena, SD 57312 holder of Permit No. 4444-3, bearing the priority of September 18, 1979 authorizing the diversion of 2.0 cu. ft. per second of the waters of the Dakota Aquifer for municipal purposes, in Jerauld County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One well 975 feet deep with 725 feet of 4 inch brass and k-copper casing and 250 feet of k-copper screen. Dayton motor and pump with a 3 hp rating and the combination of pump and artesian flow is 275 gpm.

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

6 and 4 inch pvc mainline.

C. Works used to apply water to beneficial use:

Municipal water system.

The system is in the following condition good. The point of diversion is located 660 feet south and 360 feet east of the NW $\frac{1}{4}$ Section 11, T108N, R63W in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11. The works are capable of diverting and conveying to the place of use 0.61 cu. ft. per second of water which is to be used for municipal water supply. Water has been put to beneficial use to the maximum extent as follows:

Municipal water distribution system for the Town of Alpena.

The license should be issued for 0.61 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Comments: Second well on permit, well E2, has been plugged.

Lynn Beck
Lynn Beck

Natural Resources Engineer
DENR, Water Rights Program

8-29-96
Date

4444B-3
415471

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

September 18, 19 97

Pierre, _____

RECEIVED OF Alpena Water Mains Project, P.O. Box 75, Alpena, SD 57312
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____
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. 4444B-3
Fee for Filing Transfer Form _____
Fee for Filing Extension Request _____
Fee for _____

50 00

(Any Other Work Provided by Law)

Total

50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 6 1997

Leanne Wagner, Finance Officer
Town of Alpena
PO Box 75
Alpena SD 57312-0075

Dear Ms. Wagner:

Enclosed are Water Right Nos. 4444A-3 and 4444B-3. The permit is being divided to separate the vested right portion from the water right as follows:

Vested Water Right No. 4444A-3 - authorizes diversion of 0.11 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of January 1, 1948.

Water Right No. 4444B-3 - authorizes diversion of 0.5 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of September 18, 1979.

As long as you use the water beneficially, as stated in the licenses, South Dakota Water Laws provide that you have a continuing right to the use of the water.

If you have any questions, please contact me.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
605 773-3352

enclosures

ks

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4444B-3
DIVISION OF NO. 4444-3 INTO 4444A-3 AND 4444B-3

(1) The Town of Alpena, Box 75, Alpena SD 57312 made Application No. 4444-3, September 18, 1979 for a water permit to divert 2.0 cubic feet of water per second (cfs) from groundwater (two wells), Jerauld County, South Dakota for municipal purposes. Permit No. 4444-3, with priority dates of January 1, 1948 and September 18, 1979 was approved November 27, 1979 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 said water completed.

On September 27, 1989, the Water Management Board validated the vested right portion of No. 4444-3. One of the wells authorized by this permit has been plugged. Water Permit No. 4444-3 is being divided to separate the vested right portion from the water right as follows:

Vested Water Right No. 4444A-3 - authorizes diversion of 0.11 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of January 1, 1948.

Water Right No. 4444B-3 - authorizes diversion of 0.5 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of September 18, 1979.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.5 cubic feet of water per second for beneficial use. The location of the diversion point is 660 feet south and 360 feet east of the NW 1/4 Section 11-T108N-R63W (NW 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Alpena, Box 75, Alpena SD 57312 the holder and/or owner of Water Permit No. 4444B-3 is issued a license to appropriate water, the right to use 0.5 cubic feet of water per second from groundwater (one well) with a priority date of September 18, 1979 from the location specified in (2) of this license for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 4444-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 6 1997

date





4444B-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 14, 1999

City of Alpena
Mark Peterson, Mayor
PO Box 75
Alpena SD 57312-0075

444-3511

Dear Mayor Petersen:

I am writing in regard to a well driller's report filed by Pullman Well Drilling. The report shows a new well was completed for the City of Alpena on June 22, 1999. A review of our files indicates that Alpena holds Water Right Nos. 4444A-3 and 4444B-3 for a total of 275 gallons per minute (gpm) or 0.61 cubic feet of water per second from one well, 975 feet deep located in the NW ¼ NW ¼ Section 11-T108N-R63W.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Mr. Peterson, does the peak diversion rate from the two wells exceed 275 gpm? If so, a new permit application will be required for the additional diversion rate above 275 gpm. Enclosed are application forms and instructions. If the well is a replacement well or an additional well which does not increase the total appropriation of 275 gpm, please let me know.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



Town of Alpena

P.O. BOX 75
ALPENA, S.D. 57312



January 10, 2000

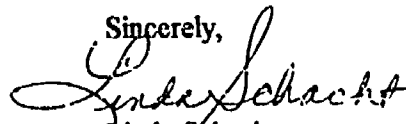
Eric Gronlund
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

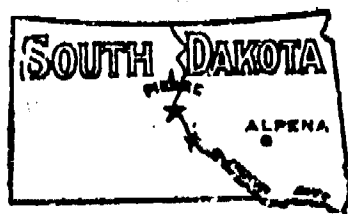
Dear Mr. Gronlund:

Per your phone conversation with Mark Peterson in regards to the back-up well for the Town of Alpena, we would like to ask for an additional point of diversion to be added to the existing permit. If the two wells were used together, the diversion rate would not exceed 275 gpm.

Thank you for your prompt attention to this matter.

Sincerely,


Linda Schacht,
Mayor



Approval of an Additional Diversion Point

NAME: Town of Alpena, c/o Mayor Linda Schacht

ADDRESS: PO Box 75, Alpena SD 57312-0075

DATE: January 13, 2000 **COUNTY:** Jerauld **TELEPHONE:**

BACKGROUND:

The Town of Alpena holds Vested Water Right No. 4444A-3 and Water Right No. 4444B-3 to divert a total of 0.61 cfs (275 gpm) from one Dakota Formation well located in the NW¼ NW¼ Section 11-T108N-R63W. A well completion report was submitted by Pullman Well Drilling on November 30, 1999, indicating a new Dakota Formation well had been drilled by the Town of Alpena. This prompted a letter from the Water Rights Program (12/14/99) inquiring on the use of this well. Mark Peterson called in response this letter and stated the well is an additional well but that generally only one well will operate at a time and the even when both wells operate the authorized diversion rate of 275 gpm will not be exceeded. He indicated the new well is located approximately 85 feet from the existing well in the NW¼ NW¼ Section 11-T108N-R63W. The Town then submitted a letter requesting authorization for this additional well.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The well authorized under Vested Water Right No. 4444A-3 and 4444B-3 is constructed into the Dakota Formation. The additional well completed on June 22, 1999 is 960 feet deep which is also a Dakota Formation well.

- **Review of Existing Diversions**

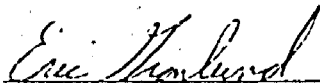
A review was conducted of existing water rights and domestic wells on file within a three mile radius of the two wells for the Town of Alpena. There is developed irrigation to the northwest of Alpena's wells, however, the water source for all irrigation is the Warren West James Aquifer. A review of well completion records in Water Right files found fourteen domestic/stock wells within this radius constructed into the Dakota Formation. These records do not provide any status of the wells (i.e. whether they are being used)

CONCLUSION

- This additional well is from the same water source and does not appropriate additional water.
- Existing domestic wells will not be adversely impacted by authorizing this additional well. The Town indicated that the one well will generally be used for back-up purposes.
- The additional well is constructed into the Dakota Formation which is the same water source as the existing well authorized under Vested Water Right No. 4444A-3 and 4444B-3.
- There is no record of a complaint on the Town of Alpena's diversion of water adversely impacting neighboring wells.

RECOMMENDED ACTION

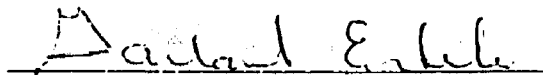
Based on the above criteria, it is recommended that the additional diversion point be incorporated into Water License No. 4444B-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garlan Erbele, Chief Engineer
Water Rights Program
February 1, 2000



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2000

Linda Schacht, Mayor
Town of Alpena
P.O. Box 75
Alpena, SD 57312

Dear Mayor Schacht:

I am writing in regard to the town of Alpena's request for an additional well under Vested Water Right No. 4444A-3 and Water Right No. 4444B-3. These water rights appropriates 0.61 cubic feet of water per second (275 gallons per minute) from a Dakota Formation well.

Alpena has requested an additional well that was drilled in June 1999 to serve as a back-up well to the existing well. The new well is also to be located in the NW¼ NW¼ Section 11, T108N, R63W and is constructed into the same water source as the existing well. No additional water will be appropriated.

Upon review of the request and pursuant to SDCL 46-5-13.1, Alpena is authorized to develop the additional well without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. However, a new water right permit will be necessary if more than 275 gallons per minute will be pumped.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 31 2002

4444B-3

Richard Small, Mayor
Town of Alpena
PO Box 75
Alpena SD 57312

Dear Mayor Small:

Enclosed is: reissued Water License No. 4444B-3. On January 12, 2000, the Town of Alpena requested an additional diversion point to be used as a backup supply for the town. The license is being reissued to reflect the addition of the second well.

As long as you use the water beneficially, as stated in the reissued 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

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 4444B-3

(1) The Town of Alpena, PO Box 75, Alpena SD 57312 was issued Water Right No. 4444B-3, October 6, 1997 for a water permit to divert 0.5 cubic feet of water per second (cfs) from groundwater (one well), Jerauld County, South Dakota for municipal purposes. Water License No. 4444B-3, with a priority date of September 18, 1979 was approved November 27, 1979 and issued to the town for diversion of water with construction of the described water supply system to be completed and the application to beneficial use of said water completed.

On January 12, 2000, the Town of Alpena requested an additional diversion point to be used as a backup supply for the town. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for interference with existing water rights.

Vested Water Right No. 4444A-3, with a priority date of January 1, 1948, authorizes diversion of 0.11 cfs from the same well as authorized by No. 4444B-3.

Total diversions from the two wells cannot exceed 0.61 cfs as authorized by Nos. 4444A-3 and 4444B-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.5 cubic feet of water per second for beneficial use. The location of the diversion points are: NW ¼ NW ¼ Section 11-T108N-R63W.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Alpena, PO Box 75, Alpena SD 57312 the holder and/or owner of Water Right No. 4444B-3 is reissued a license to appropriate water, the right to use 0.5 cubic feet of water per second from groundwater (two wells) with a priority date of September 18, 1979 from the location specified in (2) of this license for municipal purposes. This license is subject to any limitations or qualifications listed in Water Right No. 4444B-3 and subject to South Dakota State Law.

Garland Erbele

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

MAY 31 2002

date

