

Water Right No. 9465-3

1. Considered MARCH 26 1980
2. Name of Applicant NORTH SIOUX CITY
3. Post Office Address Box 189, NORTH SIOUX CITY, 57049
4. Amount of Water Claimed .56
5. Source of Water Supply 162' WELL (additional well # 1069-3)
6. Water to be used for MUNICIPAL
7. Acres to be irrigated --- maximum --- acre feet ---
8. Water to be diverted and used in UNION County
about IN CITY LIMITS miles --- of ---
9. PROOF OF PUBLICATION Received ☒ 3-17-80
Not Received ---

APPLICATION

Approved 3-27-80

Subject to WI clause

Not Approved ---

Action deferred ---

Priority

1-1-80

Date

Received 1-11-80 Application Complete yes --- no ☒ FEE 11/4

Remarks needed correct map & log sign

Well completed in 1973 never added to original
well 1069-3

Date Information and/or

fee or corrected Application received 1-21-80

Period of Annual use CONTINUOUSLY

~~WATER
QUALITY~~

Received yes --- no --- APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes --- no --- Remarks ---

Disapproved ---

Returned ---

Diversion Point ---

SW 1/4 NW 1/4 Section 14 T89-R48

*					

lands to be irrigated ---

WELL
LOG

Remarks Well completed in 1973 never added to orig
well 1069-3

Driller 70ch:ls Well & Pump Co. Licensed yes ☒ no ---

depth 162 feet

MAP Map No. 3690-3 Map located in Water Right X Map file _____
Type of Map Drawn Prepared by Registered Engineer

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 7-26-80

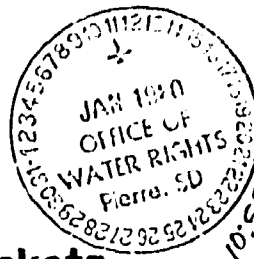
Betty Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC.

Remarks _____



4465-3
No.
Map No. 3690-3 Water Division No. 3 BIG SIOUX RIVER District
Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☒ ON WIR 1069-3

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant NO SIOUX CITY - CITY OF Phone No. 232-4276
Post Office Address PO Box 189 N. SIOUX CITY State S. D. 57049
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT

3. Name of diversion work MUNICIPAL WATER WELL

4. Amount of water claimed (cubic feet per second) 250 gal minute .56

5. Source of water supply DEEP WELL

6. Location of point of diversion LOT 7 BIR 3 - ORIGINAL STEVENS
NO SIOUX CITY 720' N & 430' E OF W 1/4 CORNER, SECTION
14-T89N-R48W (SW 1/4 NW 1/4) County URON

7. Annual period or periods during which water is to be used PALEY

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) MUNICIPAL

9. For irrigation use, Total number of acres to be irrigated

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

Land Description	No. Acres Irr.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Leadest Comm

12. Principal Features of the Proposed Water Supply System.

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

Completed 1973

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 27,000

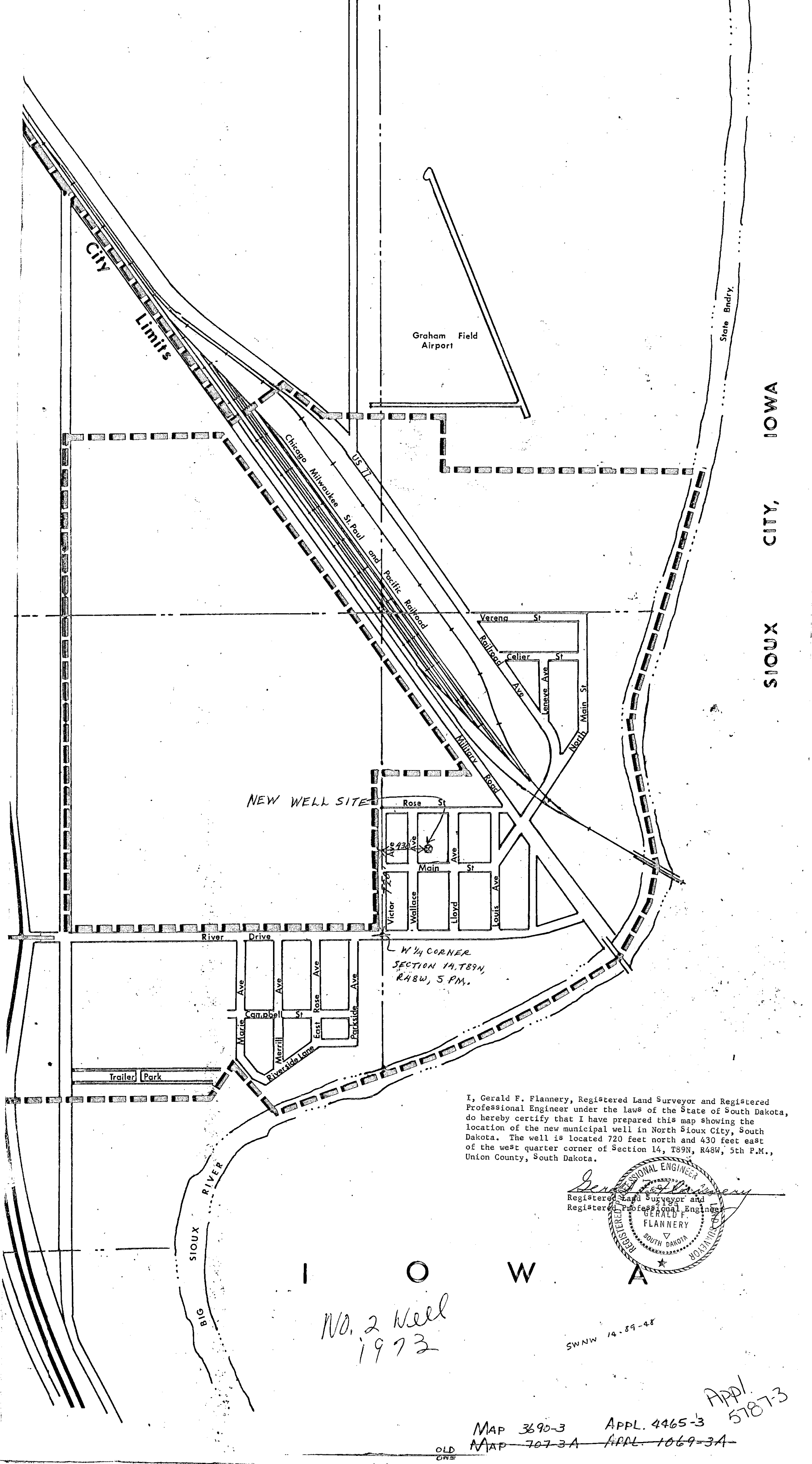
Attachments: Attach Form 2A if diversion from a well or dugout or if storage of water, is proposed. Attach map (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

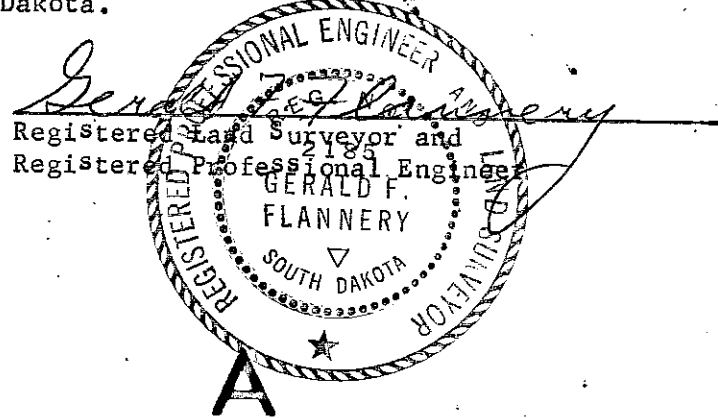
County of URON)
City of Sioux City

the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed [Signature]
Subscribed and sworn to before me this 13 day of Jan, 1950
[Signature]
Notary Public (or other qualified officer)



I, Gerald F. Flannery, Registered Land Surveyor and Registered Professional Engineer under the laws of the State of South Dakota, do hereby certify that I have prepared this map showing the location of the new municipal well in North Sioux City, South Dakota. The well is located 720 feet north and 430 feet east of the west quarter corner of Section 14, T89N, R48W, 5th P.M., Union County, South Dakota.



No. 2 Well
1973

SWNW 14-89-48

MAP 3690-3 APPL. 4465-3
MAP 7073A APPL. 1069-3A

APPL. 5787-3

WATER RIGHT APPLICATION APPROVAL

4465-3

The Board of Water Management hereby approves Water Right Application No.

CITY OF NORTH SIOUX CITY

Box 189

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57049

(State)

With the following qualifications.

The well approved under this Permit will be located near domestic wells and other irrigation 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 irrigation wells having prior water rights.

Date of first receipt of application JANUARY 11, 1980Date of return to applicant for correction, amendments or changes required , 19 Date of receipt of corrected application , 19 Approved MARCH 27, 1980, Recorded in Book 21 Page 142WATER RIGHT PERMIT NO. 4465-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4465-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 11, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 27, 1980
3. The whole of said work is to be completed on or before MARCH 27, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 27, 1981
5. The water appropriated shall be used for the purpose of MUNICIPAL USE

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .56 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 if for irrigation purposes said appropriation must be limited to not more than 2 acre-feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~

USED FOR MUNICIPAL PURPOSES

for irrigation on or before MARCH 27, 1981; said water to be used during the following describedannual period: CONTINUOUSLYWitness my hand this 1ST day of APRIL, 1980

THE BOARD OF WATER MANAGEMENT

By: John H. Hatcher

Civil Engineer, Water Rights

Certificate of Construction Issued , 19 Water License Issued , 19

Nichols Well and Pump Co.

Final Well Report

Men Working Jim Wetmore

Owner North Sioux City, South Dakota

Address & Tel. _____

Tenant _____

Address & Tel. _____

Machine Used Mayhew 1000

Truck Used _____

Size Casing _____

Reductions _____

Size Pump Line _____

Pump Rod _____

Cylinder _____

Screen _____

Pump _____

Pumping Test _____

Water Raise _____

Cylinder Set from the Bottom _____

COMPLETE LOG OF WELL

Well #2

0-6 Top Soil 172-176 Sandstone
6-13 Yellow Clay
13-62 Blue Clay
62-75 Sand & Gravel
75-90 " Rocks
90-107 " Gravel
107-115 Rocks
115-123 Sand
123-124 Rocks
124-163 Sand
163-172 Shol

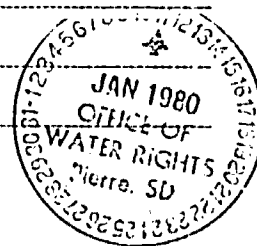
REMARKS AND DISCUSSION

Date _____

Made Out By Jim Wetmore

11 #2

Legal Description _____



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

D. Well Information

- (1) Drill Hole, Diameter 16 inch, Depth 240 ft
 (2) Casing, Type steel (wood, concrete, steel, etc), Diameter 12 in, Thickness .375
 (3) Screen, Type Johnson, Diameter 8 in, Length 75 ft
 (4) Gravel Pack, Thickness 24 in D, Length of gravel pack 30 ft

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

- Depth to top of water bearing material 120 ft
 Depth to bottom of water bearing material 162 ft
 Depth to water (ground surface to water level) 20 ft

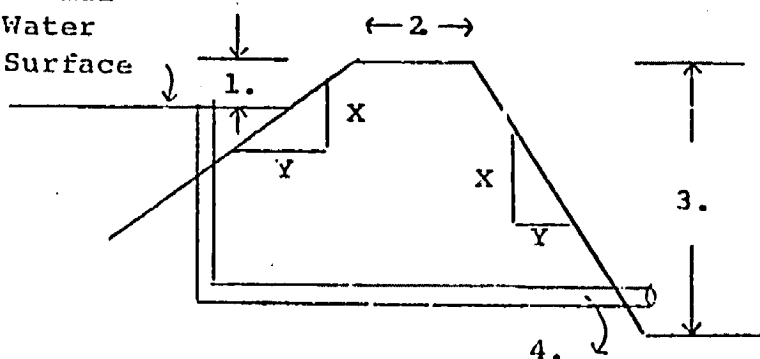
(2) Distance to nearest existing household or livestock watering well.

- On same owner's property _____ rds.
 On property owned by others 25 ft rds.

G. Water Storage Dams

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

Normal
Water
Surface



1. Freeboard _____
 2. Crest width _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

refer to 'Review of specifications of water well
 of no sensitivity' - approved DS Dept of Health
 # 73-43 - May 15, 1973 - Charles E. Carl.

City of St. Louis
 Signature _____

4465-3

Publish first publication, on or before March 6, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 22, 1980

Notice is hereby given that North Sioux City

, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSB 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .56 cubic feet of water per second of time from ground water

(one well) through the municipal water well, to add an additional point of diversion on an existing permit of which is to be located in the SW 1/4

of Section 14, Twp. 89N, Range 48W. Said water to be used for the purpose of providing

water supplies for municipal use

This Application No. 4465-3 will be considered by the Water Management Board at the SDEA Auditorium, 411 E Capitol, Pierre, SD upon the 26th day of March, 1980

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses, according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to WATER MANAGEMENT BOARD the hearing.

BETTY WESTLUND
Water Rights Specialist

cc: North Sioux City, Box 189, North Sioux City, SD 57049

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Union } ss.

I, Lester E. Emerson hereby

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

Water was taken from the Leader-Courier

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

town of Elk Point, South Dakota

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

February, 28

March, 6

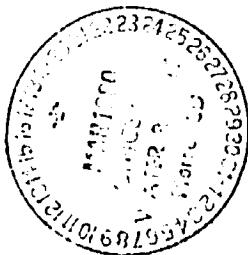
Lester E. Emerson
(Signature)

Publisher

(Title)

March 6, 1980

(Date Signed)



NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

February 22, 1980

Notice is hereby given that North Sioux City, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARS 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .56 cubic feet of water per second of time from ground water (one well) through the municipal water well to add an additional point of diversion on an existing permit of which is to be located in the SW 1/4 NW 1/4 of Section 14, Twp. 89N, Range 48W. Said water to be used for the purpose of providing water supplies for municipal use.

This application No. 4465-3 will be considered by the Water Management Board at the SDEA Auditorium, 411 E. Capitol, Pierre, S. D. upon the 26th day of March, 1980 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-28 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Foss Building, Pierre, S. D., prior to the hearing date for assistance to assure access to the hearing.

Water Management Board

Betty Westlund

Water Rights Specialist

Pub. Feb. 28, March 6,

No. 4465-3

U. ALAN

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

Post Office P.O. Box 189
NORTH SIOUX CITY 57049
Date 5-5-80

TO: Water Rights ~~_____~~
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4465-3, 56 cu ft. sec.

Water Right Permit No. 4465-3 states that the diversion system is to be constructed by Nichols Well Co., and that the water is put to beneficial use by Municipality.

The diversion system was completed on SEPT. 1973. Applying the water to beneficial use was completed on SEPT. 1973.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Robert L. Loebe
(Signature)
Water Right



4465-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 19 1994

5787-3

Gary Flett, Water Superintendent
City of North Sioux City
P.O. Box 189
North Sioux City, SD 57049

Dear Mr. Flett:

Enclosed is Water License No. 5787-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413985 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5787-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4465-3 have been incorporated into this Water License No. 5787-3.