

- 10.30
1. Considered: 12-2, 1981 Water Right No. 4811-3
4020
 2. Name of Applicant CITY OF SIOUX FALLS - WATER DEPT.
 3. Post Office Address 224 W. 9th St. SIOUX FALLS 57102
 4. Amount of Water Claimed 3.72 maximum acre feet _____
 5. Source of Water Supply 40' well
 6. Water to be used for MUN acres to be irrigated _____
 7. County MINNEHAHA about _____ miles of _____
 8. PROOF OF PUBLICATION: Received (initials) 1-18-82 Not Received _____
APPLICATION: Approved 12-3-81 Subject to DW
Not Approved _____ Action Deferred _____

PRIORITY

4-8-57

Dated Received 9-23-81 Application complete (yes) no _____ FEE N/A

Remarks from F/U 44B-3

Corrected Application received _____ Period of Annual Use 1/1 - 12/31

~~WATER
QUALITY~~

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

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

Disapproved _____ Returned _____

				X	
					11

Diversion Point _____
NW⁴ NW⁴ 17-101N-49W

~~Land to be irrigated~~ _____

LOG

Driller RANNEY Co Licensed (yes) 382 no _____

Depth 40' deep

Remarks _____

Water Right No. _____

MAP Map No. 4020-3 Map located in Water Right X Map file _____
 Type of Map USGS Prepared by David Moore - PE

+++++

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

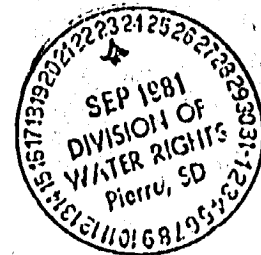
10-16-81

Betty Hunsicker
 (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 was
 DECISIONS adopted _____
 ETC. Remarks _____



No. 4811-3
 Map No. 4020-3 Water Division No. 3 BIG SIOUX RIVER District
 Above for Office Use 10170203

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 ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant City of Sioux Falls-Water Department Phone No. 339-7025
 Post Office Address 224 W. 9th Street Sioux Falls State S.D. 57102
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Well #47
4. Amount of water claimed (cubic feet per second) 3.72
5. Source of water supply Ground Water
6. Location of point of diversion 17 bbc T102N, R49W
NW 1/4 NW 1/4

County Minnehaha

7. Annual period or periods during which water is to be used Continuous
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 2 1/2 years. Additional time required to complete application of water to the proposed beneficial use 0 1/4 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Sioux Falls Argus Leader
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Sixteen foot diameter caisson 41 Ft. deep with 4 perforated lateral collector pipes projecting from 103 Ft. to 129 Ft. Horizontally into the water bearing sands and gravels.

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

Underground pipe line

C. Works proposed to apply water to beneficial use.

Existing Water Purification Plant and Distribution System

Estimated Total Cost \$ 310,000.00

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

STATE OF SOUTH DAKOTA)

County of MINNEHAHA) ss.

I, DAVID W. BOONE, JR. 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 David W. Boone, Jr.Subscribed and sworn to before me this 22nd day of SEPTEMBER, 1981

Eric K. Olesky
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4811-3

CITY OF SIOUX FALLS - WATER DEPT. 229 W. 9th St, SIOUX FALLS
(Applicant) (Post Office Address)

SOUTH DAKOTA 57102 With the following qualifications
(State)

The well approved under this Permit is located near domestic 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.

Priority for this Permit is established under Future Use Permit No. 448-3.

Date of first receipt of application September 23, 19 81
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved December 3, 19 81, Recorded in Book 22 Page 333

WATER RIGHT PERMIT NO. 4811-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4811-3 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 April 8, 19 57
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before June 3, 19 84
3. The whole of said work is to be completed on or before December 3, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 3, 19 90
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 3.72 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

for irrigation on or before December 3, 19 90, said water to be used during the following described annual period: Continuously

Witness my hand this 18th day of January, 19 82

THE WATER MANAGEMENT BOARD

By:

John Hatch
 Chief Engineer, Water Rights
 JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

THE RANNEY COMPANY
Westerville Ohio

WELL LOG

Client: CITY OF SIOUX FALLS

JOB NO. RLC-2463

Location: NORTH WELL FIELD

Well No. TH7B-1-2 (R-3)

Date October 16, 1978

Well Dia. 6 inch Total Depth 40 feet Drill Method Cable-Tool

Screen: 40 slot PVC From 37 To 40 Casing steel From +3 To 37

Elevation: Top of Casing _____ Ground _____

(Log in feet from ground level) _____ Static _____ From _____

FROM	TO	MATERIAL	REMARKS
0	16	Dark brown, sandy SILT/CLAY.	
16	20	Dark brown, sandy clayey SILT with 10% fine-coarse GRAVEL.	
20	23	Dark brown, silty fine-medium SAND with 10% birdseye GRAVEL.	
23	26	Dark gray-brown, silty fine-coarse SAND with 20% birdseye GRAVEL.	
26	31	Dark gray-brown, silty fine-very coarse SAND with 30% birdseye-pea GRAVEL, 15% medium GRAVEL.	
31	34	Dark gray-brown, lightly silty fine-very coarse SAND, 40% birdseye-medium GRAVEL, 10% coarse GRAVEL.	
34	38	Dark gray-brown, lightly silty SAND, with 30% birdseye-pea GRAVEL, 30% medium-coarse GRAVEL.	
38	40	Dark gray-brown, medium-coarse SAND with 40% birds-eye-pea GRAVEL, 40% medium-coarse GRAVEL.	Bottom foot cemented -
	40	Gray CLAY.	Not suitable for later projection.

D Well Information

- (1) Drill Hole, Diameter 19 feet, Depth 41 feet
- (2) Casing, Type Concrete, Diameter 16'-0", Thickness 18 inches
(wood, concrete, steel, etc)
- (3) Screen, Type Steel, Diameter 12 inches, Length 103' to 129' horizontal
- (4) Gravel Pack, Thickness N/A, Length of gravel pack N/A

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 20 feet

Depth to bottom of water bearing material 40 feet

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

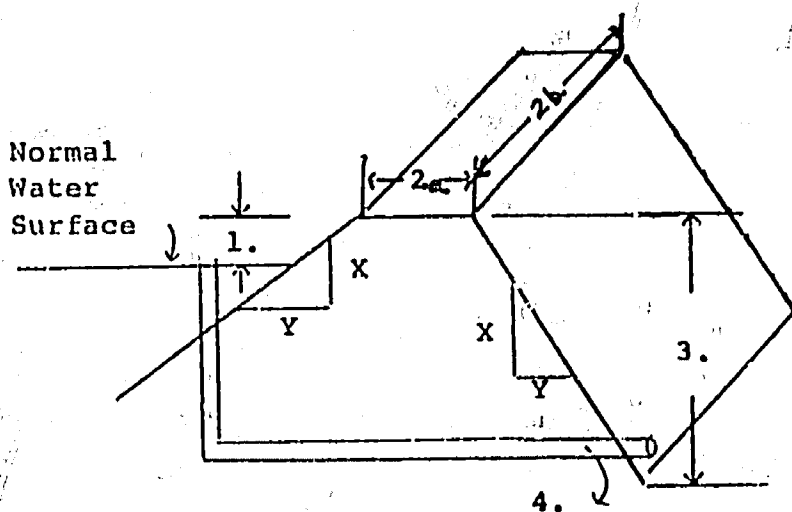
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property --- rds.

On property owned by others 45 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.



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

No. 4811-3

Publsh first publication on or before October 30, 1981

**NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER**

Pierre, South Dakota, 57501

October 20, 1981

Notice is hereby given that the City of Sioux Falls - Water Dept. whose post office address is 224 W. 9th Street, Sioux Falls, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to ~~develop from their future use withdrawal~~ 3.72 cubic feet of water per second of time from groundwater (1 well) through Well #47

_____, the point(s) of diversion of which is (are) to be located in the _____

NW 1/4

of Section 17, Twp. 101N, Range 49 W. Said water to be used for the purpose of providing ~~XX~~

water supplies for municipal use for the City of Sioux Falls.

This Application No. 4811-3 will be considered by the Water Management Board at Howard Johnson's, 3300 W. Russell, Sioux Falls, SD 57101 upon the 2nd day of December 1981

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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806A-10/81 Notice of Intent to Appropriate Water
GROUNDWATER

[illegible]

13.

David Licko

....., being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCI. 17-2-2, as amended published at Sioux Falls, Minnehaha County, South Dakota by Sioux Falls Newspapers Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Friday, 30th day of October, 1981

Friday 6th November 81
....., the.....day of....., 19.....

....., the.....day of....., 19.....

....., the.....day of, 19.....,

....., the.....day of, 19.....,

....., the.....day of, 19.....,

....., the.....day of....., 19.....

and that \$40.61 was charged for publishing the same.

Subscribed and sworn to before me.. Jan. 15 1982

Karen Walpers

(SEAL)

NOTICE OF HEARING
ON APPLICATION FOR
ORDER OF APPROPRIATION
The Board of Directors of the
City of Sioux Falls, South Dakota, will
hold a public hearing on October 21, 1981.
Notice is hereby given that the
City of Sioux Falls, Water Dept.,
whose office address is 217
W. 7th Street, Sioux Falls, South
Dakota, has filed an application in
accordance with the provisions of
SDCL 44-1-1 through 44-1-13
for 44-1-11, 44-1-12, 44-1-13, 44-1-14,
44-1-15, 44-1-16, 44-1-17, 44-1-18, 44-1-19,
44-1-20, 44-1-21, 44-1-22, 44-1-23,
44-1-24, 44-1-25, 44-1-26, 44-1-27, 44-1-28,
44-1-29, 44-1-30, 44-1-31, 44-1-32, 44-1-33,
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44-1-394, 44-1-395, 44-1-396, 44-1-397, 44-1-398,
44-1-399, 44-1-400, 44-1-401, 44-1-402, 44-1-403,
44-1-404, 44-1-405,

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office SIOUX FALLSDate 2 FEB. 1982TO: Water Rights Commission
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. 4811-3.

Water Right Permit No. 4811-3 states that the diversion system is to be constructed by 3 DEC. 1986, and that the water is put to beneficial use by 3 DEC. 1990.

The diversion system was completed on AUG. 1979. Applying the water to beneficial use was completed on NOV. 1980.

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.

David W. Boone, P.E.
(Signature)



Permit No. 4811-3

Water District

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

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by City of
Sioux Falls holder ofPermit No. 4811-3, bearing the priority of April 8 1957 authorizingthe diversion of 3.72 cu. ft. per second of the waters of Groundwater (Big Sioux-Sioux Falls)for Municipal purposes in Minnehaha County.

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

A. Works used to divert the water:

Ranney collector type well
35 Hp, Fairbanks-Morse UTP, 2 stage, Mod. # 14M7000W,
1200 gpm

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

Municipal Water System

C. Works used to apply water to beneficial use:

The system is in the following condition GoodThe point of diversion is located 750 Feet south of NW corner section 17
T102N-R49WThe works are capable of diverting and conveying to the place of use 2.67cu. ft. per second of water which is to be used for Municipal purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land and the license should be issued for 2.67 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are:

Date May 6 1985

(signature)

Kevin C. Jansen

State of South Dakota

Water License No. 4811-3

(1) City of Sioux Falls
of 224 W 9th St., Sioux Falls SD 57102
made Application No. 4811-3, September 23, 1981 for a water permit to appropriate
3.72 cubic feet per second of water from groundwater (one well)
Minnehaha County, South Dakota for municipal purposes.
Permit No. 4811-3, with a priority date of April 8, 1957 (priority date established under
Future Use Permit No. 448-3)
was approved December 3, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before December 3, 1986 and for the application to beneficial use of said
water on or before December 3, 1990.

and

(2) It is certified that the application 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 2.67 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 750'S of the NW corner of
Section 17, T102N, R49W.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, water is diverted through the city's distribution system

(4) Pursuant to §46-5-30.1 City of Sioux Falls
of 224 W 9th St, Sioux Falls SD 57102
the holder(s) and/or owner(s) of Water Permit No. 4811-3 is issued a license to appropriate water, the right to use
2.67 cubic feet per second of water from groundwater with a priority date
of April 8, 1957 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of municipal use

This license is subject to any limitations or qualifications listed in Water Permit No. 4811-3 and subject
to South Dakota State Law.

John H. H. H.
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JAN 6 1966



**Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4811-3

September 4, 1985

Manfred Szameit, Finance Officer
City of Sioux Falls
224 W. 9th Street
Sioux Falls, South Dakota 57102

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4811-3 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 inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

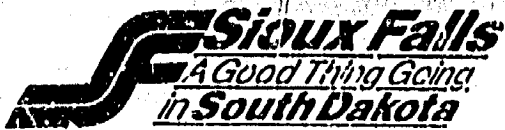
Maxine Stirling
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

DWNR-814 8/83

REPRODUCTIONS: REDUCTION 23.7 MILL NO. 11 DATE MICROFILMED CAMERA OPERATOR



UTILITIES DEPARTMENT
Water Division
224 West 9th Street
Sioux Falls, S.D. 57102
(605) 339-7031



October 11, 1985

Ms. Maxine Stirling
Department of Water and Natural Resources
Division of Water Rights
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Ms. Stirling:

Enclosed is our Check No. 41767 in the amount of \$100. This is for inspection and issuing of water licenses for Water Rights No. 4811-3 and 4812-3.

Please forward the proper documents to:

Mr. Larry Doss, Water Utility Engineer
Sioux Falls Utilities
224 West Ninth Street
Sioux Falls, SD 57102

Thank you very much.

Very truly yours,

Ertis Osterberg
Utilities Controller

tfd

Enclosure

cc Richard Willer, Utilities Director
Larry Doss, Water Utility Engineer



ADMINISTRATIVE OFFICE:
224 West 9th Street
Sioux Falls, S.D. 57102
Tel. 605-339-7031

PURIFICATION PLANT:
2100 N. Minnesota Ave.
Sioux Falls, S.D. 57104
Tel. 605-339-7028

DISTRIBUTION AND SERVICE:
665 Algonquin Ave.
Sioux Falls, S.D. 57104
Tel. 605-339-7044

AN EQUAL OPPORTUNITY EMPLOYER

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4.10216

Pierre, October 15, 1905

RECEIVED OF City of Sioux Falls, 324 W 9th St, Sioux Falls SD 57102

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. 4811-3 _____

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

ks

DATE MICROFILMED

SOUTH DAKOTA

Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3101

Water Rights Division
605-773-3352

4811-3

JAN 6 1986

Larry Doss, Water Utility Engineer
Sioux Falls Utilities
224 W 9th St
Sioux Falls SD 57102

Dear Mr. Doss:

Enclosed herewith are Water Licenses Nos. 4811-3 and 4812-3. This is the final water right document completion the process of obtaining a water right.

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

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosures

Equal Opportunity Employer



4811-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 7, 1991

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

Dear Mr. Johnson:

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

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

- 1) Permit Nos. 5127-3 and 5127A-3 (Well Nos. 53 thru 58).
Permit No. 5115-3 (Well Nos. 48 thru 52).
Permit No. 5235-3 (Well Nos. 60 thru 65).

- Sustained pump rate for each well under optimal operating conditions,
- Type and horsepower of the submersible units in each of the wells, and
- Brief description of the distribution system.

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

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

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

(continued)

February 7, 1991
Lyle D Johnson
Page 2 of 3

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

- 1) The following licenses need to have R50W deleted and be reissued for R49W:

cancel RD 5/15/91
254-3, 255-3, 256-3, 257-3, 258-3, 259-3, 260-3, 261-3, 262-3, 264-3, 266-3, 267-3, 269-3, 270-3, 272-3, 273-3, 275-3, 276-3, and 274-3 needs the same range correction plus should be T102N instead of T103N.

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

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

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

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

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

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

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

258-3 RD 5/15/91
Water Right Nos. 254-3, 255-3, 265-3, 268-3, 271-3, and 1579-3 will be scheduled for a hearing to allow the Water Management Board to consider cancellation of the water rights due to abandonment and/or forfeiture. Notice will be given of the time and place of hearing. If the Parks and Recreation Department is using of the well authorized by No. 1579-3, please inform me.

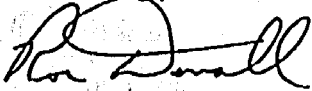
February 7, 1991
Lyle D Johnson
Page 3 of 3

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

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

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

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

cc: Glenn Dostal, HDR Engineering, Inc.

REPORT ON READVERTISEMENT OF WATER RIGHT NO. 4811-3

JUNE 18, 1992

Readvertisement of Water Right No. 4811-3, held by the City of Sioux Falls, is needed to correct the location of the well. The permit application and water license correctly describe the well as being located in the NW1/4 NW1/4 section 17-T102N-R49W. However, the original published notice of hearing incorrectly described the well as being located in T101N rather than in the correct township which is T102N. Water Right No. 4811-3 places to beneficial use 2.67 cubic feet of water per second reserved by Future Use Permit No. 448-3. Water is diverted from one well in the Big Sioux/Sioux Falls aquifer for municipal use by the City of Sioux Falls. Water Right No. 4811-3 was received on September 23, 1981, approved on December 3, 1981, and the license was issued January 6, 1986.

CONCLUSIONS:

- 1) Readvertisement is needed to identify the correct location of the well. The original notice of hearing is deficient since the well location was incorrectly identified. The water license does identify the correct well location; however, the license was issued after January 1, 1983, and is not eligible to correct the error pursuant to SDCL 46-5-4.1.
- 2) Water use under Water Right No. 4811-3 began in November of 1980. Water Right No. 4811-3 was not contested during the original application process; however, water use complaints have recently been received from the public in the Renner area.
- 3) No increase in diversion rate or annual appropriation of water is authorized by this readvertisement.
- 4) The April 8, 1957, priority date established by Future Use Permit No. 448-3 and the domestic well qualification should remain on Water Right No. 4811-3.



Ron Duvall, Natural Resources Engineer
Water Rights Division, DENR

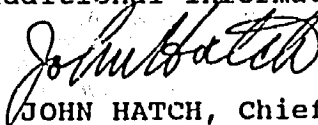
RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER PERMIT
APPLICATION NO. 4811-3, City of Sioux Falls

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 4811-3, City of Sioux Falls, 221 W 9th Street, Sioux Falls, SD 57102.

The Chief Engineer is recommending APPROVAL of Application No. 4811-3 because 1) the proposed diversion has been developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The well approved under this Permit will 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.
2. Priority for this Permit is established under Future Use Permit No. 448-3.

See report on application for additional information.


JOHN HATCH, Chief Engineer
June 25, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 6, 1992

Lyle Johnson, WS
City of Sioux Falls
224 W 9th Street
Sioux Falls, SD 57102

Dear Mr. Johnson:

The original notice of hearing for Water Permit Application No. 4811-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Argus Leader printed at Sioux Falls, SD (Ph # 331-2200) and the Sioux Valley News printed at Canton, SD (Ph # 987-2631). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



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

July 6, 1992

Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 4811-3 to be published twice. Please publish the first notice on July 16, 1992, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST 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 in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



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

July 6, 1992

Canton Sioux Valley News
Box 255
Canton, SD 57013

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 4811-3 to be published twice. Please publish the first notice on July 16, 1992 with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST 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 in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

REPRODUCTION. REDUCTION. ROLL NO. 4811. DATE MICROFILMED. CASSETTA OPERATOR

Instruction to Newspaper - Publish first Notice on July 16, 1992, with the second publication 7 days later.

Readvertisement of NOTICE OF HEARING on Application No. 4811-3 to Appropriate Water

Notice is given that the City of Sioux Falls, 224 W 9th Street, Sioux Falls, SD 57102 filed an application for a water permit on September 23, 1981. Water Right No. 4811-3 places to beneficial use 2.67 cubic feet of water per second reserved by Future Use Permit No. 448-3. Water is diverted from one well (Big Sioux:Sioux Falls Aquifer) located in the NW 1/4 NW 1/4 Section 17-T102N-R49W for municipal use by the City of Sioux Falls. Readvertisement of the original notice of hearing for Water Right No. 4811-3, as published on October 30 and November 6, 1981, in the Argus Leader, is needed to identify the correct well location. The original notice of hearing incorrectly described the well as being located in T101N rather than in the correct location which is T102N. This readvertisement serves only to identify the correct well location, no increase in diversion rate or annual water use from the Big Sioux:Sioux Falls aquifer is authorized.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 4811-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 3, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4811-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 12, 1992, at 9:00 am in Room 413, The Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 12, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 12, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 3, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, Sandra Lundstrom

certify that the attached printed Notice was taken

from the SIoux VALLEY NEWS

A newspaper which during the whole time said notice herein after stated, has been published in the _____

City _____ of Canton _____

County of Lincoln and State of _____ that the said notice was published in said following two dates:

July 16, 1992

July 23, 1992

Sandra Lundstrom
(Signature)

Bookkeeping

(Title)

7-23-92

(Date Signed)

Cost of Printing: \$70.81

**Readvertisement of
NOTICE OF HEARING
on Application No. 4811-3
to Appropriate Water**

Notice is given that the City of Sioux Falls, 224 W 9th Street, Sioux Falls, SD 57102 filed an application for a water permit on September 23, 1981. Water Right No. 4811-3 places to beneficial use 2.67 cubic feet of water per second reserved by Future Use Permit No. 448-3. Water is diverted from one well (Big Sioux/Sioux Falls Aquifer) located in the NW 1/4 NW 1/4 Section 17-T102N-R40W for municipal use by the City of Sioux Falls. Readvertisement of the original notice of hearing for Water Right No. 4811-3, as published on October 30 and November 6, 1981, in the Argus Leader, is needed to identify the correct well location. The original notice

of hearing incorrectly described the well as being located in T101N rather than in the correct location which is T102N. This readvertisement serves only to identify the correct well location, no increase in diversion rate or annual water use from the Big Sioux/Sioux Falls aquifer is authorized.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 4811-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 3, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4811-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 12, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E. Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 12, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 12, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 3, 1992.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, M. DEVISH
certify that the attached printed Notice 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:
Thursday July 16, 1992
Thursday July 23, 1992

Mary Devish Jr
(Signature)
Controller
(Title)
7/23/92
(Date Signed)

Cost of Printing: \$135.23



Readvertisement of
NOTICE OF HEARING
on Application No. 4811-3
to Appropriate Water
Notice is given that the City of
Sioux Falls, 224 W 6th Street,
Sioux Falls, SD 57102 filed an
application for a water permit on
September 23, 1981. Water Right
No. 4811-3 places to beneficial use
2.67 cubic feet of water per second
resigned by Future Use Permit No.
448-3. Water is diverted from one
well (Big Sioux: Sioux Falls Aquifer)
located in the 17N 1/4 NW 1/4
Section 17-T102N R45W for munic-
ipal use by the City of Sioux Falls.
Readvertisement of the original no-
tice of hearing for Water Right No.
4811-3, as published on October 30
and November 6, 1981, in the
Argus Leader, is needed to identify
the correct well location. The orig-
inal notice of hearing incorrectly
described the well as being located
in T101N rather than in the correct
location which is T102N. This read-
vertisement serves only to identify
the correct well location, no in-
crease in diversion rate or annual
water use from the Big Sioux: Sioux
Falls Aquifer is authorized.
Pursuant to SDCL 48-2A-2, the
Chief Engineer recommends AP-
PROVAL of readvised Applica-
tion No. 4811-3 because 1) existing
rights will not be unlawfully im-
paired, 2) it is a beneficial use of
water, and 3) it is in the public
interest. Unless a petition is filed
opposing the application or the
applicant files a petition contesting
the chief engineer's recommenda-
tion, the Water Management Board
will NOT CONDUCT a HEARING to
consider this application and the
chief engineer will issue the permit
as recommended. Petitions filed in
support of the application will NOT
require the Board to hear the
application.
Any person interested in op-
posing or supporting this applica-
tion must file a written petition with
BOTH the applicant and Chief
Engineer. The applicant must also
file a petition if opposed to the
Chief Engineer's recommendation.
The Chief Engineer's address is
"Water Rights Division, Foss
Building, 523 E Capitol, Pierre SD
57501 (605 773-3352)", and the
applicant's mailing address is given
above. A petition filed by either an
interested person or the applicant
must be filed by August 3, 1992.
The petition may be informal, but
must include: a statement de-
scribing the petitioner's interest in
the application, the petitioner's rea-
sons for opposing or supporting the
application, and the signature and
mailing address of the petitioner or
the petitioner's legal counsel. If
legal counsel is obtained.
For purposes of publishing the
notice of hearing on Application
No. 4811-3 and 2) the chief engineer's
recommendation, a meeting at the
Division of Water Rights office to
hear this application is scheduled
for August 12, 1992, at 9:00 am in
Room 413, Joe Foss Building, 523
E Capitol, Pierre SD. If this applica-
tion is opposed or the recommen-
dation is contested, the August 12,
1992, hearing date will be resched-
uled for a regularly scheduled
Board meeting. Notice of the time
and place of the rescheduled
hearing before the Board will be
given by First Class Mail to the
applicant and persons filing peti-
tions. Anyone not filing a petition,
but interested in attending the
hearing, may contact the Division of
Water Rights to confirm a hearing
date and location. The August 12,
1992, hearing date will be automati-
cally delayed for at least 20 days
upon written request to the Chief
Engineer from the applicant or any
interested person opposing the ap-
plication. The request for an auto-
matic delay must be filed by August
3, 1992.

If a hearing is held, the Chief
Engineer's recommendation is not
final or binding upon the Board.
The Board is authorized to: 1) approve, 2) approve with qualifica-
tions, 3) defer, or 4) deny this
application based on the facts
presented at the public hearing.
Any hearing will be an adversary
proceeding. Any person filing a
petition and/or the applicant have
the right to be represented by a
lawyer and must present evidence
or cross-examine witnesses ac-
cording to SDCL 1-26. These and
other due process rights will be
forfeited if not exercised. Decisions
of the Board may be appealed to
the Circuit Court and State Su-
preme Court as provided by law.
Contact the Water Rights Division
to request copies of information
pertaining to this application or to
assure access to the hearing by the
handicapped.
This application is made pursuant
to SDCL 48-1-1 thru 48-1-9, 48-1-12
thru 48-1-15, 48-2-3.1, 48-2-9,
48-2-11, 48-2-13, 48-2-17, 48-2A-1
thru 48-2A-10, 48-2A-12, 48-2A-14,
48-2A-15, 48-2A-20, 48-2A-21;
48-5-1 thru 48-5-11, 48-5-13 thru
48-5-15, 48-5-24, 48-5-25, 48-5-
30.2, 48-5-30.4, 48-5-31; 48-6-3,
48-6-3.1, 48-6-8.1, 48-6-10, 48-6-13,
48-6-14, 48-6-26, and Board Rules
ARSD 74:02.01-01 thru
74:02.01-15.
7934 July 18, 23, 1992



4811-3

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

August 12, 1992

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

Dear Mr. Johnson:

I am writing to inform you that readvertised Water Right No. 4811-3 was approved based on the Chief Engineer's recommendation since no petitions were received to the readvertised notice of hearing.

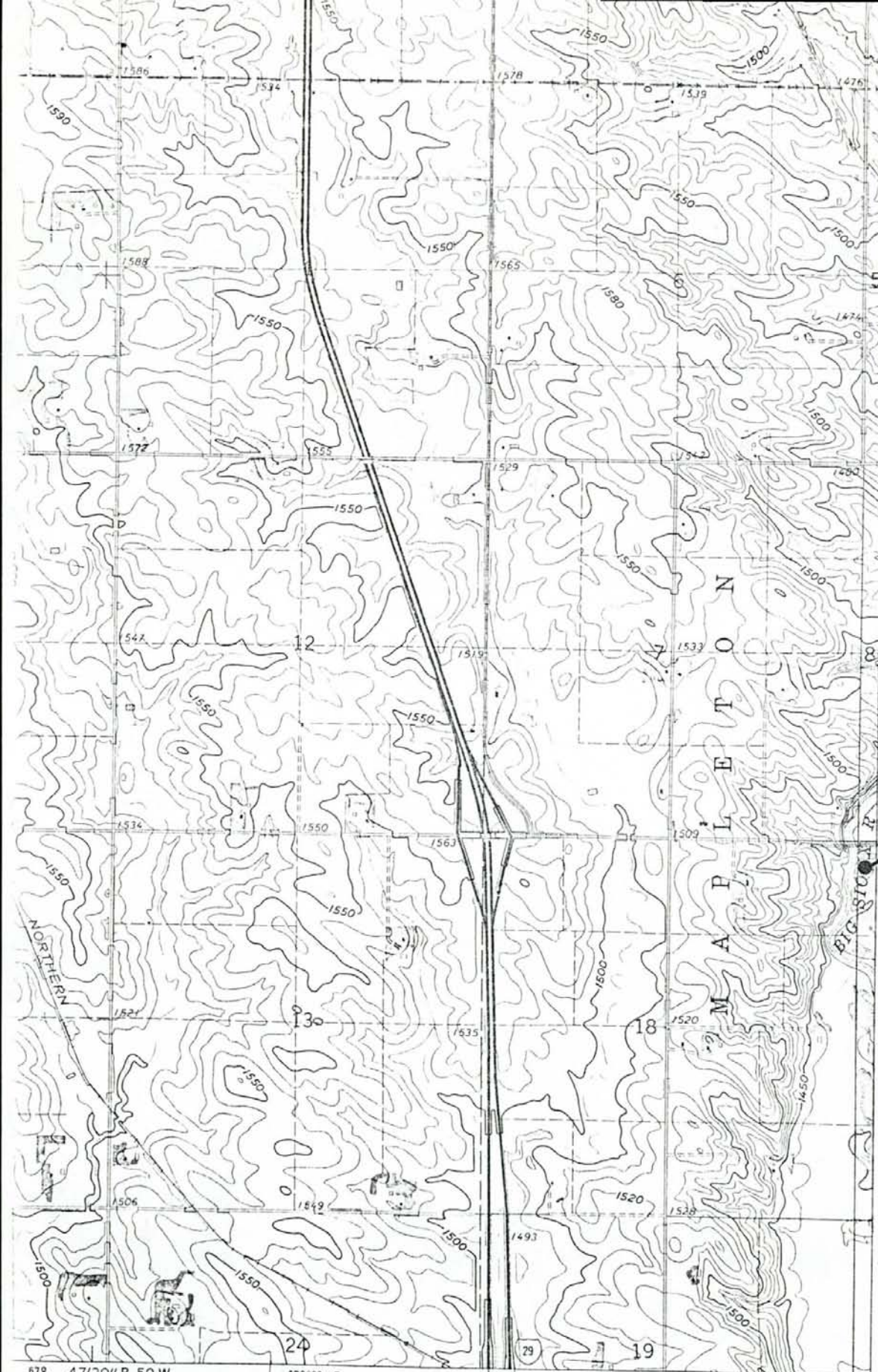
If you will recall, readvertisement of the City of Sioux Falls' Water Right No. 4811-3 was necessary to correct the location of the well located in the NW1/4 NW1/4 Section 17, T102N, R49W. The original published notice of hearing back in 1981 incorrectly described the well as being located in T101N rather than in the correct township which is T102N.

The water license for Water Right No. 4811-3 was issued correctly back on January 6, 1986. Since the water license is correct it does not need to be reissued and this letter serves only to inform you of the successful readvertisement of the water right.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352



T. 103 N.
4838
T. 102 N.

40'
4837

4836

4835

4834

4833000m N.

WELL # 47

43°37'30"

R. 49 W. 96°45'

INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D. C. — 1972
0.9 MI. TO INTERSTATE 90
SIOUX FALLS (CH.) 7 MI.

ROAD CLASSIFICATION

Heavy-duty ————— Light-duty —————
Medium-duty - - - - - Unimproved dirt = = = = =

○ Interstate Route

~~MAP # 1020-3~~ Appl. # 4811-3

David Boone
SIOUX FALLS EAST
68°11'11" SW