

4861-3

1. Considered: April 7, 1982 Water Right No. ~~4850-3~~
2. Name of Applicant CITY OF CLARK
3. Post Office Address 111 W. 1ST AVE, CLARK, S.D. 57225
4. Amount of Water Claimed 0.67 (300 GPM) maximum acre feet _____
5. Source of Water Supply 496' WELL
6. Water to be used for MUN acres to be irrigated _____
7. County CLARK about _____ miles _____ of CITY LIMITS
8. PROOF OF PUBLICATION: Received ~~NO~~ 3-29-82 Not Received _____
- APPLICATION: Approved _____ Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY 1-29-82 Dated Received 1-29-82 Application complete-yes / no _____ FEE N/A

Remarks _____

Corrected Application received _____ Period of Annual Use CONTINUOUSLY

~~WATER QUALITY~~ N/A

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

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

Disapproved _____ Returned _____

Diversion Point _____

SW⁺SW⁺ 6-116N-57W

Land to be irrigated _____

WELL LOG Driller PECKHAM DRL. Co. Licensed - yes / no _____

Depth 496' WELL

Remarks _____

MAP Map No. A086-3 Map located in Water Right X Map file _____
 Type of Map DRAWN Prepared by EGR. P.E. MELVIN
GEBHART

+++++

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:

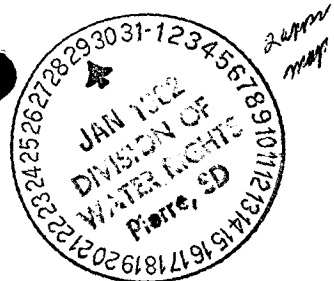
3-2-82

Betty Weslund
 (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. 4860-3
 Map No. A046-3 Water Division No. 3 BIG SIOUX RIVER District
 Above for Office Use 10170201

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 4047-3

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant City of Clark Phone No. 605-532-5665
 Post Office Address 111 West First Ave. State South Dakota 57225
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation March 22, 1866

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract3. Name of diversion work City of Clark - Well No. 54. Amount of water claimed (cubic feet per second) 300 GPM .67 called CITY ENGR 2-1-825. Source of water supply Aquifer approximately 46 ft. depth

6. Location of point of diversion Located in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 116 North,
Range 57 West of the 5th Principal Meridian.

See attached map _____ County Clark7. Annual period or periods during which water is to be used 2 hours per each day (CONTINUOUSLY)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 2.5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Clark County Courier

12. Principal Features of the Proposed Water Supply System.

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

Well - see attached well log & form 2A

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

10 ft. of 4 inch diameter pipe from well to existing 8" diameter main.

C. Works proposed to apply water to beneficial use.

Existing water treatment plant.

Estimated Total Cost \$ 47,000.00

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)
) ss.
 County of Clark)

I, Mayor, Bryan Henrichsen for 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 Bryan HenrichsenSubscribed and sworn to before me this 27th day of January, 1982

Notary Public (or other qualified officer) .

Judith A. Hunsenga

(Seal) NOTARY PUBLIC (Seal)
 SOUTH DAKOTA

My Commission expires Sept. 28, 1983

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4860-3

CITY OF CLARK

(Applicant)

111 W. 1ST AVE, CLARK

(Post Office Address)

SOUTH DAKOTA 57225

(State)

With the following qualifications.

The ~~well~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~well~~ well owner, under this Permit, shall control his ~~withdrawals~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application JANUARY 29, 1982

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved APRIL 7, 1982, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 4861-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4861-3 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 29, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before OCTOBER 7, 1984
3. The whole of said work is to be completed on or before APRIL 7, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is APRIL 7, 1991
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 .67 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 APRIL 7, 1991; said water to be used during the following described

annual period: CONTINUOUSLY

Witness my hand this 12TH day of APRIL, 1982

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued —, 19—

Water License Issued —, 19—

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 476'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 10" I.D., Thickness 0.365"
- (3) Perforated Screen.
Type Johnson S.S., Diameter 4½", Length 20'
- (4) Gravel Pack. Thickness 2 3/4", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material 476 ft.

Depth to bottom of water bearing material 496 ft.

Thickness of water bearing material 20 ft.

Depth to water (ground surface to water level) 231 ft.

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

On same owner's property _____ rds. On property owned by others 115 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, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

B. Hewittsen
Signature of Applicant

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well owner City of Clark well #5
(Name) (Address)

Date well drilling completed _____ Purpose of well _____
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0 - 30	Sand
30 - 42	Yellow clay
42 - 290	Blue clay
290 - 310	fine sand
310 - 461	Blue clay
461 - 470	Sand
470 - 476	Blue clay
476 - 496	Sand
496 - 510	Shale

Attach sheet if more space is needed

Depth to top of water producing aquifer _____ ft.

Depth to static water level _____ ft.

Name of producing aquifer (if known) _____

Total depth of drill hole _____ ft.

Depth to bottom of casing _____ ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

If a flowing well, flow of completed well _____ G.P.M.

Perkham Well Co.
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Name of Pump Installation Contractor

No. 4861-3

Publish first publication, on or before March 10, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1982

Notice is hereby given the City of Clark whose post office

address is 111 West 1st Avenue, Clark, 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 (ground) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, ~~(future use) 46-5-38, (transfer lands) 46-5-39 thru 46-5-55 and Board Rules ARSD~~ 74:02:01:01 thru 74:02:01:15, ~~(future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA)~~ ~~74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

3.67 cubic feet of water per second of time from groundwater (one well) through the City of Clark-Well No. 5, the points(s) of diversion which is (~~is~~) to be located in the SW1SW1

of Section 6, Twp. 116N, Range 57W. Said water to be used for purpose of providing ~~irrigation on portions of the following described land:~~

water supplies for municipal use

This Application No. 4861-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 7th day of April, 1982.

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, DWNR, 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-806-2/82

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, Bert Moritz hereby

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

Water was taken from the Clark County 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 _____

Clark County Courier of Clark

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

March 11, 1982

March 18, 1982

Bert Moritz
(Signature)
publisher
(Title)
3/27/82
(Date Signed)

Cost of Printing: \$20.66

Notice of Hearing on Application
To Appropriate Water

Pierre, South Dakota 57501

March 2, 1982

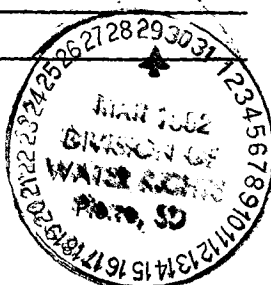
Notice is hereby given the City of
Clark whose post office address is 111
West 1st Avenue, Clark, South Dakota,
has made an application in accordance
with the provisions of SDCL 46-1-1 thru
46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru
46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10
thru 46-5-22, 46-5-25, 46-5-41 46-6-3 thru
46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14,
and Board Rules ARSD 74:01:01:01 thru
74:02:01:15, for a permit to appropriate
for beneficial use .67 cubic feet of water
per second of time from groundwater
(one well) through the City of Clark
Well No. 5, the point of diversion which
is to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 6, Twp. 116N, Range 57W. Said
water to be used for purpose of
providing water supplies for municipal
use.

This Application No. ~~481-9~~ will be
considered by the Water Management
Board at Meeting Room No. 1, Kneip
Bldg. Church & Illinois, Pierre, SD
upon the 7th day of April, 1982 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, DWNRR, Joe
Foss Building, Pierre SD, prior to the
hearing date for assistance to assure
access to the hearing.

Betty Westlund,
Water Rights Specialist
3-11-2t





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 1996

4047B-3
4861-3

Dale Clausen, Finance Officer
City of Clark
P.O. Box 217
Clark, SD 57225

Dear Mr. Clausen:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 4047B-3 and 4861-3, have been completed. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$100.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

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 numbers. This will insure proper handling of the fee.

RECEIPT

415182

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 12, 19 96

RECEIVED OF City of Clark, P.O. Box 217, Clark, SD 57225-0217

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. <u>4861-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatcher
Chief Engineer

Permit No. 4861-3
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

On, September 17, 1996, I made a thorough examination of the water use system constructed by City of Clark of PO Box 217, Clark SD holder of Water Permit No. 4861-3, bearing the priority of January 29, 1982 authorizing the diversion of 0.67 cu. ft. per second of the waters of groundwater for municipal use purposes, in Clark County.

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

A. Works used to divert the water:

A submersible pumps with a 270 gpm capacity

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

the City's municipal distribution system

The system is in the following condition good. The point of diversion is located from the SW corner of Section 6 T116N-R57W: Well 5 - 590 ft N and 1170 ft E. The works are capable of diverting and conveying to the place of use 0.60 cu. ft. per second of water which is to be used for municipal use. Water has been put to beneficial use and the license should be issued for 0.60 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none



Mark D. Rath

Natural Resources Engineer

DENR, Water Rights Program

10/10/96

Date

REPORT ON INSPECTION OF PERMIT NO. 4861-3

DATE OF INSPECTION: 9/17/1996

Contact Person & Address: Darron Altfillisch, PO Box 217, Clark SD

DIVERSION POINT LEGAL LOCATION: from the SW corner of Section 6 T116N-R57W:

Well 5 - 590 ft N and 1170 ft E

WATER SUPPLY Source: groundwater, Altamont Aquifer

Well Information:

- | | |
|---------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>Peckham</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>496</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|---------------------------|
| 1) Diameter <u>10</u> inches | 2) Length <u>476</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|---------------------------------------|--------------------------|
| 1) Type <u>stainless steel</u> | 2) Length <u>20</u> feet |
| 3) Static water level <u>230</u> feet | |

Pump:

- | | |
|------------------------|-----------------------------|
| 1) Make <u>unknown</u> | 2) Model <u>submersible</u> |
| 3) Size <u>?</u> | 4) Capacity <u>270</u> GPM |

Motor:

- | | |
|----------------------------------|-----------------------|
| 1) Make <u>unknown</u> | 2) Model No. <u>?</u> |
| 3) Horsepower rating <u>?</u> hp | |

DISTRIBUTION LINES OR CANALS:

- | |
|--|
| 1) Type <u>City's municipal system</u> |
|--|

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>yes</u> |
| 2) All structures, wells and lands on map <u>yes</u> |

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4861-3

(1) The City of Clark, PO Box 217, Clark SD 57225-0217 made Application No. 4861-3, January 29, 1982 for a water permit to divert 0.67 cubic feet of water per second from groundwater (one well), Clark County, South Dakota for municipal use purposes. Permit No. 4861-3, with a priority date of January 29, 1982 was approved April 7, 1982 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 7, 1987 and for the application to beneficial use of said water on or before April 7, 1991.

(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 0.60 cubic feet of water per second for beneficial use. The location of the diversion point is: Well No. 5 - 590 feet north and 1,170 feet east (SW 1/4 SW 1/4) from the southwest corner of Section 6-T116N-R57W.

(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 City of Clark, PO Box 217, Clark SD 57225-0217 the holder and/or owner of Water Permit No. 4861-3 is issued a license to appropriate water, the right to use 0.60 cubic feet of water per second from groundwater (one well) with a priority date of January 29, 1982 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. 4861-3 and subject to South Dakota State Law.



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

APR 7 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 7 1997

4861-3

Dale Clausen, Finance Officer
City of Clark
P.O. Box 217
Clark, SD 57225-0217

Dear Mr. Clausen:

Enclosed is Water License No. 4861-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415182 in the amount of \$50.00 which you paid for the investigation 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. 4861-3, 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 Program
(605) 773-3352

ks
enclosures

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

CITY OF CLARK
111 W 1ST AVE
CLARK SD 57225

Address correction requested:

City of CLARK
120 N. Comm St.
CLARK, SD 57225

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 4861-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: ALTAMONT
Management Unit: NOT APPLICABLE

County: CLARK
Pumping Pt. Legal: SEC 06-T116N-R57W
Type of Water Use: MUNICIPAL

- 1) Please estimate your year 2000 water use from the above water source: _____ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: The City of Clark is currently fed by Clark Rural water
and the future of our wells is uncertain at this time

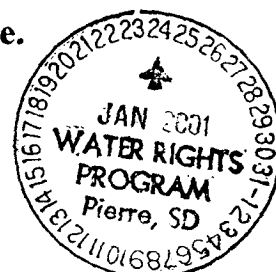
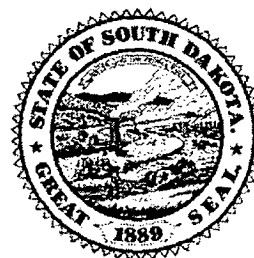
Contact Person: Narin Atfillisch

Telephone No: 532-5665

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

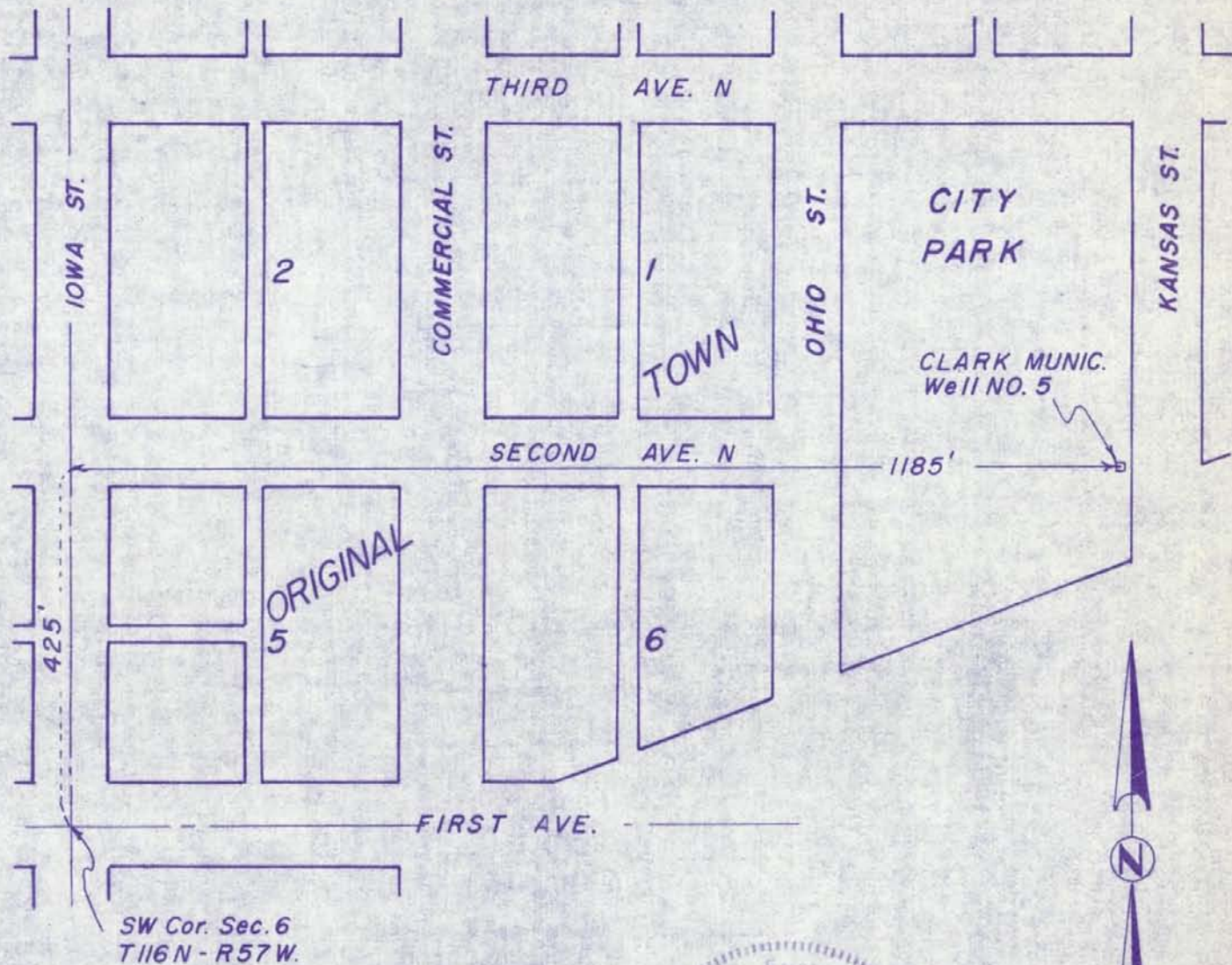
Water Rights on the Web: www.state.sd.us/denr/wr



address
changed

MAP OF MUNICIPAL WELL NO. 5 LOCATION CITY OF CLARK

LOCATED IN SW 1/4 SW 1/4 SECTION 6
TOWNSHIP 116 NORTH, RANGE 57 WEST - 5th P.M.
CLARK COUNTY, SOUTH DAKOTA



I Hereby Certify This To Represent The
Location Of Well No. 5, As Surveyed
By Me.

Melvin J. Gebhart
Registered P.E. & L.S.



SCALE 1" = 200'

W.R. 4861-3 App'l 4060-3