

WELL LOG Driller _____ Licensed - yes _____ no _____
Depth 370' deep
Remarks _____

MAP Map No. 4056-3 Map located in Water Right X Map file _____
 Type of Map Drawn Prepared by Engr. PE Municipal
Engr. Consultants, Sargent & Lundy

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:

6-14-82

Boyd 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 was
 DECISIONS adopted _____
 ETC. Remarks _____

Above for Office Use 10/70/01

WNR-802-7/79

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4904-3

CITY OF ELK POINT

(Applicant)

Box 280, ELK POINT

(Post Office Address)

SOUTH DAKOTA

(State)

57025

With the following qualifications.

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

Date of first receipt of application MAY 24, 1982

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

Date of receipt of corrected application _____, 19____

Approved July 28, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4904 3

The Water Management Board hereby grants and issues this Water Right Permit No. 4904 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 MAY 24, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 28, 1983
3. The whole of said work is to be completed on or before July 28, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 28, 1983
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 0.65 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 twentieth (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 July 28, 1982, said water to be used during the following described annual period: Continuously

Witness my hand this 3RD day of August, 1982

THE WATER MANAGEMENT BOARD

By:

John Katak
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D. Well Information

- (1) Drill Hole, Diameter 20", Depth 378'
- (2) Casing, Type PVC, Diameter 12", Thickness 0.490"
(wood, concrete, steel, etc.)
- (3) Screen, Type Stainless Steel, Diameter 8", Length 60'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 62'

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 26'

Depth to bottom of water bearing material 402'

Depth to water (ground surface to water level) 22'

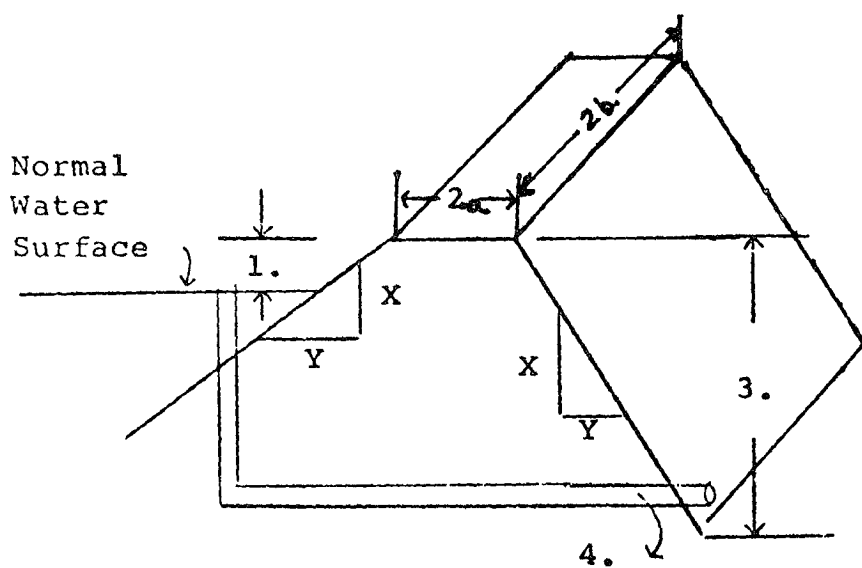
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 19 rds.

On property owned by others 300 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 _____, 2b 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 _____

Lawrence Donnelly
Signature of Applicant

No. 4904-3

Publish first publication, on or before July 1, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 15, 1982

Notice is hereby given City of Elk Point whose post office

address is Box 280, Elk Point, 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~~) 46-5-33 thru 46-5-35 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

0.65 CFS additional water from existing permit)
1.34 cubic feet of water per second of time from ~~groundwater (one well existing)~~

through the Elk Point Water Supply Improvement, the point (→) of diversion which is (~~are~~) ~~to be~~ located in the Block 29, Original Town

of Section 19, Twp. 91N, Range 49W. Said water to be used for purpose of providing ~~irrigation on portions of the following described land:~~

additional water supplies for the City of Elk Point

This Application No. 4904-3 will be considered by the Water Management Board at

Civil Defense Room, Capitol Building, Pierre, SD upon the 28th day of July, 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

WNR-806-2/82

BETTY WESTLUND, Water Rights Specialist

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 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 _____

city Elk Point of _____

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

June 24, 1982 - Thursday

July 1, 1982 - Thursday

Lester E. Emerson
(Signature)

Publisher-Editor
(Title)

July 1 - 1982
(Date Signed)

Cost of Printing: 21.77

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

Pierre, South Dakota 57501
June 15, 1982

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Elk Point whose post office ad-
dress is Box 280, Elk Point, 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 74:02:01:01 thru 74:02:01-
:15, for a permit to appropriate for
beneficial use 1.34 cubic feet of
water per second of time (0.65 CFS
additional water from existing
permit) from groundwater (one
well existing) through the Elk
Point Water Supply Improvement,
the point of diversion which is
located in Block 29, Original Town
of Section 19, Twp. 91N, Range
49W. Said water to be used for
purpose of providing additional
water supplies for the City of Elk
Point.

This Application No. 4904-3 will
be considered by the Water Man-
agement Board at Civil Defense
Room, Capitol Building, Pierre,
SD, upon the 28th day of July,
1982 at 10 A.M. The Board is
authorized to make a determina-
tion 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 pre-
sent 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.

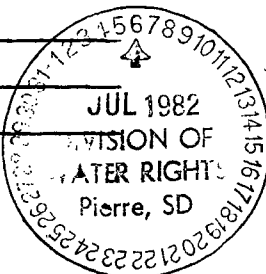
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proceeding. Any person has the
right to be present or to be re-
presented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised
at the hearing. Decisions of the
Board may be appealed to the
Circuit Court and the State Su-
preme Court as provided by law.

Any handicapped person wish-
ing to attend this hearing can con-
tact 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

BETTY WESTLUND,
Water Rights Specialist

Pub. June 24, July 1.



Conversation or File Documentation

NAME OF PERSON OR FILE: City of Elk Point, Ray SolbergADDRESS: _____ COUNTY UnionDATE: 16 June TELEPHONE 356-2141

RE: _____

COMMENTS:

They presently have a permit for 0.69 cfs from a well. They want 1.69 cfs. From well can they drill well now and apply for additional cfs? Yes.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Sale

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Box 280
Elk Point SD. 57025
Date 10-6-82TO: 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.

4904-3

Water Right Permit No. 4904-3 states that the diversion system is to be constructed by 5-24-82, and that the water is put to beneficial use by July 28-83.

The diversion system was completed on 8-15-82. Applying the water to beneficial use was completed on 10-2-82.

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.

RA Elster Sept
(Signature)



Permit No. 4904-3
MISSOURI River - Water District

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

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

I have this day, 11/6/1995, made a thorough examination of the water use system constructed by CITY OF ELK POINT of BOX 280, ELK POINT SD holder of Permit No. 4851-3, bearing the priority of DECEMBER 30, 1981 authorizing the diversion of 0.69 cu. ft. per second and Permit No. 4904-3, bearing the priority of MAY 24, 1982 authorizing the diversion of 0.65 cu. ft. per second of the waters of GROUNDWATER, DAKOTA FORMATION for MUNICIPAL USE purposes, in UNION County.

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

A. Works used to divert the water:

A FAIRBANKS PUMP

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

MUNICIPAL DISTRIBUTION SYSTEM

The system is in the following condition GOOD ^{from NW corner (KS)} The point of diversion is located SECTION 19 T91N-R49W: 2140 FEET SOUTH AND 130 FEET EAST. The works are capable of diverting and conveying to the place of use 1.34 cu. ft. per second of which is to be used for MUNICIPAL USE. Water has been put to beneficial use to the maximum extent and the license should be issued for 1.34 cfs.

Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: NONE



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Program

11/13/95
Date

REPORT ON INSPECTION OF PERMIT NO. 4904-3

DATE OF INSPECTION: 11/6/1995

Other permit(s) associated with the project: 4851-3

**DIVERSION POINT LEGAL LOCATION: FROM THE NW CORNER OF SECTION 19 T91N-R49W:
2140 FEET SOUTH AND 130 FEET EAST**

WELL INFORMATION:

- 1) Well Drilling Firm: WETMORE DRILLING
- 2) No. of Wells 1
- 3) Depth(s) 382 feet
- 4) Well log is available YES

Casing:

- 1) Diameter 8 inches
- 2) Length 322 feet
- 3) Type PVC

Screen:

- 1) Type STAINLESS STEEL
- 2) Length 60 feet
- 3) Static water level 24 feet

Pump:

- 1) Make FAIRBANKS
- 2) Capacity 600 GPM

Motor:

- 1) Make GE
- 2) Model No. 5K256BP6008A
- 3) Horsepower rating 20 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type MUNICIPAL DISTRIBUTION SYSTEM

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

I N T

S19 T9N R49W

1126

1125

1123

BM
1121

2140

WELL

130

Elk Point
(BM 1127)

19

St Joseph
Cem

1125

1124

BM 1125

1123

1120

1122

1118

1115


Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 11/9/95

4904-3

PLEASE COMPLETE
ENTIRE FORM

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

6/60

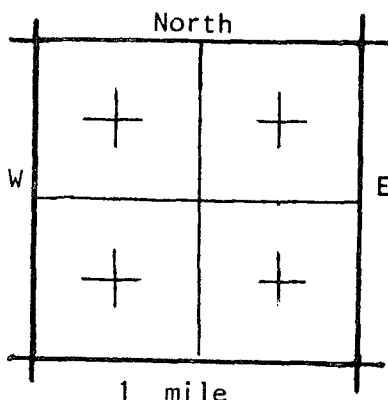
Well Owner:

Name Elk Point City Well #3

Address Elk Point Rd

Well Location:

Mark location
with an "X"



County Union
Sec. 1 Twp. 1 Rg. 1

Proposed Use:

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

Method of Drilling:

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

Well Construction:

Diameter of Hole 12"
Depth 382'
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify _____

Was casing end left open no
Was a well screen installed no
Describe Well Screen
Diameter 8" x 60' Material stainless steel
Slot size 1/8"
Was well gravel packed yes
Was well grouted yes
Was water sample taken yes

Remarks: LOCATION

E²N 75' OF LOT 10 & N 75'
OF LOT 11 & 12 IN BLOCK 29
ELK POINT, ORIGINAL

Water Level Information:

Static water level 24' below land surface
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Well Test Data:

☐ Pumped

☐ Bailed

☐ Other

Describe: _____

Pumping Level Below Land Surface

77' ft. After 14.5 Hrs. pumped 900 GPM
" " " " " "
" " " " " "

Well Log:

Formation	Depth	
	From	To
<u>Top soil</u>	<u>0</u>	<u>3</u>
<u>clay</u>	<u>3</u>	<u>26</u>
<u>fine sand</u>	<u>26</u>	<u>60</u>
<u>coarse sand</u>	<u>60</u>	<u>157</u>
<u>glacial gravel</u>		
<u>shale</u>	<u>157</u>	<u>182</u>
<u>sandstone</u>	<u>182</u>	<u>221</u>
<u>sandstone w/ chert</u>	<u>221</u>	<u>284</u>
<u>limestone</u>	<u>284</u>	<u>336</u>
<u>sandy shale</u>	<u>336</u>	<u>348</u>
<u>sandstone</u>	<u>348</u>	<u>382</u>
<u>sandstone lenses</u>	<u>382</u>	<u>402</u>

(Use Back if Necessary)

Date Completed: 6 22 82

Driller:

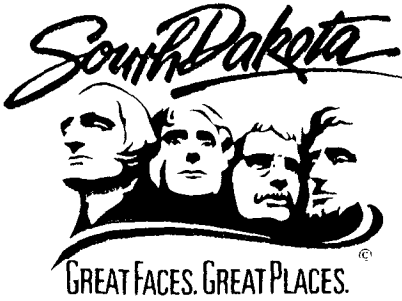
Wetmore Drilling
Driller's or Firm's Name

341
License NO.

Address

Signed By

12-28-82
Date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 17, 1995

4904-3

Dawn Glover, Finance Officer
City of Elk Point
P.O. Box 280
Elk Point, SD 57025-0280

Dear Ms. Glover:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4904-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

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

Sincerely,

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

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

RECEIPT

414711

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, December 13, 1995

RECEIVED OF City of Elk Point, P.O. Box 280, Elk Point, SD 57025-0280

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>4904-3</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 Hatch 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

4904-3

Dawn Glover, Finance Officer
City of Elk Point
P.O. Box 280
Elk Point, SD 57025-0280

Dear Ms. Glover:

Enclosed is Water License No. 4904-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414711 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. 4904-3, 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

NOTE: The applicable portions of Water Permit No. 4851-3 have been incorporated into this Water License No. 4904-3.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4904-3

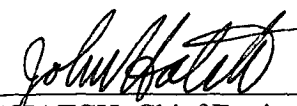
(1) The City of Elk Point, PO Box 280, Elk Point SD 57025-0280 made Application No. 4904-3, May 24, 1982 for a water permit to divert 0.65 cubic feet of water per second from groundwater (one well), Union County, South Dakota for municipal purposes. Permit No. 4904-3, with a priority date of May 24, 1982 was approved July 28, 1982 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 28, 1983 and for the application to beneficial use of said water on or before July 28, 1983.

Water Permit No. 4904-3 authorized an increase in the diversion rate from the existing well authorized by Water Permit No. 4851-3. The applicable portions of Water Permit No. 4851-3 have been incorporated into this Water License No. 4904-3.

(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 1.34 cubic feet of water per second for beneficial use. The location of the diversion point is 2140 feet south and 130 feet east from the northwest corner of Section 19-T91N-R49W (SW 1/4 NW 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Elk Point, PO Box 280, Elk Point SD 57025-0280 the holder and/or owner of Incorporated Water Permit No. 4904-3 is issued a license to appropriate water, the right to use 1.34 cubic feet of water per second from groundwater (one well) with a priority date of December 30, 1981 (0.69 cfs) and May 24, 1982 (0.65 cfs) from the location specified in (2) of this license. The water to be used for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 4904-3 and subject to South Dakota State Law.



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

APR 4 1996

date

