

Considered: _____

WATER PERMIT NO. 5004-3
~~5004xxx~~

MAP No. 5004-3

Name of Applicant Elm Valley School District 6-2

Post Office Address Box 456, Frederick, S.D. 57441

Amount of Water Claimed 0.09 Total Acres--

Source of Water Supply one 1315' Lakota well

Water to be used for INS & MUN County Brown

About _____ miles _____ of City limits of Barnard _____.

PROOF OF PUBLICATION: Received 6-12-84 Not Received _____

APPLICATION: Approved 7-11-84 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received 12/1/83 Fee 150.00 Remarks letter 12/7/83 requesting fee and signed map
12/1/83

Corrected Application Received 1/20/84 Period of Annual Use 1/1 to 12/31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS not applicable

Diversion Point _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13 T126N-R64W

Land to be Irrigated _____

--

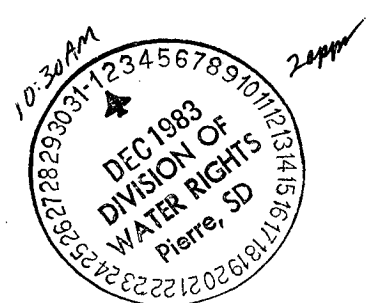
	13				
x					

Well Log: Driller Independent Drilling Co Licensed YES xx NO _____

Depth of Well 1315' Lakota REMARKS _____

Type of Map drawn PREPARED BY Donald H Quimby Qualified City _____ Reviewed and the Number _____
Employee

assigned on ~~1/24/84~~ 1/24/84 By *[Signature]*

No. 5004-3Map No. 5004-3 Water Division No. 3 JAMES RIVER DistrictAbove for Office Use 10160004

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 Elm Valley School Dist. 6-2 Phone No. 329-2355Post Office Address Box 456 Frederick State South Dakota 57441
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Well4. Amount of water claimed (cubic feet per second) 40 cfs gpm .09 *ok*5. Source of water supply Well6. Location of point of diversion See attachment A1 and A2S1/4 NW 13-136-64County Brown7. Annual period or periods during which water is to be used Year-round8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal & Ins

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 4 5 years. Additional time required to complete application of water to the proposed beneficial use 5 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Brown County News

12. Principal Features of the Proposed Water Supply System.

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

Well

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

Distribution by pipe system

C. Works proposed to apply water to beneficial use.

Municipal water supplyEstimated Total Cost \$ 7,800.00

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 Brown) ss.I, Donald H. Quimby Son Elm Valley School District 6-2 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 Donald H. Quimby SeptSubscribed and sworn to before me this 30 day of Nov, 1983

IVOR H. OCHSNER, Notary Public

Brown County, South Dakota

My Commission Expires July 30, 1991

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 5004-3

Elm Valley School District 6-2

Box 456

Frederick

(Applicant)

(Post Office Address)

South Dakota

(State)

With the following qualifications.

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used. The well shall be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

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.

Date of first receipt of application December 1, 1983

Date of return to applicant for correction, amendments or changes required 8 —, 19—

Date of receipt of corrected application —, 19—

Approved July 11, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 5004-3

The Water Management Board hereby grants and issues this Water Right Permit No. 5004-3 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 December 1, 1983

2. ~~The equivalent of at least one-fifth of the work above specified is to be completed on or before~~
January 11, 1987

3. The whole of said work is to be completed on or before July 11, 1989

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 11, 1993

5. The water appropriated shall be used for the purpose of Municipal & Institutional

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 0.09 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 foot 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 July 11, 1993; said water to be used during the following described

annual period: year around

Witness my hand this 24 day of July, 1984

THE WATER MANAGEMENT BOARD

By:

John H. Hatcher
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Barnard, South Dakota - (Part of the Northwest Quarter of Section
Thirteen, Township 126, Range 64)

Abstract of Title

None

Deeds

None

Note: Records checked at Brown County Court House on May 14, 1976,
show:

Barnard Independent Consolidated District No. 2 - Southwest
corner of the Northwest Quarter of Section Thirteen, Town-
ship 126, Range 64 West of the 5th P. M., commencing at a
point on the West line of said quarter 1492.46 feet South
of the Northwest corner thereof, thence East at right
angles to the West line of said Quarter 586.5 feet, thence
South at right angles 1152.2 feet to the South line of
said Quarter Section, thence West on the South line of
said Quarter Section 586.5 feet to the Southwest corner
thereof, thence North on the West line of Quarter Section
1152.2 feet to the point of beginning. Excepting there-
from, Lots Six, Seven and Eight, but including Lots Nine,
Ten, Eleven and Twelve - Block 2 - Reynards Addition to
Barnard.

Note: Lot Eight - Block 2 - Reynards Addition deeded to District in
1921.

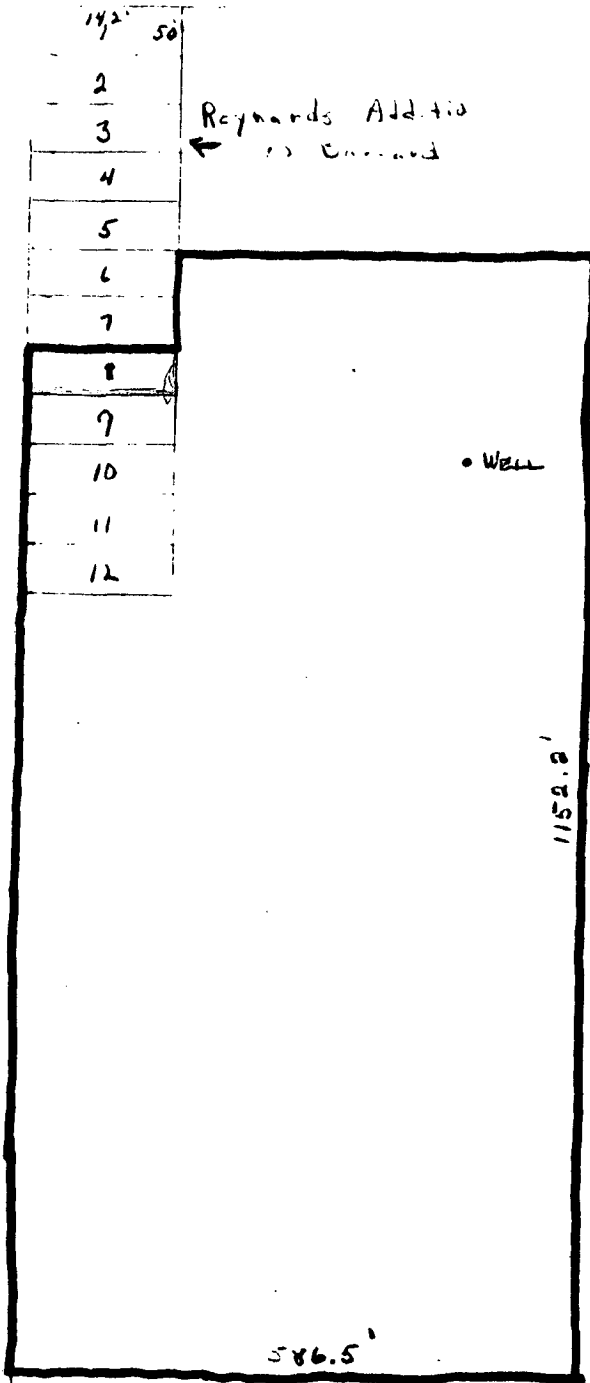
12/21/83 Supt. Donald H. Quimby - qualified city employee

Barnard

Attachment A2

3rd. St.

Main St. Barnard, S. D.



Sept. Donald H. Quimby

10-19-89- 95 PSI
8:00 A.M.

10-26-89 11:00 A.M. 95 PSI

10-30-89 10:30 A.M. 95 PSI

11-6-89- 8:00 A.M.
93 PSI

3-22-89	9:00 A.M.	97 PSI
3-29-89	11:00 A.M.	95 PSI
4-6-89	1:00 P.M.	98 PSI
4-13-89	5:00 P.M.	99 PSI
4-20-89	1:00 P.M.	95 PSI
4-26-89	10:00 A.M.	96 PSI
5-3-89	11:00 A.M.	95 PSI
5-9-89	2:00 P.M.	90 PSI
5-16-89	10:00 A.M.	95 PSI
5-22-89	12:30 P.M.	96 PSI
6-5-89	2:00 P.M.	95 PSI
7-19-89	1:30 P.M.	90 PSI
7-25-89	8:00 A.M.	80 PSI
8-3-89	9:30 A.M.	90 PSI
8-7-89	2:00 P.M.	92 PSI
8-14-89	7:00 P.M.	92 PSI
8-20-89	1:00 P.M.	96 PSI
8-27-89	2:00 P.M.	95 PSI
9-5-89	11:00 A.M.	90 PSI
9-11-89	12:00 P.M.	95 PSI
9-17-89	11:00 A.M.	96 PSI
9-24-89	7:30 A.M.	96 PSI
10-1-89	1:00 P.M.	97 PSI
10-4-89	11:30 A.M.	96 PSI
10-16-89	8:00 A.M.	93 PSI

Tim,
This came from
Elm Valley School
Dist.



10-12-88	9:00 A.M.	95 PSI
10-20-88	11:00 A.M.	92 PSI
10-27-88	1:00 P.M.	95 PSI
11-3-88	10:30 A.M.	99 PSI
11-10-88	2:00 P.M.	95 PSI
11-17-88	10:00 A.M.	98 PSI
11-23-88	1:00 P.M.	96 PSI
11-28-88	1:30 P.M.	95 PSI
12-5-88	10:00 A.M.	95 PSI
12-13-88	11:00 A.M.	95 PSI
12-20-88	1:30 P.M.	93 PSI
12-28-88	1:00 P.M.	96 PSI
1-4-89	12:00 P.M.	95 PSI
1-11-89	1:00 P.M.	97 PSI
1-18-89	11:00 A.M.	94 PSI
1-25-89	10:00 A.M.	99 PSI
2-3-89	9:00 A.M.	96 PSI
2-8-89	1:00 P.M.	97 PSI
2-14-89	2:00 P.M.	98 PSI
2-20-89	1:00 P.M.	97 PSI
2-26-89	11:00 A.M.	98 PSI
3-8-89	4:00 P.M.	95 PSI
3-15-89	1:00 P.M.	98 PSI

5-5-88	2:00 P.M.	98 PSI
5-12-88	1:00 P.M.	97 PSI
5-17-88	11:00 A.M.	79 PSI
5-22-88	1:00 P.M.	94 PSI
5-29-88	2:00 P.M.	98 PSI
6-5-88	11:00 A.M.	96 PSI
6-11-88	9:00 A.M.	97 PSI
6-19-88	1:00 P.M.	75 PSI
6-25-88	9:00 A.M.	87 PSI
7-6-88	8:00 P.M.	95 PSI
7-13-88	3:00 P.M.	95 PSI
7-20-88	5:00 P.M.	92 PSI
7-27-88	10:00 A.M.	90 PSI
8-2-88	10:30 A.M.	94 PSI
8-9-88	3:00 P.M.	95 PSI
8-16-88	1:30 P.M.	90 PSI
8-23-88	10:00 A.M.	92 PSI
8-29-88	10:30 A.M.	95 PSI
9-7-88	9:30 A.M.	95 PSI
9-14-88	3:45 P.M.	89 PSI
9-20-88	2:00 P.M.	94 PSI
9-26-88	10:00 A.M.	95 PSI
10-4-88	11:00 A.M.	97 PSI

Date	time	Pressure
12-16-87	9:30 A.M.	100 PSI
12-23-87	10:00 A.M.	98 PSI
12-28-87	2:30 P.M.	96 PSI
1-6-88	2:00 P.M.	96 PSI
1-14-88	9:00 A.M.	98 PSI
1-21-88	2:30 P.M.	100 PSI
1-27-88	1:00 P.M.	98 PSI
2-3-88	9:30 A.M.	100 PSI
2-9-88	2:00 P.M.	98 PSI
2-16-88	3:30 P.M.	99 PSI
2-24-88	11:30 A.M.	99 PSI
2-29-88	9:30 A.M.	99 PSI
3-5-88	10:00 A.M.	98 PSI
3-10-88	11:00 A.M.	99 PSI
3-14-88	8:30 A.M.	99 PSI
3-20-88	1:00 P.M.	98 PSI
3-28-88	2:30 P.M.	98 PSI
4-4-88	9:30 A.M.	96 PSI
4-12-88	11:00 A.M.	97 PSI
4-21-88	3:30 P.M.	95 PSI
4-28-88	1:30 P.M.	95 PSI

Date	Time	Pressure
8-5-93	9:00 A.M.	91
8-12-93	8:30 A.M.	92
8-22-93	10:00 A.M.	96
8-30-93	11:00 A.M.	95
9-5-93	3:00 P.M.	93
9-11-93	2:00 P.M.	92
9-18-93	11:30 A.M.	97
9-27-93	12:00 P.M.	98
10-3-93	9:00 A.M.	95
10-12-93	10:00 A.M.	96
10-18-93	8:00 A.M.	91
10-27-93	1:00 P.M.	93
11-4-93	2:00 P.M.	96
11-12-93	4:00 P.M.	98
11-19-93	5:00 P.M.	99
11-28-93	1:00 P.M.	97
12-5-93	10:00 A.M.	95
12-14-93	9:00 A.M.	94
12-22-93	10:00 A.M.	91
12-29-93	9:00 A.M.	93
1-4-94	1:00 P.M.	92
1-11-94	9:00 A.M.	94
1-19-94	4:00 P.M.	94
2-28-94	8:00 A.M.	95
2-4-94	6:30 A.M.	97
2-12-94	1:00 P.M.	94
2-20-94	2:00 P.M.	93
2-28-94	4:00 P.M.	94
3-6-94	10:00 A.M.	94
3-16-94	9:00 A.M.	96
3-25-94	10:00 A.M.	97
4-2-94	11:00 A.M.	97
4-12-94	1:00 P.M.	98
4-18-94	1:30 P.M.	92
4-25-94	2:00 P.M.	94

Date	Time	Pressure
11-11-92	8:00 A.M.	94
11-18-92	8:30 A.M.	94
11-29-92	1:00 P.M.	93
12-6-92	1:30 P.M.	92
12-14-92	9:00 A.M.	91
12-23-92	2:00 P.M.	95
12-29-92	4:30 P.M.	96
1-3-93	6:30 A.M.	98
1-9-93	9:00 A.M.	97
1-18-93	10:00 A.M.	95
1-26-93	3:00 P.M.	94
2-4-93	2:00 P.M.	94
2-10-93	1:00 P.M.	92
2-17-93	1:30 P.M.	91
2-27-93	9:00 A.M.	94
3-5-93	9:30 A.M.	97
3-14-93	12:00 P.M.	94
3-23-93	9:00 A.M.	93
3-29-93	10:00 A.M.	95
4-5-93	1:00 P.M.	94
4-13-93	2:00 P.M.	92
4-21-93	2:30 P.M.	93
4-27-93	8:00 A.M.	94
5-3-93	2:00 A.M.	94
5-13-93	5:00 P.M.	97
5-23-93	7:00 A.M.	91
5-30-93	4:00 P.M.	98
6-5-93	3:00 P.M.	95
6-13-93	2:00 P.M.	95
6-19-93	1:00 P.M.	94
6-27-93	8:00 A.M.	97
7-5-93	10:00 A.M.	94
7-12-93	2:00 P.M.	93
7-21-93	3:00 P.M.	92
7-28-93	9:00 A.M.	93

Date	Time	Pressure
2-18-92	9:00 A.M.	94
2-26-92	10:00 A.M.	95
3-7-92	10:00 A.M.	98
3-15-92	10:30 A.M.	97
3-24-92	9:30 A.M.	97
3-30-92	1:00 P.M.	97
4-4-92	2:00 P.M.	96
4-13-92	10:00 A.M.	95
4-20-92	9:00 A.M.	98
4-26-92	3:00 P.M.	99
5-4-92	3:30 P.M.	98
5-14-92	1:00 P.M.	97
5-22-92	1:30 P.M.	96
5-30-92	9:00 A.M.	95
6-4-92	8:00 A.M.	95
6-12-92	9:00 A.M.	94
6-17-92	10:00 A.M.	93
6-26-92	11:00 A.M.	92
7-3-92	12:00 P.M.	99
7-11-92	1:00 P.M.	98
7-18-92	2:00 P.M.	97
7-25-92	8:00 A.M.	97
8-3-92	9:00 A.M.	96
8-13-92	9:00 A.M.	95
8-21-92	1:00 P.M.	94
8-28-92	1:30 P.M.	95
9-4-92	2:00 P.M.	95
9-13-92	10:00 A.M.	96
9-20-92	11:00 A.M.	94
9-27-92	1:00 P.M.	97
10-4-92	8:00 A.M.	98
10-13-92	9:00 A.M.	94
10-21-92	9:30 A.M.	95
10-30-92	10:00 A.M.	95
11-4-92	3:00 P.M.	96

Date	Time	Pressure
5-26-91	8:00 A.M.	95
6-4-91	9:00 A.M.	96
6-14-91	10:00 A.M.	95
6-20-91	1:00 P.M.	95
6-27-91	2:00 P.M.	94
7-2-91	2:00 P.M.	97
7-10-91	8:00 A.M.	97
7-18-91	9:00 A.M.	98
7-26-91	1:00 P.M.	96
8-4-91	2:00 P.M.	92
8-13-91	3:00 P.M.	95
8-22-91	11:00 A.M.	96
8-30-91	9:00 A.M.	97
9-3-91	10:00 P.M.	96
9-11-91	5:00 P.M.	95
9-19-91	4:00 P.M.	95
9-27-91	2:00 P.M.	94
10-2-91	8:00 P.M.	96
10-12-91	9:00 A.M.	95
10-19-91	9:30 A.M.	97
10-28-91	10:00 A.M.	92
11-4-91	1:00 P.M.	98
11-11-91	1:30 P.M.	98
11-18-91	1:00 A.M.	97
11-29-91	2:00 P.M.	96
12-4-91	2:00 P.M.	95
12-13-91	1:00 P.M.	94
12-21-91	8:00 A.M.	93
12-28-91	9:00 A.M.	90
1-3-92	10:00 A.M.	92
1-10-92	11:00 A.M.	95
1-17-92	12:00 P.M.	95
1-26-92	1:00 P.M.	94
2-3-92	9:00 A.M.	95
2-11-92	9:00 A.M.	96

Date	Time	Pressure
9-6-90	9:00 A.M.	96
9-14-90	9:30 A.M.	93
9-23-90	10:00 A.M.	94
9-29-90	1:00 P.M.	94
10-4-90	1:30 P.M.	95
10-13-90	8:00 A.M.	96
10-21-90	10:00 A.M.	95
10-28-90	10:30 A.M.	96
11-3-90	9:00 A.M.	97
11-11-90	8:30 A.M.	98
11-18-90	1:00 P.M.	95
11-28-90	2:00 A.M.	96
12-6-90	1:00 P.M.	97
12-13-90	10:00 A.M.	96
12-20-90	11:00 A.M.	95
12-27-90	9:00 A.M.	96
1-3-91	8:00 A.M.	92
1-12-91	9:00 A.M.	95
1-21-91	1:00 P.M.	96
1-29-91	1:30 P.M.	95
2-2-91	5:00 P.M.	94
2-10-91	5:00 P.M.	94
2-22-91	9:00 A.M.	95
2-27-91	10:00 A.M.	92
3-4-91	7:00 P.M.	98
3-12-91	7:00 A.M.	99
3-20-91	11:00 A.M.	91
3-28-91	10:00 A.M.	92
4-4-91	10:30 A.M.	93
4-11-91	9:00 A.M.	95
4-22-91	10:00 A.M.	95
4-30-91	10:00 A.M.	96
5-3-91	1:00 P.M.	97
5-11-91	2:00 P.M.	98
5-20-91	3:00 P.M.	98

Date	Time	Pressure
11-14-89	10:00 A.M	97
11-21-89	10:30 A.M	96
11-28-89	11:00 A.M	95
1-4-90	9:00 A.M	95
1-12-90	1:00 P.M.	98
1-18-90	3:00 P.M	98
1-25-90	10:00 A.M	99
2-1-90	8:30 A.M	95
2-9-90	2:00 P.M	94
2-16-90	3:00 P.M	94
2-25-90	1:00 P.M.	92
3-4-90	11:30 P.M	95
3-12-90	7:00 A.M.	97
3-18-90	8:00 A.M.	96
3-27-90	10:00 A.M.	94
4-2-90	11:00 A.M.	92
4-11-90	7:00 A.M.	92
4-20-90	10:00 A.M.	98
4-28-90	1:00 P.M.	95
5-4-90	3:00 P.M.	97
5-12-90	9:00 A.M.	96
5-22-90	10:00 A.M.	97
5-30-90	4:00 P.M.	97
6-4-90	5:00 P.M.	98
6-13-90	8:00 A.M.	95
6-21-90	9:00 A.M	95
6-28-90	9:00 A.M	96
7-5-90	5:00 P.M	92
7-14-90	7:00 A.M.	93
7-22-90	1:00 P.M	95
7-31-90	1:30 P.M.	95
8-3-90	9:00 A.M.	96
8-12-90	10:00 A.M.	98
8-20-90	10:30 A.M.	96
8-29-90	11:00 A.M.	96

Date	Time	Pressure
5-3-94	3:00 P.M.	92
5-12-94	5:00 P.M.	94
5-20-94	1:00 P.M.	96
5-28-94	11:00 A.M.	96
6-5-94	10:00 A.M.	95
6-13-94	9:00 A.M.	93
6-21-94	9:00 A.M.	92
6-28-94	3:00 P.M.	94
7-6-94	2:00 P.M.	96
7-13-94	1:00 P.M.	95
7-22-94	11:00 A.M.	94
7-29-94	10:00 A.M.	94
8-7-94	8:00 A.M.	92
8-10-94	9:00 A.M.	95
8-19-94	12:00 P.M.	97
8-26-94	11:00 A.M.	98
9-4-94	10:00 A.M.	97
9-13-94	9:00 A.M.	97
9-19-94	8:00 A.M.	96
9-28-94	4:00 P.M.	95
10-5-94	3:00 P.M.	94
10-14-94	2:00 P.M.	92
10-22-94	1:00 P.M.	96
10-28-94	8:00 A.M.	95
11-2-94	10:00 A.M.	97
11-9-94	9:00 A.M.	97
11-17-94	3:00 P.M.	96
11-26-94	8:00 A.M.	94
12-3-94	2:00 P.M.	93
12-11-94	1:00 P.M.	95

Date	Time	Pressure
12-18-94	9:00 A.M.	95
12-27-94	10:00 A.M.	92
1-2-95	10:30 A.M.	94
1-9-95	12:00 P.M.	94
1-16-95	2:00 P.M.	95
1-24-95	10:00 A.M.	98
2-3-95	11:00 A.M.	99
2-8-95	10:00 A.M.	95
2-16-95	9:00 A.M.	94
2-24-95	1:00 P.M.	92
2-24-95 2-3-95	2:00 P.M.	96
3-12-95	1:00 P.M.	92
3-19-95	10:00 A.M.	94
3-27-95	11:00 A.M.	92
4-4-95	11:00 A.M.	95
4-12-95	11:00 A.M.	94
4-20-95	2:00 P.M.	95
4-28-95	9:00 A.M.	94
5-4-95	9:30 A.M.	94
5-13-95	8:00 A.M.	96
5-21-95	10:00 A.M.	92
5-29-95	1:00 P.M.	96
6-2-95	4:00 P.M.	93
6-11-95	5:00 P.M.	95
6-18-95	1:00 P.M.	93
6-27-95	2:00 P.M.	94
7-2-95	10:00 A.M.	94
7-14-95	9:00 A.M.	95
7-24-95	8:00 A.M.	98
7-30-95	1:00 P.M.	97

Date	Time	Pressure
8-6-95	1:00 P.M.	94
8-14-95	10:00 A.M.	96
8-21-95	11:30 A.M.	95
8-29-95	1:00 P.M.	98
9-4-95	2:00 P.M.	97
9-12-95	10:00 A.M.	96
9-19-95	9:00 A.M.	95
9-27-95	8:00 A.M.	92
10-3-95	11:00 A.M.	94
10-12-95	1:00 P.M.	97
10-19-95	2:00 P.M.	98
10-28-95	3:00 P.M.	98
11-2-95	10:00 A.M.	96
11-12-95	9:00 A.M.	95
11-18-95	10:00 A.M.	96
11-25-95	9:00 A.M.	94
12-1-95	1:00 P.M.	93
12-13-95	2:00 P.M.	98
12-20-95	4:00 P.M.	97
12-28-95	3:00 P.M.	94
1-4-96	8:00 A.M.	92
1-13-96	11:00 A.M.	92
1-21-96	1:00 P.M.	94
1-28-96	3:00 P.M.	96
2-6-96	9:00 A.M.	95
2-14-96	5:00 A.M.	97
2-22-96	7:00 A.M.	98
2-27-96	10:00 A.M.	95
3-4-96	12:00 P.M.	94
3-14-96	1:00 P.M.	95

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

6/60

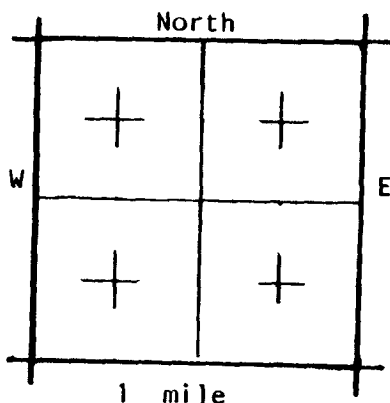
Well Owner:

Name Elm Valley School Dist. 6-2

Address Frederick, South Dakota

Well Location:

Mark location
with an "X"



County Brown

1/4 NW 1/4 Sec. 13 Twp. 126N Rg. 64W

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 4 1/2"

Depth

Casing ☒ Steel ☐ Concrete

☒ Plastic ☒ Other

If other, specify Copper

Was casing end left open yes

Was a well screen installed no

Describe Well Screen

Diameter _____ Material _____

Slot size _____

Was well gravel packed no

Was well grouted yes

Was water sample taken no

Remarks:

Water Level Information:

Static water level _____ below land surface

If flowing: closed in pressure 120 PSI

rate of flow 50 GPM

Controlled by:

☒ Valve ☒ Reducers ☐ Other

If other; specify _____

Well Test Data:

☐ Pumped

☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ " " _____ " " _____ " "

_____ " " _____ " " _____ " "

Well Log:

Formation	Depth	
	From	To
Pierre		100
Greenhorn		610
Dakota Newcastle		800
Dakota	970	1020
Lakota	1270	1315

(Use Back if Necessary)

Date Completed:

7-29-83

Driller:

Independent Drilling Co., Inc. 29

Driller's or Firm's Name License NO

Box 543, Aberdeen, So. Dak. 57401

Address

Robert S. Gussard 8-10-83

Signed By

Date

Supt. Donald H. Quimby

RECEIPT

Division of Water Rights

No 4 9504

South Dakota Department of Water and Natural Resources

Pierre, January 20, 1984

RECEIVED OF Elm Valley School District 6-2, Box 456, ~~REDACTED~~ Frederick, SD 57441

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

Fee for Application for Permit No. <u>5004-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
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. _____		
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	150 00

By

Chief Engineer

JOHN WATSON

Water Rights Division
605 773-3352

July 22, 1983

Don Quimby, Superintendent
Elm Valley School Dist. 6-2
Frederick SD 57441

Br. Quimby:

Bob Arend has indicated to us that you are planning to drill a replacement well in Barnard. After checking our files I do not find any permits on file for the Elm Valley School District. I am enclosing the forms necessary to file a permit application. If you have any questions about filling out the application forms, please contact this office.

Thank you,

KEVIN C LARSON
Water Resources Engineer

KCL:ks

enclosures

Division of Water Rights
605 773-3352

August 23, 1983

Don Quimby, Superintendent
Elm Valley School District 6-2
Frederick SD 57441

Dear Mr. Quimby:

This letter is in response to your telephone conversation with Jim Goodman, Hydrologist of this office, regarding the new Barnard School well drilled by Independent Drilling of Aberdeen. The well must be controlled to prevent waste. The well should have been constructed to allow the flow to be controlled and the well shut off. There should be no need for an overflow pond.

If we can be of further assistance, please feel free to contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:JG:ks

cc: Independent Drilling

LAW OFFICES
RONAYNE AND RICHARDS
207 MIDWEST-CAPITOL BLDG.
ABERDEEN, SOUTH DAKOTA 57401

MIKE RONAYNE, P.C.
CARLYLE E. RICHARDS, P.C.

PHONE: 605 225-1295

August 25, 1983

Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water
& Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Re: Elm Valley School District - Independent Drilling

Dear Mr. Hatch:

Your letter of August 23, 1983, directed to Don Quimby, Superintendent of the Elm Valley School District, Frederick, South Dakota 57441, has been given me for consideration. I represent Independent Drilling Company and find the timing and contents of such letter quite unfortunate.

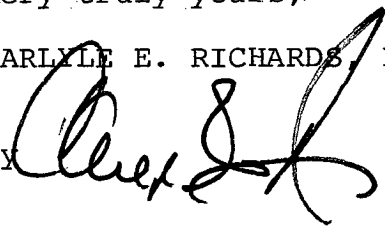
I have conferred with the President of Independent Drilling Company and, based upon the facts given me, I know of no statute or regulation that has been violated in connection with the construction of the well at the Barnard school. If you are aware of any legislation, department policy or regulation that you believe has been violated, please advise me at once, giving the appropriate citation.

If no law or regulation has been breached in the construction of the Barnard well, then my client has been terribly damaged by your letter of August 23. I am certain that the members of the Elm Valley School Board will construe the same as implying that Independent Drilling Company has failed to design and construct this well in a satisfactory manner. This is most certainly not the case at all!

Please advise me at once as to what your department will do to ameliorate the effect of the misinformation contained in said letter.

Very truly yours,

CARLYLE E. RICHARDS, P.C.

By 

CER/jea

cc: Independent Drilling Company



*File Copy
Elm Valley Sch. Dist.*

August 31, 1983

Don Quimby, Superintendent
Elm Valley School District 6-2
Frederick, South Dakota 57441

Dear Mr. Quimby:

This letter is in regard to the telephone conversations with myself August 24 and Jim Goodman August 22, and my letter dated August 23, 1983 concerning the new Barnard School well. You contacted us after Mr. Arend of Independent Drilling suggested a small amount of water (2-3 gallons per minute) be allowed to flow to waste from the end of a supply line to provide pressure relief for the new well. You advised that neither yourself nor the School Board had any knowledge that an overflow should be necessary prior to drilling the well. There was no overflow for the old well and you did not want to change the system you had. You also advised you did not interpret my August 23 letter to mean your new well was improperly constructed.

Mr. Arend is concerned that without pressure relief for the water system, sand and dirty water problems or damage to the well may occur due to sudden pressure changes when water faucets are turned on and off. Because of local topography, there is no place to drain water. Nearby farmers do not want the water, and you do not want to dig an evaporation-seepage pond for disposal of the overflow water.

If needed, another alternative for control of pressure changes could be to install a properly sized in-line surge (pressure) tank to equalize pressure fluctuations. If I understood you correctly, a pressure tank is not used now. The existing pressure reducing valves already provide some control of pressure fluctuations and serve as pressure absorbing devices.

In the usual pumped well setup, the pressure tank provides continuous pressure for the water system and serves as a surge tank to even out pressure fluctuations when the well pump is operating. In your case, a pressure tank could provide temporary reserve capacity to supply sudden peak demands that exceed the 50 gallon per minute capacity of the well.

The new well is constructed to allow the well flow to be controlled and the flow shutoff. Such control is accomplished manually at the well by closing the shutoff valve at a slow rate to minimize pressure changes. If sand and dirty water problems or damage to the well should occur in the future this will usually be a well operation and maintenance problem.

Equal Opportunity Employer

Don Quimby
Page 2
August 31, 1983

You advised no sand or dirty water problems are being experienced with the new well, while you did have sand and dirty water problems with the old well. The pressure reducing valves may provide enough pressure absorbing capacity; however, if sand and dirty water conditions start to develop, I suggest you ask your School Architect for his recommendations on the use of a pressure tank or mechanical pressure absorbing devices.

Mr. Arend has advised that your old well will be plugged. This will be in compliance with the State Law.

July 22, 1983, we mailed you the forms to make application for a water permit. State water laws require water users such as the Barnard School to obtain a water permit. At this time you have no legal right to use water from your new well (or the old well) in the school or Barnard Community.

If you need assistance with the forms or have questions, please feel free to contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:ms
cc: Independent Drilling

WATER RIGHTS DIVISION
(605) 773-3352

September 1, 1983

Carlyle E. Richards, Attorney
207 Midwest-Capitol Building
Aberdeen, South Dakota 57401

Dear Mr. Richards:

This will acknowledge your letter concerning the new Elm Valley School District well drilled at Barnard by Independent Drilling. I do not believe any Statute, Rule or Water Management Board policy has been violated in the construction of the new well at Barnard by Independent Drilling. Nor did my letter dated August 23 state there was any violation. August 24, 1983, Mr. Quimby, Superintendent of the Elm Valley School District advised me during a telephone conversation that he did not interpret my letter of August 23 to mean the new well was improperly constructed.

I advised Mr. Arend during a telephone conversation August 23 that I would call Mr. Quimby, which I did, and write Mr. Quimby (copy enclosed) to clarify possible misunderstandings. I do not see where Independent Drilling has been damaged by my letter.

The following Statutes and Rule pertain to well construction standards, flowing wells and control or plugging of such wells: SDCL 46-2-18*, 46-6-6.1, 46-6-10, 46-6-14*, 46-6-18*, 46-6-20*, 46-6-21*, 46-6-27*, 46-6-29*, 46-6-30* and 46-6-31*. ARSD 74:02:02:11 states "All flowing wells shall be constructed and fitted so that the water flow may be safely limited to the amount needed."

*See SDCL 1983 Interim Supplement for latest language as contained in HB1001 and passed by 1983 Legislature.

The school does not have a water permit; we have provided the school with the necessary forms to make application. If the permit application is approved, the following standards artesian well qualification will be recommended to the Water Management Board:

"The well approved under this permit shall be valved and the flow reduced to minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board."

We interpret the law, rules and the artesian well qualification to mean that the flow from a flowing well can be reduced and shut off if necessary.

Carlyle E. Richards

Page 2

September 1, 1983

Although it is unfortunate that misunderstandings on the new Barnard School Well have occurred, I believe the well is properly constructed. If sand and dirty water problems or damage to the well should occur in the future, this will usually be a well operation and maintenance problem. I would not expect such problems or damage to be considered to be a well construction defect that the driller may be responsible for.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:ms
Enc.

December 7, 1983

Don Quimby, Superintendent
Elm Valley School District 6-2
Frederick, South Dakota 57441

Dear Mr. Quimby:

Your water permit application for municipal use was received December 1, 1983. The following will be required before we can further process your application.

1. A filing fee of \$150.00
2. A map showing the diversion point in relation by direction and distance to a corner of a section or quarter section. The legal description (Section, township and range), must be shown on the map. The map must be signed by a South Dakota registered professional engineer or a qualified City Employee.

Your map is enclosed and your application also. Please fill in No. 6 of the location of point of diversion.

To maintain your priority date ^{of Dec 1, 1983} on your application for permit to appropriate water, in accordance with SDCL 46-5-16, you will now have sixty days from the date of this letter to correct your application and/or to have the above information submitted to this office.

Sincerely,

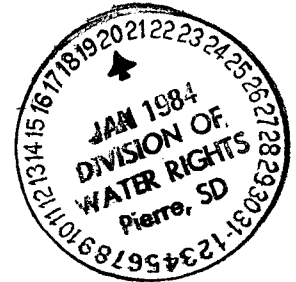
Betty Westlund
Water Resources Analyst III

BW:ms
Enc.

Elm Valley School District No. 6-2

Frederick, South Dakota 57441

January 20, 1984



Dept. of Water & Natural Resources
Joe Foss Bldg. - 523 East Capitol
Pierre, South Dakota 57501-3181

Attn: Water Rights Div.
Kevin C. Larson

Dear Mr. Larson:

Enclosed please find maps signed by me as per phone conversation
with your office on December 21, 1983.

Also included is our check #10819 in the amount of \$150.00
for the water rights fee.

Yours truly,

ELM VALLEY SCHOOL DISTRICT 6-2

Donald H. Quimby,
Superintendent

ENC.

REPORT ON APPLICATION NO. 5004-3

ELM VALLEY SCHOOL DISTRICT 6-2

March 2, 1984

Application No. 5004-3 proposes to divert .09 cfs from a well 1315 feet deep into the Inyan Kara (Fall River) Formation. The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, T126N-R64W and water is to be used for the school and the City of Barnard.

AQUIFER - Inyan Kara (Fall River and Lakota)

GEOLOGY and AQUIFER CHARACTERISTICS

The Inyan Kara is a sandstone and shale unit which is under artesian conditions. There is some confusion regarding the geologic names. The Brown county study (Koch, 1976) called this formation the Fall River. For purposes of this discussion, it will be considered Inyan Kara. The aquifer contains water under high pressure 100⁺ psi and large flows may be obtained.

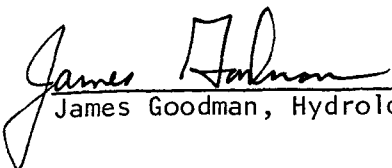
The driller's log indicates sandstone from 1270 feet below land surface to 1315 feet below land surface and the driller called the aquifer Lakota. (i.e. - Inyan Kara is made up of the Fall River and Lakota). The drillers completion report indicates an estimated pressure at land surface of 120 psi and a flow of 50 gpm. The drillers log does not indicate the lineal feet of casing grouted in but a letter dated September 1, 1983 from John Hatch to Carlyle E. Richards states that the well was properly constructed. (See application)

REVIEW of EXISTING WATER PERMITS

There are no existing permits from the Inyan Kara (Fall River) or the Dakota Formations within 10 miles of this application. Interference is unlikely to cause any problems.

CONCLUSIONS

1. Water is available. The well completion report indicates a 50 gpm flow with a surface pressure estimated at 120 psi.
2. Koch (1976) reports the artesian head is declining, however, this is basically a domestic and municipal use and the aquifer is stratigraphically lower than the Greenhorn. State Statute specifically allows appropriations from this aquifer for this type of use even if the water levels are declining. Also declining head pressure does not mean withdrawals are exceeding average recharge.


James Goodman, Hydrologist

BIBLIOGRAPHY

Koch, N.S. and W. Bradford, 1976, Geology and Water Resources of Brown County, South Dakota. SDGS Bulletin 25, USD Science Center, Vermillion, SD.
Water Rights, 1984, Permit Files, Joe Foss Building, Pierre, SD

RECOMMENDATION OF CHIEF ENGINEER FOR WATER

APPLICATION NO. 5004-3, ELM VALLEY SCHOOL DISTRICT 6-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5004-3, Elm Valley School District 6-2, Box 456, Frederick, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 5004-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used. The well shall be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

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.

See attached report for additional information.



JOHN HATCH, Chief Engineer

March 7, 1984

WP or ~~WR~~ No. 5004-3

Instruction to Newspaper - Publish first publication of the following Notice on or before March 14, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5004-3 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Elm Valley School District 6-2 whose mailing address is Box 456, Frederick,, South Dakota has made an application for a permit

to appropriate 0.09 cubic feet per second from one Lakota Formation Well 1315' deep. The point of diversion is to be located in the SW1/4NW1/4, Section 13-T126N-R64W. The water is to be used for the purpose of providing water for institutional use and municipal use for the Town of Barnard.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5004-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss
Building, 523 E. Capitol, Pierre, South Dakota, April 25 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by April 13, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (~~ground~~) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (~~future use~~) 46-5-38 thru 46-5-40; (~~transfer lands~~) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (~~future use~~) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by April 13, 1984.

Instruction to Newspaper - Publish first publication of the following Notice on or before May 25, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5004-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Elm Valley School Dist. 6-2 whose mailing address is Box 456, Frederick, South Dakota has made an application for a permit

to appropriate 0.09 cubic feet per second from one Lakota Formation Well 1315 feet deep. The point of diversion is to be located in the SW 1/4 NW 1/4 Section 13, T126N, R64W. The water is to be used for the purpose of providing water for institutional use and municipal use for the Town of Barnard.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 5004-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E Capitol, Pierre SD July 11 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:13:02 thru 74:02:01:13:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

ss.

Lori Noltner

BEING DULY SWORN, ON HIS OATH SAYS:

That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of hearing

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each week for 2 successive weeks

The first publication being made on the 25th day of May 1984

The second publication being made on the 1st day of June 1984

The third publication being made on the day of

The fourth publication being made on the day of

The fifth publication being made on the day of

The sixth publication being made on the day of

The seventh publication being made on the day of

The eighth publication being made on the day of

The ninth publication being made on the day of

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 54.27, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Noltner

Subscribed and sworn to before me this 1st day of

June 19 84

Ella Jaaska

Notary Public, Brown County, S. D.

My commission expires 7-13-87

daily circulation 20,592

(No. 45 — May 25, June 1 — 2T)
NOTICE OF HEARING
On Application No. 5004-3
To Appropriate Water

Notice is hereby given that Elm Valley School Dist. 6-2 whose mailing address is Box 456, Frederick, South Dakota has made an application for a permit to appropriate 0.09 cubic feet per second from one Lakota Formation Well 1315 feet deep. The point of diversion is to be located in the SW 1/4 NW 1/4 Section 13, T126N, R64W. The water is to be used for the purpose of providing water for institutional use and municipal use for the Town of Barnard.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 5004-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre SD July 11, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

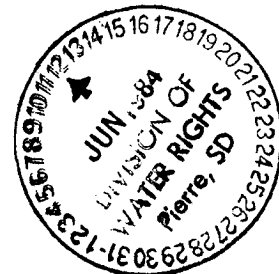
This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01-01 thru 74:02:01-15.

This hearing is an adversary proceeding. The application or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application.

Aberdeen News Co.

By _____



Comments on Public Water Systems Water Rights Applications
June, 1984

CITY OF BISON: 1309-1

Well #6 (vetter) and #8 (McKistry) are existing sources. Water quality for both common ion and inorganics is satisfactory. P & S was submitted for #8. Uncertain as to #6. No problem with contamination from the lagoons has occurred nor is any expected.

CITY OF BISON: 1310-1 (vested right)

Well #3 (Moore) is an existing source. Water quality for both common ion and inorganics is satisfactory. Uncertain as to P & S for #3. Lagoons are not a problem.

CITY OF WALL: 1868-2

This is a future use request for Inyan Kara or Madison formation water. The city's existing sources utilize Inyan Kara water. Both common ion and inorganic chemical quality is satisfactory.

Madison formation water in central and west central S.D. has been found, in some instances, to contain Radium 226-228 in excess of the Drinking Water Standard MCL's. I'm not certain whether this problem would be encountered in the Wall vicinity.

ELM VALLEY SCHOOL DIST. 6-2: 5004-3

Elm Valley School is a non-community public water system. There is a pipeline that serves the Town of Barnard. Inorganic and radiological values are satisfactory. Common ions are satisfactory although the TDS is high - 2064 mg/l (mostly SO_4 - 1155 and Na - 642). No P & S available. The school will hook up to the WEB⁴ system in the future.

DIAMOND T MOBILE HOME PARK: 1876-2

This FWS serves approximately 90 people from a single well. The common ion water quality is excellent with the only aesthetic inconvenience being water that is 18 gpg hard. This water quality has been consistent over the past 10 yrs. Radiological sampling was completed 9/81 with no violation of standards. Inorganic analysis was last performed 3/80 with no violation of standards.

The well is located approximately 1000' southwest and upgradient from the lagoon central sewer service.

Well #1 is an existing source. Well #2 is or will be a new source for which Office of Drinking Water has not yet received any P & S.

VISTA HILLS: 1871-2

This FWS serves approximately 36 people from a single well. The common ion water quality is excellent with the only aesthetic inconvenience being water that

1172

Permit No. 5004-3
James River - Water District

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

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

I have this day, **November 7, 1995**, made a thorough examination of the water use system constructed by **Elm Valley School District** of **PO Box 6, Barnard SD 57426** holder of Permit No. **5004-3**, bearing the priority of **December 1, 1983** authorizing the diversion of **0.09 (40 gpm)** cu. ft. per second of the waters of **ground water** for **Institutional & Municipal** purposes, in **Brown** County.

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

- A. Works used to divert the water:
flowing well with pressure gauge (95 psi on date of inspection)
- B. Works used to transport water to place of use:
PVC pipe
- C. Works used to apply water to beneficial use:
existing water distribution system

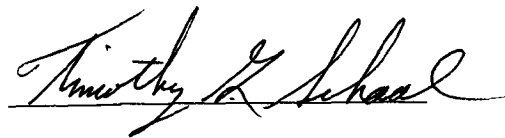
The system is in the following condition **Good**. The point of diversion is located **1720 feet south & 460 feet east of the NW corner of Section 13-T126N-R64W (SW 1/4 NW 1/4)**. The works are capable of diverting and conveying to the place of use **0.09 (40 gpm)** cu. ft. per second of water which is to be used for **institutional & municipal use**. Water has been put to beneficial use to the maximum extent as follows:

existing water distribution system for the Elm Valley School and 4 homes in Barnard

and the license should be issued for **0.09 (40 gpm)** cfs.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **April 4, 1996**



Timothy G. Schaal, P.E.
Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5004-3

DATE OF INSPECTION: November 8, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Todd Voeller

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: custodian

NAME & ADDRESS OF PERMIT HOLDER: Elm Valley School District

DIVERSION POINT LEGAL LOCATION: 1720 feet south & 460 feet east of the NW corner of
Section 13-T126N-R64W (SW 1/4 NW 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Independent Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1315 feet
- 4) Well log is available yes
- 5) Comment: XXXX

Casing:

- 1) Diameter 2 inches
- 2) Length unknown feet
- 3) Type steel, plastic & copper

Screen:

- 1) Type None
- 2) Length XXXX feet
- 3) Static water level XXXX feet

Pump & Motor: flowing well with pressure gauge (95 psi--day of inspection)

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC 2) Size XXX inches 3) Length XXX feet

PERMIT QUALIFICATIONS AND REGULATIONS:

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1996

5004-3

Todd Voeller, Custodian
Elm Valley School District
P.O. Box 6
Barnard, SD 57426

Dear Mr. Voeller:

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. 5004-3, 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

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

414989

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ June 17, 19 96

RECEIVED OF Elm Valley School Dist., Box 6, Barnard, SD 57426-0006

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>5004-3</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

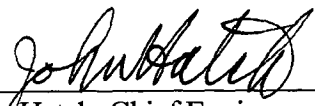
STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5004-3

(1) The Elm Valley School District of PO Box 6, Barnard, SD 57426-0006 made Application No. 5004-3, December 1, 1983 for a water permit to appropriate 0.09 cubic feet of water per second from ground water (one well), Brown County, South Dakota for institutional and municipal purposes. Permit No. 5004-3, with a priority date of December 1, 1983 was approved July 11, 1984 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 11, 1989 and for the application to beneficial use of said water on or before July 11, 1993.

(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 0.09 cubic feet of water per second for beneficial use. The location of the diversion point is 1720 feet south and 460 feet east of the NW corner of Section 13, T126N, R64W (SW¼ NW¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The distribution system supplies water to the Elm Valley School and four homes in Barnard.

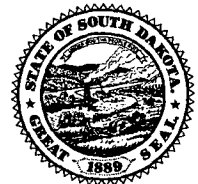
(4) Pursuant to South Dakota Water Law 46-5-30.1 Elm Valley School District of PO Box 6, Barnard, SD 57426-0006 the holder and/or owner of Water Permit No. 5004-3 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from ground water (one well) with a priority date of December 1, 1983 from the location specified in (2) of this license, for the purpose of institutional and municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 5004-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

5004-3

Todd Voeller
Elm Valley School District
P.O. Box 6
Barnard, SD 57426-0006

Dear Mr. Voeller:

Enclosed is Water License No. 5004-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414989 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. 5004-3, 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.

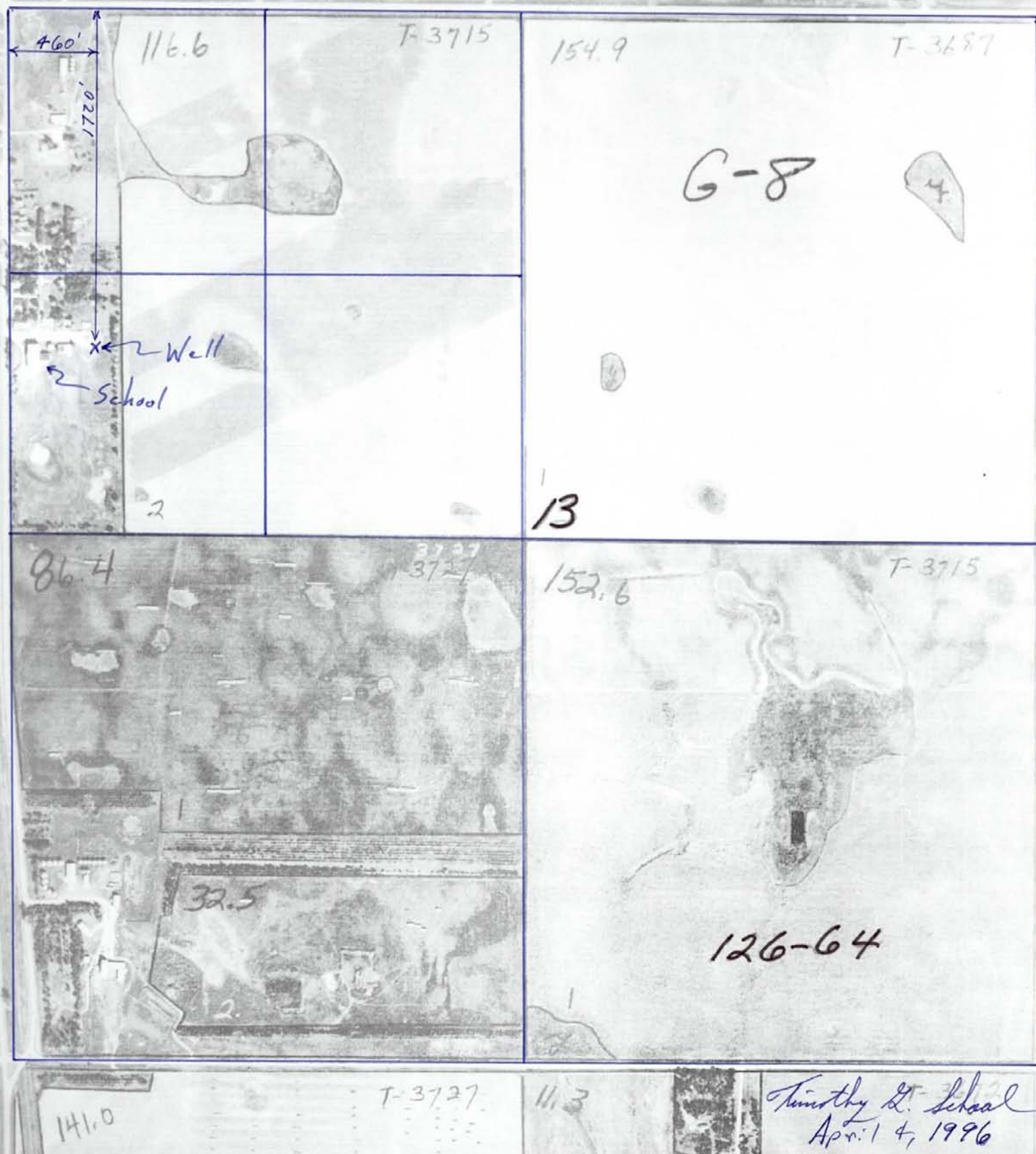
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

NOT TO SCALE



Timothy L. School
April 4, 1996