

Considered: _____

WATER PERMIT NO. 5071-3

MAP No. Same

Name of Applicant City of Clear Lake

Post Office Address P.O. Box 27 Clear Lake S.D.

Amount of Water Claimed 0.45 cfs Total Acres _____

Source of Water Supply groundwater

Water to be used for MUN County Deuel

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 1st 9-16-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

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

PRIORITY _____ Date Received 8-21-85 ^{Additional Fee} Fee \$2500 Remarks _____

7-17-85

Corrected Application Received _____ Period of Annual Use Jan. 1 to Dec. 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point SGW⁴ NE⁴ sec. 23 T115N-R49W

Land to be Irrigated _____

⑧					
23					

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well ≈ 20 FT. REMARKS Test hole logs for Clear Lake area
Contained in SDGS Open File report UR-7 Brookings-Deuel RWS

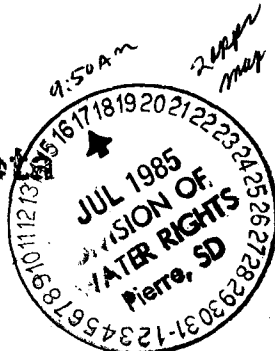
Type of Map Drawn PREPARED BY Banner & Assoc. Reviewed and the Number

assigned on Aug. 6, 1985 By Kevin C. Larson

No. 5071-3

Map No. same Water Division No. Sioux River 10170201 District

Above for Office Use



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

Check one of the following:

New _____ Vested Right _____ Future Use X

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant City of Clear Lake Phone No. (605)874-2121

Post Office Address P.O. Box 27 Clear Lake State South Dakota 57226
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____ Municipality _____

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

3. Name of diversion work Clear Lake Municipal Water Supply Well No. 4

4. Amount of water claimed (cubic feet per second) 0.45 c.f.s.

5. Source of water supply Shallow Underground Aquifer

6. Location of point of diversion SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 23, T115N, R49W, 5th P.M.

See Attached Map

County Deuel

7. Annual period or periods during which water is to be used January 1 through December 31

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 N/A

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.
N/A	

Land Description	No. Acres Irr.
N/A	

Attach sheet if more space is needed

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

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Clear Lake Courier

12. Principal Features of the Proposed Water Supply System.

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

Pump with gravel-packed water well.

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

6-inch P.V.C. Feeder Line (to be constructed)

C. Works proposed to apply water to beneficial use.

N/A

Estimated Total Cost \$ 65,000.00

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

STATE OF SOUTH DAKOTA)
County of Deuel)ss.

I, Maynard Piper, Mayor 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 Maynard Piper

Subscribed and sworn to before me this 15th day of July, 1985

G. H. Kemysh
Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5071-3
City of Clear Lake P.O. Box 27, Clear Lake
(Applicant) (Post Office Address)
South Dakota 57226 With the following qualifications.
(State) (Zip Code)

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application July 17, 1985.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved October 16, 1985.

The Water Management Board hereby approves this Water Permit No. 5071-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 17, 1985.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before March 16, 1988.
3. The whole of said work is to be completed on or before October 16, 1990.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 16, 1994.
5. The water appropriated shall be used for the purpose of Municipal water supply.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.45 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 to which water is actually and beneficially applied for Municipal use on or before October 16, 1994; said water to be used during the following described annual period: January 1 to December 31.

WATER MANAGEMENT BOARD
 By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
NOV 19 1985, 19—

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

D. Well Information

- (1) Drill Hole, Diameter 24", Depth 20'±
- (2) Casing, Type Steel, Diameter 12", Thickness 0.375"
(wood, concrete, steel, etc.)
- (3) Screen, Type 304, Stainless Steel, Diameter 12", Length 5'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 9'

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)

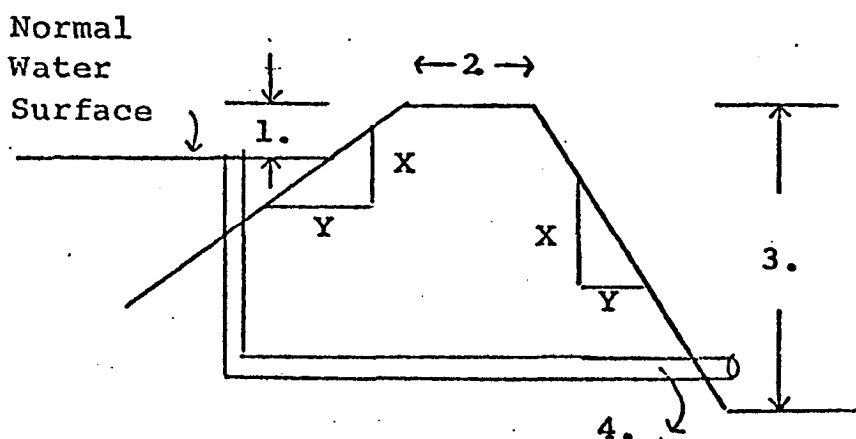
- Depth to top of water bearing material 5'
- Depth to bottom of water bearing material 22'
- Depth to water (ground surface to water level) 13'

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

- On same owner's property 70 rds.
- On property owned by others --- rds.

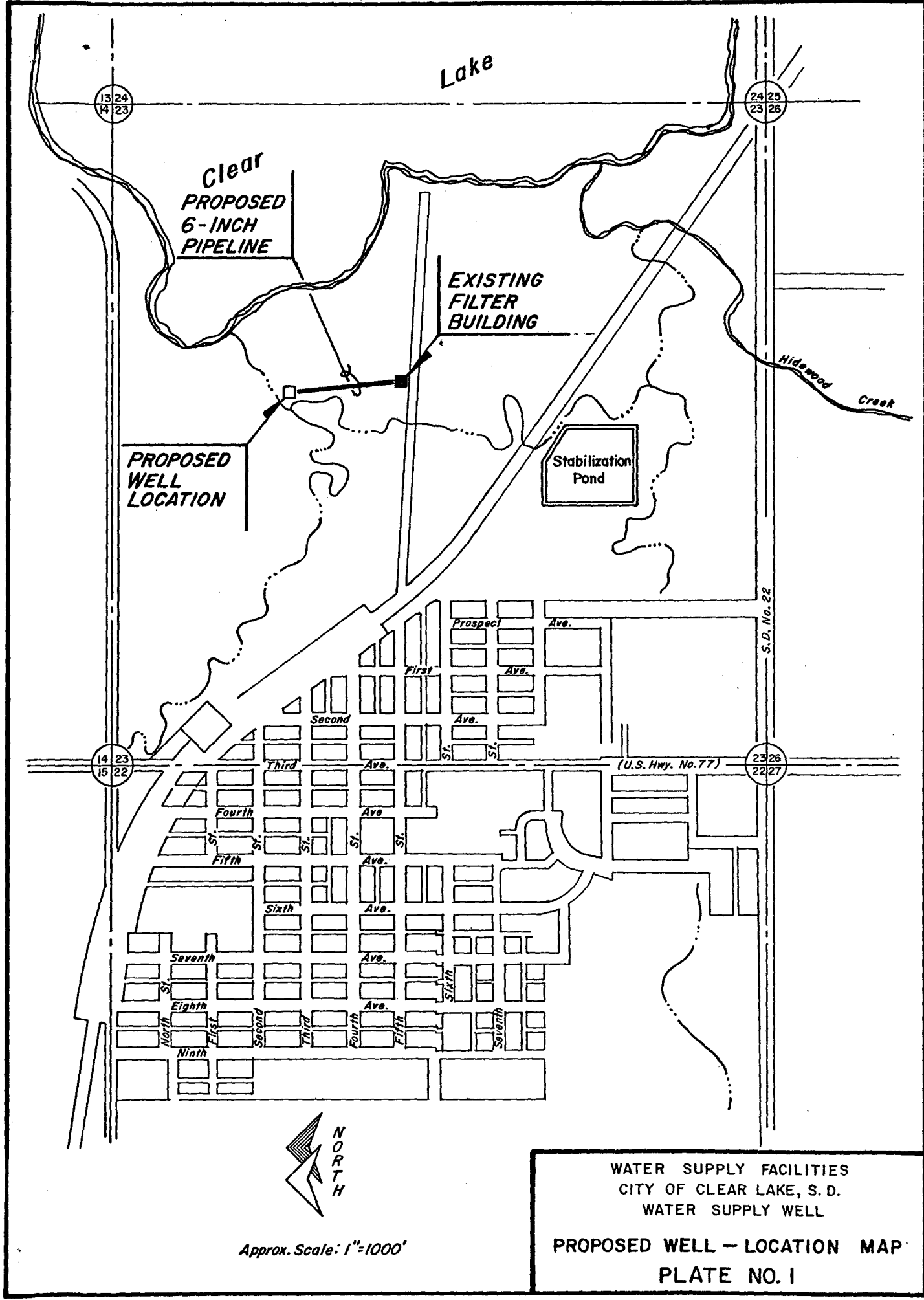
G. Water Storage Dams

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

Jane M. Reynolds
Signature of Applicant



BANNER

July 16, 1985

Mr. John Hatch
Water Rights Division
S.D. Dept. of Water and Natural Resources
Joe Foss Building
Pierre, S.D. 57501



SUBJECT: Water Supply Well No. 4
Clear Lake, S.D.
BAI No. 7127-01

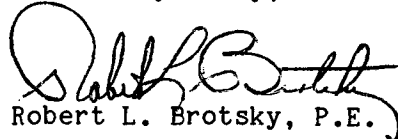
Dear Mr. Hatch:

We are transmitting herewith on behalf of the City of Clear Lake, two (2) copies of Form 2 - Application for Permit to Appropriate Water. In addition, we are including two (2) copies of Form 2A (Supplement to Form 2). Both of these forms pertain to constructing a new municipal water supply well.

We are also enclosing two (2) copies of a map drawn to show the actual point of diversion for which water rights are requested. It is our understanding that no filing fee is required in regard to this application.

Please advise in the event you are in need of further information for granting approval of this application.

Yours very truly,


Robert L. Brotsky, P.E.

RLB/db

Encl.

cc: Jane Reynolds, Municipal Finance Officer
P.O. Box 27, Clear Lake, SD 57226 (w/map)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

July 19, 1985

City of Clear Lake
Mayor Maynard Piper
PO Box 27
Clear Lake SD 57226

Mayor Piper:

We have recieved your future use permit application from Banner Associates, Inc. A \$25.00 filing fee is required with the application. When we receive the filing fee we will continue processing your application. If you have any questions, please contact our office.

Thank you,

KVIN C LARSON
Natural Resources Engineer

KCL:ks

cc: Banner Associates, Inc.

Equal Opportunity Employer

RECEIPT

Division of Water Rights

No 4 10132 "

South Dakota Department of Water and Natural Resources

Pierre, July 25, 1985

RECEIVED OF City of Clear Lake, PO Box 27, Clear Lake, SD 57226

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

Fee for Application for Permit No. <u>5071-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	25	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	25 00

By

John Hatch

Chief Engineer

JOHN HATCH (ms)

RECEIPT

Division of Water Rights

No 410157

South Dakota Department of Water and Natural Resources

Pierre, August 21, 1985

RECEIVED OF City of Clear Lake, Clear Lake, SD 57226

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By

Chief Engineer

JOHN HATCH (MS)

REPORT ON CITY OF CLEAR LAKE

Application No. 5071-3

August 9, 1985

Application No. 5071-3 is a request to appropriate 0.45 cubic feet per second to be withdrawn from one well approximately 20 feet deep. The well will be located in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, T115N, R49W.

Water would be diverted from the Big Sioux - Brookings Aquifer.

Aquifer Geology and Hydrology:

The Big Sioux - Brookings Aquifer is alluvium - mantled outwash which overlies relatively impermeable glacial till. The aquifer was formed in the Big Sioux River Valley with deposits of sediments from both the James and Des Moines Lobe Ice. The river valley which originated as a topographic low on now buried glacial drift is located in the Coteau Des Prairies Division of the Central Lowland Physiographic Province.

In Deuel County, the aquifer covers 26,400 acres, has an average thickness of 25 feet, and contains 59,400 acre-feet of recoverable water. Water in the aquifer is under water-table conditions and is recharged by infiltration of precipitation and seepage from the Big Sioux River and its tributaries. The average annual recharge is 7920 ac-ft/yr using the minimum recharge rate for the management unit (Hedges, 1983). Natural discharge of the aquifer is by evapotranspiration and seepage to Clear Lake. Discharge of the aquifer also occurs through existing wells. Water levels of three DWR observation wells in the Big Sioux - Brookings were analyzed, indicating uniform fluctuations of water levels in periods of high and low precipitation (graph 1)

Existing Permits:

Six permits have been issued for wells in the Big Sioux - Brookings unit in Deuel County. They are:

- Permit No. 534-3 to the City of Clear Lake for 1.10 cfs
- Permit No. 2111-3 to Gopher Sign Co. for 0.04 cfs
- Permit No. 2245-3 to Atyeo Brothers for 2.20 cfs
- Permit No. 2416-3 to Brookings - Deuel R.W.S. for 1.00 cfs
- Permit No. 2803-3 to Carl P. Boeke for 4.40 cfs
- Permit No. 4830-3 to Brookings -Deuel R.W.S. for 1.00 cfs

The total water appropriated from the Big Sioux - Brookings Aquifer in Deuel County is 9.74 cubic feet per second or 3521 acre-feet per year. The additional 0.45 cubic feet per second requested by permit no. 5071-3 would increase the total appropriated water to 3847 acre-feet per year or 6 per cent of the total recoverable water from the aquifer. Total appropriated water would be 4073 acre-feet per year less than a minimum average recharge.

Conclusions:

1. Water is available in the Big Sioux-Brookings Aquifer for the additional water requested by permit no. 5071-3.
2. Interference between wells is not a problem. The aquifer is under water-table conditions and the drawdown cones of influences should be minimal

3. The proposed well construction is up gradient of the city stabilization pond and should not be effected by it, however, the water quality should be monitored.
4. Records show three domestic wells using water from the Big Sioux-Brookings. Users are:

Leo Kloos	Sec. 14, T115N, R48W
Eide Brothers	Sec. 19, T115N, R49W
Delbert Winter	Sec. 22, T116N, R49W

The domestic wells should not be effected by the 0.45 cfs requested by permit No. 5071-3.

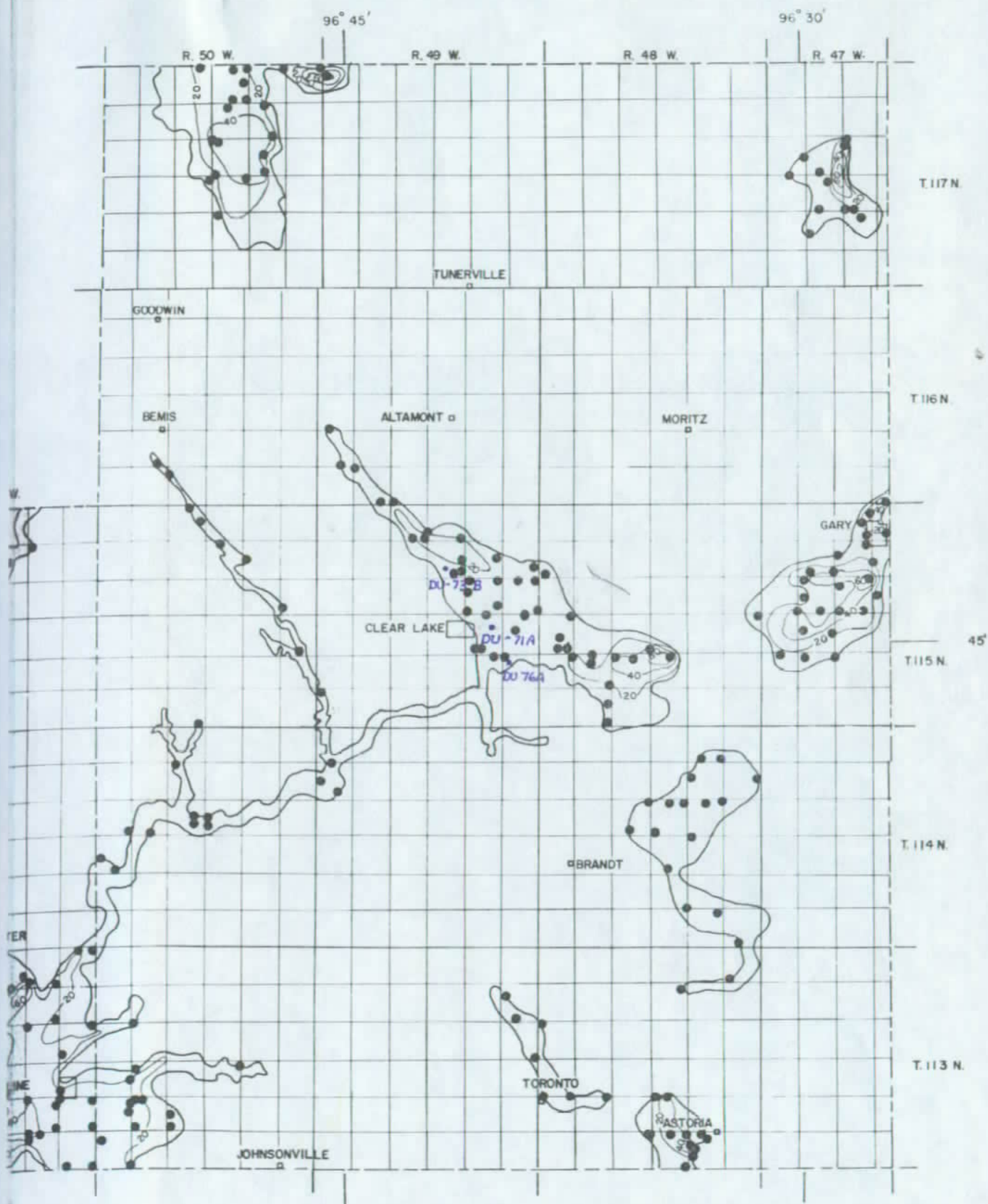


Kent Buhler
Natural Resources Engineer

Bibliography:

- Koch, Neil C., Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel and Hamlin Counties, South Dakota, U.S. Geological Survey Water Resources Investigation 80-100.
- Hedges, Lynn S., Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, U.S. Corps of Engineers Contract DACW 45-80-C-0185
- Beissel, Dennis, Geology and Water Resources of Hamlin-Deuel Counties, South Dakota, South Dakota Geological Survey Preliminary Bulletin
- Barari, Assad, and Beissel, Dennis, 1976, Ground Water Study for the Brookings-Deuel Rural Water System, South Dakota Geologic Survey Report NO. UR-7

BIG SIOUX-BROOKINGS AQUIFER, DEUEL COUNTY, S.D.



HUNT, JACK, AQUIFER CONTINUED IN DEUEL AND HAMILTON COUNTIES, SOUTH DAKOTA
UNITED STATES GEOLOGICAL SURVEY, U.S. DEPT. OF INTERIOR.

DU 71A —
 DU 73B —
 DU 74A - -



HINDSIGHT or OBSERVATION

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

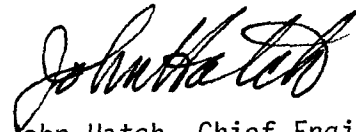
APPLICATION No. 5071-3

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. 5071-3, City of Clear Lake, P.O. Box 27, Clear Lake, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 5071-3 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 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch".

John Hatch, Chief Engineer
August 28, 1985

BANNER

August 14, 1985

Jim Goodman
S.D. Dept. of Water and Natural Resources
Joe Foss Building
Pierre, S.D. 57501

Subject: Water Supply Well No. 4
Clear Lake, S.D.
BAI No. 7127-01

Dear Mr. Goodman:

Pursuant to our telephone conversation this date, we are advising on behalf of the City of Clear Lake of the intent to apply for a water rights permit for new construction to consist of a diversion in the amount not to exceed 0.45 cfs.

The location of the diversion point is to be in the SW 1/4 of the NE 1/4, Section 23, Township 115N, Range 49W, Deuel County, South Dakota.

The diversion works will consist of a gravel-packed water supply well with 5-ft. of 12-inch diameter stainless steel well screen. The total planned depth for the well is approximately 22 feet. Discharge from the well will be by a submersible turbine pump connecting by a 6-inch diameter pipeline to the existing water treatment facility.

It is our understanding this application will be submitted for consideration at the next meeting of the Water Rights Commission.

Yours very truly,


Robert L. Brotsky, P.E.

RLB/db

cc: Jane Reynolds, Municipal Finance Officer
P.O. Box 27, Clear Lake, SD 57226

Terry Aaker, SDDWNR, Joe Foss Building, Pierre, S.D. 57501



CITY OF CLEAR LAKE
CLEAR LAKE, S. DAK. 57226

OFFICE OF THE
FINANCE OFFICER

TELEPHONE
605 874-2121

20 August 1985

Mr. Kevin Larson
Dept. of Water & Natural Resources
523 East Capitol
Pierre, S.D. 57501-3181

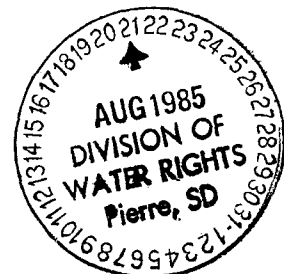
Dear Mr. Larson,

As per telephone request, Banner Associates has advised me that the wrong permit had been applied for. Enclosed is a check for \$225.00, and with the previous check of \$25.00, we should meet our obligation for new well construction.

Thank you.

Sincerely,

Jane M. Reynolds
Jane M. Reynolds



Instruction to Newspaper - Publish first publication of the following Notice on or before September 5, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5071-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that City of Clear Lake whose mailing address is P.O. Box 27, Clear Lake, South Dakota has made an application for a permit

to appropriate 0.45 cubic feet per second from one well approximately 20 feet deep. The well will be located in SW 1/4 Section 23 T115N-R49W. The water will be used for municipal purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 5071-3 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 Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 1985 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 October 4, 1985. 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25; 46-5-30.2, 46-5-31; ~~(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 October 4, 1985.

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

No. 5071-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Gary DeJong hereby

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

Water was taken from the Clear Lake 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 Clear Lake of _____

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

Sept. 5, 1985

Sept. 12, 1985

Gary DeJong
(Signature)

Publisher
(Title)

(Date Signed)

Cost of Printing: 39.08

Notice is hereby given that City of Clear Lake whose mailing address is P.O. Box 27, Clear Lake, South Dakota has made an application for a permit to appropriate 0.45 cubic feet per second from one well approximately 20 feet deep. The well will be located in SW 1/4 NE 1/4 Section 11 T115N-R49W. The water will be used for municipal purposes.

Pursuant to SDCL 46-1-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5071-3 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 of Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16, 1985 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 the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person may be affected by a Board decision who intends to be present at the hearing before the Board. A written petition or evidence or cross evidence must be filed with the Chief Engineer by October 4, 1985. 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; 46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-28, 46-5-31; 46-6-3, 46-6-3.1, 46-6-3.1, 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 applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other 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 or other information on this application to assure access to the hearing by the handicapped can construct the Water Rights Division, DWNR, Joe Pass Block, Pierre SD 57505 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 October 4, 1985.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

5071-3

NOV 19 1985

City of Clear Lake
PO Box 27
Clear Lake, South Dakota 57226

Dear Sir:

Enclosed herewith is your Water Permit No. 5071-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5071-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

STATE OF SOUTH DAKOTA

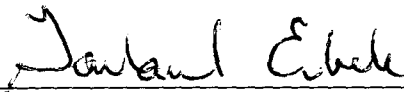
WATER LICENSE NO. 5071-3

(1) The City of Clear Lake, PO Box 107, Clear Lake SD 57226 made Application No. 5071-3, July 17, 1985 for a water permit to divert 0.45 cubic feet of water per second from groundwater (one well), Deuel County, South Dakota for municipal purposes. Permit No. 5071-3, with a priority date of July 17, 1985 was approved October 16, 1985 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 16, 1990 and for the application to beneficial use of said water on or before October 16, 1994.

(2) It is certified that the permit holder 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 0.45 cubic feet of water per second for beneficial use. The location of the diversion point is 1,800 feet west and 1,350 feet south from the northeast corner of Section 23-T115N-R49W (SW ¼ NE ¼).

(3) The permit holder 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 Clear Lake, PO Box 107, Clear Lake SD 57226 the holder and/or owner of Water Right No. 5071-3 is issued a license to appropriate water, the right to use 0.45 cubic feet of water per second from groundwater (one well) with a priority date of July 17, 1985 from the location specified in (2) of this license for municipal purposes. This license is subject to any limitations or qualifications listed in Water Right No. 5071-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 07 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

NOV 07 2001

5071-3
534A-3

City of Clear Lake
Marianne Beebout, Finance Officer
PO Box 107
Clear Lake SD 57226

Dear Ms. Beebout:

Enclosed are Water License No. 5071-3 and Vested Water License No. 534A-3. These are the final documents completing the process of obtaining water rights for the City. Enclosed is Receipt No. 416915 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 these water rights, 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 Licenses, the State Water Laws provide that the City has a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



August 29, 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5071-3

City of Clear Lake
Marianne Beebout, Finance Officer
PO Box 107
Clear Lake SD 57226

Dear Ms. Beebout:

On June 27, 2001 the investigation of the City's water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5071-3, was completed by Ron Duvall, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of the city's water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416915

Pierre, September 12, 20 01

RECEIVED OF City of Clear Lake, Marianne Beebout, Finance Officer, PO Box 107, Clear Lake, SD
the following amount in fees for services rendered as provided for by law: 57226

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. 5071-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Darland Eide

Chief Engineer

grr

Permit No. 534A-3 & 5071-3**Big Sioux 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, June 27, 2001, made a thorough examination of the water use system constructed by City of Clear Lake of PO Box 107, Clear Lake SD 57226 holder of Permit No. 534A-3 and 5071-3, bearing the priority of January 1, 1948 and July 17, 1985, respectively, authorizing the diversion of no additional and 0.45 cu. ft. per second, respectively, of the waters of ground water (Big Sioux - Brookings aquifer) for municipal purposes, in Deuel County.

Inspection contact & relationship to permit holder, if applicable: **Mike Ahlers, Public Works Director****A. Works used to divert the water:****Well Information:**

- 1) Well Drilling Firm: Sioux (No. 5071-3)
- 2) Well Drilling Firm: Bullis (No. 534A-3)
- 3) No. of Wells 2
- 4) Depth(s) 26 (both wells) feet
- 5) Well log is available Y (for Bullis only)

Casing:

- 1) Diameter 12 (both wells) inches
- 2) Type Steel (both wells)

Pump/Motor:

- 1) Make Both submersible
- 2) Size Both 15 hp
- 3) Capacity 200 (No. 5071-3) GPM
- 4) Capacity 500 (No. 534A-3) GPM

Pump capacities are currently reduced from rates specified above. This is due to construction of a new water tower which created more head pressure. This will be compensated for when the submersible pumps are replaced.

B. Works used to transport\apply water to beneficial use:

Water is treated and diverted to a 300,000 gallon water tower and then distributed via the city distribution system.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: Well (No. 5071-3) ≈ 1,800 feet W and ≈ 1,350 feet S (SW¼NE¼); Well (No. 534A-3) ≈ 1,790 feet W and ≈ 1,100 feet S (NW¼NE¼); both from the NE corner section 23-T115N-49W. The works are capable of diverting and conveying to the place of use no additional (No. 534A-3*) and 0.45 (No. 5071-3) cu. ft. per second of water which is to be used for municipal purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 1.10 (Nos. 534-3 and 534A-3) and 0.45 (No. 5071-3) cfs.

***Water Permit No. 534A-3 changes the location of the diversion points authorized by Vested Right No. 534-3 to the above described point with no increase in the permitted diversion rate of 1.10 cfs.**

Report of Examination of Works

Permit No. 534A-3 and 5071-3

Comments or other permit(s) associated with the project: **534-3** | All structures, wells and lands on map Y

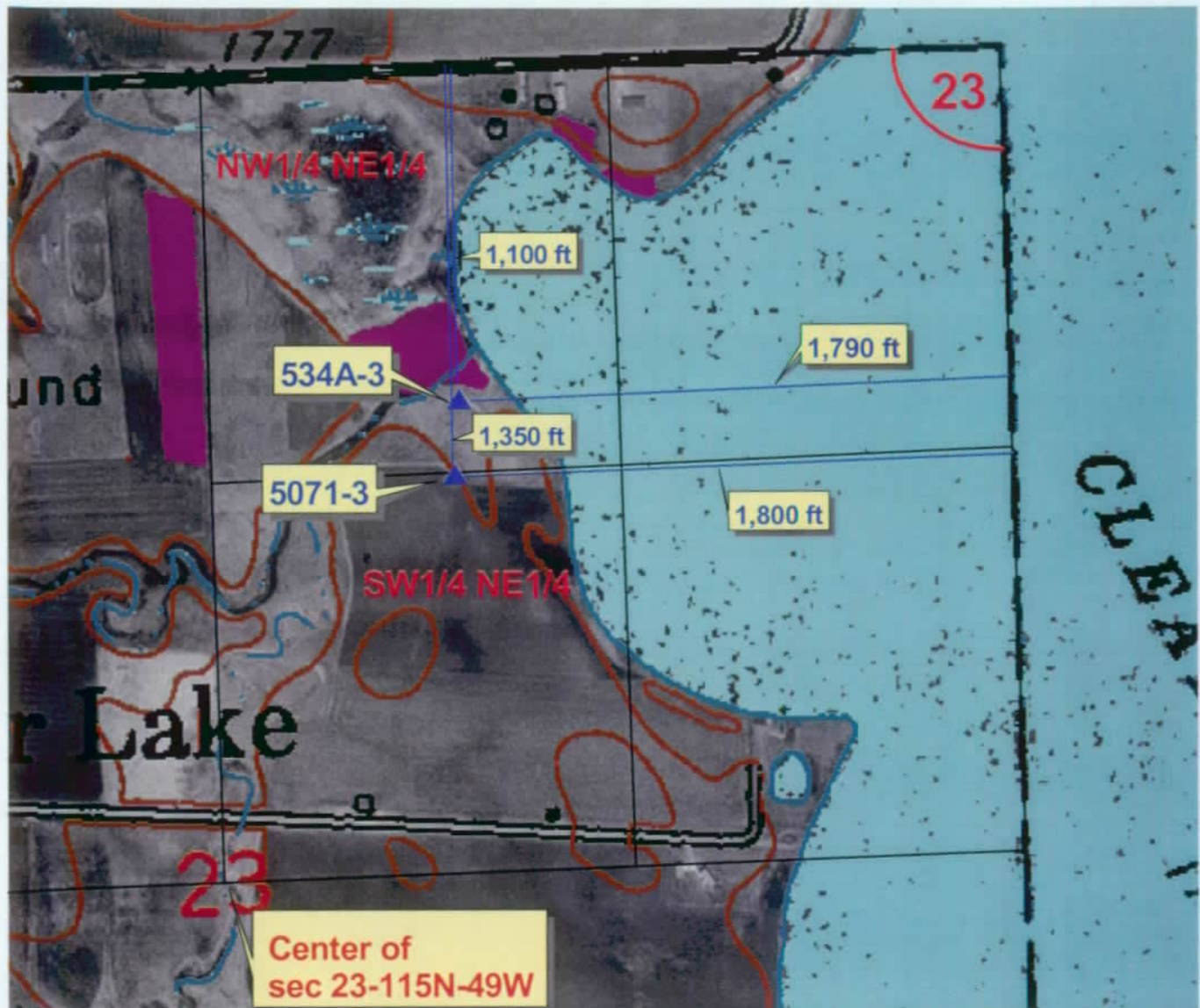


Ron Duvall

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 13, 2001

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
August 13, 2001

Nos. 5071-3 & 534A-3