

Considered: _____

WATER PERMIT NO. 5080-3

MAP No. same

Name of Applicant City of Jennox

Post Office Address 220 S. Main St., Jennox

Amount of Water Claimed 0.87 cfs - max of 240 ac/ft/yr Total Acres na

Source of Water Supply Groundwater - 2 existing wells

Water to be used for MUN County Lincoln

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received April 18, 1986 Not Received _____

APPLICATION: Approved May 14, 1986 Subject to _____

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

PRIORITY _____ Date Received 12-13-85 Fee \$225⁰⁰ Remarks application is for 0.87 cfs additional diversion and a maximum annual use of 240 ac/ft/yr under this permit

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

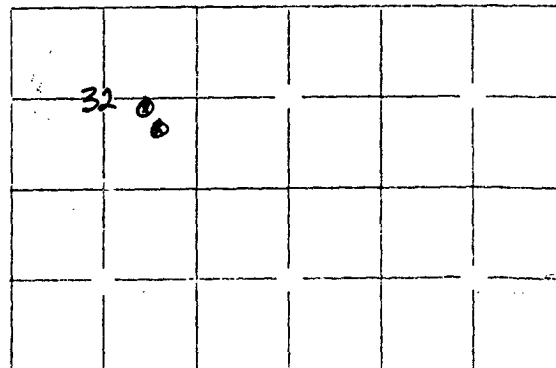
WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

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

Diversion Point Well #1 NW⁴SE⁴ Well #2 NE⁴

SE⁴ sec. 32 T99N-R51W

Land to be Irrigated N.A.



Well Log: Driller No logs available Licensed YES _____ NO _____

Depth of Well #1 - 300 FT., #2 - 295 FT. REMARKS Const. drawings submitted were prepared by Schmitz, Kalda & Assoc.

Type of Map Plat PREPARED BY K.E. Benson Reviewed and the Number assigned on 12-30-85 By R.C. Larson

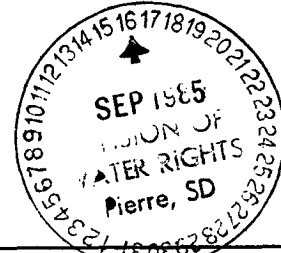
No. _____	Hydrologic Unit _____
Map No. _____	Basin _____
Newspaper _____	

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☒ Future Use ☐ Change Use ☐
☐ Amend Permit No. _____ with old priority date retained
 Change diversion point(s) ☐ Add diversion point(s) ☒ Other ☐ _____
☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☒ on Permit No. _____
☐ Construction to use water reserved by Future Use Permit No. _____



- Name of Applicant CITY OF LENNOX Phone No. 647-2286
 Post Office Address 220 SOUTH MAIN STREET - LENNOX State S.D. Zip Code 57039-0228
(Street, RR or Box)
- Amount of water claimed (c.f.s) 0.67 (well #1) 0.64 (well #2) (55,000 gpm)
- Source of water supply Wells
- Location of point of diversion Approx. 725' So. & 1,350' West of NE Corner SE 1/4 Sec. 32-99-51
(well #1) and approx. 1,130 So. & 1,210' West of NE Corner SE 1/4 Sec. 32-99-51 (well #2)
County LINCOLN
- Counties where water will be used LINCOLN
- Annual period during which water is to be used 12 month/year (24 hours)
- Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Construction of two water wells in March 1972 and September 1972.

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

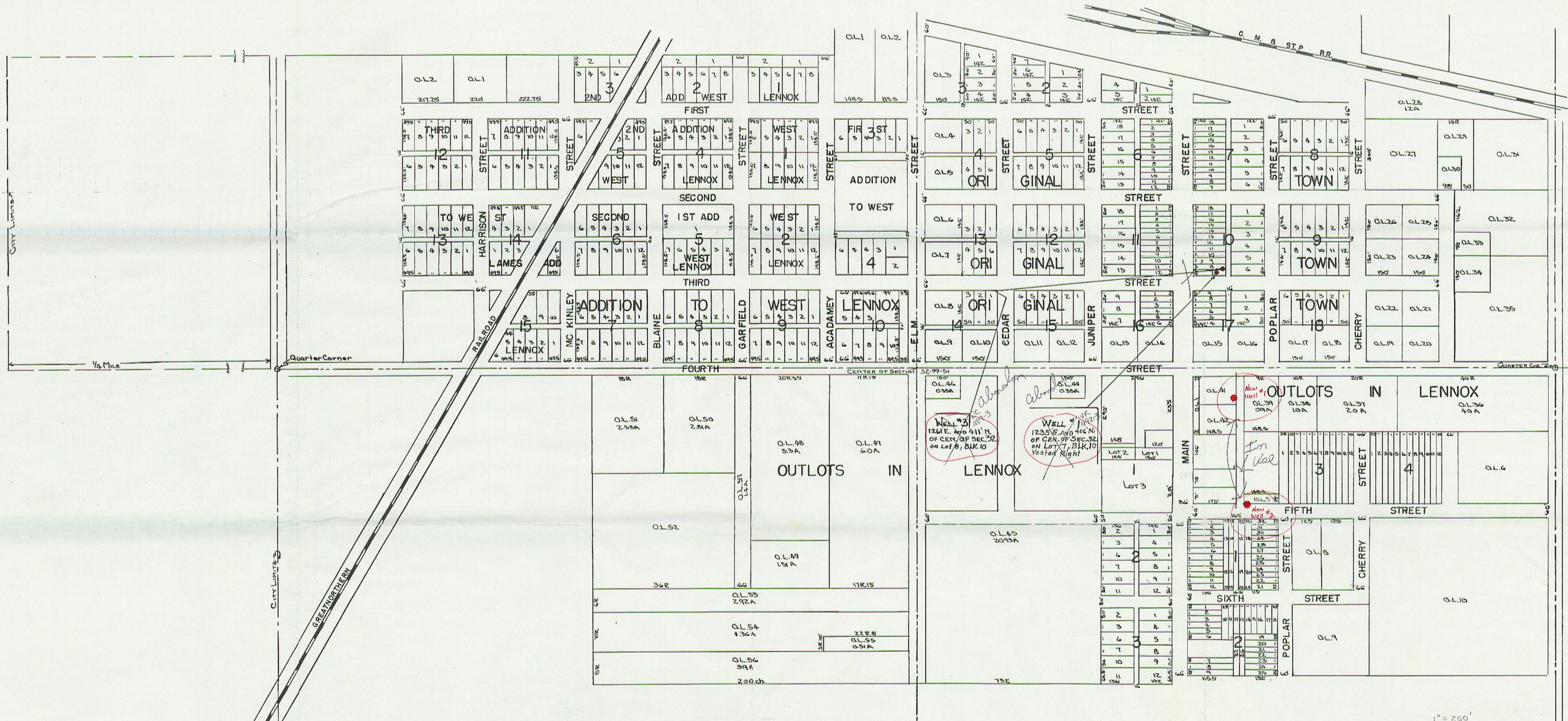
STATE OF SOUTH DAKOTA)
 County of Lincoln)^{ss}

I, Sharon Albers SHARON ALBERS on behalf of _____ the applicant, certify that I have read the foregoing application, 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 _____

Subscribed and sworn to before me this _____ day of _____ 19____

Notary Public (or other qualified officer)



SURVEYORS CERTIFICATE

I, K.E. BENSON, REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT I HAVE MAPPED THE LOCATION OF MUNICIPAL WELLS AS SHOWN, FOR THE PURPOSES OF WATER APPROPRIATION.

K.E. Benson
K. E. BENSON REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

ON THIS 17th DAY OF August, 1957 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE APPEARED K.E. BENSON WELL KNOWN TO ME TO BE THE PERSON DESCRIBED ABOVE AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES
June 5-1960

[Signature]
NOTARY PUBLIC

LENNOX, S. DAK.

LINCOLN COUNTY

TRACED FROM MAP COMPILED BY SMITH & REEVES

K.E. BENSON

PROF. ENGR.

SCALE 1" = 200'

JULY 1948



WELL #2
VESTED RIGHT
800' WEST AND
60' NORTH OF THE
S.E. COR. OF SEC. 31

S.E. CORNER OF
SECTION 31-99-51

S.E. CORNER OF
SEC. 32-99-51

CITY LIMITS

Map No. 326-3
(Appl's No. 429-3)
489-3
492-3
5080-3

RECEIVED
AUG 7 1957
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

Date of first receipt of application _____, 19____.

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

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ 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 Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____.
5. The water appropriated shall be used for the purpose of _____

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 _____ 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 _____ on or before _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

_____, 19____



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352



September 18, 1985

City of Lennox
ATTN: Sharon Albers
220 S Main
Lennox SD 57039

Ms. Albers:

I have review your permit application for two wells for the City of Lennox. I have several questions concerning these wells. The city currently holds the following water permits:

429-3	Well No. 2	0.19 cfs
489-3	Well No. 3	0.22 cfs
492-3	Well No. 1	0.22 cfs

Are these three wells being used along with the two listed on the application? If not which ones have been abandoned? Which wells are currently used by the City? I have enclosed a map showing the locations of all the wells. Upon receipt of the above information we can further process your application. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosure



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

November 7, 1985

City of Lennox
ATTN: Sharon Albers
220 S Main St
Lennox SD 57039

Ms. Albers:

I am enclosing two retyped copies of your application. I have made the application for 0.45 cfs and 0.42 cfs from wells #1 and #2 respectively. This is the present diversion rate minus the diversion rate authorized by Water Rights No. 489-3 and 492-3. The 170 acre foot per year corresponds to the 55 mgd on your original application. The \$225.00 filing fee submitted would allow an annual diversion of 240 acre feet (78 million gallons). Anything above 240 acre feet per year would require an additional fee. Also under Permit No. 429-3 the railroad well is referred to as well No. 2. What is this well called now? If the forms are correct, please have them signed and notarized and return to me. If you have any questions, please contact me.

Thank you,

Kevin C. Larson

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosures

*by
Abandoned
No longer
in use.*



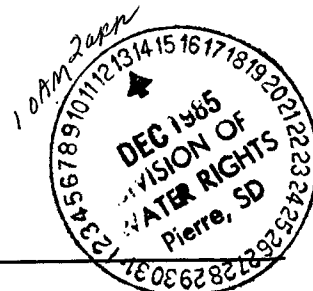
Equal Opportunity Employer

No. 5080-3 Hydrologic Unit 10170102
 Map No. Same Basin Vermillion River
 Newspaper Lennox Independent Box 76 (Thurs)

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant City of Lennox Phone No. 647-2286
220 S Main St Lennox SD 57039
 Post Office Address (Street, RR or Box) State Zip Code

2. Amount of water claimed (c.f.s) Well #1 - 0.45 cfs. Well #2 - 0.42 cfs (170 acre feet/year)
groundwater

3. Source of water supply _____

4. Location of point of diversion Well #1 - 725 feet south and 1350 feet west, Well #2 -
1130 feet south and 1210 feet west of NE corner of SE 1/4 Section 32, T99N, R51W

County Lincoln5. Counties where water will be used Lincoln6. Annual period during which water is to be used January 1 to December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

These two wells were constructed in 1972 and replaced two wells covered by
 Permits No. 489-3 and 492-3. The amount of water claimed is in addition to
 that authorized by 489-3 and 492-3.

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

STATE OF SOUTH DAKOTA)
 County of Lincoln)^{ss}

I, Sharon Albers on behalf of the applicant, certify that I have read
 the foregoing application, 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 Sharon AlbersSubscribed and sworn to before me this 26th day of November 1985

Linda K. Olmstead
 My Commission Expires Oct 1, 1987 (or other qualified officer)

The Water Management Board hereby approves Water Permit Application No. 5080-3

The wells 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.

That the abandoned railroad well constructed under Permit No. 429-3 be plugged with neat cement grout bottom to top pursuant to Water Management Board Rules 74:02:04:68.

Date of first receipt of application September 16, 1985.

Date of return to applicant for correction, amendments or changes required September 18, 1985.

Date of receipt of corrected application Nov. 26, 1985. Approved May 14, 1986.

The Water Management Board hereby approves this Water Permit No. 5080-3 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 Water Permit approval, subject, however, to the following limitations and conditions:

- WATER-MANAGEMENT BOARD
- By: John H. [Signature]
Chief Engineer
- Division of Water Rights
Dept. of Water and Natural Resources
- JUN 20 1986
- 19

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 15" Depth 300' (well #1) 295' (well #2)
- b) Casing Type Black Steel Diameter 8" Thickness 0.322"
- c) Screen Type Stainless Steel Diameter 8" ~~Thickness~~ ^{SLOT} 0.030 (#1) & 0.020 (#2)
- d) Gravel Pack Thickness 3.5" Length of Gravel Pack 85' (well #1) 60' (well #2)
- e) Depth to Top of Water Bearing Material 101' (well #1) 100' (well #2)
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property 407' ± Between wells #1 and Well #2 On property owned by others

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
 Pipe diameter _____

Spillway width _____

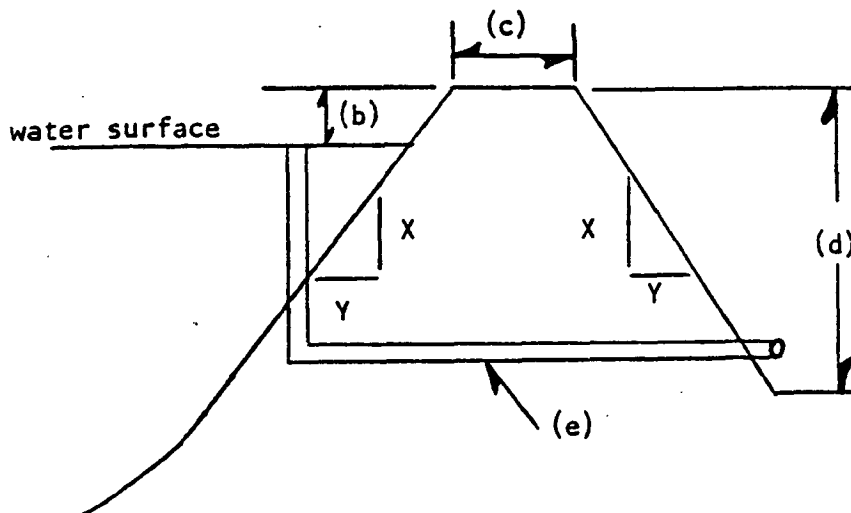
f) X & Y Slope
 Upstream _____

Downstream _____

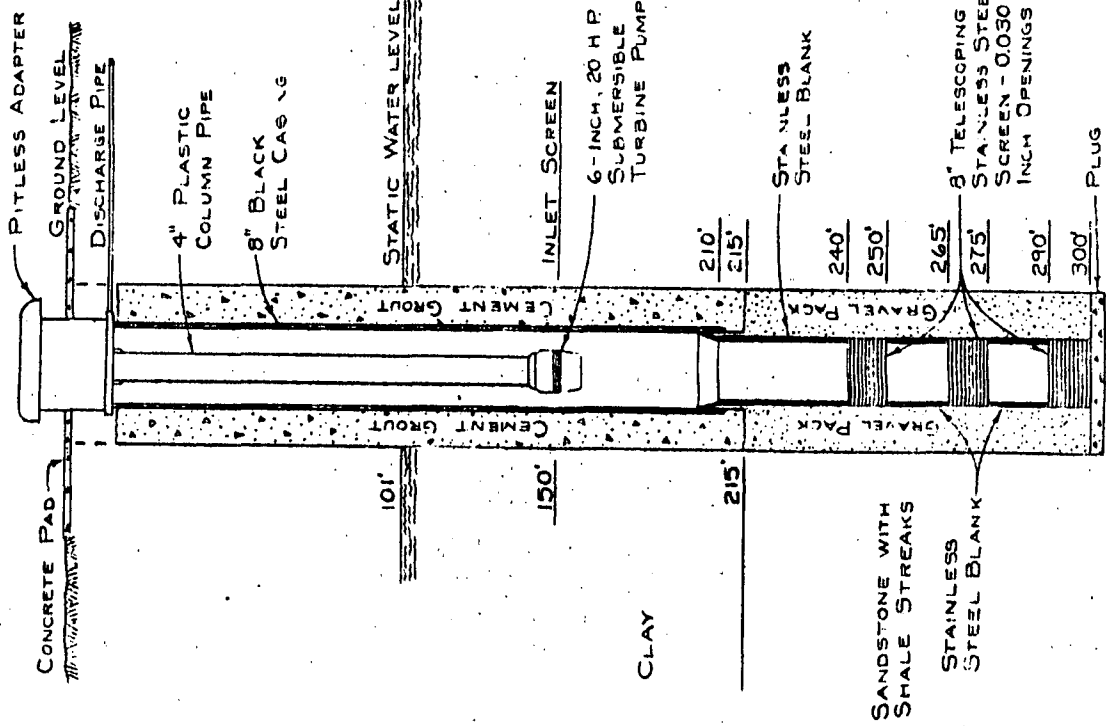
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

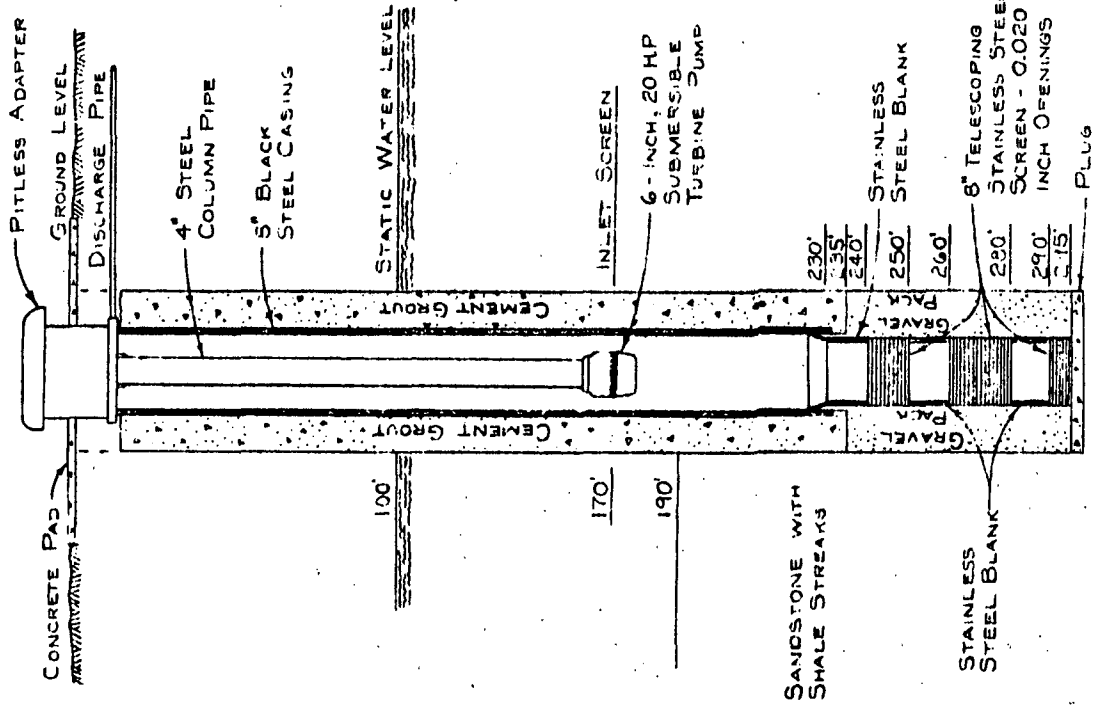


Signature of Applicant _____



Well No. 1

CAPACITY - 300 GALLONS/MINUTE
AT 18' OF DRAWDOWN
DRILLED - MARCH, 1972

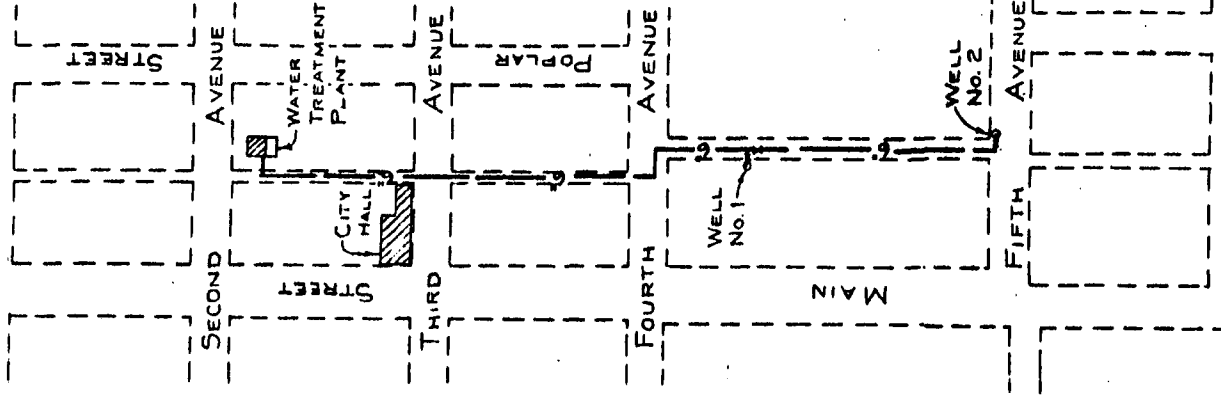


Well No. 2

CAPACITY - 255 GALLONS/MINUTE
AT 18' OF DRAWDOWN
DRILLED - SEPTEMBER, 1972

WELL CONSTRUCTION

No Scale

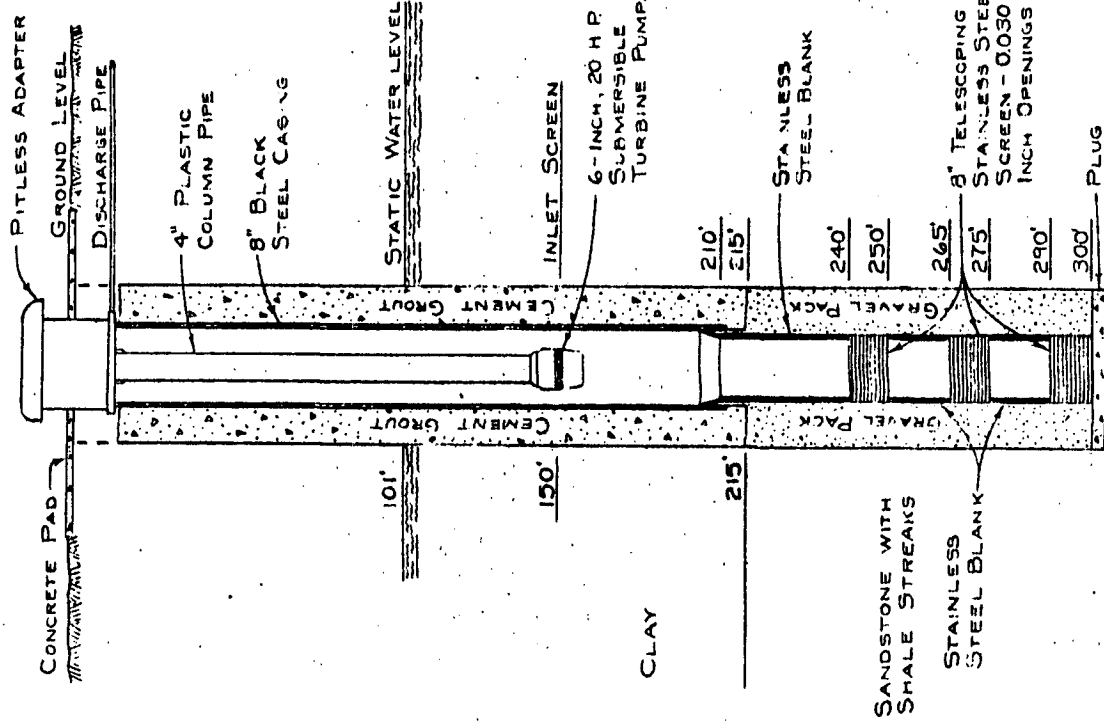


LOCATION PLAN

SCALE: 1"=200'

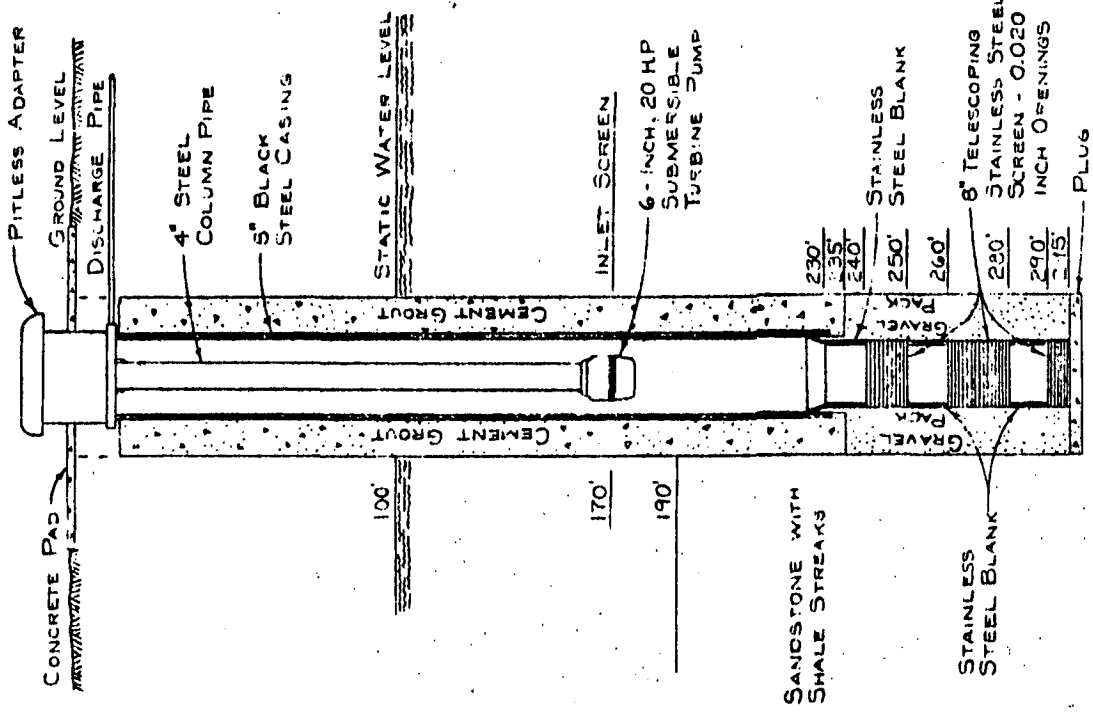
CITY OF LENNOX, SOUTH DAKOTA			
WATER WELL LOCATION AND CONSTRUCTION			
SCHMITZ, KALDA & ASSOCIATES ENGINEERS & LAND SURVEYORS SIOUX FALLS, S. DAK.			
DESIGNED BY DVS	DRAWN BY DJN	SCALE As Shown	DATE 8-79
CHECKED BY	FIELD DATA	SHEET 1 OF 1	SHEETS 5

DATE	ITEM	REVISIONS



Well No. 1

CAPACITY - 300 GALLONS/MINUTE
AT 14' OF DRAWDOWN
DRILLED - MARCH, 1972

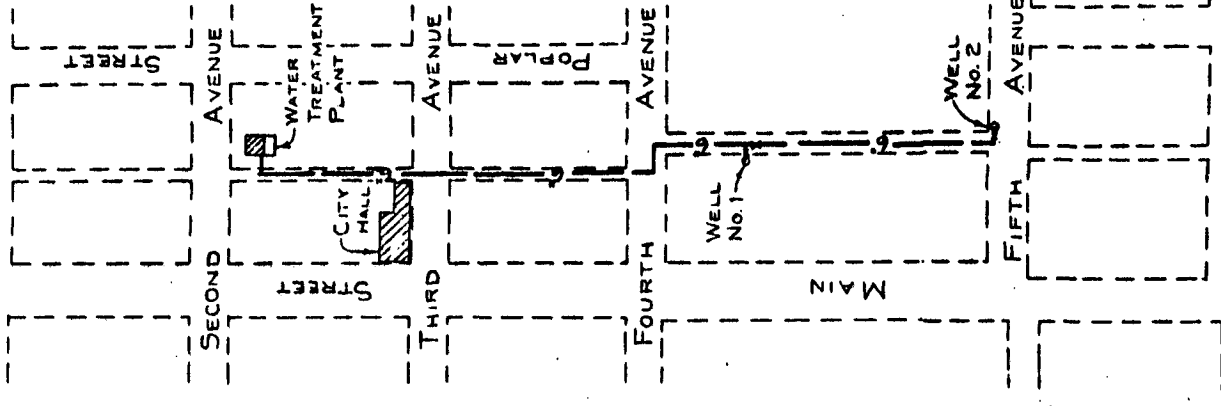


Well No. 2

CAPACITY - 235 GALLONS/MINUTE
AT 18' OF DRAWDOWN
DRILLED - SEPTEMBER, 1972

WELL CONSTRUCTION

No Scale



DATE	ITEM	REVISIONS	BY

CITY OF LENNOX, SOUTH DAKOTA	
WATER WELL LOCATION AND CONSTRUCTION	
SCHMITZ, KALDA & ASSOCIATES ENGINEERS & LAND SURVEYORS SIOUX FALLS, S. DAK.	
DRAWN BY DVS	DATE 6-79
CHECKED BY FIELD DATA	SCALE As Shown
SHEET 1 OF 1 SHEETS	
BLK. NO. 5	

RECEIPT

Division of Water Rights

No 4-10183

South Dakota Department of Water and Natural Resources

Pierre, September 16, 19 85

RECEIVED OF City of Lennox, 220 S Main St, Lennox SD 57039

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 John Hatch
Chief Engineer

JOHN HATCH

KS

Water Rights Division
605 773-3352

December 16, 1985

City of Lennox
ATTN: Sharon Albers
220 S Main St.
Lennox SD 57039

Ms. Albers:

Thank you for returning your water permit application. However, Form 2 has not been notarized. I am returning them to you for that reason. Also if the railroad well has been abandoned we will schedule Permit No. 429-3 for cancellation. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosure

REPORT ON APPLICATION NO. 5080-3

CITY OF LENNOX

January 10, 1986

Application No. 5080-3 proposes to appropriate an additional 0.87 cfs from city wells No. 1 and 2. The wells were completed in 1972 in the SE $\frac{1}{4}$, Section 32, T99N, R51W, as replacements to two wells covered by Permits No. 489-3 and No. 492-3. The amount of water claimed is in addition to that authorized by Permits No. 489-3 and 492-3. The water is used to supply the City of Lennox.

Aquifer - Lennox Aquifer

The Lennox Aquifer is a basal sand and gravel unit which underlies approximately 15,200 acres of Lincoln County and contains an estimated 43,830 acre-feet of recoverable water in storage (Hedges, 1982). The aquifer is under artesian conditions with a static water level of approximately 70 feet below the land surface in the area of the applicant's wells. Water level measurements indicate a gradient of the potentiometric surface from northeast to southwest. A possible hydraulic connection exists between the Lennox Aquifer and the Upper Vermillion-Missouri Aquifer, resulting in a potential subsurface flow from the Upper Vermillion-Missouri Aquifer to the Lennox during "wet years", and a reverse gradient, (i.e. subsurface flow from the Lennox to the Upper Vermillion-Missouri), during "dry years".

The Division of Water Rights monitors several observation wells in the Lennox Aquifer, and observation wells LN-81D and LN-81E are within one mile of the Lennox City wells. Ground water levels fluctuate seasonally in response to changes in recharge or discharge, but show no definite decline, in fact, over the period of record, the water levels were highest at the last reading (Water Rights Division files, 1986).

Review of Existing Permits

<u>Permit No.</u>	<u>Owner</u>	<u>Diversion Rate</u>	<u>Use</u>
489-3	City of Lennox	0.2228 cfs	Municipal
492-3	City of Lennox	0.22 cfs	Municipal

Conclusions

1. Application No. 5080-3 requests appropriation of 0.45 cfs from Well No. 1 and 0.42 cfs from Well No. 2. The requested appropriation is the City's present diversion rate minus the diversion rates authorized by Permit No. 489-3 and 492-3.
2. Well No. 1 and Well No. 2 were drilled in 1972 and have been supplying the City water supply since that time with no adverse affects.
3. The Lennox Aquifer is a viable source of water in the area.
4. Water level measurements taken from the Division of Water Rights observation wells in the area, indicate withdrawal from the aquifer does not exceed average annual recharge.
5. Well interference should not be a problem.



KENT BUHLER

Natural Resources Engineer

Application No. 5080-3
January 10, 1986
Page 2

References

Hedges, L.S., Burch, S.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Groundwater Resources, Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, DWNR, US Army Corp of Engineers Contract No. DACW 45-80-C-0185.

Division of Water Rights, "Water Permit, Domestic Well Log and Observation Well Files", 1986, DWNR, Pierre SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION No. 5080-3, City of Lennox

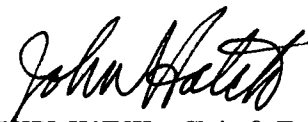
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5080-3, City of Lennox, 220 South Main Street, Lennox SD.

The Chief Engineer is recommending APPROVAL of Application No. 5080-3 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:

1. The wells 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.

2. That the abandoned railroad well constructed under Permit No. 429-3 be plugged with neat cement grout bottom to top pursuant to Water Management Board Rules 74:02:04:68.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 15, 1986



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

No. 5080-3

January 15, 1986

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

City of Lennox
720 S. Main
Lennox, South Dakota 57039

Dear Sir:

You are hereby notified that your Application No. 5080-3 for a permit to appropriate water for municipal use, has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the

Lennox Independent printed at Lennox,

South Dakota. For your information, a copy of this notice and the recommendation of the Chief Engineer is enclosed. Please review and contact this office, if you have any questions.

Be sure to contact the above newspaper to authorize publication of your notice of intent to appropriate water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur at least thirty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Very truly yours,

KEVIN C LARSON
Natural Resources Engineer

KCL:ms

Encl. Forms 6&7



No. 5080-3

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

605 773-3352
Water Rights Division

January 15, 1986

Lennox Independent
Box 76
Lennox, South Dakota 57039

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by City of Lennox
Application No. 5080-3, in Lincoln County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The first
publication should be on, or before January 23, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make
the first publication. The applicant is to pay the cost of publication and should
make the necessary arrangements with you to pay these costs.

Please receipt for this notice IMMEDIATELY after first publication attaching thereto
a copy of the first publication so that it may be compared with the records. For
your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed Form
8 to furnish Proof of Publication. The permit to appropriate water cannot be con-
sidered by the Water Management Board until proof of publication has been received.

Very truly yours,

KCL:ms
enclosures

KEVIN C LARSON
Natural Resources Engineer

cc: applicant

NO. _____

Date _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501

We are in receipt of your letter of _____, 19__ enclosing Notice of Proposed
Appropriation of Water, as proposed in Application No. _____ which was first
published in our issue of _____, 19__. ENCLOSED IS A COPY OF THIS FIRST
PUBLICATION.

NAME _____

NEWSPAPER _____

Instruction to Newspaper - Publish first publication of the following Notice on or before **January 23, 1986** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5080-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No.~~

Notice is hereby given that City of Lennox whose mailing address is
220 S. Main, Lennox, South Dakota has made an application for a permit

to appropriate an additional 0.87 cubic feet per second from city wells No. 1, 300 feet deep and No. 2, 295 feet deep. Both wells are located in the SE $\frac{1}{4}$ Section 32, T99N, R51W. Water is used to supply the City of Lennox.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5080-3 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, South Dakota, March 5 19 86 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 February 21, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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, 46-5-30.4, 46-5-31; ~~46-5-32 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 February 21, 1986.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 25, 1986

Lennox Independent
Box 76
Lennox, South Dakota 57039

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by City of Lennox
Application No. 5080-3, in Lincoln County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before April 3, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

Please receipt for this notice IMMEDIATELY after first publication attaching a
copy of the first publication so that it may be compared with the records. For
your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed
Proof of Publication form. The permit to appropriate water cannot be considered
by the Water Management Board until proof of publication has been received.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures

RD:ms

cc: applicant

No. _____

Date _____

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

We are in receipt of your letter dated _____ and the Notice of Hearing
to Appropriate Water by Application No. _____. The notice was first published
in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST
PUBLICATION.

NAME _____

NEWSPAPER _____



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 25, 1986

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

City of Lennox
220 S. Main
Lennox, South Dakota 57039

Dear Sir:

Your Application No. 5080-3 for a permit to appropriate water for

municipal use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Lennox Independent printed at Lennox

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice
of intent to appropriate water and to arrange for payment. Early contact with
the paper can eliminate delays. The publisher has been instructed to publish
your notice once each week for two consecutive weeks with the last publication
to occur at least thirty days before the board meeting. We must receive
Proof of Publication before the application can be considered by the Water
Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer
RD:ms
enclosures

No. 5080-3

Instruction to Newspaper - Publish first publication of the following Notice on or before **April 3, 1986** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5080-3 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that City of Lennox whose mailing address is
220 S. Main, Lennox, South Dakota has made an application for a permit

to appropriate an additional 0.87 cubic feet per second from city wells No. 1, 300 feet deep and No. 2, 295 feet deep. Both wells are located in the SE $\frac{1}{4}$ Section 32, T99N, R51W. Water is used to supply the City of Lennox.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 5080-3 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.

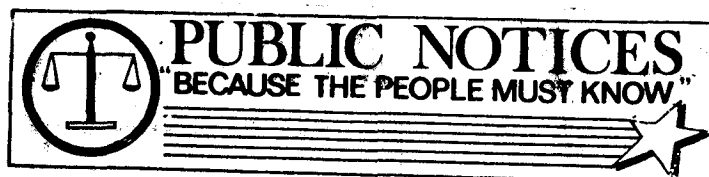
This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, May 14 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 May 2, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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 46-5-30.4, 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 May 2, 1986.



**NOTICE OF HEARING
ON APPLICATION 5080-3
TO APPROPRIATE WATER**

Notice is hereby given that the City of Lennox, whose mailing address is 220 S. Main, Lennox, South Dakota, has made an application for a permit to appropriate an additional 0.87 cubic feet per second from city wells No. 1, 300 feet deep and No. 2, 295 feet deep. Both wells are located in the SE $\frac{1}{4}$ Section 32, T99N, R51W. Water is used to supply the City of Lennox.

Pursuant to SDCI 46-2A-2 the Chief Engineer of the Water

Rights Division recommends approval of Application No. 5080-3 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, South Dakota, May 14, 1986, 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 1) ap-

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, Verlyn Hofer hereby

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

Water was taken from the Lennox Independent

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Lennox

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

April 3, 1986

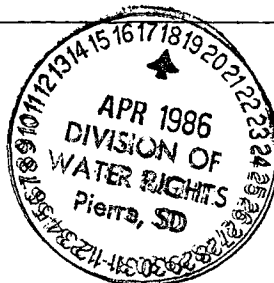
April 10, 1986

Verlyn Hofer
(Signature)

owner
(Title)

4-16-'86
(Date Signed)

Cost of Printing: \$42.57



prove, 2) approve with qualifications, 3) defer, or 4) deny 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 May 2, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 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 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, DWNRR, 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 May 2, 1986.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

June 20, 1986

City of Lennox
ATTN: Sharon Albers
220 S Main St
Lennox SD 57039

Dear Ms. Albers:

Enclosed is your Water Permit No. 5080-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure

Permit No. 5080-3
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, September 11, 1997 made a thorough examination of the water use system constructed by City of Lennox of 220 S. Main St., Lennox SD 57039 holder of Permit No. 5080-3, bearing the priority of June 24, 1957 for 0.22 cfs; 1920 for 0.22 cfs; and September 16, 1985 for 0.87 cfs authorizing the diversion of a combined 1.31 cu. ft. per second of the waters of Lennox Aquifer for municipal purposes, in Lincoln County.

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

A. Works used to divert the water:

Well #1 - 300 feet deep with 210 feet of 8 inch black steel casing and 150 feet of 4 inch plastic column pipe; 90 feet of stainless steel screen; Franklin pump and motor rated at 250 gpm and 15 hp.

Well #2 - 295 feet deep with 230 feet of 8 inch black steel casing and 170 feet of 4 inch plastic column pipe; 65 feet of stainless steel screen; Franklin pump and motor rated at 250 gpm and 15 hp.

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

Wells are not hooked up to the municipal system anymore. They are used as standby wells for uses other than drinking water.

C. Works used to apply water to beneficial use:

Standby wells.

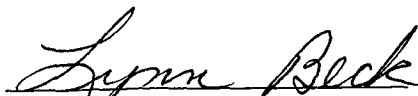
The system is in the following condition fair. The point of diversion is located well #1 is 128' S and 1315' E in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and well #2 is 562' S and 1370' E in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; all of the center of Section 32, T99N, R51W. The works are capable of diverting and conveying to the place of use 1.111 combined and 0.556 each cu. ft. per second of water which is to be used for standby water source. Water has been put to beneficial use to the maximum extent as follows:

Standby water source for uses other than drinking water for the City of Lennox.

The license should be issued for 0.22 cfs priority date 1920; 0.22 cfs priority date June 24, 1957; and 0.671 cfs priority date September 16, 1985 for a combined 1.111 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none


Lynn Beck

9-17-97

Date

Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5080-3

DATE OF INSPECTION: 9-11-97

Other permit(s) associated with the project: 5326-3 and 5753-3

NAME & ADDRESS OF INSPECTION CONTACT: Roger Almond

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: City Utilities Superintendent

NAME & ADDRESS OF PERMIT HOLDER: City of Lennox, 220 S. Main St., Lennox SD 57039 (605) 647-2286

DIVERSION POINT LEGAL LOCATION: Well #1 - 128' S and 1315' E; well #2 - 562' S and 1370' E of the center of Section 32, T99N, R51W.

WELL INFORMATION: Wells used as standby wells for the city.

- 1) Well Drilling Firm: #
- 2) No. of Wells 2
- 3) Depth(s) 300/295 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 8/8 inches
- 2) Length 210/230 feet
- 3) Type steel

Screen:

- 1) Type both stainless steel
- 2) Length 90/65 feet
- 3) Static water level 101/100 feet

Pump:

- 1) Make both Franklin submersible turbine
- 2) Model #
- 3) Size 6"/6"
- 4) Capacity 250/250 GPM

Motor:

- 1) Make Franklin
- 2) Model No. #
- 3) Horsepower rating 15/15 hp

PERMIT QUALIFICATIONS AND REGULATIONS:

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

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 1997

5080-3
5326-3
5753-3

Roger Almond, City Utilities Superintendent
City of Lennox
220 S. Main Street
Lennox, SD 57039

Dear Mr. Almond:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 5080-3, 5326-3 and 5753-3, has been completed. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$150.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$150.00 total) from you, we will begin processing your Water Licenses.

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

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

5080-3
5326-3
5753-3

Roger Almond, City Utilities Superintendent
City of Lennox
220 S. Main Street
Lennox, SD 57039

Dear Mr. Almond:

Enclosed are Water License Nos. 5080-3, 5326-3 and 5753-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415512, 415513 and 415514 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5080-3, 5326-3 and 5753-3, 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 Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

RECEIPT

415512

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 3, 19 97

RECEIVED OF City of Linton, P.O. Box 228, Linton, SD 57039-0228

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>5080-3</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

Chief Engineer

Jan Hatch (P)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5080-3

(1) The City of Lennox, 220 S Main St, Lennox SD 57039 made Application No. 5080-3, September 16, 1985 for a water permit to divert 0.87 cubic feet of water per second (cfs) from groundwater (two existing wells), Lincoln County, South Dakota for municipal purposes. Permit No. 5080-3, with a priority date of September 16, 1985 was approved May 14, 1986 and issued to the applicant for diversion of water with construction of the described water supply system completed and for the application to beneficial use of said water completed.

Vested Water Right Nos. 489-3 and 492-3 authorized use of 0.44 cfs from Wells #1 and #2. Water Permit No. 5080-3 was obtained to authorize an additional 0.87 cfs from the two wells.

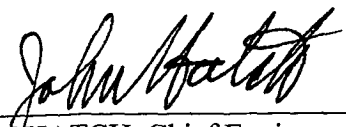
A September 11, 1997 investigation of the water use system found Wells # 1 and #2 available for standby use. The wells have a combined capacity of 1.11 cfs (500 gpm). With a total of 0.44 cfs authorized under Vested Water Right Nos. 489-3 and 492-3, Water License No. 5080-3 will authorize the remaining 0.67 cfs utilized by the city.

(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 0.67 cubic feet of water per second for beneficial use. The location of the diversion points are: *Well #1 - 128 feet south and 1,315 feet east (NW 1/4 SE 1/4) and *Well #2 - 562 feet south and 1,370 feet east (NE 1/4 SE 1/4); all from the center of Section 32-T99N-R51W.

* Wells are standby wells and are no longer hooked to the municipal system.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Lennox, 220 S Main St., Lennox SD 57039 the holder and/or owner of Water Permit No. 5080-3 is issued a license to appropriate water, the right to use 0.67 cubic feet of water per second from groundwater (two wells) with a priority date of September 16, 1985 from the location specified in (2) of this license, for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 5080-3 and subject to South Dakota State Law.



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

APR 23 1998

date

