

Considered: _____

WATER PERMIT NO. 5107-3

MAP No. same

Name of Applicant Lebanon Fire Dept.

Post Office Address Box 76, Lebanon SD 57455

Amount of Water Claimed .10 cfs Total Acres NA

Source of Water Supply groundwater

Water to be used for municipal purposes County Potter

About _____ miles of in Lebanon.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 12/10/86 Subject to _____

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

PRIORITY _____ Date Received July 31, 1986 Fee \$50.00 Remarks _____

7/31/86

Corrected Application Received _____ Period of Annual Use _____

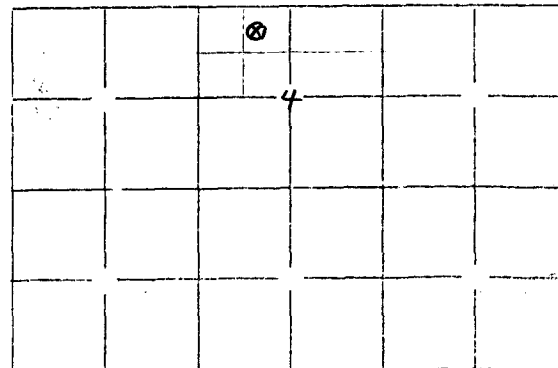
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point well: NE 1/4 NW 1/4 section 4-

T118N - R74W

Land to be Irrigated NA



Well Log: Driller Vergil Worm Licensed YES ☒ NO _____

Depth of Well 62 feet REMARKS _____

Type of Map topo PREPARED BY Ron Duvall & Vince Beaner Reviewed and the Number

assigned on October 9, 1986 By Ron Duvall

No. 5107-3 Hydrologic Unit 10130105
 Map No. _____ Basin Missouri River
 Newspaper Potter County News, Box 6/Gettysburg
 (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 ☒ Fire Protection

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 Sebanon Fire Dept Phone No. 768-9439Post Office Address Box 76 Sebanon SD State SD
(Street, RR or Box) Zip Code 574552. Amount of water claimed (c.f.s) 45 gal per min .10 cfs3. Source of water supply well4. Location of point of diversion Well: NE 1/4 NW 1/4 Section 4- T118N-R74W_____ County Potter5. Counties where water will be used Potter

January 1 - December 31

6. Annual period during which water is to be used When Fire Trucks need filled

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)

The Fire Dept needs a well to fill fire trucks, the well will be drilled by Dakota Driveler.

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

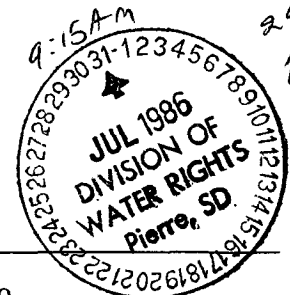
STATE OF SOUTH DAKOTA)
 County of Potter) ss

I, Lenice Beamer - Sebanon Fire Dept 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 Lenice BeamerSubscribed and sworn to before me this 30 day of June 1986Lola Russell

Notary Public (or other qualified officer)

Lola Russell, Notary Public, Potter County, South Dakota
 My Commission Expires February 29, 1992



WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5107-3
Lebanon Fire Department Box 76, Lebanon
(Applicant) (Post Office Address)
SD 57455 With the following qualifications.
(State) (Zip Code)

1. The well approved by this Permit No. 5107-3 is only for fire protection and shall not be used for domestic or commercial use.
2. 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 31, 1986.
 Date of return to applicant for correction, amendments or changes required _____, 19____.
 Date of receipt of corrected application _____, 19____. Approved December 10, 1986.

The Water Management Board hereby approves this Water Permit No. 5107-3 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:

1. The date from which applicant may claim right is July 31, 1986.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before May 10, 1989.
3. The whole of said work is to be completed on or before December 10, 1991.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 10, 1995.
5. The water appropriated shall be used for the purpose of Fire protection purposes for the Town of Lebanon
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 0.10 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 Fire protection on or before December 10, 1995; said water to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD
 By: John Hatch
Civil Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
FEB 17 1987

_____, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 28-30" Depth 60'
- b) Casing Type steel Diameter _____ Thickness _____
- c) Screen Type drilled Diameter 24" Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack 60'
- e) Depth to Top of Water Bearing Material 6 to 8 ft
- f) Depth of Water (ground surface to water level) 6 to 8 ft
- g) Distance to nearest existing domestic well:
 On applicants property No other well On property owned by others 1/2 city BLT

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 _____

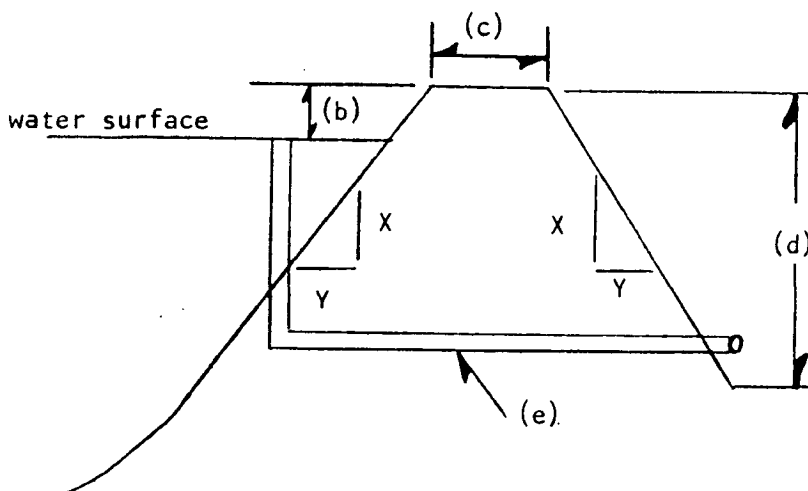
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

James Beamer Lebanon Fire Chief

This is what Mr. Worm said
the well would be constructed of.

60 ft deep

Casing - Culvert $1\frac{1}{2}$ gauge

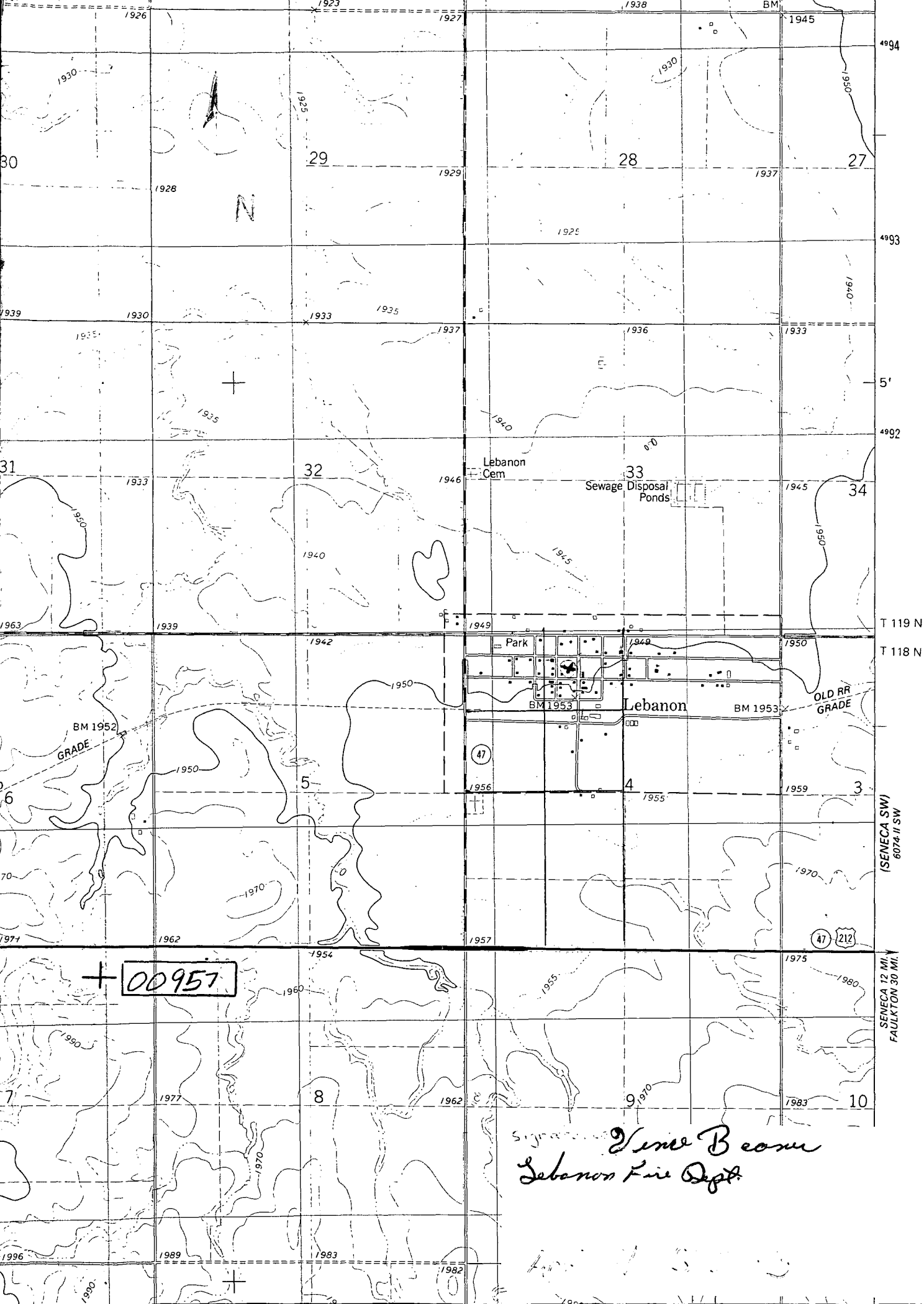
Spiral weld

$3\frac{1}{16}$ drilled holes

Gravel pack $\frac{1}{16}$ to $3\frac{1}{8}$

Well will be gravel pack
from 8 ft below the ground to
bottom of well.

From ground level to 8 ft
down will be cemented.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410504

Pierre, July 31, 1986

RECEIVED OF Lebanon Fire Department, Vince Deaner, Box 76, Lebanon, SD 57455

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

Fee for Application for Permit No. <u>5107-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	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	50 00

By

Chief Engineer

John Hatch
JOHN HATCH/ms

REPORT ON APPLICATION NO. 5107-3
LEBANON FIRE DEPARTMENT
September 16, 1986

Application No. 5107-3 for the Lebanon Fire Department proposes to appropriate 0.10 cubic feet per second of water from one well 62 feet deep. The well is located in the NE 1/4 NW 1/4 of Section 4, T118N, R74W in Potter county. The water is to be used for fire protection.

The well will withdraw water from the Bowdle:Lebanon aquifer. The Bowdle:Lebanon aquifer is a shallow sand and gravel outwash of glacial origin. The aquifer underlies approximately 10,100 acres of land and contains an estimated 22,000 acre-feet of recoverable water. The recoverable water is based on a storage coefficient of 0.15. The Division of Water Rights monitors five wells in the Bowdle:Lebanon aquifer. The hydrographs (attached) show that the water levels are at a record high. This can be attributed to the higher than average precipitation and the limited amount of water being utilized from the system. Presently there are three permits to appropriate water from the Bowdle:Lebanon aquifer. These permits appropriate 1626 acre-feet of water annually.

The well which has been constructed for this application does not meet South Dakota Well Construction Standard section 74:02:04:48. This section pertains to steel casing specifications. A variance to allow the use of corrugated steel spiral well casing (16 gauge) was granted by the Chief Engineer on 22 July 1986. This well is to be used only for fire protection and is not be used for domestic or commercial use.

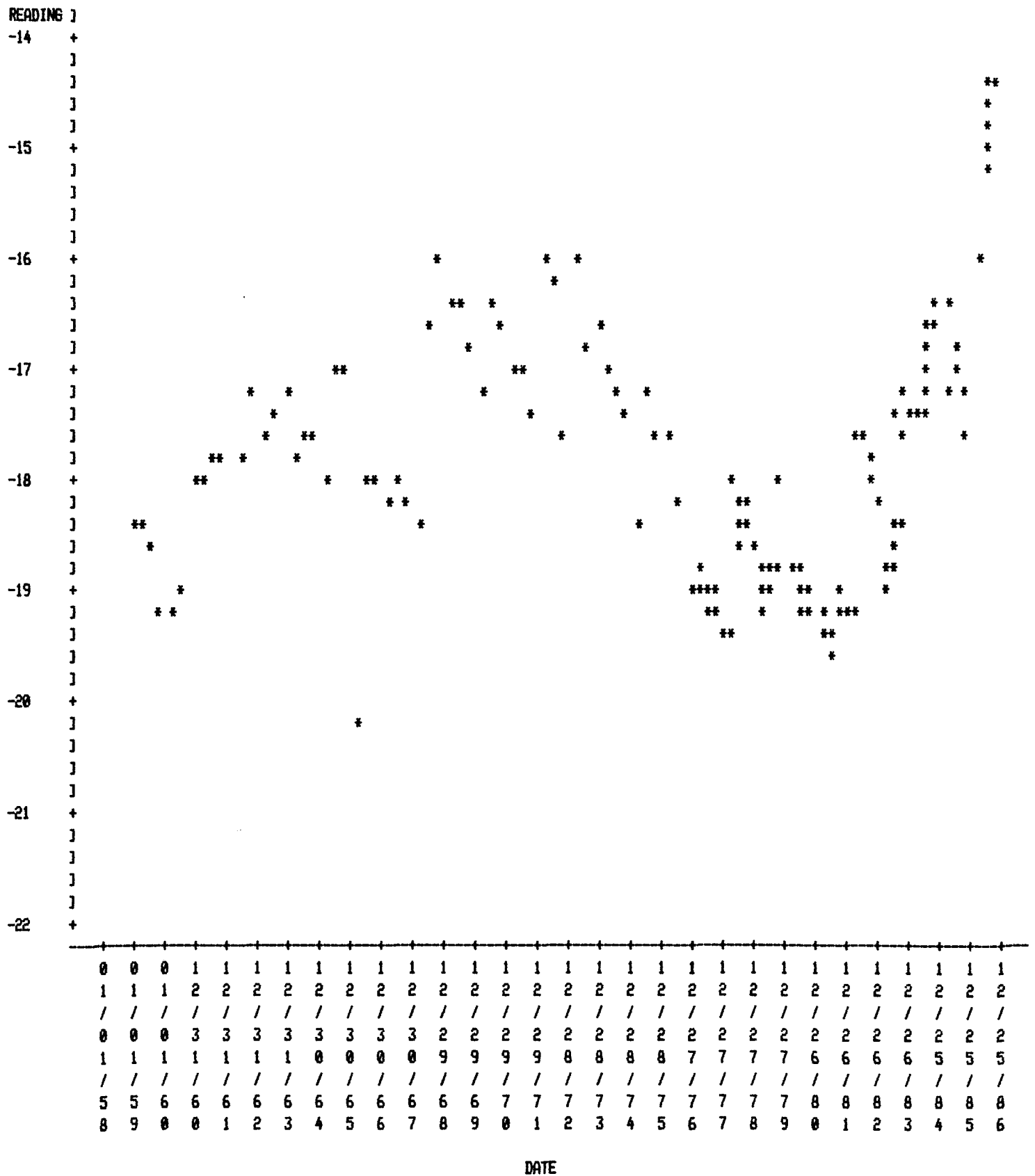
Conclusions:

1. Unappropriated water is available for this application.
2. Water levels are at a record high.
3. A variance has been granted for the type of construction of this well.
4. No other use is to be made of the water from this well other than fire protection.

Gale N. Selken

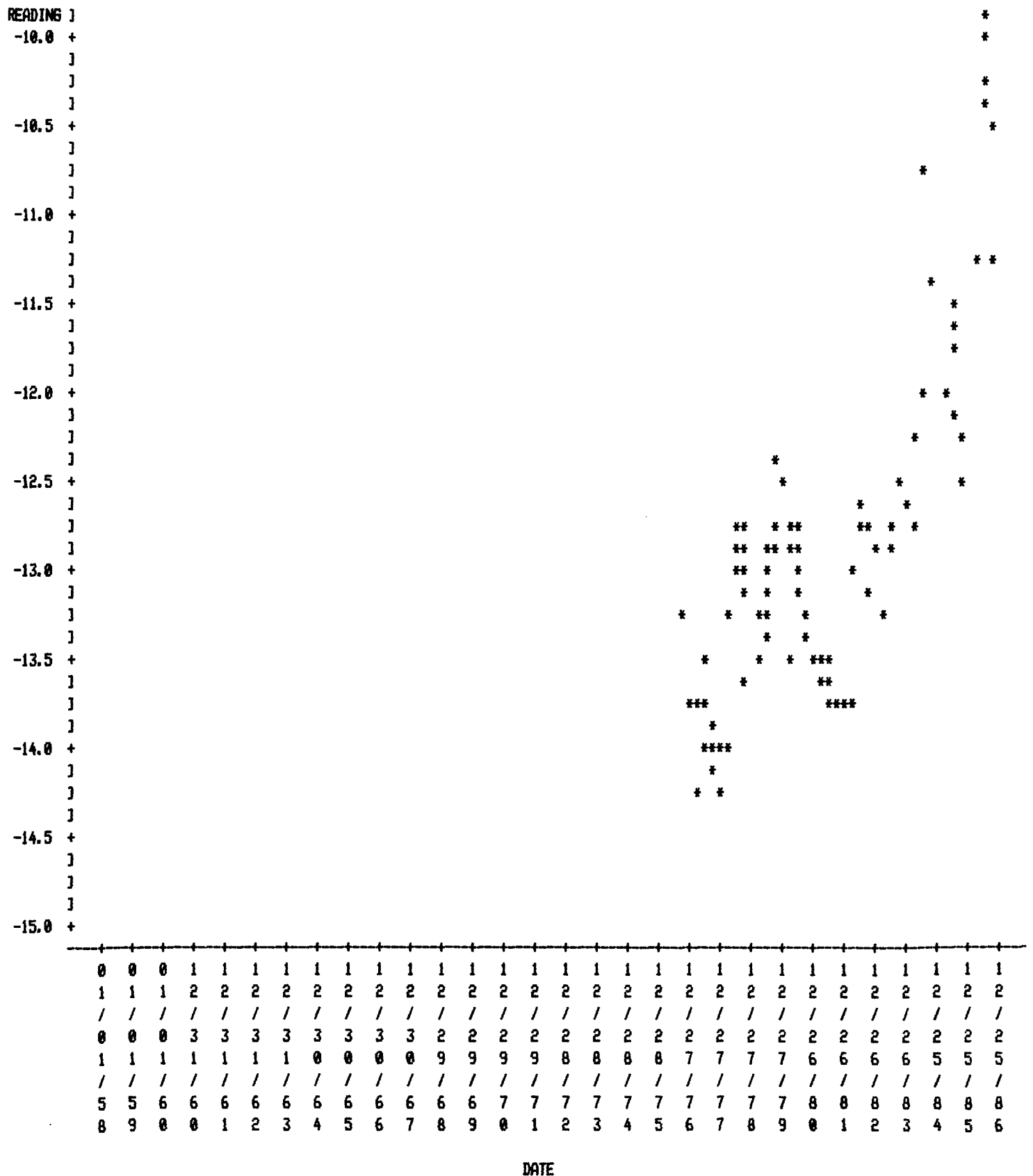
Gale N. Selken P.E.
Hydrologist III

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 57 OBS HIDDEN

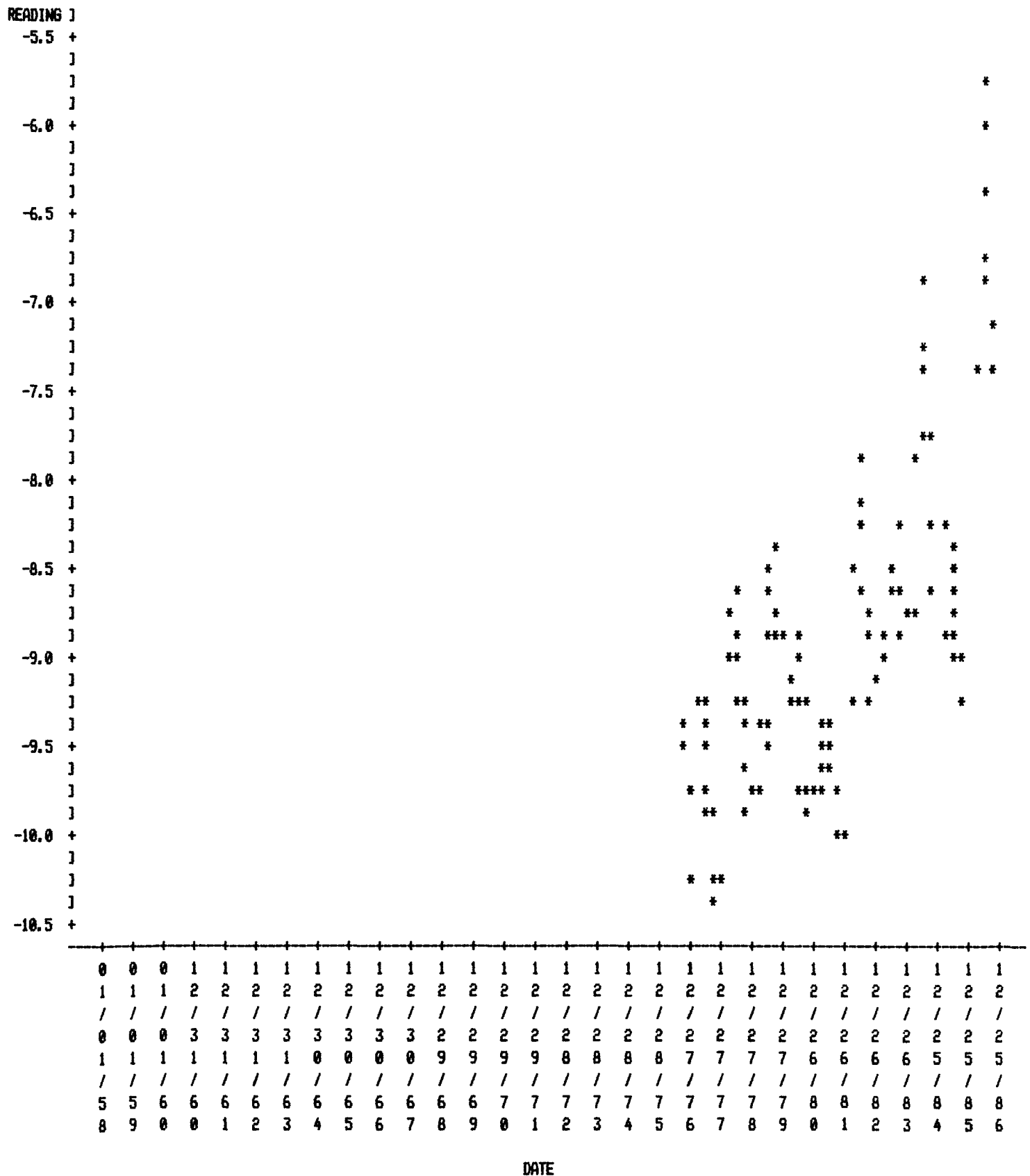
PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 35 OBS HIDDEN

[illegible]

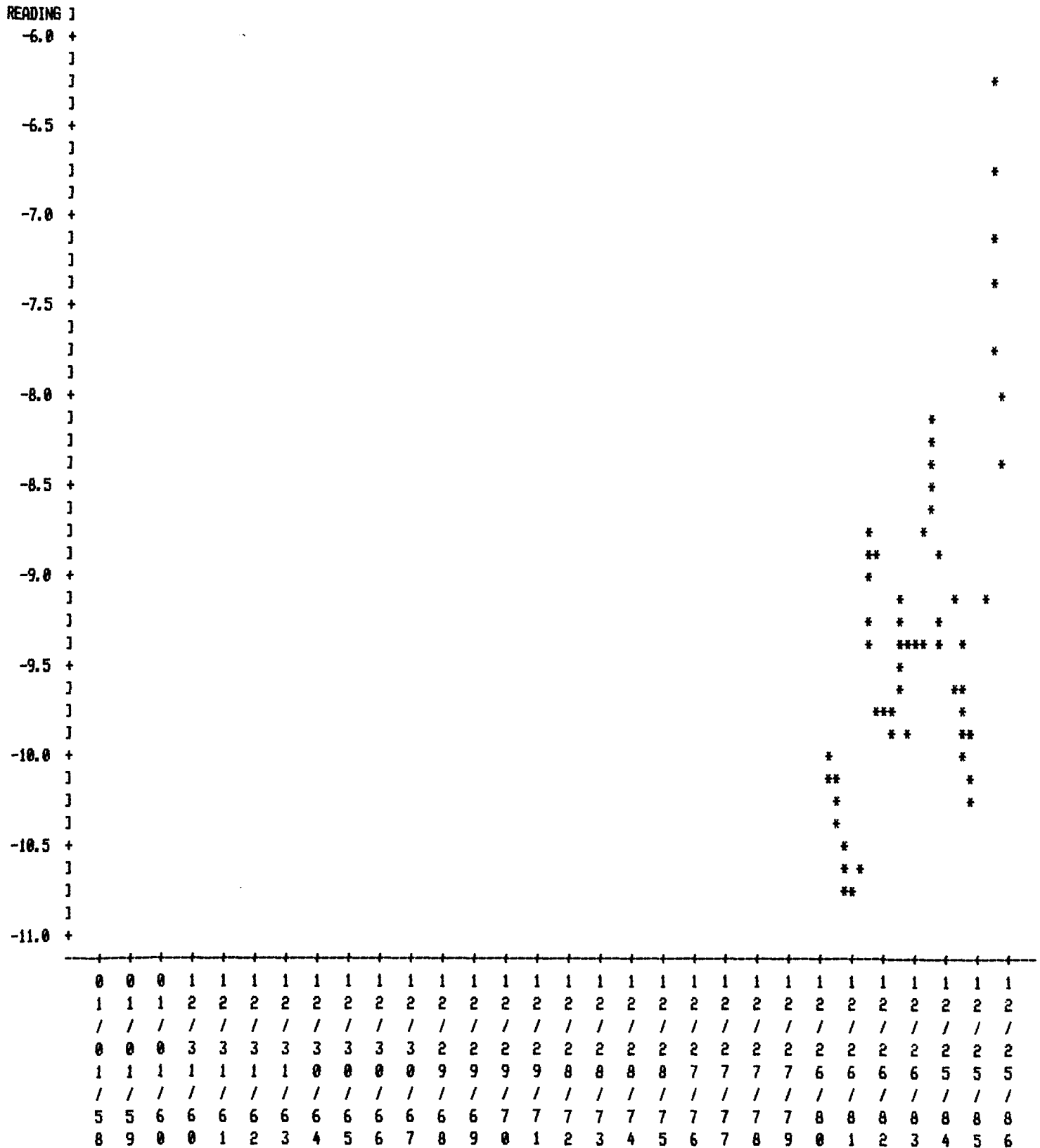
NOTE: 51 OBS HIDDEN



NOTE: 31 OBS HIDDEN

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PLOT OF READING=DATE SYMBOL USED IS *



NOTE: 9 OBS HIDDEN

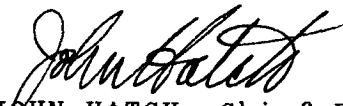
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5107-3

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. 5107-3, Lebanon Fire Department, Box 76, Lebanon SD.

The Chief Engineer is recommending APPROVAL of Application No. 5107-3 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 well approved by Permit No. 5107-3 is only for fire protection and shall not be used for domestic or commercial use.
2. 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 well having prior water rights.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
September 17, 1986



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

October 29, 1986

NOTE:

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

Lebanon Fire Department
Box 76
Lebanon, South Dakota 57455

Dear Sir:

Your Application No. 5107-3 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

Potter County News printed at Gettysburg

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

enclosures

No. ~~5107-3~~

Instruction to Newspaper - Publish first publication of the following Notice on or before November 6, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5107-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that the Lebanon Fire Department whose mailing address is Box 76 Lebanon, South Dakota has made an application for a permit

to appropriate .10 cubic feet of water per second from one well (Bowdle:Lebanon Aquifer) 62 feet deep located in the NE1/4NW1/4 Section 4-T118N-R74W. The water is for fire protection use by the Lebanon Fire Department.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5107-3 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, December 10 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 November 28, 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 November 28, 1986.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Potter) ss.

I, Jack L. Stoner hereby

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

Water was taken from the Potter County News

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 Gettysburg

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

November 6, 1986

November 13, 1986

Jack L. Stoner
(Signature)

Publisher
(Title)

Dec. 2, 1986
(Date Signed)



NOTICE OF HEARING

NOTICE OF HEARING on Application No. 5107-3 to Appropriate Water Notice is hereby given that the Lebanon Fire Department whose mailing address is Box 76 Lebanon, South Dakota has made an application for a permit to appropriate .10 cubic feet of water per second from one well (Bowdle:Lebanon Aquifer) 62 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4-T118N-R74W. The water is for fire protection use by the Lebanon Fire Department.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division Recommends APPROVAL of Application No. 5107-3 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, December 10, 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) 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 of cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by November 28, 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, DWNR, Joe Foss Building, 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 November 28, 1986.

(Published in Potter County News, November 6 and 13, 1986.)

Cost of Printing: 41.3



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

5107-3

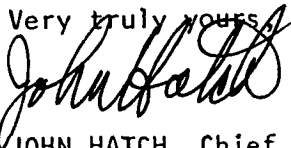
FEB 17 1987

Lebanon Fire Department
Box 76
Lebanon, South Dakota 57455

Dear Sir:

Enclosed herewith is your Water Permit No. 5107-3 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. 4107-3.

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

Permit No. 5107-3

Missouri River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Lebanon Fire Department of Box 76, Lebanon, SD 57455 holder of Permit No. 5107-3, bearing the priority of July 31, 1986 authorizing the diversion of 0.10 cu. ft. per second of the waters of Bowdle: Lebanon Aquifer for fire protection purposes, in Potter County.

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

A. Works used to divert the water:

One well 62' deep, 52' of 24" galv. cmp casing and 10' of 24" galv. cmp screen. Franklin Subm. motor rated at 5 hp, Grinvoss Subm. pump model no. S108-5 with a capacity of 40 gpm.

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

Well

C. Works used to apply water to beneficial use:

Fire protection equipment.

The system is in the following condition good. The point of diversion is located 600' S and 1810' E of the NW corner of Section 4, T118N, R74W. The works are capable of diverting and conveying to the place of use ^{0.08 cfs} ~~0.10~~ cu. ft. per second of water which is to be used for fire protection. Water has been put to beneficial use to the maximum extent as follows:

Fire protection for the City of Lebanon Fire Department

The license should be issued for ^{0.08 cfs} ~~0.10~~ cfs.

Application permit qualifications have been complied with Y Yes No

Exceptions to compliance are: none Date 9-1-92



Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 5107-3

DATE 9-1-92

Other permit(s) associated with the project

DIVERSION POINT LEGAL LOCATION: 600' S and 1810' E of the NW corner of Section 4, T118N, R74W.

WELL INFORMATION: Well Drilling Firm Vergil Worm, Lebanon, SD

No. of Wells 1 Depth(s) 62

a) Casing: 1) diameter 24 inches

2) length 52 feet

3) type galv. cmp

d) Static Water Level 7 feet

e) Motor:

1) make Franklin Subm.

2) model No.

3) horsepower rating 5 hp

b) Screen: 1) type 24" galv. cmp

2) length 10 feet

1) make Grinvoss Subm.

2) model S108-5

3) size inches

4) capacity 40 GPM

5) turbine pump - No. of stages 8

6) operating pressure PSI

PERMIT QUALIFICATIONS AND REGULATIONS:

a) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A (Y/N)

b) Special qualifications to permit being abided by Y (Y/N)

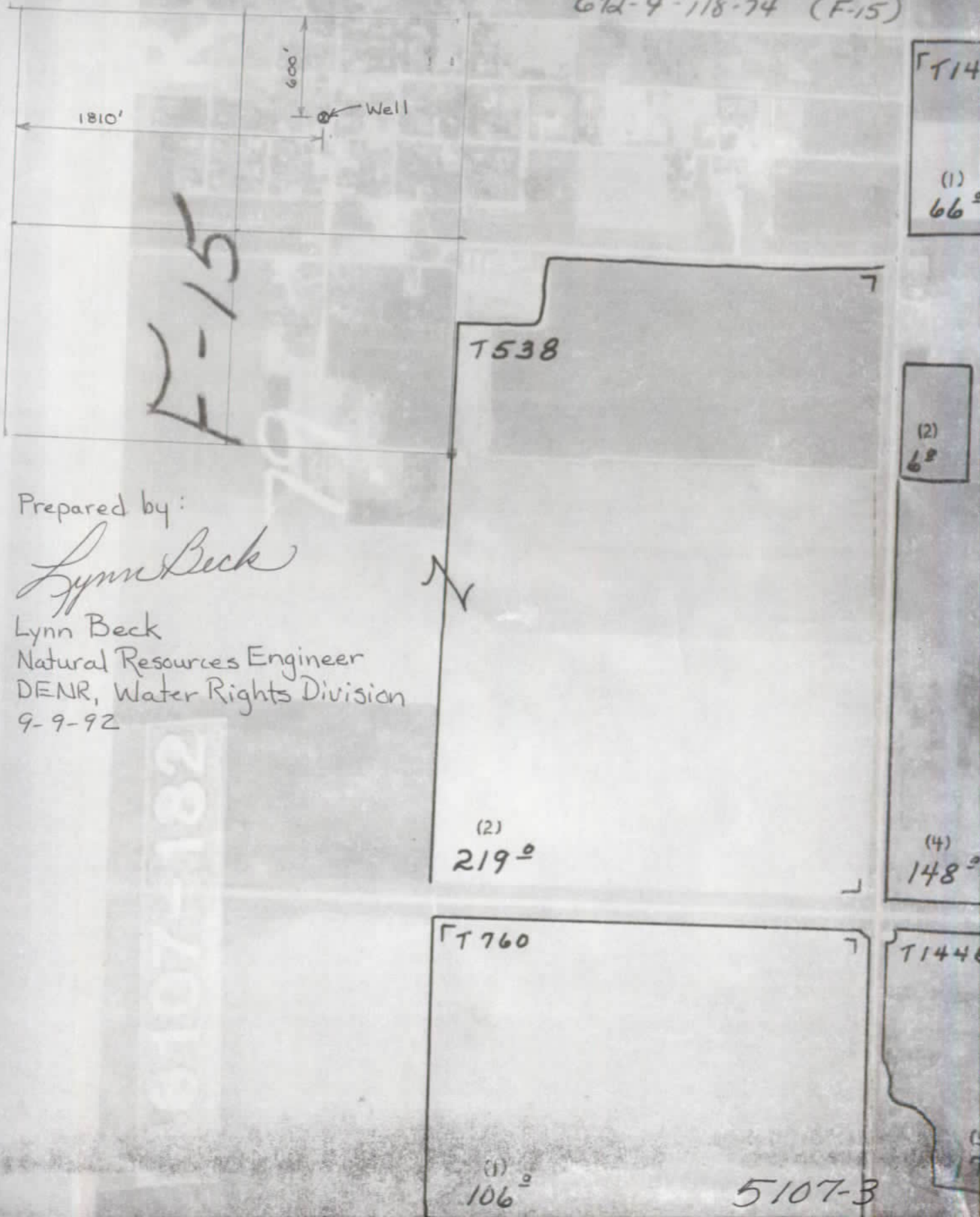
c) All structures, wells and lands on map Y (Y/N)

d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A (Y/N)

5107-3

NOT TO SCALE

E 1/2 - 4 - 118 - 74 (F-15)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 23, 1992

5107-3

Vince Beaner
Lebanon Fire Department
Box 76
Lebanon, SD 57455

Dear Mr. Beaner:

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. 5107-3, 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.

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

Sincerely,

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

NOTE: On check or money order, please specify your permit number.
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

March 31, 1993

SECOND NOTICE

PERMIT NO: 5107-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Vince Beaner
Lebanon Fire Department
Box 76
Lebanon, SD 57455

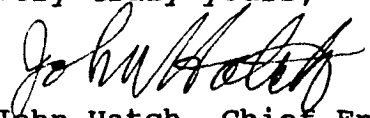
Dear Mr. Beaner:

On December 23, 1992, you were notified the final inspection fee of \$50.00 is due before Water License No. 5107-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

5107-3

4a. Article Number

P 318 052 510

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

Vince Beaner
Lebanon Fire Department
Box 76

Lebanon, SD 57455

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

413718

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, April 7, 19 93

RECEIVED OF Lebanon Fire Dept, Lebanon, SD 57455

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>5107-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

5107-3

Vince Beaner
Lebanon Fire Department
Box 76
Lebanon, SD 57455

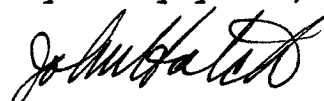
Dear Mr. Beaner:

Enclosed is Water License No. 5107-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413718 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5107-3, 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 Division
(605) 773-3352

ks
enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5107-3

(1) Lebanon Fire Department of Box 76, Lebanon, SD 57455 made Application No. 5107-3, July 31, 1986 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Potter County, South Dakota, for fire protection purposes. Permit No. 5107-3, with a priority date of July 31, 1986 was approved December 10, 1986 and issued to the applicant(s) for diversion of water with construction of the described water supply system completed on or before December 10, 1991 and application to beneficial use of said water to be completed by December 10, 1995.

(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 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is 600 feet S and 1810 feet E of the NW corner of Section 4-T118N-R74W (NE 1/4 NW 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lebanon Fire Department of Box 76, Lebanon, SD 57455 the holder(s) and/or owner(s) of Water Permit No. 5107-3 is issued a license to appropriate water, the right to divert 0.10 cubic feet of water per second from groundwater (one well) with a priority date of July 31, 1986 from the location specified in (2) of this license. The water is to be used for the purpose of fire protection. This license is subject to any limitations or qualifications listed in Water Permit No. 5107-3 and subject to South Dakota State Law.



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

AUG 19 1994

date