

Considered: _____

WATER PERMIT NO. 5111-3

MAP No. same

Name of Applicant Sunshine Bible Academy

Post Office Address HCR 5, Box 29, Miller SD 57362

Amount of Water Claimed 0.051 Total Acres 1/4

Source of Water Supply groundwater - 3 wells

Water to be used for institutional purposes County Hand

About 13 miles S of Miller

PROOF OF PUBLICATION: Received ☒ Not Received ☐

APPLICATION: Approved 3/4/87 Subject to _____

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

PRIORITY Date Received 10/31/86 Fee \$50.00 Remarks well No. 1

10/31/86 serves as a supplemental water supply

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

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

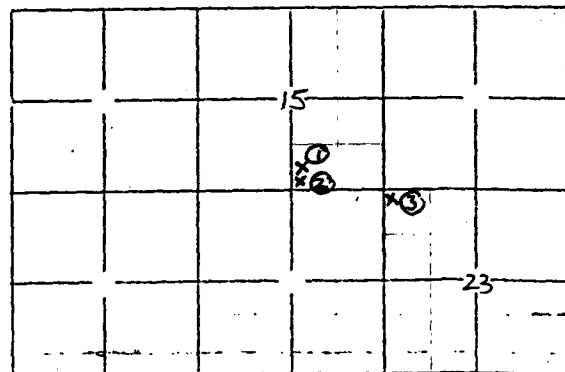
WI-1 Description same as Application YES ☐ NO ☐ REMARKS _____

Diversion Point well No 1 & 2: SW 1/4 SE 1/4 section 15;

well No. 3: NW 1/4 NW 1/4 section 23; all in

T110N-R68W

Land to be Irrigated N/A



Well Log: Driller Pullman Boli ? well No. 1 & 2 well No. 3 Licensed YES ☐ NO ☐

Depth of Well 140 ft 260 ft 260 ft REMARKS _____

Type of Map Topo PREPARED BY Ron Duvall Reviewed and the Number

assigned on 12/8/86 By Ron Duvall

No. 5111-3 Hydrologic Unit 10160009
 Map No. same Basin James River
 Newspaper Miller Press, Box 196 (Wed)

DWNR, Foss Bldg.
 Pierre, SD 57501
 (605) 773-3352

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

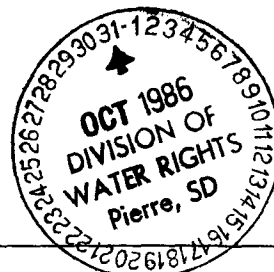
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ 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. _____



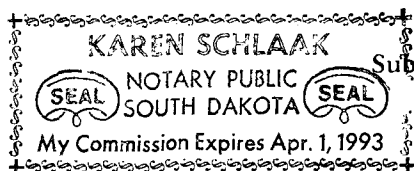
- Name of Applicant Sunshine Bible Academy Phone No. 605 853-3071
 Post Office Address HCR 5, Box 29, Miller State SD Zip Code 57362
(Street, RR or Box)
- Amount of water claimed (c.f.s) 0.051
- Source of water supply 3 wells
- Location of point of diversion Well No. 1 and No. 2: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T110N, R68W;
Well No. 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T110N, R68W
 _____ County Hand
- Counties where water will be used Hand
- Annual period during which water is to be used 12 mo. January 1 - December 31
- 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)

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)^{ss}
 County of _____)

I, Sunshine Bible Academy By Daniel Eggebraaten Business Mgr. 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 SBA Daniel Eggebraaten
31st day of October 1986
Karen Schlaak
 Notary Public (or other qualified officer)



WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5111-3
Sunshine Bible Academy HCR 5, Box 29, Miller
(Applicant) (Post Office Address)
SD 57362 With the following qualifications.
(State) (Zip Code)

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.

Date of first receipt of application October 31, 1986.
 Date of return to applicant for correction, amendments or changes required _____, 19____.
 Date of receipt of corrected application _____, 19____. Approved March 4, 1987.

The Water Management Board hereby approves this Water Permit No. 5111-3 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 October 31, 1986.
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 institutional use by the academy
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 0.051 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 institutional use on or before _____, 19____; said water to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD
 By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
APR 30 1987, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth No. 1 140 ft No. 2 260 ft No. 3 260 ft
- b) Casing Type plastic, plastic, steel Diameter all 5 in. Thickness _____
- c) Screen Type all slotted Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) 92 ft 130 ft unknown
- g) Distance to nearest existing domestic well: _____
- On applicants property _____ On property owned by others $\frac{1}{4}$ mi.

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 _____

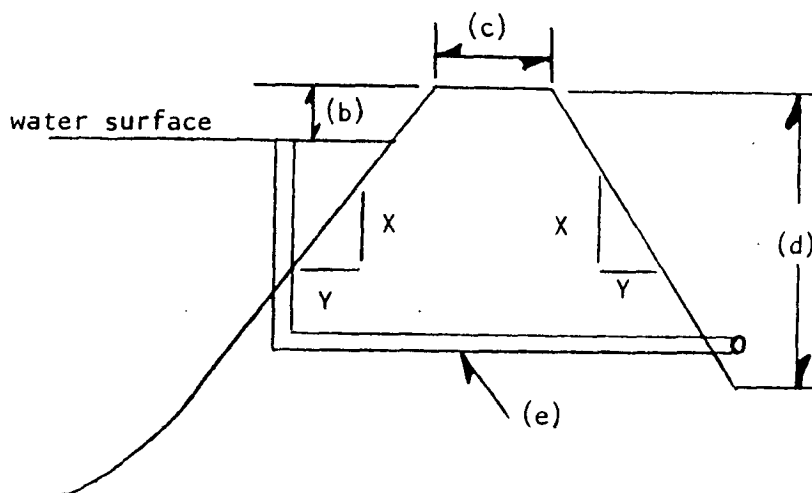
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



SBA *[Signature]*
Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410609

Pierre, October 21, 1986

RECEIVED OF Sunshine Bible Academy, HCR 5, Box 29, Miller, SD 57362

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 _____	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 John Hatch
Chief Engineer

JOHN HATCH

ms



Department of Water & Natural Resources

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

June 23, 1986

Supt. Carl Ritenour
Sunshine Bible Elementary
HCR 5 Box 29
Miller SD 57362

Dear Mr. Ritenour:

The Division of Environmental Quality of this Department has conducted a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Sunshine Bible Elementary .

A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use and in some cases non-commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourists attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minutes.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a filing fee (see instructions). The filing fee for use of 45 gallons per minute or less is \$50.00. The applicant must pay the cost of advertising. If your water system has been in continuous use prior to 1955, it may qualify for a vested right. The filing fee for a vested right is \$15.00.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water users without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new users with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch uses does not require a permit and has preference over all other users of water.

If you have any question or need assistance with completion of the forms, please feel free to contact us.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

SURVEY OF NON-COMMUNITY WATER SUPPLY

ID# 4601028

Survey taken by Waltner Survey Date 8/1/85

Is system active or inactive active

If inactive, deactivation date _____

Deactivation reason _____

Location of NC PWS S. of Miller on Hwy 45

Type of NC PWS (campground, motel, resort, etc.) elementary school

Name of NC PWS Sunshine Bible Elementary

NC PWS mailing address HCR 5, Box 29 Miller 57362 Telephone # 853-3071

Name of Operator/Manager Supt. Carl Ritenour

Owner of NC PWS _____

Owner's mailing address _____

Type of owner: Private ☒ City () State () Federal () Other ()

County NC PWS located in Hand Seasonal operation dates Sept.-May

Number of people served: Average daily enrollment- 25-30 Peak Daily same

Comments on type of people (transient) vs. permanent) _____

Water source (well) spring, lake, river, other) _____

Source name _____

Visual inspection of water source (comments) _____

Observation of owner/operator making a turbidity test (if source is a surface supply).

Comments: _____

Surface Area Characteristics _____

WELLS: Drilled ☒ Bored () Dug () Driven ()

Well depth 230' Well diameter 5" Casing material steel

Casing diameter _____ Height casing top above ground 1'

Grouted ? Grouted to what depth _____

Date of well construction early '60's

Distance to: Septic tank 500 yds. Disposal field 500+ yds.

Is well situated in a pit or depression where it will be subject to flooding?

no

Any known private sewage systems nearby no

Any known source of contamination no

PUMP:

Well pump type centrifugal Capacity ? CPM

Number of service connections 1

Pumphouse floor/housekeeping _____

STORAGE:

Size and type of storage 1- 60 gal. Press. tank

Cover/manhole conditions (overlapping cover?) _____

Overflow and vents screened _____

Distance from pits/contamination/drainage _____

General condition _____

PRESSURE TANKS:

1- 60 gal.

TREATMENT:

Type of treatment: Filtration () Softening () Disinfection () Other ()

None (X) Describe other

Type of filtration

Type of disinfection

Type of softening

Noted defects (if any) in the treatment facility

Chlorine Residual Test: Time and date sample taken

Test conditions and location

Test equipment

Test results

Turbidity Test: Time and date sample taken

Test conditions and location

Test equipment

Test results

Coliform Test and Nitrate Test: Time and date sample taken 8/1/85

11:15 am

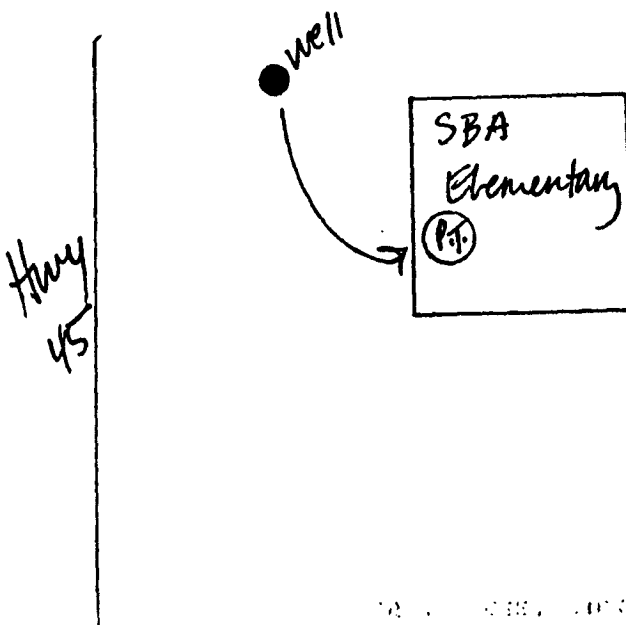
Test conditions and location outside tap

Name of lab St. Health Lab

Time and date sample received 8/2/85

Results 0 of 5 tubes pos.

Block diagram of system:



Short report on system:



Department of Water & Natural Resources

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

June 27, 1986

Carl Ritenour, Supt.
Sunshine Bible Academy
HCR 5, Box 29
Miller SD 57362

Dear Mr. Ritenour:

This letter is in response to a telephone conversation with Ms. Keller on June 26, 1986. Enclosed is an Affidavit of Water Use which also needs to be completed to apply for a Vested Right. A Vested Right may be applied for only if water was being used prior to 1955. The filing fee for a Vested Right is \$15.00.

I have also enclosed a map of the area where the wells are located. Mark the location of the wells on the map and sign the map.

Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

RON DUVALL
Natural Resources Engineer

RD:ks

enclosures

Report on Application No. 5111-3
Sunshine Bible Academy
December 17, 1986

12/8/86

According to Sunshine Bible Academy well No. 3 was drilled by Boldt Drilling and the log cannot be located.

Ron Duvall

appropriate 0.051 cfs from
p, located in the SW 1/4 SE
Section 23 all in T110N,
use by the academy.

Niobrara Formation

and number two wells, and
three well are included

s completed into an
twash deposit approximately
tesian conditions with the
low land surface. The well
ty of approximately 1.3
s not been defined, the
echarge to the aquifer have
Water Rights does not
aquifer and there is no
ter from this aquifer.

l to have the same total
illers log of well number
into the Niobrara
composed of calcareous
onite. The Niobrara
acres of Hand County
pecific yields, and the
een identified, and the
antified. The Niobrara is
ed static water level of
er two reportedly produces

onitor any observation
there is no historical
rea. The Division of
well completed into the

the applicants well.

Review of Existing Permits

The Division of Water Rights has no record of any other water rights in this area.

Conclusions

1. Application No. 5111-3 proposes to appropriate 0.051 cfs from three existing wells for institutional purposes.
2. The wells used to supply this permit have been in use for several years without reported controversy.
3. There are no existing water rights in this area.
4. The water can be appropriated with no impairment to existing rights.

Kent Buhler /ks

KENT BUHLER

Natural Resources Engineer

References

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

Division of Water Rights, 1986 Domestic Well Log and Observation Well Files, DWNR, Water Rights Division, Joe Foss Building, Pierre SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5111-3

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. 5111-3, Sunshine Bible Academy, HCR 5, Box 29, Miller SD.

The Chief Engineer is recommending APPROVAL of Application No. 5111-3 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 qualification:

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.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
December 17, 1986



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

January 29, 1987

NOTE:

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

Sunshine Bible Academy
HCR 5, Box 29
Miller, South Dakota 57362

Dear Sir:

Your Application No. 5111-3 for a permit to appropriate water for

institutional 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 send to the Publisher of the

Miller Press

printed at Miller

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 IMMEDIATELY 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 DUVAL
Natural Resources Engineer

enclosures

No. 5111-3

Instruction to Newspaper - Publish first publication of the following Notice on or before February 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5111-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Sunshine Bible Academy whose mailing address is HCR 5, Box 29, Miller,, South Dakota has made an application for a permit

to appropriate 0.051 cubic feet of water per second from 3 existing wells 140 to 260 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 all in T110N-R68W. The water is for institutional use by the Academy.

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

APPROVAL of Application No. 5111-3 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 4 1987 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 20, 1987. 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 February 20, 1987.

First insertion @ reg. rate. Subsequent insertions @ 80%
Length of line 12 picas
Size of type 8 point
Number of lines 99
Line rate .2367

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

County of Hand)

Gary L. McFarlane of said county being first duly sworn, on oath says that he is the publisher of The Miller Press, a weekly newspaper printed and published in Miller, said County of Hand and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Notice of Hearing to
appropriate water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

Feb. 4 19 87	;	19
Feb. 11 19 87	;	19
19	;	19
19	;	19
19	;	19

that the full amount of the fees for the publication of the annexed notice is \$ 42.17

Gary L. McFarlane

Subscribed and sworn to before me this 12th

day of February, 19 87

Carol Wanyers

Notary Public

County of Hand, South Dakota

NOTICE OF HEARING on Application No. 5111-3 to Appropriate Water

Notice is hereby given that Sunshine Bible Academy, whose mailing address is HCR 5, Box 19, Miller, South Dakota has made an application for a permit to appropriate 0.051 cubic feet of water per second from 3 existing wells 140 to 260 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 all in T110N-R68W. The water is for institutional use by the Academy.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5111-3 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 4, 1987 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 or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. 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.

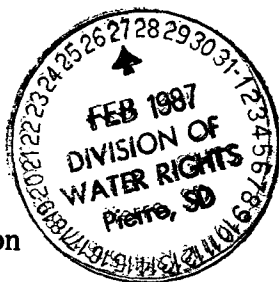
This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 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 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 20, 1987.

FPNO 22

LPNO 23





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

APR 30 1987

Sunshine Bible Academy
HCR 5, Box 29
Miller, South Dakota 57362

Dear Sir:

Enclosed is your Water Permit No. 5111-3 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,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure



5111-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 20 1993

5111A-3

Brian Balster
Sunshine Bible Academy
HCR 5, Box 29
Miller, SD 57362

Dear Mr. Balster:

Enclosed is Water License No. 5111A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413889 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. 5111A-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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 5111-3 are incorporated into this Water License No. 5111A-3.