

Considered: _____

WATER PERMIT NO. 5143A-3

HAP No. same 772-4391

Name of Applicant City of Howard

Post Office Address PO Box 705, Howard SD 57349

Amount of Water Claimed no add'l see No. 5143-3 Total Acres NA

Source of Water Supply ground water 1 well - 200 feet deep

Water to be used for municipal purposes County Miner

About _____ miles _____ of Howard

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Oct 31, 1989 Fee \$50⁰⁰ Remarks need fee

& well log (appl is to change div. pt. location authorized by 5143-3)

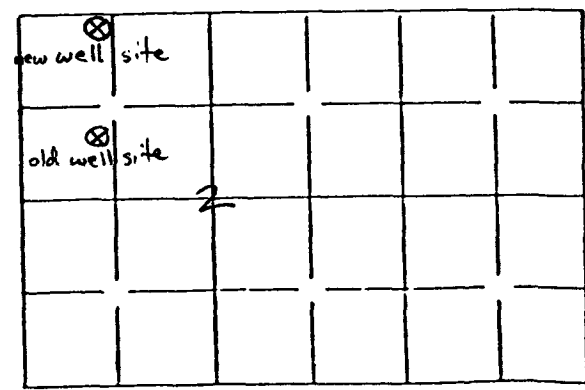
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point well: NW 1/4 NW 1/4 section 2 -
T106N-R56W

Land to be Irrigated NA



Well Log: Driller Pullman Licensed YES _____ NO _____

Depth of Well _____ REMARKS test hole has been drilled

Type of Map plat PREPARED BY Ellwyn A. Mohr Reviewed and the Number assigned on October 31, 1989 By Ron Swall

Filed appl. received 10/31/89

Mail to: Water Rights Div.

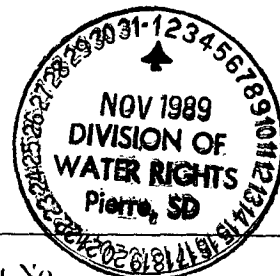
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. _____ Hydrologic Unit _____
 Map No. _____ Basin Vermillion River
 Newspaper Miner County Pioneer, Box P, Howard, SD (Thur)

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. 5143-3 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 HOWARD Phone No. 772-4391Post Office Address PO BOX 705, HOWARD State SD 57349
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 100 gpm, 0.22 cfs -, Same as No. 5143-33. Source of water supply HOWARD ACQUIFER4. Location of point of diversion LOT 44, NW 1/4, NW 1/4, SECTION 2-T106N R56W
OF THE 5TH P.M.County MINER5. Counties where water will be used MINER6. Annual period during which water is to be used CONTINUOUS JANUARY 1 - 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)

Same as initial application for Permit No. 5143-3. Provide a new source of water. Construct a new 6" well with 2 observation wells, gravel pack, pump, motor, controls, well house, chlorination equipment and piping. This project will benefit the entire City of Howard. The project is a continuation of the previously approved project. A new site was required because of lack of water at the site of the original permit.

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 Miner)^{SS}I, RICH LAIBLE, MAYOR OF HOWARD the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed

Richard Laible, MayorSubscribed and sworn to before me this 31st day of October 1989

Ronda L. Alexander
 Notary Public
 My Commission Expires January 27, 1995

SOUTH DAKOTA
WATER PERMIT No. 5143A-3

Date of first receipt of application October 31, 1989.

Date of receipt of corrected application November 2, 1989.

The Water Management Board approved Water Permit Application No. 5143A-3 on December 7, 1989 for the City of Howard, PO Box 705, Howard SD 57349 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5143A-3 amends Water Permit No. 5143-3 to change the location of the proposed well (Howard Aquifer), 200 feet deep, from the SW1/4 NW1/4 to the NW1/4 NW1/4; all in section 2-T106N-R56W. No change in the 0.22 cubic feet of water per second pumping rate is authorized by this permit.
2. The water appropriated shall be used for the purpose of supplying the City of Howard and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is June 11, 1987 (Permit No. 5143-3).
5. One-fifth of the construction is to be completed on or before March 9, 1990.
6. All construction is to be completed on or before September 9, 1992.
7. Water is to be put to beneficial use on or before September 9, 1996.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well authorized by Permit No. 5143A-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
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.

WATER MANAGEMENT BOARD

By: J. J. J. J.
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

APR 6 1990

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 12" Depth 200'
- b) Casing Type PVC Diameter 6" Thickness Schedule 40
- c) Screen Type PVC Diameter 6" Thickness schedule 40
- d) Gravel Pack Thickness 3" Length of Gravel Pack XXXX 25' +/-
- e) Depth to Top of Water Bearing Material 170'
- f) Depth to Water (ground surface to water level) 150'
- g) Distance to nearest existing domestic well:
 On applicants property 1/2 mile to our well On property owned by others 1/2 mile to neighboring farm

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

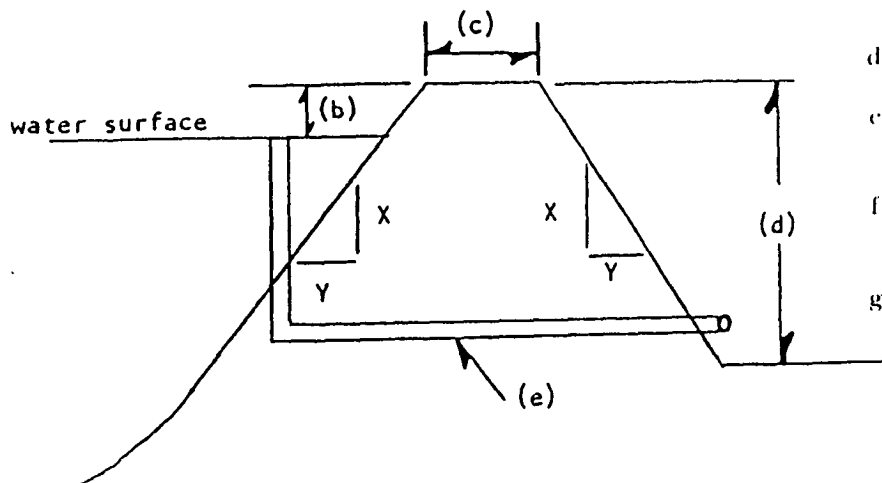
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

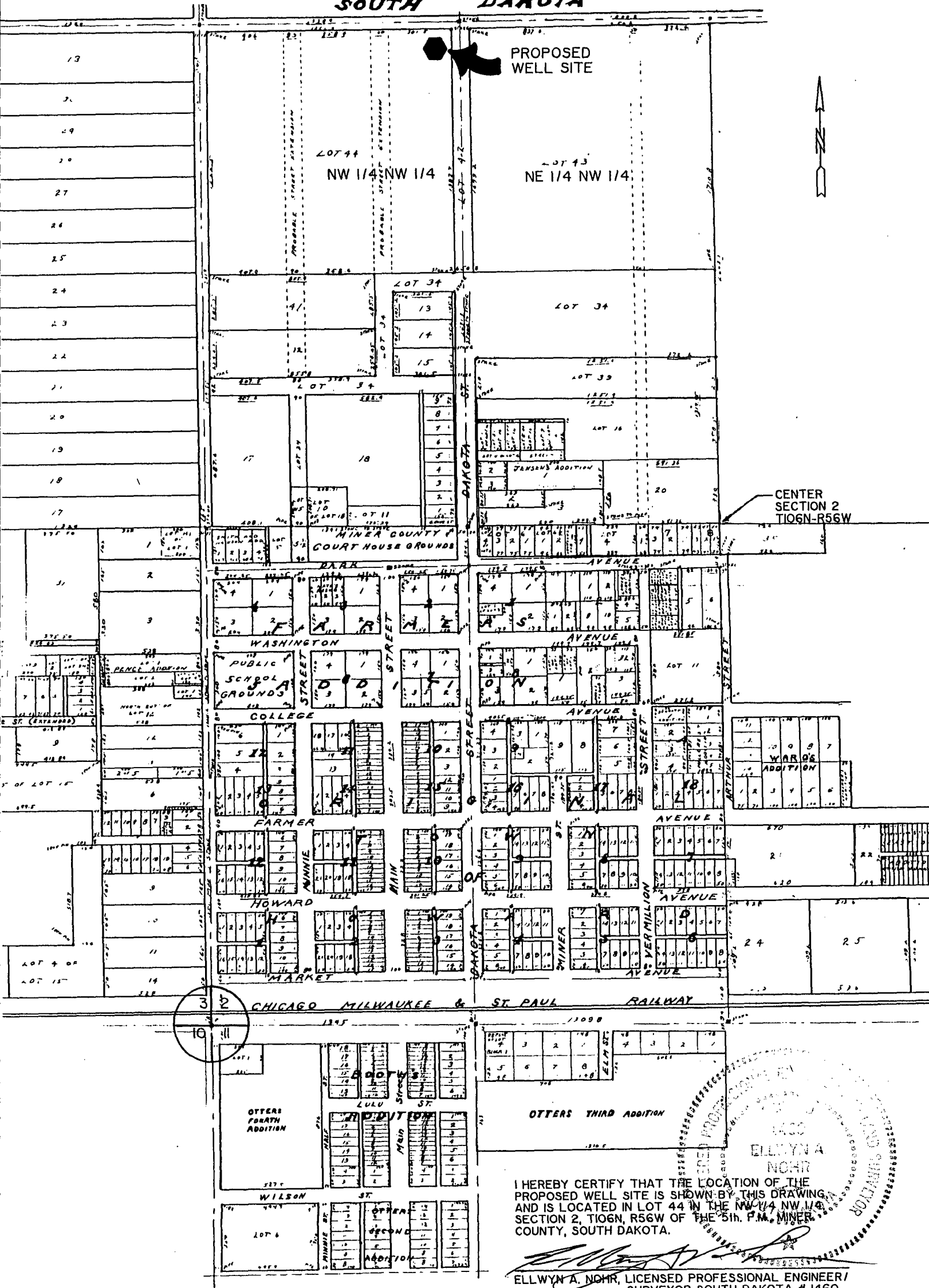
Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

MAP OF HOWARD SOUTH DAKOTA



5143-3
51434-3

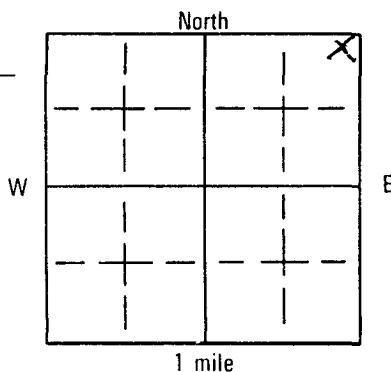
SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 NE 1/4 Sec 2 Twp 106-N Rg 56-N

County Miner

Please mark well location with an "X"



Well Completion Date 7-27-89

PROPOSED USE:

☐ Domestic ☒ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>5</u> IN	<u>0</u> FT	<u>173</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 160 FEET

What is grouting material? Cement

If cement, number of sacks? 24

Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 5 IN Length 20 FEET

Material B.V.C

Slot Size 5/16 Set From 173 Feet To 193 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? Gravel Backed

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name City of Howard

Address Howard, S. Dak. 57349

Well Log:

Formation	Depth	
	From	To
Yellow Clay	0	50
Medium Sand	50	55
Yellow Clay	55	60
Blue Clay	60	135
Coarse Sand	135	140
Blue Clay	140	175
Medium Sand	175	200

STATIC WATER LEVEL 157-6 147 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: Sub -

Pumping Level Below Land Surface

160 ft. After 24 Hrs. pumped 39 GPM

161 ft. After 48 Hrs. pumped 39 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:



This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Pullman Well Drilling

Signature of License Representative: R.E. Kuehl

Signature of Well Owner: _____

Date 11-6-89

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411958

Pierre, November 2, 19 89

RECEIVED OF City of Howard, PO Box 157, Howard SD 57349

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

ks

REPORT ON APPLICATION NO. 5143A-3
CITY OF HOWARD
November 1, 1989

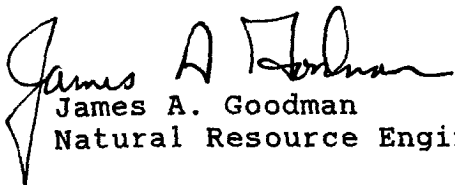
This application proposes to amend Water Permit No. 5143-3 to change the location of the authorized diversion point. Permit No. 5143-3 appropriates 0.22 cfs from one well approximately 200 feet deep to be used for municipal purposes by the city of Howard. The location of the proposed well will be in the NW 1/4 NW 1/4 of section 2, T106N R56W.

AQUIFER - Howard (HO)

The Howard aquifer is a Pliocene aged outwash (sand and gravel) which is under artesian conditions. A good discussion of the aquifer characteristics is included with permit No. 5143-3 in a report prepared for that application.

CONCLUSIONS:

1. Moving the location of well authorized by Permit 5143-3 approximately 1/4 mile north will not change any of the conclusions listed in the report for Permit No. 5143-3.
2. The Division of Water Rights will continue to monitor the water levels in this area.
3. The City of Howard has obtained permission to construct a test well prior to approval of the water permit. The well will be constructed in accordance with Well Construction Standards for public water supplies.
4. The change in location of point of diversion will not adversely affect any existing water permit.
5. This application simply authorizes moving the location of a well and does not authorize any increase in diversion rate or change in water source.



James A. Goodman
Natural Resource Engineer IV

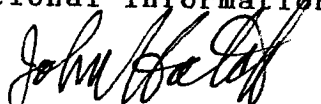
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5143A-3, City of Howard

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. 5243A-3, City of Howard, PO Box 705, Howard SD 57349.

The Chief Engineer is recommending APPROVAL of Application No. 5143A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well authorized by Permit No. 5143A-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
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.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
November 1, 1989

Instruction to Newspaper - Publish first Notice on or before November 9, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5143A-3 to Amend Water Permit No. 5143-3

Notice is given that the City of Howard, PO Box 705, Howard SD 57349 has filed an application for a water permit to amend Water Permit No. 5143-3 to change the location of the authorized diversion point. Permit No. 5143-3 appropriates 0.22 cubic feet of water per second from one well (Howard Aquifer) 200 feet deep for municipal use by the City of Howard. This application is to change the location of the proposed well from the SW 1/4 NW 1/4 to the NW 1/4 NW 1/4; all in Section 2-T106N-R56W. No change in water source or increase in diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5143A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on December 6, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by November 24, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by November 24, 1989.

This application is made pursuant to 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.

PROOF OF PUBLICA

NOTICE OF HEARING ON APPLICATION NO. 5143A-3
TO AMEND WATER PERMIT NO. 5143-3STATE OF SOUTH DAKOTA)
County Miner) ss.I, Danny Schwanscertify that the attached printed Notice was
from the Miner County PioneerA newspaper which during the whole time of publi
said notice herein after stated, has been and is pri
published in the county of Minerstate of South DakotaCounty of Miner and State of South
that the said notice was published in said newspap
following two dates:November 9th and November 16Danny Schwans
(Signature)Owner
(Title)11/ 20/ 89

(Date Signed)

Notice is given that the City of Howard, PO Box 705, Howard, SD 57349 has filed an application for a water permit to amend Water Permit No. 5143-3 to change the location of the authorized diversion point. Permit No. 5143-3 appropriates 0.22 cubic feet of water per second from one well (Howard Aquifer) 200 feet deep for municipal use by the City of Howard. This application is to change the location of the proposed well from the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the NW $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 2-T106N-R56W. No change in water source or increase in diversion rate is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5143A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol Pierre, SD on December 6, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by November 24, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523, E. Capitol, Pierre SD 57501 (605 773-3352)." The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water and Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and /or the applicant have the right to be represented by lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by November 24, 1989.

This application is made pursuant to 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.

(November 9 & 16)

Cost of Printing: 38.20

File No. 5143-3

Water Rights Division -DWNR
Conversation or File Documentation

NAME OF PERSON OR FILE: City of Howard c/o Schmucker, Paul, Nohr
& Assoc.

ADDRESS: COUNTY:

DATE: Sept. 22, 1989

TELEPHONE: 996-7761

RE: Changing the location of the well authorized by Water Permit
No. 5143-3

COMMENTS:

Ellwyn Nohr called today in regard to the "change order" for the City of Howard. They need to change the location of the authorized well by 1800 feet (north) of the approved location. He has apparently discussed this matter with Ron Duvall and was advised to submit a written request to be allowed to construct the well prior to permit amendment hearing. This request was received on September 18, 1989. After discussing this with Del Brosz, I informed Mr. Nohr that there was no provision we were aware of that would allow us to give permission to drill the well prior to approval of the permit amendment. I told him that I would send application forms for filing the amendment application, along with copies from the existing file. I also told him that I would discuss this with Ron when he is back in the office next Monday afternoon and would contact him if his request could be granted.

Susan A. Bowler
9/22/89

ATTACHMENT "A"
CHANGE ORDER #3
HOWARD MUNICIPAL WELL PROJECT - 1988

Page 1 of 6

Item #	Description	Approved Qty to Date	This C/O (+) Qty	This C/O (-) Qty	Unit Price	Price Change	Quantity
1.1	5" Pilot Hole, Site #1	0	180	0	3.50	630.00	180
1.2	5" Pilot Holes, Site #2	523	0	143	3.50	(500.50)	380
1.3	5" Pilot Hole, Site #3	0	193	0	3.50	675.50	193
2.1	Sampling Formation, Site #1	0	1	0	40.00	40.00	1
2.2	Sampling Formation, Site #2	1	0	0	40.00	0.00	1
2.3	Sampling Formation, Site #3	0	1	0	40.00	40.00	1
3.1	Reaming to 18" Hole, Site #1	0	0	0	20.00	0.00	0
3.2	Reaming to 18" Hole, Site #2	185	0	27	20.00	(540.00)	158
3.3	Reaming to 12" Hole, Site #3	0	193	0	12.00	2,316.00	193
4.1	10" PVC Casing, Site #1	0	0	0	20.20	0.00	0
4.2	10" PVC Casing, Site #2	165	0	165	20.20	(3,333.00)	0
4.3	6" PVC Casing, Site #3	0	175	0	12.00	2,100.00	175
5.1	Cement Grout, Site #1	0	0	0	11.18	0.00	0
5.2	Cement Grout, Site #2	150	0	150	11.18	(1,677.00)	0
5.3	Cement Grout, Site #3	0	170	0	3.00	510.00	170
6.1	5 7/8" Observation Well, #1	0	0	0	6.50	0.00	0
6.2	5 7/8" Observation Well #2	185	0	185	6.50	(1,202.50)	0

ATTACHMENT "A"
CHANGE ORDER #3
HOWARD MUNICIPAL WELL PROJECT - 1988

Page 2 of 6

Item #	Description	Approved Qty to Date	This C/O (+) Qty	This C/O (-) Qty	Unit Price	Price Change	Quantity
6.3A	8 3/4" Observation Well #3	0	193	0	12.50	2,412.50	193
6.3B	5 7/8" Observation Well #3	0	210	0	6.50	1,365.00	210
7.1	SS Screen, 10" OD w/pack #1	0	0	0	167.30	0.00	0
7.2	SS Screen, 10" OD w/pack #2	20	0	20	167.30	(3,346.00)	0
7.3	PVC Screen, 6" OD w/pack #3	0	20	0	16.00	320.00	20
8.1	SS Blank Screen, Site #1	0	0	0	135.00	0.00	0
8.2	SS Blank Screen, Site #2	2	0	2	135.00	(270.00)	0
9.1	Develop Well, Site #1 and #2	1	0	1	600.00	(600.00)	0
9.3A	Develop Observation Well #3	0	1	0	70.00	70.00	1
9.3B	Develop Well, Site #3	0	1	0	300.00	300.00	1
10.1	Test Pumping, Site #1	0	0	0	50.00	0.00	0
10.2	Test Pumping, Site #2	34	0	34	50.00	(1,700.00)	0
10.3	Test Pumping, Site #3	0	1	0	50.00	50.00	50
11.1	Well House, Meter, Piping, Valves, Heater, Chlorination						
	Equipment Complete, Site #1	0	0	0	29,023.68	0.00	0

ATTACHMENT "A"
CHANGE ORDER #3

HOWARD MUNICIPAL WELL PROJECT - 1988

Page 3 of 6

Item #	Description	Approved Qty to Date	This C/O (+) Qty	This C/O (-) Qty	Unit Price	Price Change	Quantity
11.2	Well House, Meter, Piping,						
	Valves, Heaters, Chlorination						
	Equip Bid, Add Per Drawing						
	#1 C.O., 4" PVC-C900 Piping,						
	(2) L.R. Elbows, Tee, Air Vent,						
	Check Valve, Eccentric Plug						
	Valve, 45 Degree Elbow, Wye,						
	Uni-Flanger, Eliminate 3x4						
	Reducer, 4" Exp. Joint, and						
	4"x90 degree elbow, 6" L.R.						
	Elbow, 6" Vertical and Hori-						
	zontal PVC-C900 and Elbow,						
	Site #2	1	0	1	31,051.78	(31,051.78)	0
11.3	Well House, 8'x16' Plus Meter,						
	Piping, Valves, Heaters,						
	Chlorination and Fluoridation						
	Equip, Fittings, Air Vent,	0	1	0	28,343.68	28,343.68	1

Check Valve, Eccentric Plug
Valve, Complete in Place, Site #3

ATTACHMENT "A"
CHANGE ORDER #3
HOWARD MUNICIPAL WELL PROJECT - 1988

Page 4 of 6

Item #	Description	Approved Qty to Date	This C/O (+) Qty	This C/O (-) Qty	Unit Price	Price Change	Quantity
12.1	Submersible Pump w/Motor, Wiring, Elec. Components, Control Panel, Controls #1	0	0	0	3,695.75	0.00	0
12.2	Submersible Pump w/Motor, Wiring, Elec. Components, Control Panel, Controls, Wiring						
	Between Old and New Well and Old Well and Well House #2	1	0	1	5,723.85	(5,723.85)	0
12.3	Submersible Pump w/Motor, Wiring, Elec. Components, Control Panel, Controls, and Pitless Adaptor, Site #3	0	1	0	5,207.00	5,207.00	1
13.1	Mobilization, Site #1	1	0	0	500.00	0.00	1
13.2	Mobilization, Site #2	0	1	0	200.00	200.00	1
13.3	Mobilization, Site #3	0	1	0	200.00	200.00	1
14.1	4" PVC, Sanitary Sewer Piping w/C.O., and Connect to MH #1	100	0	100	2.50	(250.00)	0

ATTACHMENT "A"
CHANGE ORDER #3
HOWARD MUNICIPAL WELL PROJECT - 1988

Page 5 of 6

Item #	Description	Approved Qty to Date	This C/O (+) Qty	This C/O (-) Qty	Unit Price	Price Change	Quantity
14.2	4" PVC, Sanitary Sewer Piping						
	w/C.O., and Connect to MH #2	110	0	110	2.50	(275.00)	0
14.3	4" PVC, Sanitary Sewer Piping						
	to Ditch w/Screened End and						
	Fence Post, Site #3	0	50	0	2.50	125.00	50
15.1	4" SDR 21 PVC, Interconnecting						
	Piping, Site #1	0	0	0	4.25	0.00	0
15.2	4" SDR 21 PVC, Well to House,						
	Site #2	50	0	50	4.25	(212.50)	0
15.3	4" PVC and Fittings, Site #3	0	30	0	4.25	127.50	30
16.1	4" Gate Valve, Site #1	0	0	0	400.00	0.00	0
16.2	4" Gate Valve, Site #2	0	0	0	400.00	0.00	0
16.3	4" Gate Valve, Site #3	0	0	0	400.00	0.00	0
17.1	8" Gate Valve, Site #1	0	0	0	1,300.00	0.00	0
17.2	8" Gate Valve, Site #2	0	0	0	1,300.00	0.00	0
17.3	8" Gate Valve, Site #3	0	0	0	1,300.00	0.00	0
18.1	Connect to 8" ACP, Site #1	0	0	0	300.00	0.00	0

Page 6 of 6

2.9

September 15, 1989

BOX 398

MITCHELL, S. DAK. 57301

PHONE (605) 996-7761

Ron Duvall
Division of Water Rights
Department of Water and Natural Resources
Joe Foss Building
Pierre, SD 57501



RE: Howard Well
Howard, South Dakota
SPN #3933

SCHMUCKER, PAUL, NOHR & ASSOCIATES

ENGINEERS
SURVEYORS

Dear Ron:

Enclosed is a copy of Change Order No. 3 for a well at Howard.

We have had quite a time trying to find a suitable location. After three tries, we selected the site to install the new well into the Howard Aquifer. It is located near the test holes installed for the State's study.

In behalf of the City of Howard and the driller, Pullman Drilling of Wolsey, we request that the City be allowed to drill the proposed well prior to final approval of the new water permit.

The location of the well is approximately 1,800 feet north of the original site. The building, etc., is basically the same as originally designed. The size of the well casing, etc., has been reduced from 10" to 6". The capacity of the well is anticipated to be approximately half of the original anticipated capacity. An observation well approximately 3,000 feet away in the airport property will be installed at this time for testing and observation purposes.

Your prompt review and approval to proceed with installation is requested.

Very truly yours,

SCHMUCKER, PAUL, NOHR & ASSOCIATES


Ellwyn A. Nohr, P.E.

EAN:rf
Enclosure

cc: Kristi Dornbusch, Finance Officer
Rich Laible, Mayor

September 21, 1989

BOX 398

MITCHELL, S. DAK. 57301

PHONE (605) 996-7761

Ron Duvall
Division of Water Rights
Department of Water and Natural Resources
Joe Foss Building
Pierre, SD 57501



RE: Howard Well
Howard, South Dakota
SPN #3933

SCHMUCKER, PAUL, NOHR & ASSOCIATES

**ENGINEERS
SURVEYORS**

Dear Ron:

If you have any questions with regard to the change order, I would appreciate it if you would give me a call.

After your review and approval of the change order and also the approval to proceed with the installation of the well, please call me at 1-800-952-3598.

We will then notify Pullman Drilling to proceed with the installation of the new well.

Because fall and its associated adverse weather conditions are just around the corner, we would appreciate your early review and approval so that the well and its buildings can be completed yet this fall.

Very truly yours,

SCHMUCKER, PAUL, NOHR & ASSOCIATES

Ellwyn A. Nohr, P.E.

EAN:rf

cc: Kristi Dornbusch, Finance Officer
Rich Laible, Mayor
Bernie Mengenhausen, Utilities Supt.
Pullman Drilling



Water & Natural Resources

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

October 18, 1989

Rich Laible, Mayor
City of Howard
PO Box 705
Howard, SD 57349

Dear Mr. Laible:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, the City of Howard is authorized to construct a test well prior to approval of a water permit. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James A. Goodman". The signature is fluid and cursive, with the first name "James" being more prominent.

JAMES A. GOODMAN, P.E.
Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352



October 31, 1989

BOX 398

MITCHELL, S. DAK. 57301

PHONE (605) 996-7761

Ron Duvall
Division of Water Rights
Department of Water and Natural Resources
Joe Foss Building
Pierre, South Dakota 57501



RE: Howard Well
Howard, South Dakota
SPN #3933

SCHMUCKER, PAUL, NOHR & ASSOCIATES

**ENGINEERS
SURVEYORS**

Dear Ron:

Enclosed is the original and one (1) copy of the "Application for Permit to appropriate water within the State of South Dakota". It is an Amendment to the Permit #5143-3.

A copy was previously sent by FAX this date.

The City will forward a check in the amount of \$50.00.

Kristi will insert the advertisement into the paper for the next two (2) weeks. The City looks forward to receiving same from you this week.

Your cooperation is greatly appreciated. Thanks!

Very truly yours,

SCHMUCKER, PAUL, NOHR & ASSOCIATES

Ellwyn A. Nohr, P.E.

EAN:mt

cc: Kristi Dornbusch, Finance Officer
Rich Laible, Mayor

CITY OF HOWARD

100 S. Main—P.O. Box 157

• Phone 605/772-4391 •

Howard, South Dakota 57349-0157

Mr. DuWall,

Enclosed is check #3854 for \$50.00.

This is to cover the cost of the City of
Howards Water rights permit. If you have
any question contact the City Office at 772-4391
or Mr. Ellwyn Nohr of Schmucker, Paul, Nohr and
Associates at 1-800-952-3598.



Sincerely,
Leta Dornbusch
Finance Officer



Department of Water & Natural Resources

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

November 20, 1989

5143A-3

Richard Laible, Mayor
City of Howard
PO Box 705
Howard SD 57349

Dear Mayor Laible:

Enclosed is the Report and Recommendation of the Chief Engineer for Water Permit Application No. 5143A-3 for the City of Howard. This application will be considered by the Water Management Board on December 6, 1989.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosures



Department of Water & Natural Resources

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

APR 6 1990

Rich Laible, Mayor
City of Howard
Box 705
Howard, SD 57349

Dear Mr. Laible:

Enclosed is Water Permit No. 5143A-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is stylized with a large, sweeping "J" and a cursive "Hatch".

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

enclosures

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.



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date September 4, 1990

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

FROM: City of Howard PO Box 705 Howard
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5143A-3.

Water Permit No. 5143A-3 states that the diversion system is to be constructed by September 9, 1992, and that the water it put to beneficial use by September 9, 1996.

The diversion system was completed on June 30, 1990.
Applying the water to beneficial use was completed on June 30, 1990

You may schedule an inspection so that the Water License may be issued.

Richard Laible, Mayor
signature

CITY OF HOWARD

100 S. Main—P.O. Box ~~X57X~~ 705 •

Phone 605/772-4391 •

Howard, South Dakota 57349-0157

November 7, 1990

Ron Duval
Natural Resources Engineer
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501

Dear Mr. Duval:

Enclosed is a copy of the Application for Permit to Appropriate Water Within the State of South Dakota submitted by the City of Howard on October 31, 1989. This contains the correct legal description for the well recently completed by Pullman Well Drilling. If you have any further questions or concerns, please contact me at the above address or phone.

Sincerely,



Kristi Dornbusch
Finance Officer

Enc.



SECTION 00660

CHANGE ORDER NO. THREE

AGREEMENT Dated NOVEMBER 7, 1988 CHANGE ORDER DATE: AUGUST 31, 1989

PROJECT: MUNICIPAL WELL PROJECT - 1988 CDBG #8787-509, SPN #3933

WORK ITEMS: 1 THROUGH 21

OWNER: CITY OF HOWARD, SOUTH DAKOTA

CONTRACTOR: PULLMAN WELL DRILLING

The following changes are hereby authorized to the Contract Documents:

JUSTIFICATION - A new site for the well is required because both the initial test hole and two test holes in the golf course indicated a lack of water bearing formation. An additional test hole was installed at the SW corner of the intersection of Dakota Street and the section line road north of the City. See Attachment "A" for the adjustment to prices and also the revised drawings 3 and 4.

CHANGE TO CONTRACT PRICE

Original Contract Price: \$ 53,088.53

Current Contract Price as adjusted by previous Change Order: \$ 57,153.63

This Change Order will decrease the Contract Price: \$ 6,941.45

The new Contract Price including this Change Order will be: \$ 50,212.18

CHANGE TO CONTRACT TIME

The Contract Time will be increased.

The date for Final Completion for all Work is

APPROVALS

OWNER: CITY OF HOWARD, SOUTH DAKOTA

ENGINEER: SCHMUCKER, PAUL, NOHR & ASSOC

CONTRACTOR: PULLMAN WELL DRILLING

AGENCY (DWNR): By: _____

Permit No. 5143A-3 and 5143-3

X 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, **19 June 1996**, made a thorough examination of the water use system constructed by **City of Howard** of **P.O. Box 705 Howard SD 57349** holder of Permit No. **5143-3 and 5143A-3**, bearing the priority of **11 June 1987** authorizing the diversion of **0.22** cu. ft. per second of the waters of **Howard Aquifer** for **municipal** purposes, in **Miner** County.

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

A. Works used to divert the water:

One 193 foot well constructed by Pullman Drilling in the NW1/4NW1/4 section 2 T106N R56W

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

city water mains

C. Works used to apply water to beneficial use:

city water mains

The system is in the following condition **good**. The point of diversion is located **approximately 1300 feet east and 11 feet south of the northwest section corner of section 2 T106N R56W. Map in permit file is accurate.**

The works are capable of diverting and conveying to the place of use **0.22** cu. ft. per second of water which is to be used for **municipal purposes**. Water has been put to beneficial use to the maximum extent as follows:

Permit 5143-3 appropriated 0.22 cfs of water from one well located in the SW1/4NW1/4 section 2 T106N R56W. Permit 5143A-3 changed the well location to the NW1/4NW1/4 section 2 T106N R56W. Well is now used only for fire protection as the City of Howard is supplied with water from Kingbrook Rural Water System.

license should be issued for **0.22** cfs.

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

Date Report Completed: **19 June 1996**



Gale N. Selken, P.E.
Natural Resources Engineer
DENR, Water Rights Program

Well is only used for fire protection and backup in case Kingbrook Rural Water fails to supply water.

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



Gale N. Selken, P.E.

Natural Resources Engineer IV

Water Rights Program.

REPORT ON INSPECTION OF PERMIT NO. 5143-3 and 5143A-3

Other permit(s) associated with the project:

DATE OF INSPECTION: 19 June 1996

NAME & ADDRESS OF INSPECTION CONTACT/ Larry Gauger, Mayor; P.O. Box 705 Howard SD
RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: XXXX

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION: NW1/4NW1/4 section 2 T106NR56W approximately 1300 feet east and 110 feet south of the northwest section corner of section 2 T106N R56W. Distances are approximate as the section corner was not physically located and the distances were scaled from a not to scale map.

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells one
- 3) Depth(s) ~~200~~ feet 193 *8/16*
- 4) Well log is available yes
- 5) Comment: Howard Aquifer

Casing:

- 1) Diameter 5 inches
- 2) Length 173 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 20 feet
- 3) Static water level unknown feet

Pump:

- 1) Make submersible
- 2) Model XXXX
- 3) Size XXX
- 4) Capacity 99 GPM or 0.22 cfs as reported by Jerry Adler Water Superintendent

PERMIT QUALIFICATIONS AND REGULATIONS:



July 9, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Permit No. 5143A-3

Kristi Dornbusch, Finance Officer
City of Howard
P.O. Box 705
Howard, SD 57349-0705

Dear Ms. Dornbusch:

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 Nos. 5143-3 and 5143A-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 5143-3 will be incorporated into 5143A-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

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 Program
(605) 773-3352

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

RECEIPT

415010

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ July 15, 19 96

RECEIVED OF City of Howard, P.O.Box 705, Howard, SD 57349-0705

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>5143A-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

OCT 17 1996

5143A-3

Kristi Dornbusch, Finance Officer
City of Howard
P.O. Box 705
Howard, SD 57349-0705

Dear Ms. Dornbusch:

Enclosed is Water License No. 5143A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415010 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5143A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 5143-3 have been incorporated into this Water License No. 5143A-3.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5143A-3

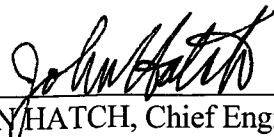
(1) The City of Howard, PO Box 705, Howard, SD 57349-0705 made Application No. 5143A-3, October 31, 1989 for a water permit to change the location of the proposed 200 feet deep well authorized under Water Permit No. 5143-3. Water Permit No. 5143A-3 did not allow for an increase in the diversion rate of 0.22 cubic feet of water per second (cfs) authorized under No. 5143-3. The well authorized under No. 5143A-3, to be located in the NW¼ NW¼ Section 2, T106N, R56W, Miner County, South Dakota was to be used for municipal purposes. Permit No. 5143A-3, with a priority date of June 11, 1987 (established under Water Permit No. 5143-3) was approved December 7, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 9, 1992 and for the application to beneficial use of said water on or before September 9, 1996.

The applicable portions of Water Permit No. 5143-3 have been incorporated into this Water License No. 5143A-3.

(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 0.22 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,300 feet east and 11 feet south of the NW corner of Section 2, T106N, R56W (NW¼ NW¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The City of Howard is hooked to the Kingbrook Rural Water System. Water from the well is now used for fire protection purposes and is maintained as a backup water supply.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Howard, PO Box 705, Howard, SD 57349-0705 the holder and/or owner of Incorporated Water Permit No. 5143A-3 is issued a license to appropriate water, the right to use 0.22 cubic feet of water per second from ground water (one well - Howard Aquifer) with a priority date of June 11, 1987 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. 5143A-3 and subject to South Dakota State Law.



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

OCT 17 1996

date

