

Considered: _____

WATER PERMIT NO. 5330-3

46

HAP No. same 286-3694

Name of Applicant City of Avon

Post Office Address Box 207 Avon, ID 57315

Amount of Water Claimed 0.41 cfs Total Acres NA

Source of Water Supply groundwater - 1 well

Water to be used for municipal purposes County Bon Homme

About _____ miles city of Avon

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received May 3, 1989 Fee \$250⁰⁰ Remarks Stand by

May 3, 1989 well - City is connected to B-4

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

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

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

Diversion Point SW¹/₄ NE¹/₄ Section 33-T95N-R61W

Land to be Irrigated NA

		• well			
		33			

Well Log: Driller Van Asperen Licensed YES _____ NO X

Depth of Well. ~375' REMARKS Drilled in late 1950's - no

log available (see Form 2A)

Type of Map aerial photo PREPARED BY Charles P. Campbell Reviewed and the Number

assigned on May 26, 1989 By Austin Fowler

46

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352



No. 5330-3 Hydrologic Unit 10170101
Map No. same Basin Missouri
Newspaper Tyndall Tribune & Register Box 520
Tyndall 57066 (Wed)

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

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

Type of Application: Check one or more of the following

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



- Name of Applicant City of Avon S.D. Phone No. 281-3691
Post Office Address Box 207 Avon State SD 57311
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) 3 gal / sec. (0.41 cfs) 180 gpm
- Source of water supply ground water standby # of well 1 - standby
- Location of point of diversion NE 1/4 of Section 33, Township 9S,
Range 61
SW 1/4 NE 1/4
County Bon Homme
- Counties where water will be used Bon Homme Co.
- Annual period during which water is to be used 1-1-1 to 12-1-1 Emergency use only
- 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 city

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 Bon Homme)^{ss}

I, Jay Weber, City Auditor for City of Avon, 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 [Signature]

Subscribed and sworn to before me this 23rd day of May 1989

Carol A. Eggers
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5330-3

Date of first receipt of application May 3, 1989.

Date returned to applicant for corrections, amendments or changes May 4, 1989.

Date of receipt of corrected application May 26, 1989.

The Water Management Board approved Water Permit Application No. 5330-3 on July 26, 1989 for the City of Avon, P.O. Box 207, Avon, South Dakota 57315 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. 5330-3 appropriates 0.41 cubic feet of water per second from one existing well (Codell Aquifer) approximately 375 feet deep, located in the SW1/4 NE1/4 Section 33-T95N-R61W.
2. The water appropriated shall be used for the purpose of supplying water on an emergency basis to the City of Avon 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 May 3, 1989.
5. One-fifth of the construction is completed.
6. All construction is completed.
7. Water is put to beneficial use.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: _____

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction *- No well logs available*

- a) Drill Hole Diameter _____ Depth 375 ft. Approx.
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property NA On property owned by others 1 mile

2. Dugout Information Estimates *N/A*

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

3. Water Storage Dams *N/A*

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 _____

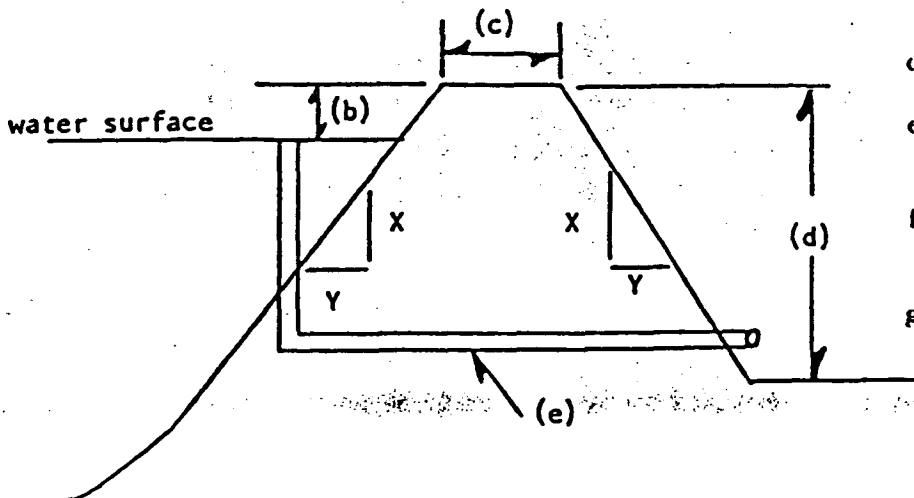
e) Primary Outlet Capacity _____
If Pipe, diameter _____f) Secondary Spillway Capacity _____
Spillway width _____g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

See Reverse

* Well was drilled approx late 1950's
by Andy Van Asperen well company, Acorn, S.D.

Approx 375 feet in depth.



Department of Water & Natural Resources

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

May 4, 1989

Jay Weber
City of Avon
Box 207
Avon, SD 57315

Dear Mr. Weber:

I am writing in response to the water permit application received from you on May 3, 1989.

The application is incomplete for the following reason(s):

- (1) The enclosed application needs to be signed and notarized.
- (2) The enclosed map needs to be signed by a South Dakota Registered Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their regular duties (ASCS or SCS).
- (3) Although a well log for the well may not be available, do you have any information regarding the well, such as:
 - an estimate of when the well was drilled;
 - who drilled the well;
 - an estimate of the depth of the well?

Please complete the enclosed Form 2A to the best of your knowledge.

The Water Management Board cannot consider a water permit application until it is complete. Please sign and notarize the enclosed application form and return it along with a signed map to begin processing of your water permit application.

Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 3, 1989

RECEIVED OF City of Avon, Avon, South Dakota, 67315

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

Fee for Application for Permit No. <u>5330-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	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	250 00

By

Chief Engineer

John Hatch/mra
John Hatch/mra

RECEIPT

414701

Division of Water Rights

South Dakota Department of Environment and Natural Resources

- Pierre, -

December 7, 1995

RECEIVED OF City of Avon, Avon, SD 57315

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. 5330-3

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 Hitchcock
Chief Engineer

Report on Application No. 5330-3
City of Avon
June 21, 1989

This application proposes to appropriate 0.41 cfs from one existing well which is approximately 375 feet deep and located in the SW1/4 NE1/4 of Section 33, T95N-R61W. This is a standby well and will serve the City as a backup water supply on an emergency basis. The City of Avon is serviced by B-Y Rural Water System.

Aquifer - Codell Sandstone (CDLL)

The Codell Sandstone member of the Carlile Shale consists of siltstone and fine grained sandstone. The formation typically yields soft water and varies in thickness from 0 to 100 feet and is commonly about 25 feet thick (Jorgensen, 1971). An eight hour test on an Avon municipal well was conducted by the USGS and indicated a transmissivity of 400 gpd/ft and an approximate storage coefficient of .001. The aquifer is under artesian conditions and is used extensively in the area as a domestic water supply (Water Rights, 1989).

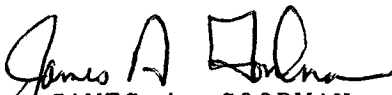
The Division of Water Rights does not monitor any nearby Codell Observation wells. The closest Codell monitoring well is about 12 miles northeast of Avon, (HT-83E). Water levels (hydrographs) for the Codell do reflect climatic conditions, such as, rising water levels in wet years due to recharge and declining water levels in drought years. Generally, there is very little change in water levels in the Codell.

Review of Existing Water Permits

There are no other nearby permits from the Codell Sandstone Aquifer. There are domestic wells in the area which obtain water from the Codell. Interference is not expected to be a problem.

Conclusions

1. Water is available from the Codell Aquifer.
2. This existing well will be a backup to B-Y Rural Water.
3. Interference should not be a problem.


JAMES A. GOODMAN
Hydrologist

Bibliography

Jorgensen, D.G., 1971, Geology and water Resources of Bon Homme County, South Dakota, Bulletin 21, Part II. Water Resources, SD DWR, SDGS, Vermillion, SD 57069

Water Rights, 1989, Records for HT-83E, SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5330-3, City of Avon

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. 5330-3, City of Avon, Box 207, Avon SD.

The Chief Engineer is recommending APPROVAL of Application No. 5330-3 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 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
June 21, 1989

**South Dakota Department of
Water & Natural Resources**

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

June 23, 1989

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

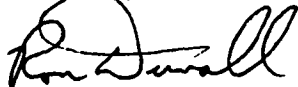
City of Avon
Jay Weber, City Auditor
Box 207
Avon SD 57315

Dear Mr. Weber

Water Permit Application No. 5330-3 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Tyndall Tribune & Register printed at Tyndall SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent later. Please review the 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 twenty 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
605 773-3352

enclosures





Department of Water & Natural Resources

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

June 23, 1989

Tyndall Tribune & Register
Box 520
Tyndall SD 57066

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5330-3 to be published twice. Please publish the first notice on or before June 28, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is City of Avon, Box 207, Avon SD 57315.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before June 28, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5330-3 to Appropriate Water

Notice is given that the City of Avon, Box 207, Avon SD 57315 has filed an application for a water permit to appropriate 0.41 cubic feet of water per second from one existing well (Codell Aquifer) approximately 375 feet deep located in the SW 1/4 NE 1/4 Section 33, T95N, R61W. This well is to serve as a standby well. Water is to be used, on an emergency basis, by the City of Avon for municipal purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5330-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD on July 26, 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 July 14, 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 July 14, 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 PUBLICATION

STATE OF SOUTH DAKOTA)
 County Bon Homme) ss.

I, Wayne L. Bertrand

certify that the attached printed Notice was taken
 from the Tyndall Tribune & Register

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 Tyndall

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

June 28, 1989

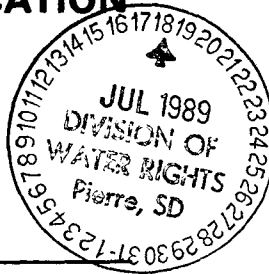
July 5, 1989

Wayne L. Bertrand
 (Signature)

Publisher
 (Title)

7-589
 (Date Signed)

Cost of Printing: 85 @ 24.2 + 80% x 1 = \$37.03



NOTICE OF HEARING
on Application No. 5330-3
to Appropriate Water

Notice is given that the City of Avon, Box 207, Avon, SD 57315 has filed an application for a water permit to appropriate 0.41 cubic feet of water per second from one existing well (Codell Aquifer) approximately 375 feet deep located in the SW 1/4 NE 1/4 Section 33, T95N, R61W. This well is to serve as a standby well. Water is to be used, on an emergency basis, by the City of Avon for municipal purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5330-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Hilton Inn, Deerfield Room 445 Mt. Rushmore Road, Rapid City, SD on July 26, 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 July 14, 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 July 14, 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.

(June 28, July 5)

 **Department of
Water & Natural Resources**

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

July 12, 1989

City of Avon
Jay Weber, City Auditor
Box 207
Avon SD 57315

Dear Mr. Weber:

Enclosed is the Report and Recommendations of the Chief Engineer
for Water Permit Application No. 5330-3.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
605 773-3352

enclosures





Department of Water & Natural Resources

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

SEP 12 1989

Jay Weber, City Auditor
City of Avon
PO Box 207
Avon SD 57351-0207

Dear Mr. Weber:

Enclosed is Water Permit No. 5330-3 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures



Permit No. 5330-3
Missouri 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, April 4, 1995, made a thorough examination of the water use system constructed by the City of Avon of PO Box 207, Avon, SD 57315 holder of Permit No. 5330-3, bearing the priority of May 3, 1989 authorizing the diversion of 0.41 cu. ft. of water per second from groundwater (Codell Aquifer) for Municipal purposes, in Bon Homme County.

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

A. Works used to divert the water:

A 5 HP submersible Franklin Electric motor with a 150 GPM Goulds Pump.

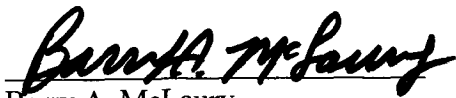
The system is in the following condition good. The point of diversion is located 1650 feet S and 132 feet E from the N quarter corner of Section 33; T95N R61W (SW1/4 NE1/4). The works are capable of diverting and conveying to the place of use 0.41 cu. ft. of water per second which is to be used for municipal use and the license should be issued for 0.33 cfs.

*NOTE: Water is only used to fill water tanks, wash equipment, tools, overshoes, etc. Well has been disconnected from the City water mains. They are connected to the B-Y Rural Water System. All information on the well and pump\motor came from Kurt Van Asperen, a well repairman from Avon (605-286-3991).

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: Well is not used for potable water any more.

Date Report Completed: November 21, 1995



Barry A. McLaury
Natural Resources Scientist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5330-3

Other permit(s) associated with the project: None

DATE OF INSPECTION: April 4, 1995

NAME & ADDRESS OF INSPECTION CONTACT/

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Allen Kocmick, City employee.

NAME & ADDRESS OF PERMIT HOLDER: City of Avon, PO Box 207, Avon, SD 57315

DIVERSION POINT LEGAL LOCATION: 1650 feet S and 132 feet E from the N quarter corner of Section 33; T95N R61W (SW1/4 NE1/4).

WELL INFORMATION:

- 1) Well Drilling Firm: Van Asperen Well Company
- 2) No. of Wells 1
- 3) Depth(s) 375 feet
- 4) Well log is available N

Casing:

- 1) Diameter 12 inches
- 2) Length 375 feet
- 3) Type steel

Screen:

- 1) Type None
- 2) Length _____ feet
- 3) Static water level 2 feet

Pump:

- 1) Make Goulds
- 2) Model submersible
- 3) Capacity 150 GPM

Motor:

- 1) Make Franklin Electric
- 2) Model No. submersible
- 3) Horsepower rating 5 hp

***NOTE: Water is only used to fill water tanks, wash equipment, tools, overshoes, etc. Well was disconnected from the City of Avon's water mains and connected to B-Y Rural Water. All information on the well and pump\motor came from Kurt Van Asperen, a well repairman from Avon (605-286-3991).**

SYSTEM TYPE:

Municipal:

Water is only used to fill water tanks, wash equipment, tools, overshoes, etc. Well has been disconnected from the City water mains. They are connected to the B-Y Rural Water System.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 1995

5330-3

Allen Kocmick, Utility Manager
City of Avon
P.O. Box 207
Avon, SD 57315

Dear Mr. Kocmick:

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. 5330-3, 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.

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

Sincerely,

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

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5330-3

(1) The City of Avon, PO Box 207, Avon SD 57315-0207 made Application No. 5330-3, May 3, 1989 for a water permit to appropriate 0.41 cubic feet of water per second from groundwater (one well), Bon Homme County, South Dakota for municipal purposes. Permit No. 5330-3, with a priority date of May 3, 1989 was approved July 26, 1989 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.33 cubic feet of water per second for beneficial use. The location of the diversion point is 1650 feet south and 132 feet east from the north quarter corner of Section 33-T95N-R61W (SW 1/4 NE 1/4)

(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 Avon is connected to the B-Y Rural Water System. The well has been disconnected from the City water mains and is used for municipal maintenance purposes only.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Avon, PO Box 207, Avon SD 57315-0207 the holder and/or owner of Water Permit No. 5330-3 is issued a license to appropriate water, the right to use 0.33 cubic feet of water per second from groundwater (one well) with a priority date of May 3, 1989 from the location specified in (2) of this license. The water to be used for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 5330-3 and subject to South Dakota State Law.



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

APR 4 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

5330-3

Allen Kocmick, Utility Manager
City of Avon
P.O. Box 207
Avon, SD 57315-0207

Dear Mr. Kocmick:

Enclosed is Water License No. 5330-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414701 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. 5330-3, 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

ks
enclosures

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

CITY OF AVON
PO BOX 207
AVON SD 57315 0207

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 5330-3. If you have other permits\rights in the same water source, also include water use under those permits\rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: CODELL SANDSTONE
Management Unit: NOT APPLICABLE

County: BON HOMME
Pumping Pt. Legal: SEC 33-T095N-R61W
Type of Water Use: MUNICIPAL

1) Please estimate your year 2000 water use from the above water source: _____ gallons

2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: Hocked up to by water for drinking supply

Well - stand by - for flushing mains - water
streets. high estimate 50,000 gal.

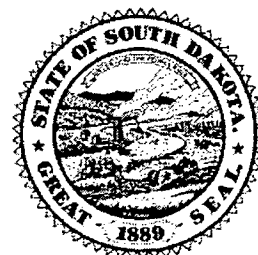
Contact Person:

Carol Berndt

Telephone No:

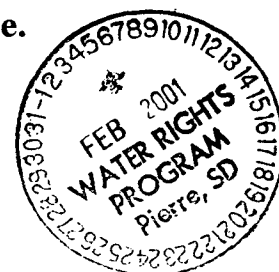
605 286 3694

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.



Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr





Appl. No. 5330-3

