

Considered: _____

WATER PERMIT NO. 5365-3

MAP No. same 338-1121/334-1402

Name of Applicant Hegg Property Management (Willow Wood Apartments)

Post Office Address 3712 S Western, Sioux Falls SD 57105

Amount of Water Claimed 0.08 cfs (35 gpm) Total Acres 1.5

Source of Water Supply ground water - 1 well

Water to be used for irrigation County Minnehaha

About _____ miles _____ of Sioux Falls.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Apr. 8, 1985 Fee 50⁰⁰ Remarks _____

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED Nov 6, 1989 APPROVED/CONDITIONAL (Circle one)

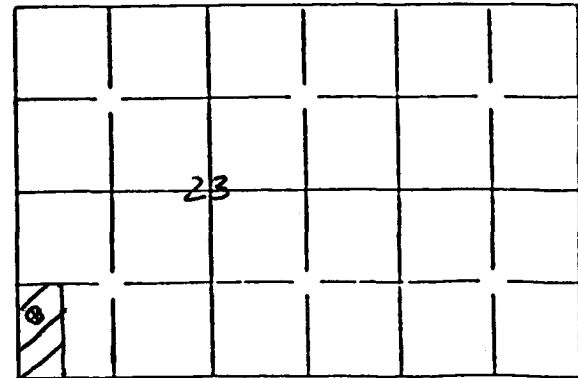
WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point well: W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ section 23 -

T10N-R49W

Land to be Irrigated W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec 23 -

T10N-R49W



Well Log: Driller Sioux Well Drilling Licensed YES ☒ NO _____

Depth of Well ~150 feet REMARKS _____

Type of Map aerial photo PREPARED BY Kevin Larson Reviewed and the Number

assigned on Mar 22, 1990 By Ron Small

No. 5365-3 Hydrologic Unit 10170203
 Map No. same Basin Big Sioux R.
 Newspaper ARGUS LEADER, P.O. Box 5034
57117-5034

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

Type of Application: Check one or more of the following;

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant HEGG PROPERTY MANAGEMENT Willow Wood Apartment Phone No. 338-1121Post Office Address 3712 S WESTERN SIOUX FALLS State S.D. Zip Code 57105
(Street, RR or Box)2. Amount of water claimed (c.f.s.) 0.08 cfs Total acres irrigated 1 1/23. Source of Water supply SIOUX QUARTZITE 1 well4. Location of point of diversion 25th & CLEVELAND SEC 23 SIOUX FALLS
TOWNSHIP 101N RANGE 49W SW 1/4 SW 1/4County MINNEHAHA5. Counties where water will be used MINNEHAHA6. Annual period during which water is to be used MAY 1 TO SEPT. 30

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>25TH & CLEVELAND</u>	<u>1 1/2</u>
<u>W 1/2 SW 1/4 SW 1/4</u>	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. 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)

LAWN SPRINKLING AROUND APARTMENT BUILDINGS

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 _____)I, HEGG PROPERTY MANAGEMENT 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

Wayne J. WagnerSubscribed and sworn to before me this 5th day of April 19 85my commission expires 6-5-88Gene Lynn Mann
Notary Public (or other qualified officer)

WATER PERMIT

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

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

Date of first receipt of application _____, 19____.

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

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

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. One-fifth of the 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 time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of _____.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth ($1/70$) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before _____, 19____; said water to be used during the following described annual period: _____.

WATER MANAGEMENT BOARD

By: _____
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

SOUTH DAKOTA
WATER PERMIT No. 5365-3 FOR IRRIGATION

Date of first receipt of application April 8, 1985.

Date Soil/Water Compatibility Permit received November 6, 1989.

Date of return to applicant for corrections, amendments or changes April 24, 1985.

Date of receipt of corrected application January 31, 1990.

The Water Management Board approved Water Permit Application No. 5365-3 on May 24, 1990 for Willow Wood Apartments, C/O: Hegg Property Management, 3712 S. Western, Sioux Falls, SD 57105-6170 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

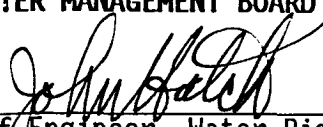
1. Water Permit No. 5365-3 appropriates 0.08 cubic feet of water per second from one existing well (Sioux Quartzite) 150 feet deep to irrigate 1.5 acres around apartment buildings. The irrigated area and well are both located within the W1/2 SW1/4 SW1/4 Section 23 T101N-R49W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of and to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is January 31, 1990.
4. One-fifth of the construction is to be completed on or before November 24, 1992.
5. All construction is to be completed on or before May 24, 1995.
6. Water is to be put to beneficial use on or before May 24, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____


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

JUL 10 1990

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 3/4" Depth 150' + or -
- b) Casing Type STEEL Diameter 6" Thickness SCH 40
- c) Screen Type NONE Diameter Thickness
- d) Gravel Pack Thickness NONE Length of Gravel Pack NONE
- e) Depth to Top of Water Bearing Material 150' + or -
- f) Depth of Water (ground surface to water level) 70' est.
- g) Distance to nearest existing domestic well:
 On applicants property NONE On property owned by others 1/2 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

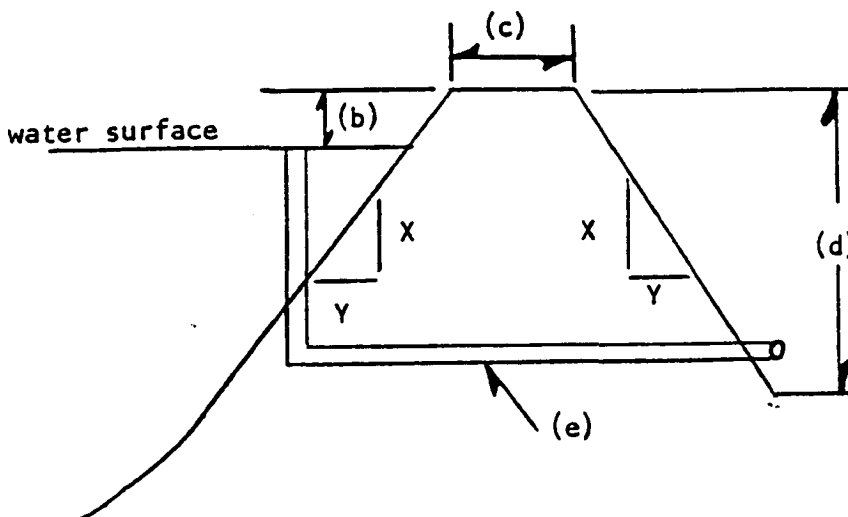
f) X & Y Slope
 Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Signature of Applicant

NOT TO SCALE

101-49

109-12

19.1

23

X

Kevin C. Larson
Nat. Res. Eng.
5-14-85

101-49

Appl. No. 5365-3

RECEIPT

Division of Water Rights

No 4 10039

South Dakota Department of Water and Natural Resources

Pierre, May 14, 1985

RECEIVED OF Hegg Property Management, Willow Wood Apartments, PO Box 1445, Sioux Falls, SD
the following amount in fees for services rendered as provided for by law: 57101

Fee for Application for Permit No. 5365-3 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

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4423

WR#

OWNERS NAME: REGG PROPERTY MANAGEMENT OWNERS ADDRESS: 3712 South Western

Sioux Falls, SD 57105

COUNTY LAND LOCATED IN: Minnehaha PHONE: 338-1171

LEGAL DESCRIPTION:

1. LOCATION W1/2 SW1/4 SW1/4 23-T101R-R49W ☒ Well ☐ Surface

Depth 130'+

Legal Description	Acres	Legal Description	Acres
<u>W1/2 SW1/4 SW1/4 23-T101R-R49W</u>	<u>1.5</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Lawn)
(Specify) Serial-Irr

3. CROPS TO BE IRRIGATED: Will be used to water lawn around apartment buildings.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 83-0254 7. ADJUSTED (SAR): 1.12
5. SALINITY (EC X 10⁶): 630 8. PERCENT SODIUM: 11.33
6. SODIUM (SAR): 0.46

Requirements:

The area mapped as Duse-Sioux Complex (B5) 5-17 percent slope shall not be irrigated on slopes greater than 9 percent slope. Landscaping and earth moving (cut and fill) may address this hazard.

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the Division or Commission.

W. H. D. D. D.
Director, Division of Conservation

Date 11/9/89

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

☒ REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



Department of Agriculture
WI#1
12/85

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: Hegg Property Mgmt OWNERS ADDRESS: 3712 S Western
Sioux Falls, SD 57105

COUNTY LAND LOCATED IN: Minnehaha PHONE: 338-1121

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Descriptions to Nearest 10 Acres)

1. WELL LOCATION W 1/2 SW 1/4 SW 1/4 Section 23, T101N, R49W

Depth 150+

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
<u>W 1/2 SW 1/4 SW 1/4 Sec. 23, T101N, R49W</u>	<u>1.5</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____
(Specify)

6. CROPS TO BE IRRIGATED: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER:1 _____ 10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): _____ 11. PERCENT SODIUM _____

9. SODIUM (SAR): _____

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19_____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface



"Service Is Our Only Commodity"

GLACIER BIT SERVICE INC.

Phone 656-1816

2501 Arnold Lane Billings, Montana 59102

Hegg Prop. Management
proposed well log.

0-1 top soil

0-30' yellow clay

30-70' grey clay

70-80 brown clay

80-+ Sioux quartzite

Sioux Hill Shlg.

Wayne H. Hagner

DRILLING SUPPLIES

Rockmaster Bits
Smith-Gruner Rock Bits
James Tool Co. Bits

Blue Devil Inserted Bits
Varel Rock Bits
Pipe Dope
Dust Deflectors

L-K Pump Parts
Failing Parts
Rod Wipers



"Service Is Our Only Commodity"

GLACIER BIT

SERVICE INC.

Phone 656-1816

2501 Arnold Lane Billings, Montana 59102

Soil Formation

Buse Sioux

DRILLING SUPPLIES

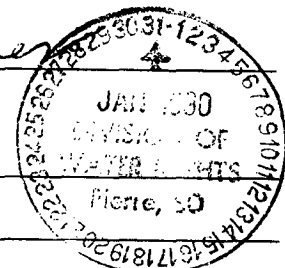
Rockmaster Bits
Smith-Gruner Rock Bits
James Tool Co. Bits

Blue Devil Inserted Bits
Varel Rock Bits
Pipe Dope
Dust Deflectors

L-K Pump Parts
Failing Parts
Rod Wipers

11-85

r te



Water Rights Division
605 773-3352

April 24, 1985

Hegg Property Management
3712 S Western
Sioux Falls SD 57105

Gentlemen:

We are in receipt of your permit application to irrigate 1 1/2 acres from a well. We have not yet received the \$50.00 filing fee that is required. Upon receipt of the fee, processing your application will proceed. The deadline for receipt of the completed application (including soil/water compatibility permit) for consideration at the July 10 & 11, 1985 Water Management Board meeting is the week of May 20, 1985. If you have any further questions, please contact this office.

Thank you.

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

*Called C.C. 5-14-85
Held WI-1 for H₂O sample*

**Department of
Water & Natural Resources**

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

August 31, 1989

Wayne Wagner
Hegg Property Management
3712 S Western
Sioux Falls, SD 57105

Dear Mr. Wagner:

I am contacting you in regard to the water permit application you submitted to our office April 8, 1985. I have enclosed a copy of the application for your review.

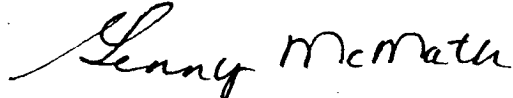
The application has not been processed due to lack of soil/water compatibility approval from the State Conservation Commission. I have contacted the Division of Conservation and they indicated you have not yet submitted an application or a water sample for processing.

Enclosed is a partially completed soil/water compatibility application and an instruction sheet. Please complete where necessary and return the form and soils information to Jim Stukel, Division of Conservation, Anderson Building, Pierre, SD.

A water sample will be required from the well. The instruction sheet reviews the sampling procedure. I have enclosed a label to be attached to the sample bottle. The water sample needs to be sent to the Water Quality Lab in Brookings (address on label).

Please be aware that irrigation without a water permit is in violation of State Statutes. If you have any questions concerning the soil/water compatibility application, contact Jim Stukel at 773-3259. Questions concerning your water permit application should be directed to Ron Duvall, Susan Bowar or myself at 773-3352.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

enclosures

cc: Jim Stukel, Division of Conservation



Conversation or File Documentation

NAME OF PERSON OR FILE: Hegg Property ManagementADDRESS: 3712 S Western, Sioux Falls COUNTY MinnehahaDATE: Dec 11, 1989 TELEPHONE: _____RE: Construction of well

COMMENTS:

Contacted Hegg Property Management to determine if the well was constructed and if so, the well depth and the name of the driller. Jackie Christopherson with Hegg could not locate anyone in the office that knew how deep the well was or who drilled the well. Ms Christopherson did note that only 1 well was constructed.

Contacted Wayne Wagner with Sioux Well Drilling to determine if Sioux Drilling completed the production well. Mr. Wagner believed so and would send the well log.

3/22/90

Wayne Wagner believed the depth to be approximately 150 feet deep. Mr Wagner stated he would check his records and inform me if the depth was not 150 feet

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: [Signature]

Conversation or File Documentation

NAME OF PERSON OR FILE: Hegg Property ManagementADDRESS: Sioux Falls COUNTY Minnehaha

DATE: _____ TELEPHONE _____

RE: _____

COMMENTS:

Ms. Jacque Christopherson called - she said it would be more appropriate if the application was in Willow Wood Apartments name, since they just managed the building for the owner

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric S. Lundberg

REPORT ON APPLICATION NO. 5365-3
Hegg Property Management
January 3, 1990

Application No. 5365-3 proposes to appropriate 0.08 cubic feet of water per second (cfs) from one existing well (Sioux Quartzite) 150 feet deep to irrigate 1.5 acres around apartment buildings. The irrigated area and well are both located within the W1/2 SW1/4 SW1/4, section 23, T101N, R49W, Minnehaha County, SD.

AQUIFER Sioux Quartzite (Soux)

AQUIFER INFORMATION AND CHARACTERISTICS

The Sioux Quartzite Aquifer underlies most of southeastern South Dakota and is generally considered impermeable except where joints and fractures occur in the formation. The location of these joints and fractures is difficult to predict and therefore its potential as a ground water source is hard to assess. The formation may serve as a viable source of water where it underlies surficial deposits in the area (Hedges, 1982).

According to the well log submitted with the application, the region from ground level down to 48 feet below ground is clay (0-2' is topsoil) and the quartzite starts at 48 feet. The well was completed in 1985 to an estimated depth of 150 feet. The static water level was measured at 38 feet so the formation appears to be under artesian conditions in this area. At the time the well was completed, it was tested and found to produce an estimated 75 GPM. The well meets South Dakota well construction standards.

REVIEW OF AREA WATER RIGHTS

According to the 1988 Irrigation Report, there is no use of the Sioux Quartzite Aquifer for irrigation purposes. Most of the water right uses for this formation are industrial or commercial. There are no other water rights in the immediate area (within a 1 mile radius) that use the formation so well interference is not expected to be a problem. The applicant's well has been used since 1985 with no reported problems.

CONCLUSIONS

1. Application No. 5365-3, if approved, proposes to irrigate 1.5 acres at a diversion rate of 0.08 cfs (36 GPM) from an existing well.

2. The amount of water available for use from the Sioux Quartzite Aquifer is not quantifiable. However, this well has been in use since 1985 and is apparently able to produce sufficient water for the proposed use.
3. Well interference is not expected to be a problem.
4. Approval of this application is subject to the completion of the annual irrigation questionnaire.

Terry L. Jorgensen/KS

Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

Approved by:

Gale N. Selken

Gale N. Selken, P.E.
Natural Resources Engineer IV

REFERENCES

Division of Water Rights, 1990, Observation Well Files, DWNr,
Division of Water Rights, Joe Foss Building, Pierre, SD.

Division of Water Rights, 1988, Irrigation Report by Aquifer,
DWNr, Division of Water Rights, Joe Foss Building, Pierre,
SD.

Hedges, L.S, Burch, S.L., Iles, D.L., Barari, R.A., 1982,
Evaluation of Groundwater Resources in Eastern South Dakota
and Upper Big Sioux River, South Dakota and Iowa, U.S. Army
Corps of Engineers contract No. DACW 45-80-C0185, DWNr,
Office of Geological Survey, Vermillion, SD.

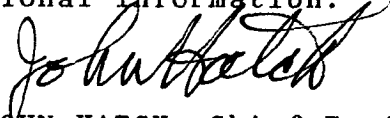
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5365-3, Hegg Property Management

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. 5365-3, Hegg Property Management, 3712 South Western, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 5365-3 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:

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 3, 1990

SOUTH Dakota Department of
Water & Natural Resources

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

April 17, 1990

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

Wayne H. Wagner, *Manager*
Hegg Property Management
3712 S. Western
Sioux Falls, SD 57102-6170

Dear Mr. Wagner:

Water Permit Application No. 5365-3 for irrigation 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 Argus Leader printed at Sioux Falls SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. 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,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

April 17, 1990

Argus Leader
Box 5034
Sioux Falls, SD 57117-5034

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5365-3 to be published twice. Please publish the first notice on or before April 26, 1990 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 Hegg Property Management, 3712 S. Western, Sioux Falls, SD 57102-6170.

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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 April 26, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5365-3 to Appropriate Water

Notice is given that Hegg Property Management, 3712 S. Western, Sioux Falls, SD 57105-6170 has filed an application for a water permit to appropriate 0.08 cubic feet of water per second from one existing well (Sioux Quartzite) 150 feet deep to irrigate 1.5 acres around apartment buildings. The irrigated area and well are both located within the W1/2 SW1/4 SW1/4 Section 23-T101N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5365-3 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 in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 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 May 11, 1990. 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 May 11, 1990.

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.

April 25, May 2, 1990



Department of Water & Natural Resources

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

JUL 10 1990

Willow Wood Apartments
c/o Hegg Property Management
3712 S Western
Sioux Falls SD 57105-6170

Dear Sir:

Enclosed is Water Permit No. 5365-3 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 dark ink, appearing to read "John 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 August 2, 1990

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

FROM: Willow Wood Apartments, 1600 Rock Creek Dr., Sioux Falls, SD
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. 5365-3.

Water Permit No. 5365-3 states that the diversion system is to be constructed by May 24, 1995, and that the water it put to beneficial use by May 24, 1999.

The diversion system was completed on *.
Applying the water to beneficial use was completed on *.

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

* This system was completed many years ago approximately 1985.

Christopherson
signature Hegg Property Mgmt.

File No. 5365-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Hegg Property Management (Willow Wood
Apts.)

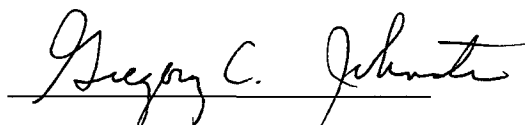
ADDRESS: 3712 S. Western Sioux Falls, SD COUNTY: Minnehaha

DATE: 7/31/91 TELEPHONE:

RE: Not irrigating in 1991

COMMENTS:

Spoke with Marvin, the Maintenance Supervisor and he showed system they are using to irrigate acreage at Willow Wood Apts. They did not irrigate at all in 1991, because the well was not recharging very quickly and they had been placed on the city's water system anyway. I told Marvin to contact me if they decide to drill another well or deepen the present well. I told him that if they halted irrigation for the next two years, they could lose the permit due to nonuse.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

File No. 5365-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Willow Wood Apartments

ADDRESS: Sioux Falls, SD COUNTY: Minnehaha

DATE: 10/2/91 TELEPHONE: (605)/334-6385

RE: Sioux Well Drilling - Well Completion report error for No.

5365-3

COMMENTS:

Called Wayne Wagner of Sioux Well Drilling and discussed the well log for No. 5365-3. Previous communication indicated that the well was ~ 150' deep, but the well log indicated it was only 48' deep. Mr. Wagner told me the well was 148' deep and he had not completed the log correctly. He will send me a copy of the corrected well completion reporting the mail. Other addl. information - Well was cased from 10 to 148' and log should read quartzite from 48 to 148' deep.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

Permit No. 5365-3

Big Sioux Water District

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

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

I have this day made a thorough examination of the water use system constructed by Willow Wood Apartments of Sioux Falls, SD 57501 holder of Permit No. 5365-3, bearing the priority of January 31, 1990 authorizing the diversion of 0.08 cu. ft. per second and/or the storage of acre-feet of the waters of Sioux Quartzite for irrigation purposes, in Minnehaha County. I have to report on the conditions of the same as follows:

A. Works used to divert the water:

One Well - 148' deep with 148' of 6" Steel casing (Open borehole w/ no screen) Grundfos submersible pump and motor, Model No. 40-S-50-15, 3", 30 GPM @ 70 PSI, 5 HP motor

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

3500' of 0.5" PVC pipe

C. Works used to apply water to beneficial use:

Model No. 15130 Rain Bird Sprinkler heads (Total of 210 heads)

The system is in the following condition Excellent. The point of diversion is located 264' E and 900' N of the SW corner of Section 23-T101N-R49W, Minnehaha County, SD. The works are capable of diverting and conveying to the place of use 0.06 cu. ft. per second of water and/or storing acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 23-T101N-R49W:

SW1/4 SW1/4 = 1.5 acres

comprising a total of 1.5 acres of land and the license should be issued for 0.06 cfs and/or acre-feet of storage.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None Date 7/31/91



Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 5365-3

1. Legal location of wells: 264' East and 900' North of the SW corner of Section 23-T101-R49W, Minnehaha County, SD

Dams and Structures None

2. Well Information: Well Drilling Firm Sioux Well Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 148 feet

Casing a) diameter 6 inches Screen a) type No screen

b) length 148 feet b) length feet

c) type Steel Static Water Level 38 feet

Pump a) make Grundfos Motor a) make Grundfos

b) model 40-S-50-15 b) model no. Same

c) size 3" c) horsepower rating 5

d) capacity 30 GPM d) serial no. Unknown

e) turbine pump - no. of stages 1

f) operating PSI 70

3. Distribution lines or canals

a) size 0.5 inches

b) type PVC

c) length 3500' feet

4. System Type a) Sprinklers:

b) towline:

1) make Rain Birds

1) size inches

2) model No. 15130

2) number

3) number 210

4) Capacity (GPM) 25

NOTE: For Permits with additional wells or changes in well locations,
record the following for each well: pumping capacity, date
constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes No Check Items

X 1. Soil and water permit lands agree with lands being irrigated
and lands listed on permit?

X 2. Special qualifications to permit being abided by?

X 3. All structures, wells and lands on map?

X 4. Irrigation Questionnaires checked to determine if permit
owner started irrigation by end of construction period?

X 5. Is chemigation used?

N/A 6. If yes, does equipment comply with chemigation rules?

REMARKS:

NOT TO SCALE

101-49

109-12

Application # 5365-3
Hegg Management
(Willow Wood Apts)

Drawn by:

Gary Johnston

Gary Johnston

Natural Resources Engineer

9/18/91

Water Rights, DENR

N

19.1

23

1" = 660'

T101N-R14W

SW 1/4 SW 1/4
Sec 23

← = 1.5
acres

2644
X
Well

900'

101-49

5365-3

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 4, 1991

5365-3

Hegg Property Management
Willow Wood Apartments
3712 S Western Avenue
Sioux Falls, SD 57105

Dear Sirs:

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. 5365-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412908

Pierre, November 12, 1991

RECEIVED OF Willow Wood Pats., & Hegg Companies, Inc., P.O. Box 88038, Sioux Falls, SD
the following amount in fees for services rendered as provided for by law: 57105-8038

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>5365-3</u>	50	00
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



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 17 1992

5365-3

Willow Wood Apartments
% Hegg Property Management
3712 S. Western
Sioux Falls, SD 57105-6170

Dear Sirs:

Enclosed is Water License No. 5365-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412908 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. 5365-3, 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

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5365-3

(1) Willow Wood Apartments of % Hegg Property Management, 3712 S. Western, Sioux Falls, SD 57105-6170 made Application No. 5365-3, April 8, 1985 for a water permit to appropriate 0.08 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for irrigation purposes. Permit No. 5365-3 with a priority date of January 31, 1990 was approved May 24, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 24, 1995 and for the application to beneficial use of said water on or before May 24, 1999.

(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 0.06 cubic feet of water per second for beneficial use. The location of the diversion point is: 264'E and 900'N of the SW corner of Section 23, T101N, R49W.

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

T101N, R49W Section 23 W 1/2 SW 1/4 SW 1/4 1.5 Acres

(4) Pursuant to Section 46-5-30.1 Willow Wood Apartments of % Hegg Property Management, 3712 S. Western Ave., Sioux Falls, SD 57105-6170 the holder(s) and/or owner(s) of Water Permit No. 5365-3 is issued a license to appropriate water, the right to use 0.06 cubic feet of water per second from groundwater (one well) with a priority date of January 31, 1990 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5365-3 and subject to South Dakota State Law.


FEB 17 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources