

Considered: \_\_\_\_\_

WATER PERMIT NO. 5397-3

HAP No. \_\_\_\_\_

Name of Applicant Our Home Inc (Steve Gubbard)

Post Office Address RR3 Box 156 Huron SD 57350

Amount of Water Claimed 0.056 Total Acres N/A

Source of Water Supply Groundwater

Water to be used for institutional - domestic County Beadle

About 1 miles south of Huron

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved \_\_\_\_\_ Subject to \_\_\_\_\_

F.F. & C.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY \_\_\_\_\_ Date Received <sup>Dec. 15/21</sup> 1/22/90 Fee 50.00 Remarks Our Home Inc.

has a "mound" system & regular septic system

Corrected Application Received \_\_\_\_\_ Period of Annual Use \_\_\_\_\_

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

WI-1 Description same as Application YES \_\_\_\_\_ NO \_\_\_\_\_ REMARKS \_\_\_\_\_

Diversion Point SE 1/4 SW 1/4 Sect 10 T110N R61W

Land to be Irrigated N/A

|  |  |    |  |  |  |
|--|--|----|--|--|--|
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|  |  | 10 |  |  |  |
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|  |  |    |  |  |  |

Well Log: Driller Huron Drilling Licensed YES X NO \_\_\_\_\_

Depth of Well 100' REMARKS \_\_\_\_\_

of Map Aerial PREPARED BY Pat Emmons Reviewed and the Number \_\_\_\_\_

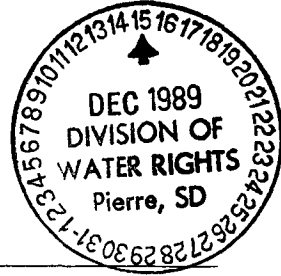
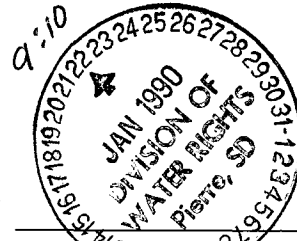
By \_\_\_\_\_

No. 5397-3 Hydrologic Unit 1016000.6  
 Map No. \_\_\_\_\_ Basin James River  
 Newspaper Huron Daily Plainsman Box 1278 57350

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

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

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. \_\_\_\_\_ with old priority date 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 Our Home Inc. Phone No. 382-9098Post Office Address RR3 Box 156 Huron State SD Zip Code 57350  
(Street, RR or Box) (City)2. Amount of water claimed (c.f.s.) 0.056 cfs (25 gpm)3. Source of water supply Ground Water (1 well) -25 GPM  
--pre-minute4. Location of point of diversion SE 1/4 corner of the SW 1/4, T110N, R61W, Sec. 10 (Custer Township)  
 County BEADLE5. Counties where water will be used BEADLE6. Annual period during which water is to be used 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)

Water is used for cooking, cleaning, showers, etc. that involve daily living. Water is not used for drinking. Our Home, Inc. has a "mound" system and regular septic system for waste disposal.

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 Beadle, ssI, Steve GUBBRUD

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 Steve GubbrudSubscribed and sworn to before me this 14th day of December 19 89

Kobey A. Brewer  
 Notary Public my commission expires: January 12, 1997

SOUTH DAKOTA  
WATER PERMIT No. 5397-3

Date of first receipt of application December 15, 1989.

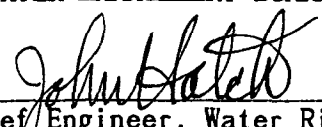
Date of return to applicant for correction, amendments or changes January 15, 1990.

Date of receipt of corrected application January 22, 1990.

The Water Management Board approved Water Permit Application No. 5397-3 on May 24, 1990 for Our Home, Inc., RR# 3, Box 156, Huron, SD 57350 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. 5397-3 appropriates 0.056 cubic feet of water per second from one well (Floyd East James Aquifer) 118 feet deep located in the SE1/4 SW1/4 Section 10 T110N-R61W.
2. The water appropriated shall be used for the purpose of supplying water to children's home and may not exceed the amount of water needed for beneficial use for domestic and institutional 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 December 15, 1989.
5. One-fifth of the construction is to be completed on or before November 24, 1992.
6. All construction is to be completed on or before May 24, 1995.
7. Water is to be put to beneficial use on or before May 24, 1999.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**WATER MANAGEMENT BOARD**

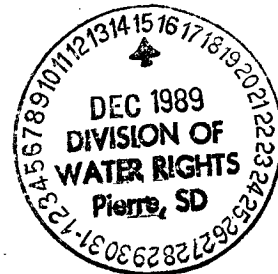
By:   
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

**JUL 10 1990**

\_\_\_\_\_  
(date)

## Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed construction

- a) Drill Hole Diameter \_\_\_\_\_ Depth \_\_\_\_\_
- 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 NONE On property owned by others ALBERT DECKER

200 YARDS TO THE EAST

## 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 \_\_\_\_\_

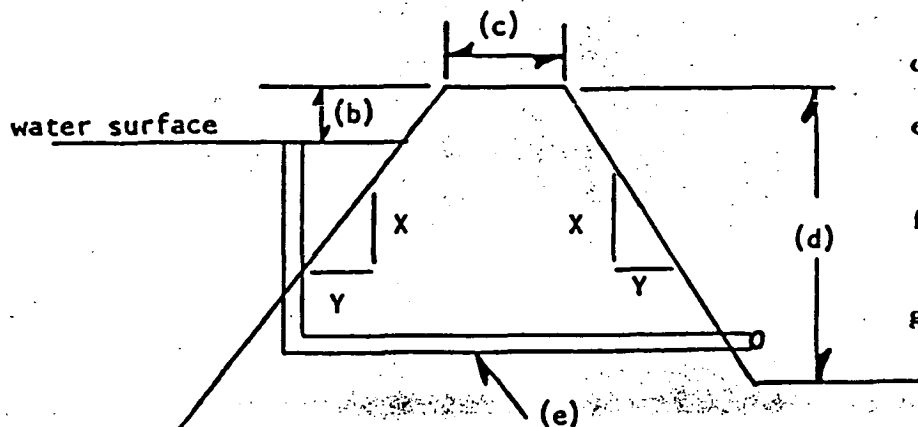
g) X & Y Slope  
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



X Steve Subbina  
Signature of Applicant



# Department of Water & Natural Resources

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

January 15, 1990

Steve Gubbrud  
Our Home, Inc.  
RR 3, Box 156  
Huron SD 57350

Dear Mr. Gubbrud:

This letter is in response to your water permit application received on December 15, 1989. The following information is needed to complete the water permit application:

- 1) The well location needs to be located on the enclosed aerial photo with an "X" and the photo needs to be prepared and signed by one of the following persons: 1) A South Dakota registered professional engineer, 2) A South Dakota licensed land surveyor or 3) A government employee that prepares maps as part of his or her regular duties. The legal description of the well also needs to be described on the enclosed permit applications (item No. 4).
- 2) Please give a brief description of the water use by Our Home, Inc. and also the method for disposal of waste water under item No. 7 on the enclosed applications.
- 3) Please complete the following regarding your well or indicate that the information can not be obtained: 1) The enclosed Form 2A needs to include all the well information that is available, 2) Send a copy of the well completion and 3) Specify the well driller and date drilled.

The Water Management Board can not consider the water permit application until the application is complete. Please complete the above information to complete the application.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall". The signature is fluid and cursive, with a large loop at the end.

Ron Duvall  
Natural Resources Engineer  
605 773-3352

enc.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411997

Pierre, December 18, 1989

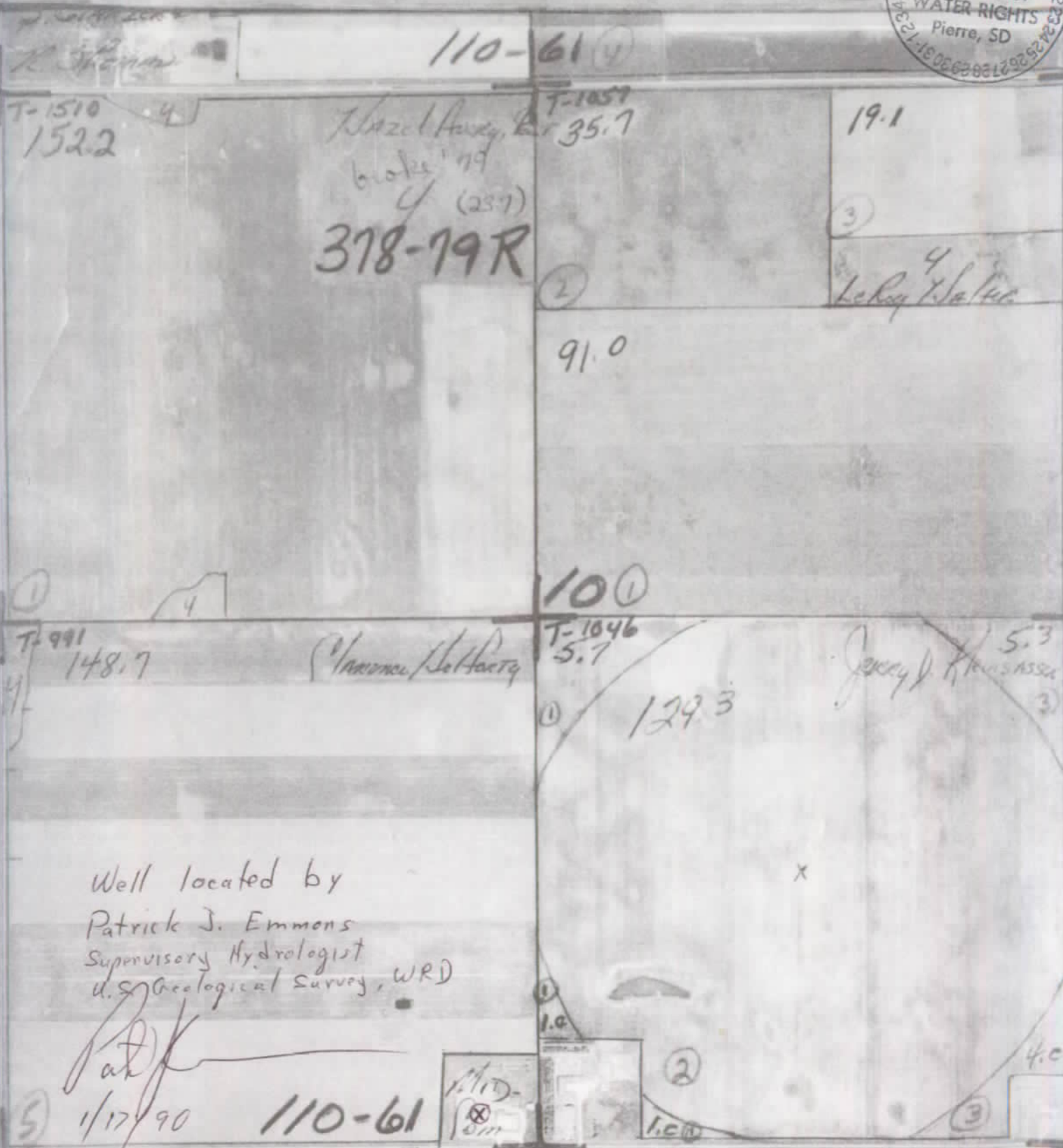
RECEIVED OF Steve Gubbard, Our Home, Inc., RR #3 Box 156, Huron, SD 57450

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

|                                                                                                                                    |       |       |
|------------------------------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. <u>5397-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____ | 50    | 00    |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                                 |       |       |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                             |       |       |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                                |       |       |
| Fee for Filing Transfer Form _____                                                                                                 |       |       |
| Fee for Filing Extension Request _____                                                                                             |       |       |
| Fee for Certified Copy of _____                                                                                                    |       |       |
| Fee for Print Copy of Map _____                                                                                                    |       |       |
| Fee for Certifying _____                                                                                                           |       |       |
| Fee for _____                                                                                                                      |       |       |
| (Any Other Work Provided by Law)                                                                                                   | Total | 50 00 |

By John Hatch  
Chief Engineer

# NOT TO SCALE



Well located by  
Patrick J. Emmons  
Supervisory Hydrologist  
U.S. Geological Survey, WRD

*Pat J. Emmons*  
1/17/90

110-61

No. 5397.3

**PAGE NO.**

Ron Schaffer  
FOREMAN

[illegible]

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

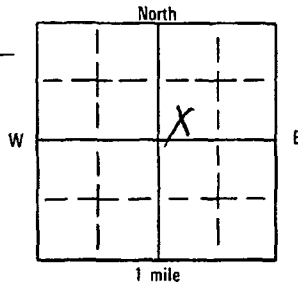
10-85

Location NE 1/4 Sec 10 Twp 110 Rg 61

County

Beadle

Please mark well location with an "X"

Well Completion Date June 7, 1988

## PROPOSED USE:

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

Method of Drilling:

Rotary

## CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER  
200 LB/FT 5 IN 0 FT 118 FT 7 1/8 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 ☐ NOTo what depth? 30 feet FEETWhat is grouting material? Portland CementIf cement, number of sacks? 15

Describe grouting procedure

1" Electric Pipe

What was grout weight? \_\_\_\_\_ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 40 FEETMaterial PLCSlot Size 3/8 Set From 78 Feet To 118 Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Other information \_\_\_\_\_

Was a packer or seal used? ☒ YES ☐ NOIf so, what material? Bentonite

Describe packer(s) and location?

ABOVE PACKWas well disinfected upon completion? ☒ YES ☐ NOExplain H T HBacteriological analysis ☐ YES ☐ NO

Laboratory sent to \_\_\_\_\_

Well Owner:

Name Our Home, Inc.Address RR 3, Box 156, Huron, SD 57350

Well Log:

Depth

Formation

From

To

|                     |           |            |
|---------------------|-----------|------------|
| <u>Top Soil</u>     | <u>0</u>  | <u>2</u>   |
| <u>Yellow Clay</u>  | <u>2</u>  | <u>15</u>  |
| <u>Blue Clay</u>    | <u>15</u> | <u>80</u>  |
| <u>Sand Deposit</u> | <u>80</u> | <u>118</u> |

STATIC WATER LEVEL 39 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:

Compressed Air

Pumping Level Below Land Surface

41 ft. After 12 Hrs. pumped 25 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

## REMARKS:

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Huron Drilling

Signature of License Representative:

Signature of Well Owner:

Date

12/31/88

1-23-89

Report of Water Permit  
Application No. 5397-3, Our Home Inc.  
March 20, 1990

Water Permit Application 5397-3, Our Home, Inc., proposes to appropriate 0.056 cubic feet per second (cfs) of water from a well located in the SE1/4 SW1/4 of Section 10, T110N R61W. The water is for institutional and domestic use.

General Information

This permit application is located approximately 2 1/2 miles east of Huron and 2 miles south of Highway 14 (see Location Map). The applicant indicates that the water will be used for institutional uses such as cooking, cleaning, showers, etc. that involve daily living.

The well applied for under this permit is constructed. The Division of Water Rights does not have a well completion report on file for this well. However, personal communication via telephone with Huron Drilling on April 9, 1990, indicates that the well was constructed according to South Dakota Well Construction Standards. A well completion report has been requested from Huron Drilling.

Our Home Inc. has a "mound" sewage disposal system and a septic tank within about 135 linear feet of the well applied for under this permit application. The disposal system construction has been approved by the Department of Water and Natural Resources, Division of Environmental Regulation.

Aquifer - Floyd East James

This permit application is from an existing well to appropriate water from the Floyd East James (F-EJ) aquifer. The F-EJ is classified as a buried confined aquifer although there are portions of the aquifer that are unconfined. The aquifer consists of glacial outwash composed of sand and gravel units with interspersed till layers.

Average annual recharge to confined and unconfined portions of the F-EJ aquifer have an estimated range of 0.30 to 3.4 inches per year (Hedges, 1983).

Three observation wells are located within a 2.6 mile radius of this permit application. The observation well BD-65A is under water table conditions and has fluctuated 11 feet since its installation in 1965. Observation wells BD-68A and BD-68D are under artesian conditions and have fluctuated 10 feet since their installation in 1968.

The nearest F-EJ domestic and irrigation wells are respectively located approximately 600 and 2900 feet away from this permit application. As indicated previously, the F-EJ aquifer is under artesian conditions at this permit location. However, no adverse interference conditions are expected to occur if this permit is granted for the following reasons:

- 1) The requested diversion rate is small (0.056 cfs)
- 2) Diversions under this permit are not likely to be continuous (i.e. 24 hours a day pumping is not anticipated)
- 3) Historical water levels in the aquifer indicate that water is available from this aquifer.
- 4) Wells in the area are deep enough and should not be adversely affected by the the cone of depression produced by withdrawals under this permit.

The current number of permits in the F-EJ management unit is 51 with 21,221.2 acre feet appropriated (Division, 1990). The 1988 irrigation questionnaires indicate that 4,573.9 acre feet of water from the F-EJ in Beadle County was used for irrigation purposes in 1988. The F-EJ aquifer in Beadle County as a surface area of approximately 146,600 acres with an estimated 700,000 acre feet of recoverable water (Hedges, 1982).

#### Existing Water Rights

There are four existing Water Permits in the immediate vicinity which divert water from the F-EJ. Table No. 1 lists the existing Water Permits in the immediate area for the F-EJ management area in Beadle County.

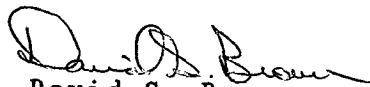
Table No. 1

| Water Permit No. | Owner             | Diversion rate (cfs) | Well Depth (ft) | Aquifer | Irrigated Land (acres) |
|------------------|-------------------|----------------------|-----------------|---------|------------------------|
| 1142-3           | Robert Moody      | 2.66                 | 123             | F-EJ    | 230                    |
| 3935-3           | Pearl View Farms  | 1.88                 | 63              | F-EJ    | 132                    |
| 4596-3           | Jerry kleinsasser | 1.88                 | 90              | F-EJ    | 132                    |
| 4820-3           | George Gose       | 1.67                 | 67              | F-EJ    | 118                    |

#### Conclusions

- 1) Water Permit Application No. 5397-3, Our Home Inc., proposes to appropriate 0.056 cfs of water from the F-EJ aquifer from a well located in the SE1/4 SW1/4 of Section 10, T110N R61W. The water is for institutional and domestic use.
- 2) There is a reasonable probability that unappropriated water is available from this aquifer.

- 3) No adverse interference on adequate wells is expected due to withdrawals under this permit.
- 4) The F-EJ aquifer is under artesian conditions at this location.
- 5) Existing water rights will not be impaired by issuance of this water permit application.
- 6) The well constructed under this application is subject to South Dakota Well Construction Standards Chapter 74:02:04.



David S. Brown  
Natural Resources Engineer

Approved by:



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

#### References

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.

Hedges, L.S., J. Allen, and D.E. Holly, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa. Task 7: Ground Water Recharge, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.

Water Rights Division, 1990, Drillers Logs, Observation Well Logs and Permit Files, DWNR, Joe Foss Bldg., Pierre, SD.

## LOCATION MAP

HU-RON

POP. 113,000

WATER PERMIT APPLICATION NO. 5397-3

MORNING SIDE

FAS

FAS

2

FAS

BD-68A

3D-68D

BD-60H

■ Stony Run  
G, 903-3 Lake

5384-3

BB-601

30-79L

430-79M

3

1

GD-80

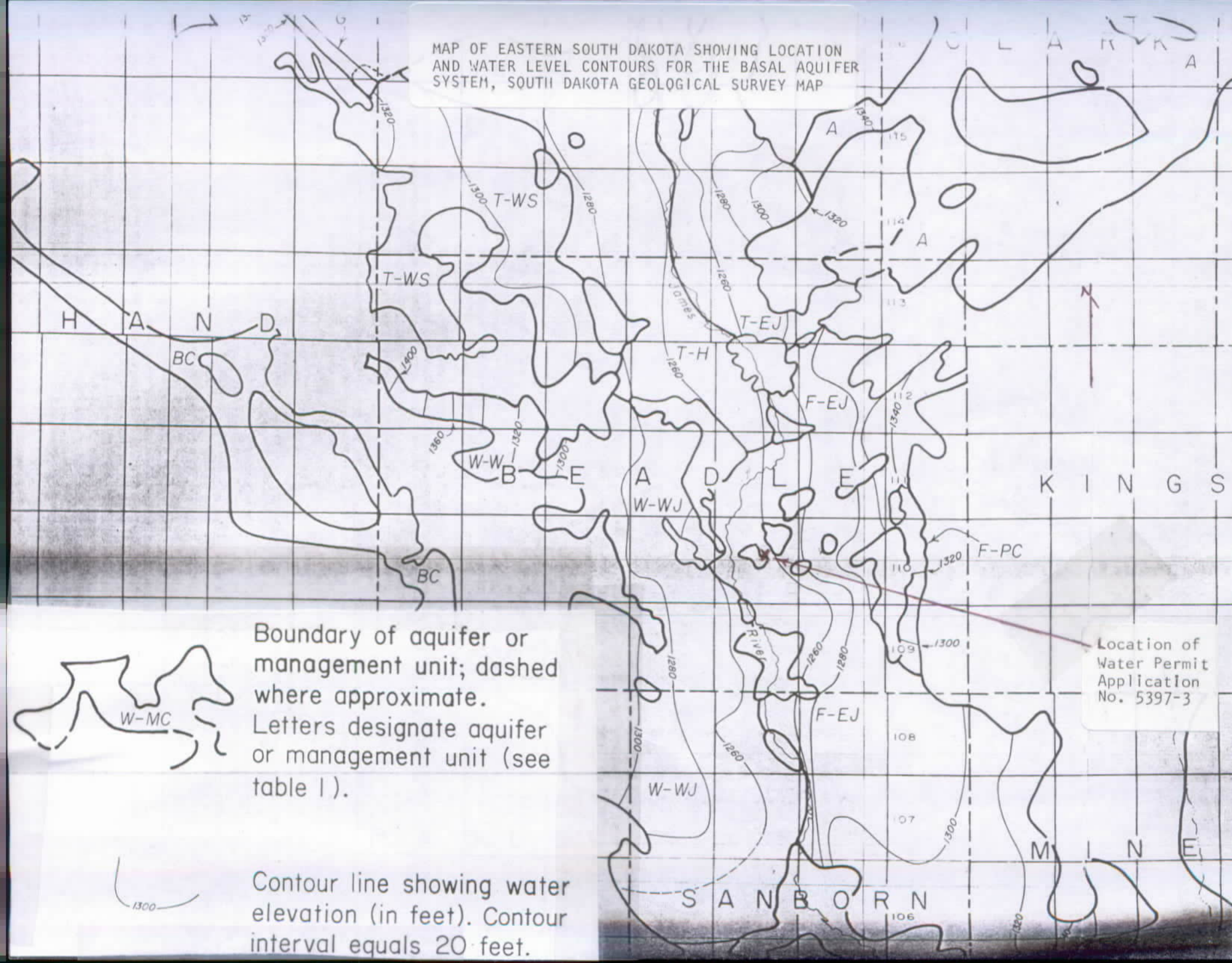
3D-76N

**FAS**

6 12.0

BD-76M

MAP OF EASTERN SOUTH DAKOTA SHOWING LOCATION  
AND WATER LEVEL CONTOURS FOR THE BASAL AQUIFER  
SYSTEM, SOUTH DAKOTA GEOLOGICAL SURVEY MAP

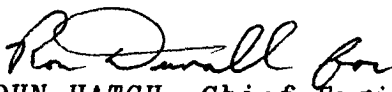


RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 5397-3, Our Home, Inc.

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. 5397-3, Our Home, Inc., RR 3, Box 156, Huron SD.

The Chief Engineer is recommending APPROVAL of Application No. 5397-3 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.

See the attached report for additional information.

  
JOHN HATCH, Chief Engineer  
March 20, 1990



# Department of Water & Natural Resources

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

April 16, 1990

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

Steve Gubbrud  
Our Home Inc.  
RR #3 Box 156  
Huron, SD 57350-9348

Dear Mr. Gubbrud:

Water Permit Application No. 5397-3 for institutional and domestic 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 Daily Plainsman printed at Huron 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,

A handwritten signature in cursive script, reading "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 16, 1990

Huron Daily Plainsman  
Box 1278  
Huron, SD 57350-1278

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5397-3 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 Our Home Inc., RR #3 Box 156, Huron, SD 57350-9348.

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

struction 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. 5397-3 to Appropriate Water

Notice is given that Our Home, Inc., RR #3 Box 156, Huron, SD 57350-9348 has filed an application for a water permit to appropriate 0.056 cubic feet of water per second from a groundwater well (Floyd East James Aquifer) located in the SE1/4 SW1/4 Section 10-T110N-R61W. The water is for institutional and domestic use by Our Home, Inc.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5397-3 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.

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA )  
 County Beadle ) ss.

I, Jim Hein

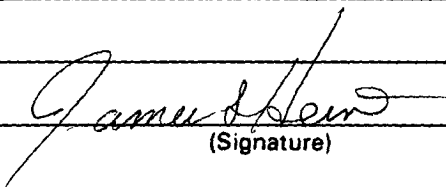
certify that the attached printed Notice was taken  
 from the Huron Daily Plainsman

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 Huron

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

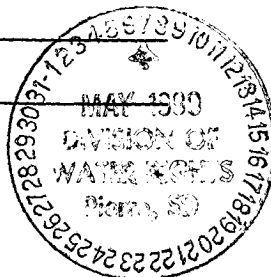
April 24, 1990 & May 1, 1990

  
 (Signature)

Marketing Director  
 (Title)

May 1, 1990  
 (Date Signed)

Cost of Printing: \$68.00



F.P. 4-24-90 L.P. 5-1-90  
**NOTICE OF HEARING**  
 On Application  
 No. 5397-3

To Appropriate Water  
 Notice is given that Our Home Inc., RR #3 Box 156, Huron, SD 57350 has filed an application for a water permit to appropriate 0.056 cubic feet of water per second from a groundwater well (Floyd East James Aquifer) located in the SE 1/4 SW 1/4 Section 10-T110N-R61W. The water is for institutional and domestic use by Our Home Inc.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5397-3 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, Hwy 212, Watertown, SD on May 23, 1990 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 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 has 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 through 46-1-9, 46-1-12 through 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 through 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 through 46-5-11, 46-5-13 through 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 through 74:02:01:15.

No. 224 (adv.)

NOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate 7-13-90TO: Water Rights Division, DWNR  
Joe Foss Building  
Pierre SD 57501-3181FROM: Our Home, Inc. Box 156 Huron  
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. 5397-3.

Water Permit No. 5397-3 states that the diversion system is to be constructed by Huron Drilling, and that the water it put to beneficial use by Our Home, Inc.

The diversion system was completed on 7-89.  
Applying the water to beneficial use was completed on 8-89.

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

Steve Ambrose  
signature





# Department of Water & Natural Resources

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

JUL 10 1990

Our Home, Inc.  
RR 3, Box 156  
Huron SD 57350

Dear Sir:

Enclosed is Water Permit No. 5397-3 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". The signature is written in a cursive, flowing style.

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.

File No. 6397-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Our Home Inc. (Steve Gubbard)

ADDRESS: RR3 Box 156 Huron, SD 57350 COUNTY: Beadle

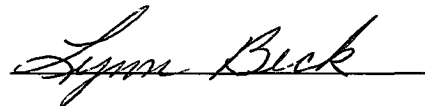
DATE: 7/17/91 TELEPHONE: (605) 352-9098

RE: Licensing

COMMENTS:

Inspected well for institutional use. Submersible well therefore unable to obtain information for licensing sheet. 7/22/91 - Obtained needed information from Kuhn's Plumbing, Huron, by phone. Kuhn's Plumbing is responsible for Our Home Inc.'s maintenance.

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.

A handwritten signature in cursive script, reading "Lynn Beck", written over a horizontal line.

Lynn Beck

Natural Resources Engineer III

DENR, Water Rights Division



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 26, 1991

5397-3

Steve Gubbrud  
Our Home, Inc  
RR #3 Box 156  
Huron, SD 57350

Dear Mr. Gubbrud:

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. 5397-3, 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  
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.

South Dakota Department of Water and Natural Resources

Pierre, August 12, 1991

RECEIVED OF Our Home, Inc., Box 156, Huron, SD 57350

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 _____ |           |           |
| 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>5397-3</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)                                                                                           |           |           |
| <b>Total</b>                                                                                                               | <b>50</b> | <b>00</b> |

By

Chief Engineer

Permit No. 5397-3

James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Our  
Home Inc. of RR3 Box 156 Huron, South Dakota <sup>57350</sup>~~57501~~ holder of Permit No. 5397-3, bearing  
the priority of December 15, 1989 authorizing the diversion of 0.056 cu. ft. per second  
and/or the storage of N/A acre-feet of the waters of Floyd East James Aquifer for domestic  
and institutional purposes, in Beadle County.

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

A. Works used to divert the water:

1 well-118' deep, 78' of plastic casing and 40' of slotted plastic screen. Midwest-Dicken  
pump - 25 GPM; Goulds and McDonald motors used interchangeably, #WTCG-5, 1/2 HP.

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

100' of 1" diameter Polyethylene pipe.

C. Works used to apply water to beneficial use:

Domestic and Institutional

The system is in the following condition good. The point of diversion is located SE1/4  
SW1/4 Section 10 T110N R61W approximately 280' west and 132' north of the S1/4 corner of  
Section 10. The works are capable of diverting and conveying to the place of use 0.056  
cu. ft. per second of water and/or storing N/A acre-feet of water which is to be used for  
domestic and institutional. Water has been put to beneficial use to the maximum extent  
as follows:

Our Home Inc. domestic institutional use involving cooking, cleaning, showers, etc.  
excluding drinking.

comprising a total of N/A acres of land and the license should be issued for 0.056 cfs  
and/or N/A acre-feet of storage.

Application permit qualifications have been complied with ☒ Yes      No

Exceptions to compliance are: None      Date 7/17/91

Lynn Beck  
Natural Resource Engineer III  
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 5397-3

1. Legal location of wells: SE1/4 SW1/4 Section 10 T110N R61W

Dams and Structures

2. Well Information: Well Drilling Firm Huron Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 118 feet

Casing a) diameter 5 inches Screen a) type PVC w/ 3/8" holes

b) length 118 feet b) length 40 feet

c) type PVC Static Water Level 35 feet

Pump a) make Midwest-Dicken Motor a) make Gould & McDonald

2 motors used interchangeably

b) model WTCG-5 b) model no.

c) size 3 3/4" c) horsepower rating 1 1/2

d) capacity 25 GPM d) serial no.

e) turbine pump - no. of stages 11

f) operating PSI

3. Distribution lines or canals

a) size 1 inches

b) type Polyethylene

c) length 100 feet

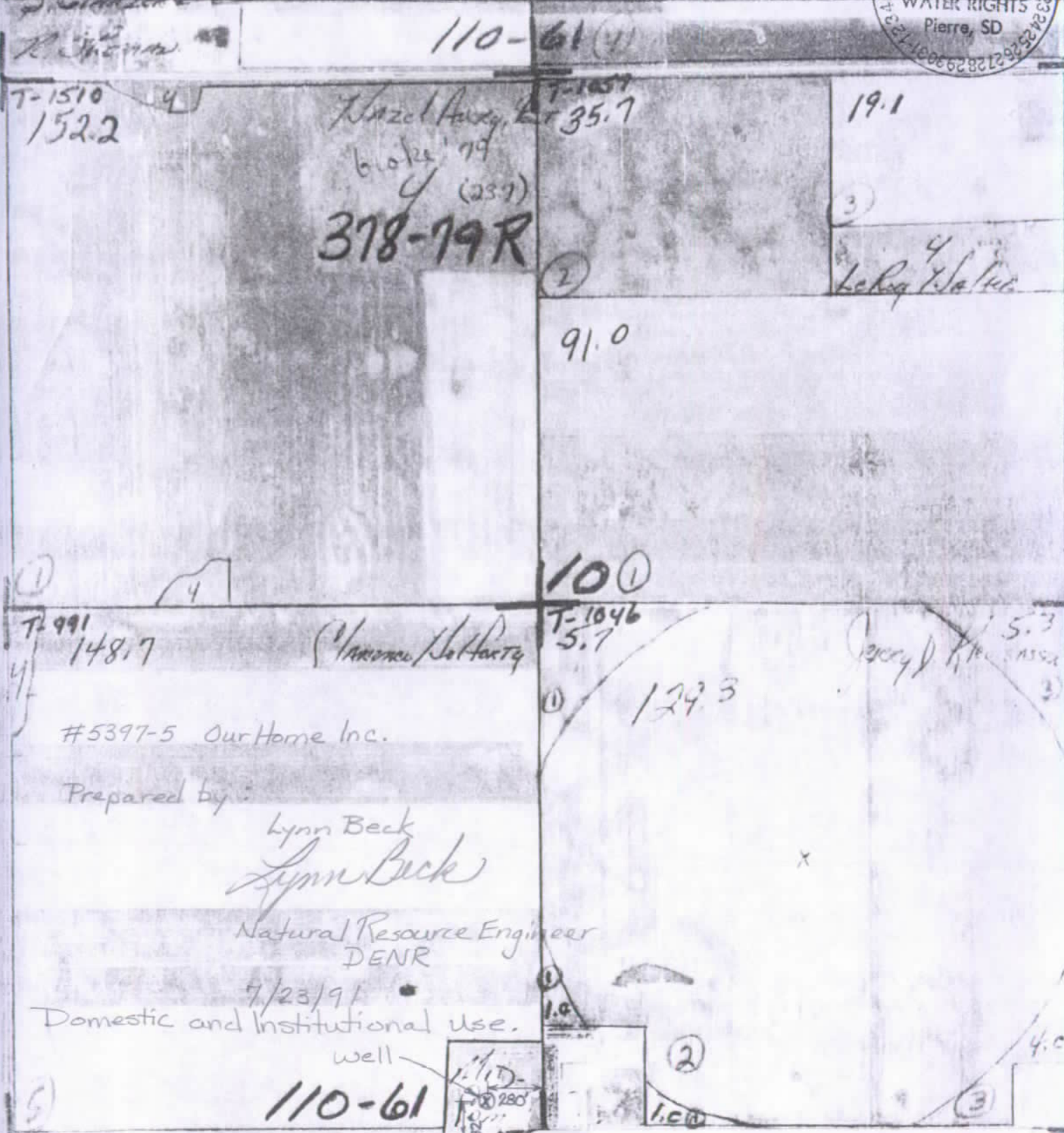
NOTE: For Permits with additional wells or changes in well locations,  
record the following for each well: pumping capacity, date  
constructed, well driller and if a well log is available.

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

| Yes      | No | Check Items                                                                                                         |
|----------|----|---------------------------------------------------------------------------------------------------------------------|
|          |    | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?                         |
| <u>X</u> |    | 2. Special qualifications to permit being abided by?                                                                |
| <u>X</u> |    | 3. All structures, wells and lands on map?                                                                          |
|          |    | 4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period? |
|          |    | 5. Is chemigation used?                                                                                             |
|          |    | 6. If yes, does equipment comply with chemigation rules?                                                            |

REMARKS:

NOT TO SCALE



#5397-5 Our Home Inc.

Prepared by:

Lynn Beck  
*Lynn Beck*

Natural Resource Engineer  
DENR

7/23/91

Domestic and Institutional use.

well

110-61

License No. 5397-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5397-3

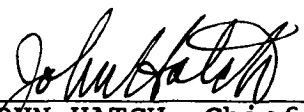
(1) Our Home, Inc. of RR 3, Box 156, Huron, SD 57350 made Application No. 5397-3, December 15, 1989 for a water permit to appropriate 0.056 cubic feet of water per second from groundwater, Beadle County, South Dakota for domestic and institutional purposes. Permit No. 5397-3 with a priority date of December 15, 1989 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.

The applicant specified on the "Notice of Completion of Works and Application of Water to Beneficial Use" that the system was completed in July, 1989 and water was put to use in August, 1989.

(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 0.056 cubic feet of water per second for beneficial use. The location of the diversion point is: in the SE 1/4 SW 1/4 of Section 10, T110N, R61W approximately 280' West and 132' North of the S 1/4 corner of Section 10.

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

(4) Pursuant to Section 46-5-30.1 Our Home, Inc. of RR 3, Box 156, Huron, SD 57350 the holder(s) and/or owner(s) of Water Permit No. 5397-3 is issued a license to appropriate water, the right to use 0.056 cubic feet of water per second from groundwater with a priority date of December 15, 1989 from the location specified in (2) of this license. The water is used for domestic and institutional purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 5397-3 and subject to South Dakota State Law.

  
SEP 16 1991  
JOHN HATCH, Chief Engineer  
Water Rights Division  
Department of Environment and  
Natural Resources



GREAT FACES. GREAT PLACES.

SEP 18 1991

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

5397-3

Our Home, Inc.  
RR 3, Box 156  
Huron, SD 57350

Dear Sirs:

Enclosed is Water License No. 5397-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412790 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. 5397-3, 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

## Water Rights Program - File Documentation

NAME: Doug Osberg, Huron Drilling, Inc.

ADDRESS: Huron SD

DATE: 3-26-1999      COUNTY: Beadle      TELEPHONE:

RE: Well drillers report submitted for Our Home, Inc.

### COMMENTS:

Doug Osberg called regarding my letter to Our Home Inc. and the new well they had drilled. Mr. Osberg stated the shallow well authorized by No. 5397-3 is not being used because of the poor quality of water. It still has a pump in it. No. 5744-3 authorizes 15 gpm from a deeper well in the Niobrara Formation.

For insurance purposes Our Home Inc. has to have capabilities of pumping 50 gpm for fire protection.

They would like to increase the amount of water authorized by No. 5744-3 from 15 gpm to 25 gpm. A second Niobrara well was drilled. They would like to replace the old well for the new well. I said being the old and new wells were in two different formations, they would have to apply for another permit for 25 gpm from the new well.

Mary Walz is the contact person for Our Home, Inc. Steve Gubbrud is the owner and wants to make sure they have whatever permits are required.

Mr. Osberg stated he had told Mr. Gubbrud that if they were not going to use the shallow well it would need to be plug according to standards.

*Karen Schlaak*

Karen Schlaak  
Environmental Scientist

*3/29/99*

*Mary Walz stated well authorized by 5397-3  
is used only to water some trees & lawn.*