

Considered: _____

WATER PERMIT NO. 5499-3

Phone: 605 785-3602

Name of Applicant: City of Lake Norden

Post Office Address: PO Box 213, Lake Norden SD 57248

Amount of Water Claimed: 0.33 (139 AF annually) ^{no add'l} ^{additional} Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal County: Hamlin

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 1-23-91 Fee: \$225.00 Remarks Application is
increase annual volume used from 100 acre feet (Permit No. 5161-3) to 239 acre-feet

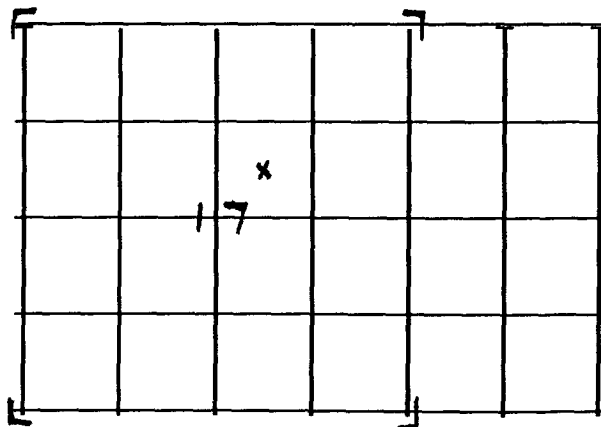
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 NE 1/4 Section 17-113-53

Land to be Irrigated: _____



Well Log: Driller: Bullis Bros Licensed YES X NO _____

Depth of Well: 30' REMARKS same log as Permit No. 5161-3

Type of Map: Topo PREPARED BY: Daniel L. Bjerke Reviewed and the Number

Assigned on 1-23-91 By Karen Schlaak

No. 5499-3 Hydrologic Unit 10120201
 Map No. _____ Basin Big Sioux River
 Newspaper Herald Enterprise, Box 207, Hayti (Wed)

523 E. Capitol
 Pierre, SD 57501
 (605) 773-3352
 RD 1/14/91

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

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

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☒ Construction to use water reserved by Future Use Permit No. 4055-3

1. Name of Applicant City of Lake Norden Phone No. 605 785-3602

Post Office Address P.O. Box 213 State SD 57248
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 0.33 (150 GPM) 139 Acre feet Annually

3. Source of water supply 1 existing Well (#4) Permit #5161-3

4. Location of point of diversion SW 1/4 NE 1/4 Section 17, T113N, R53W, 5th P.M.

_____ County Hamlin

5. Counties where water will be used Hamlin

6. Annual period during which water is to be used Year-round 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)

Application is to increase annual volume used from 100 acre feet
 to 239 acre feet.

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 HAMLIN) ss

I, Larry Steffensen - Mayor 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 Larry Steffensen

Subscribed and sworn to before me this 22 day of January 19 91

Barbara Miller
 Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5499-3**

Date of first receipt of application January 23, 1991.

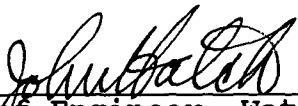
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5499-3 to the City of Lake Norden, PO Box 213, Lake Norden SD 57248 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5499-3 appropriates 139 acre-feet of water annually reserved by Future Use Permit No. 4055-3. Water Permit No. 5161-3 authorizes an appropriation of 0.33 cfs (100 acre-feet of water annually) from one well (Big Sioux-Brookings Aquifer) 30 feet deep located in the SW 1/4 NE 1/4 Section 17-T113N-R53W. This application is to increase the annual volume of water from this well from 100 acre-feet to 239 acre-feet. This Permit does not authorize any increase in the diversion rate from the well.
2. The water appropriated shall be used for the purpose of supplying water to the City of Lake Norden and may not exceed the amount of water needed for beneficial use for municipal use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5499-3 is May 1, 1991.
5. The date from which applicant may claim right is March 14, 1977.
6. One-fifth of the construction is to be completed on or before November 1, 1993.
7. All construction is to be completed on or before May 1, 1996.
8. Water is to be put to beneficial use on or before May 1, 2000.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

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.

WATER MANAGEMENT BOARD

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

SEP 4 1991
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 _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

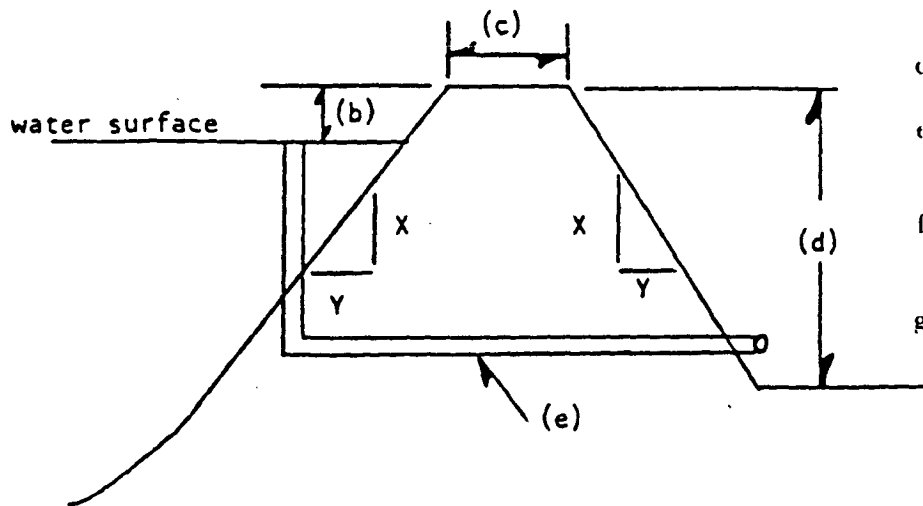
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

MAP TO ACCOMPANY WATER RIGHT APPLICATION

(Proposed Well Location - SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 17, T113N, R53W, Fifth P.M.

LAKE NORDEN
SPILLWAY ELEVATION 1654

16

Recreation A

Lake Norden

Sewage Disposal
Ponds

Olivet Cem

SURVEYOR'S CERTIFICATION

I, Daniel L. Bjerke, Registered Professional Engineer and Land Surveyor in the State of South Dakota hereby certify that at the request of the Owner I have shown the proposed location of the water well on the map shown above and that the map is a true and correct representation of the location of the water well.

SD Registration No. 2904

South Dakota Department of Water and Natural Resources

Pierre, January 23, 1991

RECEIVED OF City of Lake Norden, Box 213, Lake Norden SD 57248

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

By John Natch (msc)
Chief Engineer

REPORT ON APPLICATION NO. 5499-3
for City of Lake Norden
March 7, 1991

Application No. 5499-3 proposes to place to beneficial use 139 acre feet annually which has been reserved by Future Use Permit No. 4055-3. Water Permit No. 5161-3 authorizes an appropriation of 0.33 cfs (100 acre feet annually) from one well approximately 30 feet deep located in the SW 1/4 NE 1/4 of section 17, T113N R53W in Hamlin County. This application is to increase the annual volume of water used from this well from 100 to 239 acre feet per year. The water will be used for municipal purposes by the City of Lake Norden. No increase in diversion is authorized by this application.

AQUIFER - BIG SIOUX-BROOKINGS (BS-B)

The Big Sioux-Brookings (BS-B) is an alluvium mantled outwash (sand and gravel) under predominantly water table conditions in this area. The BS-B aquifer underlies 88,500 acres and contains approximately 331,880 acre feet of recoverable water in storage (Hedges, 1982). The BS-B aquifer is hydraulically connected to the Big Sioux North aquifer to the north, the BS-B aquifer to the south in Brookings County and to area lakes (Lake Norden) and eventually the Big Sioux River.

The Division of Water Rights monitors one BS-B observation well, HN-76D, which is located about 1/2 mile north of this application. Water level records for this well exhibit a close correlation with precipitation. Water levels rise during wet years and decline during dry years. A maximum change of about 6 feet between the highest and lowest readings has been observed. In a normal year the water level can be expected to fluctuate about 2 feet. The record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

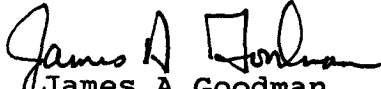
There is one Irrigation Permit No. 141-3 located about 1/2 mile north of this application. The only other permits/rights in the area are for the City of Lake Norden (Buhler, 1987). Interference should not be a problem. Drawdowns caused by this additional withdrawal should not adversely affect water availability from the aquifer.

CONCLUSIONS

1. Water is available from the BS-B aquifer.
2. Interference should not be a problem. The aquifer is under water table conditions and drawdowns created by this additional withdrawal should not significantly affect existing diversions.
3. It is unlikely that the 139 acre feet increase can be utilized. This would require continuous pumping at 0.33 cfs for an entire year for 24 hours a day to obtain 239 acre feet. This permit

only requests water from well #4. If this was a request from the well field then 139 acre feet could be utilized.

4. Approval of this application would leave 0.99 cfs remaining in future use. Following the 60 percent concept this would leave 430 acre feet as future use for the City of Lake Norden.
5. The City of Lake Norden reported using 193 acre feet in 1990. Using the two times rule, this would mean 386 acre feet should remain as future use for the city.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Buhler, K., 1987, Report on Permit Application No. 5161-3, SD DWNR, Div. of Water Rights, Pierre, SD, 57501.
- Hedges, L.S., 1982, Evaluation of Groundwater Resources, Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWNR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1991, Observation Well Records for Hamlin County, SD DWNR, Div. of Water Rights, Pierre, SD, 57501.

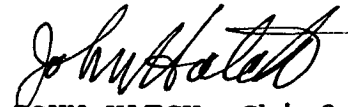
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5499-3, City of Lake Norden

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. 5499-3, City of Lake Norden, PO Box 213, Lake Norden, SD.

The Chief Engineer is recommending APPROVAL of Application No. 5499-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use, and 3) in the public interest with the following 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 report on application for additional information.

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

JOHN HATCH, Chief Engineer
March 8, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

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

March 27, 1991

Larry Steffensen, Mayor
City of Lake Norden
PO Box 213
Lake Norden, SD 57248

Dear Mr. Steffensen:

Water Permit Application No. 5499-3 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 Herald Enterprise printed at Hayti, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

cc: Darry Kastein, Utility Manager



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 27, 1991

Herald Enterprise
Box 207
Hayti, SD 57241

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5499-3 to be published twice. Please publish the first notice on April 3, 1991 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 the City of Lake Norden, PO Box 213, Lake Norden, SD 57248.

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
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 April 3, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5499-3 to Develop Reserved Water

Notice is given that the City of Lake Norden, PO Box 213, Lake Norden SD 57248 has filed an application for a water permit to place to beneficial use 139 acre-feet of water annually reserved by Future Use Permit No. 4055-3. Water Permit No. 5161-3 authorizes an appropriation of 0.33 cfs (100 acre-feet of water annually) from one well (Big Sioux-Brookings Aquifer) 30 feet deep located in the SW 1/4 NE 1/4 Section 17-T113N-R53W. This application is to increase the annual volume of water from this well from 100 acre-feet to 239 acre-feet. Water is to be used for municipal purposes by the City of Lake Norden. This application, if approved, does not authorize any increase in the diversion rate from the well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5499-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

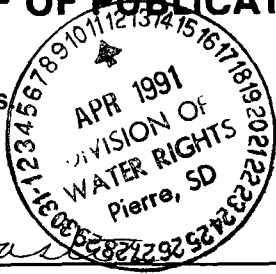
For purposes of publishing 1) the notice of hearing on Application No. 5499-3 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 am in the meeting room at Chef Louie's, 601 E. Havens, Mitchell, SD. If this application is opposed or the recommendation is contested, the May 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Hamlin) ssI, Jeanette Fostercertify that the attached printed Notice was taken from the Herald EnterpriseA newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the The Herald Enterprise_____ of Hamlin SDCounty of Hamlin and State of South Dakota; that the said notice was published in said newspaper on the following two dates:4-4-914-11-91Jeanette Foster
(Signature)

(Title)

4-10-91

(Date Signed)

JEANETTE FOSTER
NOTARY PUBLIC, Hamlin County, SD
My commission expires 4/14/96Cost of Printing: 33.42 First Pub26.74 Subc 80%660.16**Notices**

2x-April 4, 11

NOTICE OF HEARING**On Application No. 5499-3
to Develop Reserved Water.**

Notice is given that the City of Lake Norden, P.O. Box 213, Lake Norden, SD 57248 has filed an application for a water permit to place to beneficial use, 139 acre-feet of water annually reserved by Future Use Permit No. 4055-3. Water Permit No. 5161-3 authorizes an appropriation of 0.33 cfs (100 acre-feet of water annually) from one well (Big Sioux-Brookings Aquifer) 30 feet deep located in the SW1/4 NE1/4 Section 17-T113N-R53W. This application is to increase the annual volume of water from this well from 100 acre-feet to 239 acre-feet. Water is to be used for municipal purposes by the City of Lake Norden. This application, if approved, does not authorize any increase in the diversion rate from the well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5499-3 because: 1) existing rights will not be unlawfully impaired; 2) it is a beneficial use of water; and 3) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT A HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is: Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605) 773-3352 and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing: 1) the notice of hearing on Application No 5499-3 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 a.m. in the meeting room at Che Louie's, 601 E. Havens, Mitchell, SD. If this application is opposed or the recommendation is contested, the May 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-11 thru 46-1-16; 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, 46-6-26, 46-5-38 thru 46-5-40 and Bopard Rules ARSD 74:02:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25



GREAT FACES. GREAT PLACES.

SEP 4 1991

Larry Steffensen, Mayor
City of Lake Norden
PO Box 213
Lake Norden, SD 57248

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Mr. Steffensen:

Enclosed is Water Permit No. 5499-3 authorizing construction of 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.

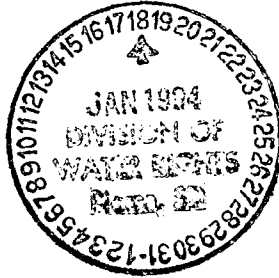
Very truly yours,

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.



5499-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

605-785-3602

January 13, 1994

Vivian Amen
City of Lake Norden
PO Box 213
Lake Norden, SD 57248

Dear Ms. Amen:

Pursuant to a qualification on Water Permit/Right Nos. 5161-3 & 5499-3, I am requesting that the City of Lake Norden report the total amount of water diverted in 1993 from Permit No. 5161-3 and the total annual water use by the City of Lake Norden during 1993. Please respond by January 31, 1994.

If you have any questions concerning this or other water rights questions, please contact Barry McLaury, Natural Resources Analyst, (605) 773-3352.

Sincerely,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

Amount of water 1993 - 41,108,000 gallons



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 17, 1994

Bob Brotsky
Banner & Associates
PO Box 298
Brookings, SD 57006-0298

RE: Lake Norden

Dear Mr. Brotsky:

Enclosed, as you requested, are copies of Water Right No. 557-3, Future Use Permit No. 4055-3 and Water Permit Nos. 5161-3 and 5499-3 for the City of Lake Norden.

On May 1, 1991, the Water Management Board reviewed Future Use Permit No. 4055-3. The permit now reflects that a total of 386 acre feet of water annually is remaining in reserve.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

encl



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 25 1998

5815-3

City of Lake Norden
%Delores Kangas, Finance Officer
Box 213
Lake Norden, SD 57248

Dear Ms. Kangas:

Enclosed is Water License No. 5815-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415515 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5815-3, 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

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NOTE: The applicable portions of Water Permit Nos. 5161-3 and 5499-3 have been incorporated into Water License No. 5815-3.