

Considered: _____

WATER PERMIT NO. 5507-3

Phone: 582-6515

Name of Applicant: City of Brandon

Post Office Address: Box 95, Brandon SD 57005

Amount of Water Claimed: 0.05 Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: municipal County: Minnehaha

About 1/2 miles East of Brandon

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 1-18-91 Fee: \$50 Remarks water supply

for the clubhouse at the Municipal Golf Course

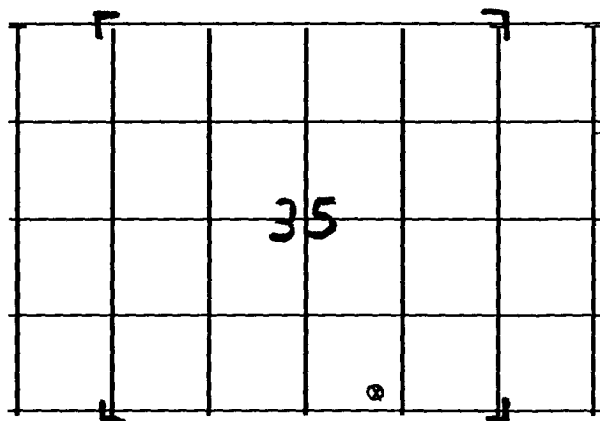
Corrected Application Received _____ Period of Annual Use April 1 - Nov 1

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

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

Diversion Point: SW 1/4 SE 1/4 35-102-48

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 150' estimate REMARKS no well log available

Type of Map: topo PREPARED BY: Steve W Brockmueller Reviewed and the Number

Assigned on 2-21-91 By Karen Schlaak

No. 5507-3 Hydrologic Unit 10170203
Map No. _____ Basin Big Sioux River
Newspaper Argus Leader, PO Box 5034, SP, SD

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

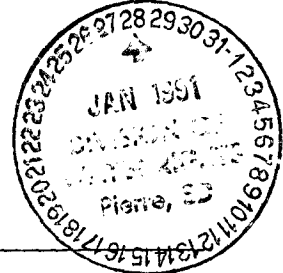
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ 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. _____

XXX ☒ Construction to use water reserved by Future Use Permit No. XXXXXX



1. Name of Applicant City of Brandon Phone No. 582-6515

Post Office Address Box 95 Brandon, South Dakota State 57005
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 0.05 cfs

3. Source of water supply Split Rock Creek Aquifer

4. Location of point of diversion SE1/4 SW1/4 SE1/4 Sec. 35, T102N, R48W

County Minnehaha

5. Counties where water will be used Minnehaha

6. Annual period during which water is to be used April 1 through November 1

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)
This application pertains to an existing well used as a water supply at the clubhouse at the Municipal Golf Course. The well was aquired when the land it was constructed on was deeded to the City. The City has no records of the well construction, however, it was estimated to be built in the 60's. The City has obtained a water quality analysis. A copy of the test data is attached. The water quality appears good. The City plans to upgrade the well by installing a pitless unit.

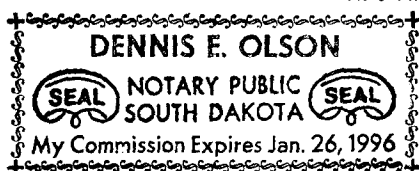
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Minnehaha)^{ss}

I, Dennis A. Kleinvachter, Mayor, City of Brandon 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 Dennis A. Kleinvachter

Subscribed and sworn to before me this 23rd day of January 1991



Dennis E. Olson
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5507-3**

Date of first receipt of application January 28, 1991.

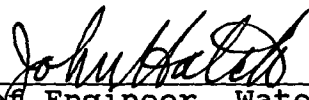
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5507-3 to the City of Brandon, Box 95, Brandon SD 57005 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5507-3 appropriates 0.05 cubic feet of water per second from one well (Split Rock Creek Aquifer) approximately 150 feet deep located in the SW 1/4 SE 1/4 Section 35-T102N-R48W.
2. The water appropriated shall be used for the purpose of supplying water to the clubhouse at the Municipal Golf Course and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The water is to be used during the following described annual period: April 1 - November 1.
4. The date of approval of Permit No. 5507-3 is May 1, 1991.
5. The date from which applicant may claim right is January 28, 1991.
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.

QUALIFICATIONS

1. 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 17 1991

date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction Note: Existing well information is not available except as shown.
- a) Drill Hole Diameter _____ Depth 150' estimate
- b) Casing Type steel Diameter 6" 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 3700' On property owned by others 2200'

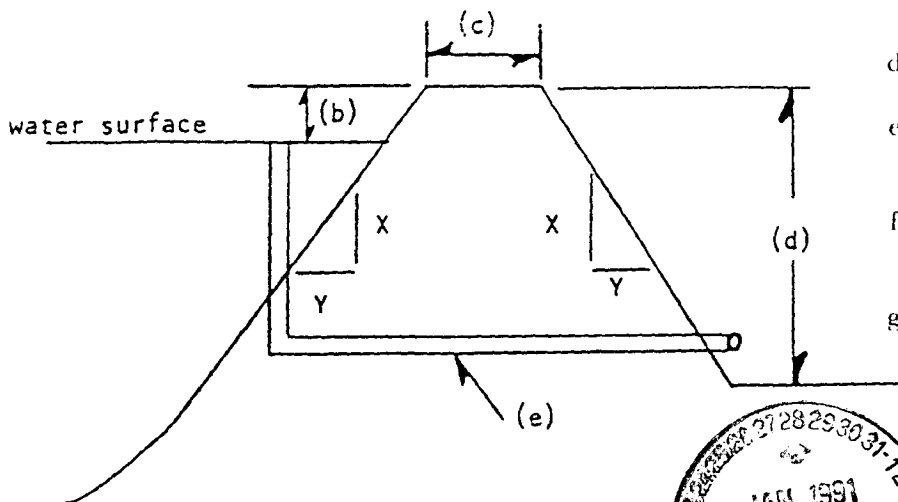
2. Dugout Information Estimates

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

3. Water Storage Dams

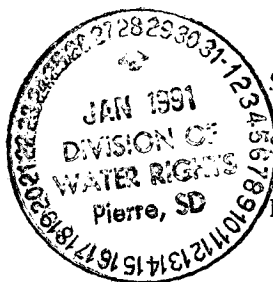
If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- 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



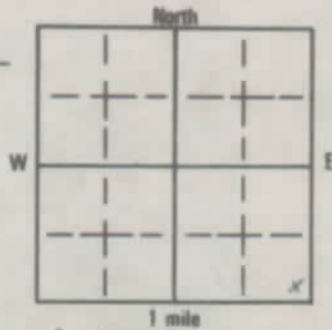
SOUTH DAKOTA WELL REHABILITATION REPORT

10-85

Location SE 1/4 Sec 35 Twp 102N Rg 48W

County Minnehaha

Please mark well location with an "X"



Rehabilitation Completion Date 6-1-91

PROPOSED USE:

☒ Domestic ☒ Municipal ☐ Stock
☐ Irrigation ☐ Industrial

Well Owner:

Name City of Brandon
Address City Hall, Brandon, SD

Describe original construction if possible?
(Attach original log if known)

well supplies clubhouse
for golf course - has 90'
of drop pipe in it and
a 3/4 hp sub



Description of condition of well before rehabilitation: CASING WAS IN A PIT
7' below grade - soil is yellow clay

Description of rehabilitation work completed: WELDED 5" CASING INSIDE
6" old casing (which is good) installed a
pitless adapter in 5" casing. Extended casing to
2 1/2' above grade. Filled pit with clay - No

Recasing information: Material STEEL Diameter 5 1/2 inches Depth 9 Feet Change for
contaminant as
Describe screen or perforations _____ Screen Location From _____ To _____ hill.
From _____ To _____

Grout: ☐ YES ☒ NO Describe grouting procedure and grout _____

Well Test Data:

Specific capacity NA Static water level NA

If a flowing well GPM _____ Shut in _____ PSI

This well rehabilitation was completed under license # 111 And this report is true and accurate.
Drilling firm LARRY WALL DRILLING
Signature of Licensed Representative James J. Torga
Signature of Well Owner James J. Torga
Date 6-1-91

SOUTH DAKOTA DEPARTMENT OF WATER AND NATURAL RESOURCES

Office of Drinking Water
Chemical Analytical Data

FILE	12/21/90
JDB	
RDL	
RBA	
SWR	1
RWS	

Water Supply: Brandon Golf Course

Date Collection: _____ Time: _____

EPA ID #: _____

Report to be Returned to: city of Brandon

Source Sampled: _____ Depth: _____

PO Box 95

Date Built: _____

Brandon, SD 57005

Type of Sample: Raw _____ Treated _____ Composite _____

c/o Leo Narum

Location of Sampling Tap: _____

Treatment Processes: _____

Comments: _____

Received by Lab: 12-5-90 Time: 0900ID# 0975Report Sent by Lab: 12-10-90 1115

Parameter	Maximum Limit	Results	Parameter	Suggested Limit	Results
Arsenic	50 ug/L		Chloride	250 mg/L	7.1
Barium	1000 ug/L		Iron	0.3 mg/L	0.71
Cadmium	10 ug/L		Manganese	0.05 mg/L	0.11
Chromium	50 ug/L		Sulfate	250 mg/L	142
Lead	50 ug/L		Tot. Diss. Solids (TDS)	500 mg/L	598
Mercury	2 ug/L		Lab pH	6.5-8.5	7.32
Nitrate (as N)	10 mg/L	<0.1	Alkalinity - M (CaCO3)	mg/L	340
Nitrite (as N)	1 mg/L		Alkalinity - P (CaCO3)	mg/L	0
Selenium	10 ug/L		Bicarbonate	mg/L	415
Silver	50 ug/L		Carbonate	mg/L	0
Fluoride	4.0 mg/L	0.32	Spec Cond @ 25°C	umhos/cm	891
Gross alpha	15 pCi/L		Calcium	mg/L	97.4
Gross beta	pCi/L		Magnesium	mg/L	34.6
Gross radium	pCi/L		Hardness (CaCO3) gpg: 22.5	mg/L	385
Radium 226	pCi/L		Langlier Index		-0.03
Radium 228	pCi/L		Sodium	mg/L	42.5
Uranium	pCi/L		Potassium	mg/L	9.1
Radon	pCi/L		Field temperature	°F	°C
VOCs			Field pH	6.5-8.5	
Unregulated organics					
SOCs					
THMs					

LAB COMMENTS: B.I. City Contract

mg/L = milligrams/Liter = parts/million (ppm)

STATE HEALTH LABORATORY

ug/L = micrograms/Liter = parts/billion (ppb)

500 E. Capital

gpg = grains per gallon

PIERRE, SD 57501-5093

pCi/L = picocuries/Liter

Percentage of Error: 1.0/3.5

LAB NUMBER: _____





I hereby certify that this map was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of South Dakota.

Steve W. Brockmueller

Steve W. Brockmueller, P.E. Reg. No. 4170
Date: January 9, 1991

Well Location
Brandon, South Dakota
in
SW1/4 SE1/4 Section 35, T101N, R48W

 **Stockwell Engineers, Inc.**
Sioux Falls, South Dakota

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412514

Pierre, January 28, 19 91

RECEIVED OF City of Brandon, Box 95, Brandon SD 57005

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

Fee for Application for Permit No. <u>5507-3</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

Conversation or File Documentation

NAME OF PERSON OR FILE: City of BrandonADDRESS: Box 95 COUNTY MADATE: 2/6/91 TELEPHONE 338-6668RE: convesation with Steve Brockmueller (Stockwell Engineering)

COMMENTS:

Called to state that the recent permit application for the City of Brandon ~~should~~ is not to be out of future Use Permit No. 4002-3. No. 4002-3 is ^{to be} out of the Big Sioux Aquifer and the point of diversion for this application is in a different area than defined by No. 4002-3.

-City has no records of well construction.

-Our files do not have a well log in them.

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 J. Jankard

REPORT ON APPLICATION NO. 5507-3
for the City of Brandon
March 14, 1991

This application proposes to appropriate 0.05 cfs from one well approximately 150 feet deep located in the SW 1/4 SE 1/4 of section 35, T102N R48W in Minnehaha County. The water is used to supply the clubhouse at the Municipal Golf Course.

AQUIFER - SPLIT ROCK CREEK ^{SRCC} ~~(Hedges)~~

The Split Rock Creek aquifer consists of sandstones, claystones, opaline sediments, cherts and sands with a total known thickness of at least 300 feet (Hedges, 1982). The formation thickness is quite variable and pinches out in the subsurface against the Sioux Quartzite. The Split Rock Creek Formation underlies approximately 69 square miles and contains an estimated 99,400 acre feet of recoverable water in Minnehaha County (Hedges, 1982). These are conservative estimates and more recent unpublished work for the Minnehaha County Study and for the City of Sioux Falls Study further evaluates the areal extent and thickness of the aquifer. The Split Rock Creek Aquifer is under artesian conditions and may be hydraulically connected to an unnamed buried glacial aquifer, the Big Sioux South aquifer and the Sioux Quartzite.

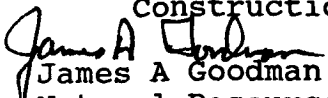
The Division of Water Rights is presently monitoring five observation wells completed into the Split Rock Creek aquifer within two miles of this application. Water levels for these wells fluctuate few feet per year and have declined slightly the last few years which can be attributed to the drought conditions (Water Rights, 1991).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permit from the Split Rock Creek is No. 5296-3 for the City of Brandon. This well is about 1/2 mile northwest of this location. Interference is not expected to be a problem.

CONCLUSIONS

1. Water is available from the Split Rock Creek aquifer.
2. The aquifer is under artesian conditions and drawdowns due to pumping can be expected. Because this diversion rate is relatively small and the distance between diversion points is 1/2 mile any drawdowns created should not adversely affect water availability from the aquifer.
3. Data submitted with the application is not sufficient to determine if this well is constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

~~B~~LIOGRAPHY

ledges, L.S., 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for the Split Rock Aquifer in Minnehaha County, SD DWR, Div. of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5507-3, City of Brandon

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. 5507-3, City of Brandon, Box 95, Brandon, SD.

The Chief Engineer is recommending APPROVAL of Application No. 5507-3 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 qualifications:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 15, 1991

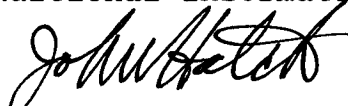
REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5507-3, City of Brandon

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5507-3, City of Brandon, Box 95, Brandon, SD.

The Chief Engineer is recommending APPROVAL of Application No. 5507-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 27, 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

Dennis A. Kleinvachter, Mayor
City of Brandon
Box 95
Brandon, SD 57005

Dear Mr. Kleinvachter:

Water Permit Application No. 5507-3 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 Argus Leader printed at Sioux Falls, 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: Leo Narum, Utility Manager



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 27, 1991

Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5507-3 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 Brandon, Box 95, Brandon, SD 57005.

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
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. 5507-3 to Appropriate Water

Notice is given that the City of Brandon, Box 95, Brandon, SD 57005 has filed an application for a water permit to appropriate 0.05 cubic feet of water per second from one well (Split Rock Creek Aquifer) approximately 150 feet deep located in the SW 1/4 SE 1/4 Section 35-T102N-R48W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5507-3 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. 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. 5507-3 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Minnehaha) ss.

I, Greg Robinson
 certify that the attached printed Notice was taken
 from the Argus Leader

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____

State of South Dakota

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

April 3, 1991

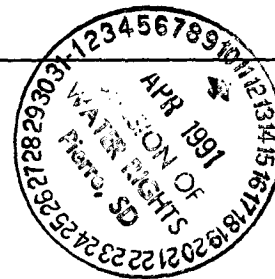
April 10, 1991

Greg Robinson
 (Signature)

Assistant Controller
 (Title)

April 10, 1991

(Date Signed)



NOTICE OF HEARING on
 Application No. 5507-3
 to Appropriate Water

Notice is given that the City of Brandon, Box 95, Brandon, SD 57005 has filed an application for a water permit to appropriate 0.05 cubic feet of water per second from one well (Split Rock Creek Aquifer) approximately 150 feet deep located in the SW 1/4 SE 1/4 Section 35-T102N-R48W. The water is for municipal use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5507-3 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. 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. 5507-3 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 Chief 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.

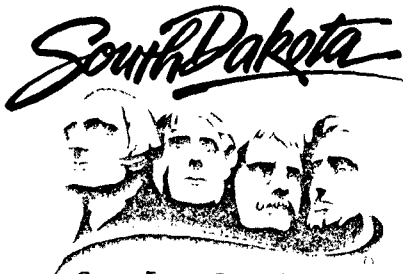
If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. 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 46-1-12 and 46-1-16; 46-2-1, 46-2-2, 46-2-3, 46-2-4, 46-2-5, 46-2-6, 46-2-7, 46-2-8, 46-2-9, 46-2-10, 46-2-11, 46-2-12, 46-2-13, 46-2-14, 46-2-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:16.
 8100
 April 3, 10, 1991

Cost of Printing: 244 Lines at .3966 = \$96.77

1 Affidavit of Publication 2.00

Total: \$98.77



GREAT FACES. GREAT PLACES.

SEP 17 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dennis A Kleinvachter, Mayor
City of Brandon
Box 95
Brandon, SD 57005

Dear Mr. Kleinvachter:

Enclosed is Water Permit No. 5507-3 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.

Minnehaha



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

Date 9-20-91

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

FROM: City of Brandon, P.O. Box 95 Brandon, SD 57005
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. 5507-3.

Water Permit No. 5507-3 states that the diversion system is to be constructed by May 4, 1996, and that the water it put to beneficial use by May 1, 2000.

The diversion system was completed on July 5, 1991.
Applying the water to beneficial use was completed on July 5.

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

Arnis E Olson
signature

Permit No. 5507-3
Big Sioux 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 City of Brandon of Box 95, Brandon, SD 57005 holder of Permit No. 5507-3, bearing the priority of January 28, 1991 authorizing the diversion of 0.05 cu. ft. per second of the waters of Split Rock Creek Aquifer for municipal purposes, in Minnehaha County.

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

A. Works used to divert the water:

An approximately 90 foot well constructed in the 1960's. Rehabilitated in 1991 with 9 feet of 5 inch casing inside the old 6 inch casing. Submersible pump and motor, capacity of 22.5 gpm.

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

Municipal water supply for clubhouse on the golf course.

C. Works used to apply water to beneficial use:

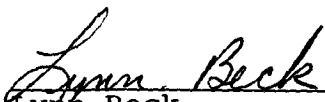
Submersible pump and motor capable of 22.5 gpm.

The system is in the following condition fair. The point of diversion is located 200 feet N and 1600 feet W of the SE corner of Sec. 35-T102N-R48W. The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water which is to be used for municipal water supply. Water has been put to beneficial use to the maximum extent as follows: Municipal water supply at the Brandon Municipal Golf Course clubhouse. and the license should be issued for 0.05 cfs.

Applicable permit qualifications have been complied with: ☒ Yes No

Exceptions to compliance are: none

Date: 4-4-95



Lynn Beck
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5507-3

DATE: 4-4-95

Other permit(s) associated with the project: Lic. 4434-3

DIVERSION POINT LEGAL LOCATION: SE 1/4 SW 1/4 SE 1/4 Section 35-T102N-R48W.

WELL INFORMATION:

- 1) Well Drilling Firm: Unknown, built in the 1960's.
- 2) No. of Wells 1
- 3) Depth(s) apprx. 90 feet
- 4) Well log is available N
- 5) Comment: The well was rehabilitated by Lacey Well Drilling in 1991.

Casing:

- 1) Diameter inches 5" inside old 6" casing
- 2) Length 9 feet of new inside 90 feet of old casing.
- 3) Type steel

Screen: unknown

- 1) Type
- 2) Length feet
- 3) Static water level feet

Pump:

- 1) Make Submersible
- 2) Model
- 3) Size
- 4) Capacity 22.5 GPM

Motor:

- 1) Make Submersible
- 2) Model No.
- 3) Horsepower rating hp

DISTRIBUTION LINES OR CANALS: Water supply at the Brandon Municipal Golf Course clubhouse.

- 1) Type
- 2) Size inches
- 3) Length feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5507-3

(1) The City of Brandon, PO Box 95, Brandon SD 57005-0095 made Application No. 5507-3, January 28, 1991 for a water permit to appropriate 0.05 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for municipal purposes. Permit No. 5507-3, with a priority date of January 28, 1991 was approved May 1, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 1, 1996 and for the application to beneficial use of said water on or before May 1, 2000.

On September 20, 1991, the permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use". The "Notice" stated the diversion system was completed and water placed to beneficial use on July 5, 1991.

(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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 200 feet north and 1600 feet west of the southeast corner of Section 35-T102N-R48W (SW 1/4 SE 1/4).

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

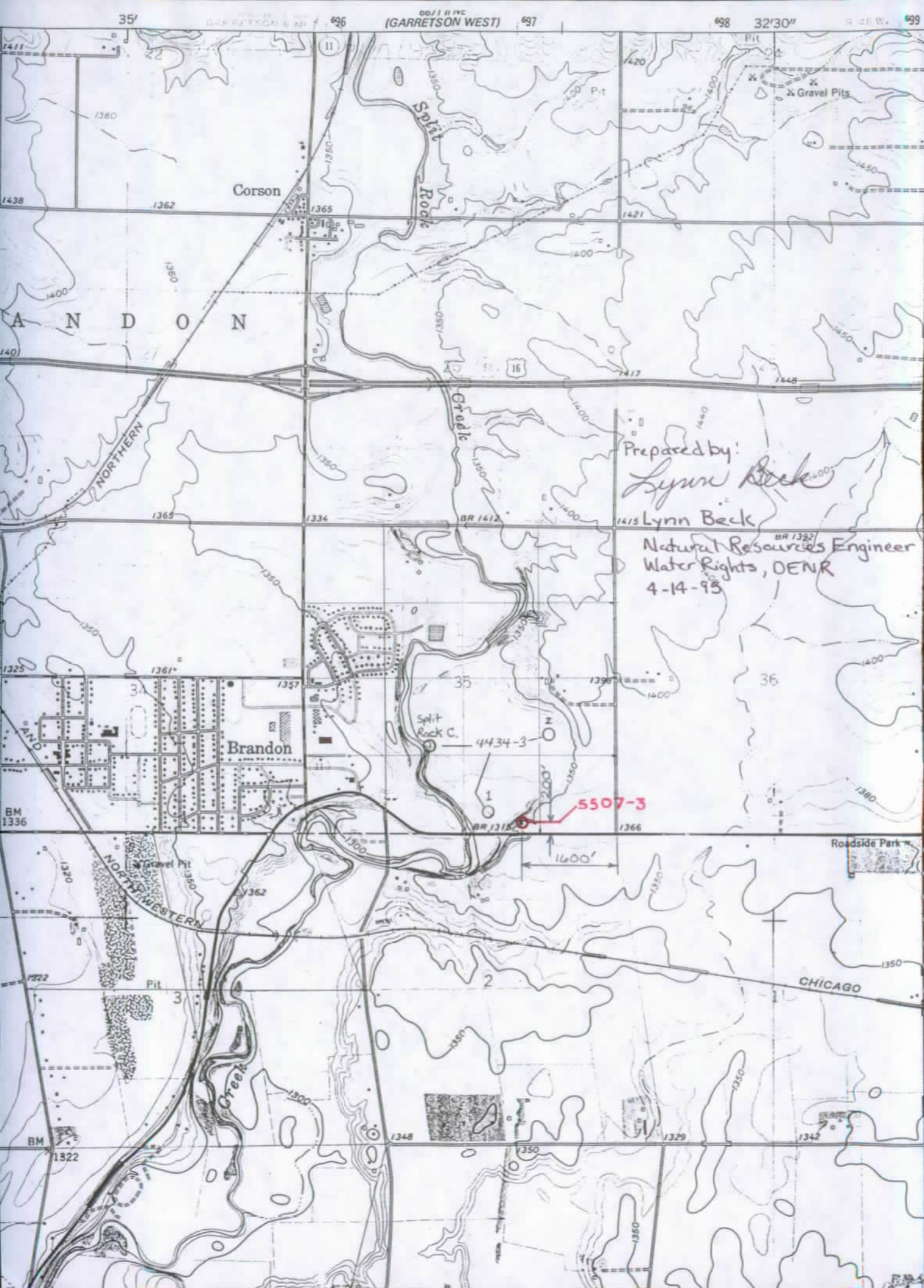
(4) Pursuant to South Dakota Water Law 46-5-30.1 The City of Brandon, PO Box 95, Brandon SD 57005-0095 the holder and/or owner of Water Permit No. 5507-3 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from groundwater (one well) with a priority date of January 28, 1991 from the location specified in (2) of this license. The water to be used for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 5507-3 and subject to South Dakota State Law.



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

SEP 6 1995

date



35°

GARRETSON WEST

696

(GARRETSON WEST)

697

698 32°30'N

R 25 W. 699

Corson

Split Rock Creek

Gravel Pits

A N D O N

NORTHERN

Prepared by:

Lynn Beck

Lynn Beck

Natural Resources Engineer
Water Rights, DENR
4-14-95

Brandon

Split Rock C.

4434-3

5507-3

Roadside Park

CHICAGO



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 21, 1995

5507-3

Dennis Kleinvachter, Mayor
City of Brandon
P.O. Box 95
Brandon, SD 57005-0095

Dear Mr. Kleinvachter:

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. 5507-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

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

Sincerely,

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

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

RECEIPT

414492

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 4, 19 95

RECEIVED OF City of Brandon, P.O. Box 95, Brandon, SD 57005-0095

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5507-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

5507-3

Dennis Olson, Finance Officer
City of Brandon
P.O. Box 95
Brandon, SD 57005-0095

Dear Mr. Olson:

Enclosed is Water License No. 5507-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414492 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. 5507-3, 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

rd
enclosures