

Considered: _____

WATER PERMIT NO. 5606-3

Phone: 605 532-5201

Name of Applicant: Clark Rural Water System, Inc.

Post Office Address: PO Box 162, Clark SD 57225

Amount of Water Claimed: 0.6 cfs - ²³²434 ac-ft Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: rural water system County: Clark

About 4 miles south of Clark

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 12-26-91 Fee: \$275 Remarks Use water

reserved by Future Use Permit No. 4927-3

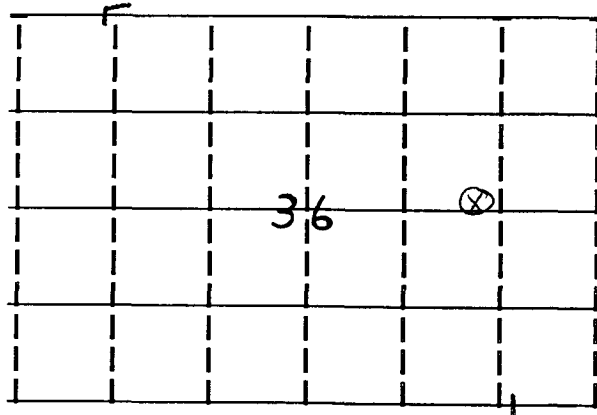
Corrected Application Received 1/10/92 Period of Annual Use Jan 1 - Dec 31

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

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

SE¹/₄ NE¹/₄
Diversion Point: E-1/2 Sec 36-T116N-R58W

Land to be Irrigated: _____



Well Log: Driller: LTP Enterprises Licensed YES X NO _____

Depth of Well: 60' REMARKS _____

Type of Map: topo PREPARED BY: Jane Simley Reviewed and the Number

Assigned on 1-10-92 By Karen Schlaak

523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 5606-3 Hydrologic Unit 10160006
 Map No. _____ Basin James River
 Newspaper see attached list

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. 4927-3

1. Name of Applicant Clark Rural Water System, Inc. Phone No. 605-532-5201

Post Office Address P.O. Box 162 Clark S.D. State 57225
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) .6 cfs - 434 acre feet

3. Source of water supply Ground Water - Vermillion East Fork Aquifer - Antelope Lake

4. Location of point of diversion ~~East 1/2 of Section 36, T116N, R58W~~

- map attached - SE 1/4 NE 1/4 Section 36, T116N, R58W

County Clark

5. Counties where water will be used Clark, Codington, Day, Hamlin

6. Annual period during which water is to be used Continuously 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)

This application is for construction of a new well and subsequent diversion
 of water based on Future Use Permit # 4927-3

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 Clark)^{ss}

I, Duane Stokes, Mgr., Clark Rural Water System, Inc. 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 Duane C. Stokes
 CRWS, Duane C. Stokes, Mgr.

Subscribed and sworn to before me this 13 day of December 19 91

Sharon Larson
 NOTARY PUBLIC, SOUTH DAKOTA
 My commission expires Nov. 28, 1995

Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5606-3**

Date of first receipt of application December 26, 1991.

Date of return to applicant for corrections, amendments or changes
December 30, 1991.

Date of receipt of corrected application January 10, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5606-3 to Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 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. 5606-3 is to construct and place to beneficial use 0.6 cubic feet of water per second (260 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R58W. This water was appropriated and reserved by Future Use Permit No. 4927-3.
2. The water appropriated shall be used for the purpose of supplying water in Clark, Codington, Day and Hamlin Counties and may not exceed the amount of water needed for beneficial use for rural water system purposes.
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. 5606-3 is April 29, 1992.
5. The date from which applicant may claim right is September 2, 1982.
6. One-fifth of the construction is to be completed on or before October 29, 1994.
7. All construction is to be completed on or before April 29, 1997.
8. Water is to be put to beneficial use on or before April 29, 2001.
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.

(continued)

Water Permit No. 5606-3

Page 2

2. Approval of Permit No. 5606-3 authorizes maximum annual withdrawal of up to 260 acre-feet annually.
3. That the Clark Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year under Permit No. 5606-3.

WATER MANAGEMENT BOARD

By: John Hatoff

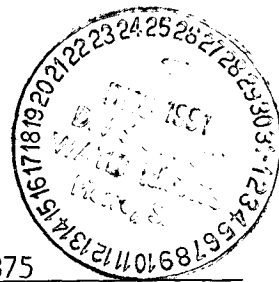
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

AUG 7 1992

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction Future Use

- a) Drill Hole Diameter 20" Depth 53'
- b) Casing Type steel Diameter 12" Thickness .375
- c) Screen Type stainless steel Diameter 12" Thickness .375
- d) Gravel Pack Thickness 4" Length of Gravel Pack 23'
- e) Depth to Top of Water Bearing Material drilling log attached
- f) Depth to Water (ground surface to water level) 33.1
- g) Distance to nearest existing domestic well: more than 1/2 mile
- On applicants property _____ On property owned by others yes

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 _____

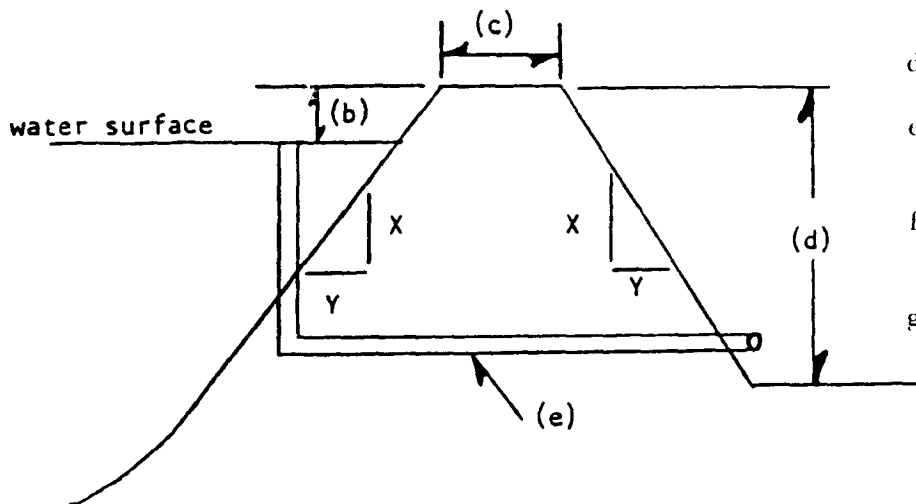
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Duane C Stokes

Signature of Applicant

Clark RWS , Duane C. Stokes , Mgr.

Clark Rural Water System, Inc.

Phone 532-5201
West Hwy. 212
Box 162
Clark, SD 57225-0162

Test Hole #38

Well # 4

DRILLING RECORD

TYPE OF FORMATION	COLOR	DEPTH STARTED	DEPTH ENDED	THICKNESS
Top Soil	Black	0'	4'	4'
Sand and Gravel	Colored	4'	7'	3'
Clay with pebbles	Yellow	7'	15'	8'
Sand with Gravel	Colored	15'	24'	9'
Dirty Sand and Gravel (fine)	Colored	24'	27'	3'
Sand w/ some Gravel	Grayish	27'	34'	7'
Sand w/slate and some gravel	Grayish	34'	43'	9'
Sand-some coarse	Grayish			
Some Gravel and slate	Colored	43'	53'	10'
Dirty Sand(fine) w/ some clay	Gray	53'	57'	3'
Clay	Gray	57'	60'	Total Depth



CLARK RURAL WATER SYSTEM WELLS

WELL #1 116-58-25-SE 1/4 **DRILLED DEC 1979 - PECKHAM WELL**
350 GPM 67' X 12" X 10' OF 12" PS 100 SLOT SCREEN
CLEANED AND BAILED 1992
GOULDS 8RJCC 2 25HP INSTALLED 6-3-92
CLEANED 7-27-95
NEW DROP PIPE 7-27-95
CLEANED / ACIDIZED / ONE SECTION PIPE 12/9/98
NEW MOTOR 7/8/99 25 HP HITACHI
GOULDS 8RJLC-2 25 HP INSTALLED FROM WELL#5 12/1/99

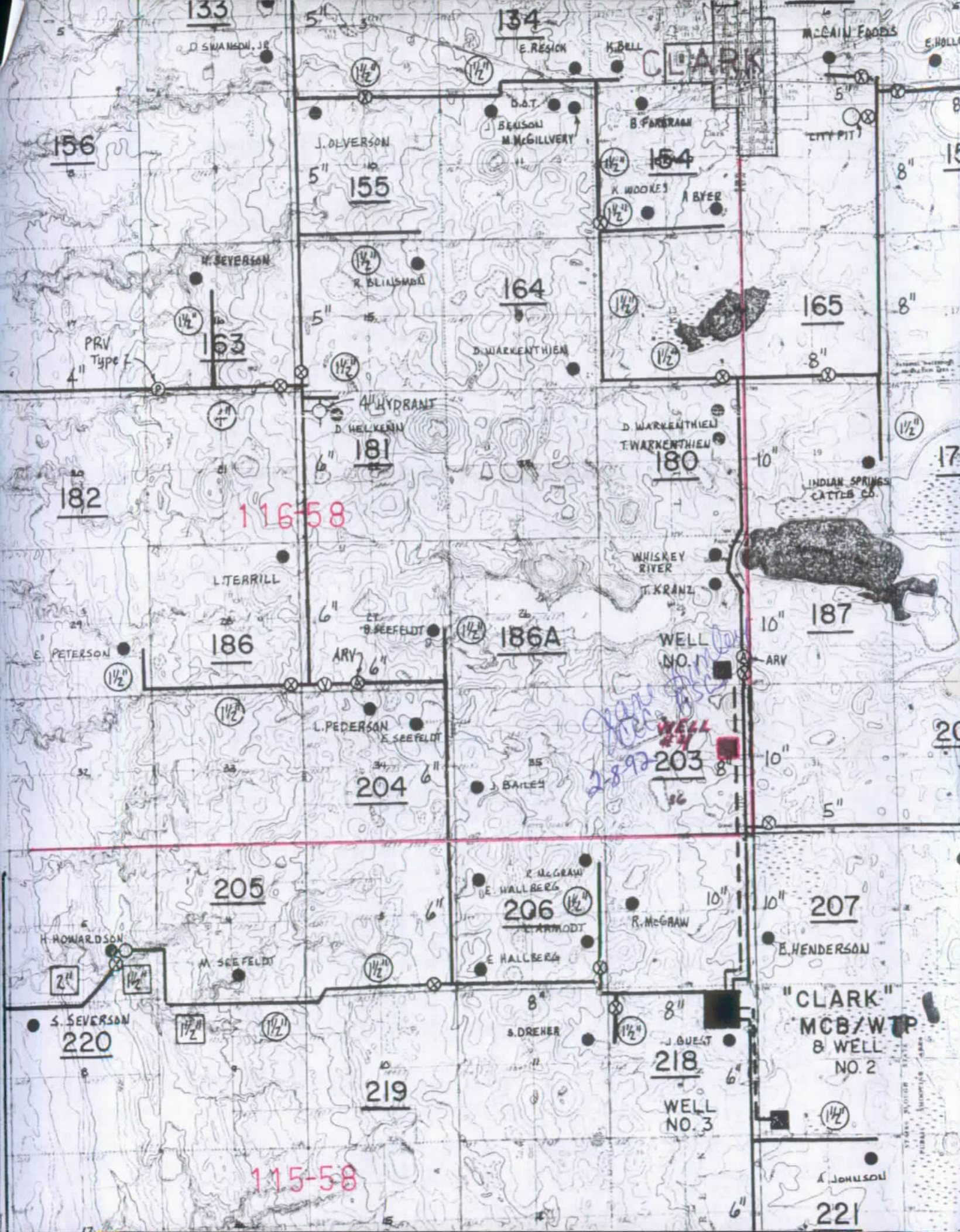
WELL #2 115-58-12-NE 1/4 **DRILLED DEC 1982 - PECKHAM WELL**
600 GPM 52' X 12" X 12' OF 12" 140 SLOT SCREEN GRAVEL PACK
CLEANED 8-23-95
NEW DROP PIPE 8-23-95
NEW GRUNDFOS SP 120-2 30 HP INSTALLED 7-15-96
INSTALL NEW 30 HP MOTOR AND REBUILT PUMP 5-2-98
12/10/98 CLEANED / ACIDIZED/ PITLESS SPOOL REPAIRED
FOUND HOLE IN CASING - PITLESS UNIT BADLY ERODED
INSTALLED 14' SCREEN W/ PACKER RINGS SEPT 99

WELL #3 115-57-7-SW 1/4 **DRILLED JAN 1980 - PECKHAM WELL**
250 GPM 49' X 12" X 10' OF 75 SLOT SCREEN GRAVEL PACK
ABANDONED OCTOBER 1996
NEW WELL DRILLED 10-3-96 BY LTP GRAVEL PACK
47' X 12" X 10' OF 12" PS 70 SLOT SCREEN
LAYNE 8DRLC 15 HP NEW MOTOR 1996

WELL #4 116-58-36-NE 1/4 **DRILLED 9-24-91 BY LTP**
220 GPM 53' X 12" X 10' OF 12" 55 SLOT SCREEN
LAYNE PRHC-2 20 HP (1982 PUMP /MOTOR FROM #1)
CLEANED 7/25/95
NEW CHECK VALVE 6-5-97
CLEANED 12/9/98 (MOTOR SPLINES WORN)
ACIDIZED / SURGED INSTALL 10 HP MOTOR 11/30/99
NEW PUMP GRUNDFOS 230S100-3 11/30/99

WELL #5 116-58-25-SE 1/4 **DRILLED 9-16-96 BY LTP**
700 GPM 77' X 12" X 10' OF 70 SLOT SCREEN
NEW PUMP GRUNDFOS 625S500-3-2 12/1/99
NEW MOTOR HITACHI 50HP G89318E 12/1/99





RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413005

Pierre, January 10, 19 92

RECEIVED OF Clark Rural Water System, Box 162, Clark SD 57225

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

Fee for Application for Permit No. <u>5606-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	275	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	275.00

By John H. H. H.
Chief Engineer

(KS)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 30, 1991

Clark Rural Water System, Inc.
Duane C. Stokes, Mgr.
PO Box 162
Clark SD 57225

Dear Mr. Stokes:

In regard to your water permit application received on December 26, 1991, the following information needs to be submitted in order to process the application for the rural water system.

1. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. Who prepared the Drilling Record which was submitted with the application? The well log must be signed by a South Dakota licensed well driller.
3. The filing fee for this application will be \$275.

Upon receipt of the above, further processing of the application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Clark Rural Water System, Inc.

ADDRESS: _____ COUNTY: CK,CD,DA,HM

DATE: 1/13/92 TELEPHONE: 532-5201

RE: Location of Point of Diversion for Water Permit Appl. No. 56-6-3

COMMENTS:

I called Duane Stokes regarding the location of the point of diversion for Water Permit Application No. 5606-3. The application, as submitted, stated the location of the well to be in the E1/2 Section 36, T116N, R58W. I told Mr. Stokes that the location needs to be identified by the quarter-quarter (40 acre parcel). Mr. Stokes stated the well is located in the SE1/4 NE1/4 Section 36, T116N, R58W and asked me to amend the application accordingly.

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 Threlkeld

REPORT ON APPLICATION NO. 5606-3
for Clark Rural Water System
March 2, 1992

Application No. 5606-3 proposes to construct and place to beneficial use 0.6 cfs (270 gpm) (434 acre feet annually) from one well approximately 53 feet deep located in the SE 1/4 NE 1/4 of section 36, T116N R58W in Clark County. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

AQUIFER - VERMILLION EAST FORK - ANTELOPE LAKE (VEF-AL)

The Vermillion East Fork Antelope Lake aquifer consists of collapsed outwash (sand and gravel of glaciofluvial origin) (Christensen, 1987). The aquifer averages about 20 feet in thickness (Hamilton, 1986) and is under predominantly unconfined (water table) conditions. The Vermillion East Fork Antelope Lake underlies 34,400 acres and contains an estimated 77,400 acre feet of recoverable water in storage (Hedges, 1982). Recharge to the aquifer has been estimated to be approximately 3.0 inches per year (19,350 acre feet) (Hedges, 1983). In Clark County, Hamilton estimated a recharge rate of 3.8 inches per year for what he called the Prairie Coteau aquifer number 1. This aquifer is basically the same as the Vermillion East Fork which has been subdivided into various management units one of which is the Antelope Lake. This recharge rate compares favorably with the Hedges estimate.

The driller's log submitted with this application indicates sand and gravel from 4 feet to 57 feet with some clay from 7 feet to 15 feet and 53 feet to 57 feet all below land surface. The well had a static water level of 33.1 feet below land surface and was capable of producing 220 gpm with a drawdown of 8.6 feet after 25 hours of pumping. This well was completed in accordance with SD Well Construction Standards.

The Division of Water Rights monitors 5 observation wells completed into the Vermillion East Fork Antelope Lake aquifer. Water levels for these wells show good response to climatic conditions, that is, rising water during wet years due to recharge and declining water levels in dry years due to natural discharge and pumping. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991). Hydrographs for these wells are included with this report. One of the hydrographs CK-78Q shows a dramatic decline of about 7 feet since the fall of 1990. This can be attributed to heavy pumping by the rural water system well #2 which is nearby and to lack of recharge.

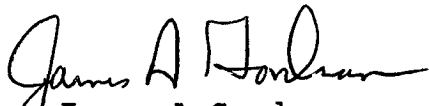
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are 2 existing irrigation Water Rights Nos. 2308A-3 and 2533-3 in this area. These are both active and pumped 308 acre feet of water in 1990. The proposed diversion point for this application is more than 1/2 mile from any existing diversion. Interference will not be a problem. Significant drawdown caused by pumping in an aquifer such as

the Vermillion East Fork does not extend very far from an individual production well.

CONCLUSIONS

1. Water is available from the Vermillion East Fork Antelope Lake aquifer.
2. Interference is not expected to be a concern. The aquifer is under water table conditions and significant drawdown does not occur unless very near the production well. This is shown by the observation well record.
3. This well has been drilled and is completed in accordance with SD Well Construction Standards.
4. This application requests 0.6 cfs. Pumping at this rate for 24 hours per day for an entire year would result in an annual use of 434 acre feet. This is unlikely to occur but any water not used would revert to the Future Use Permit No. 4927-3 when this permit is licensed.



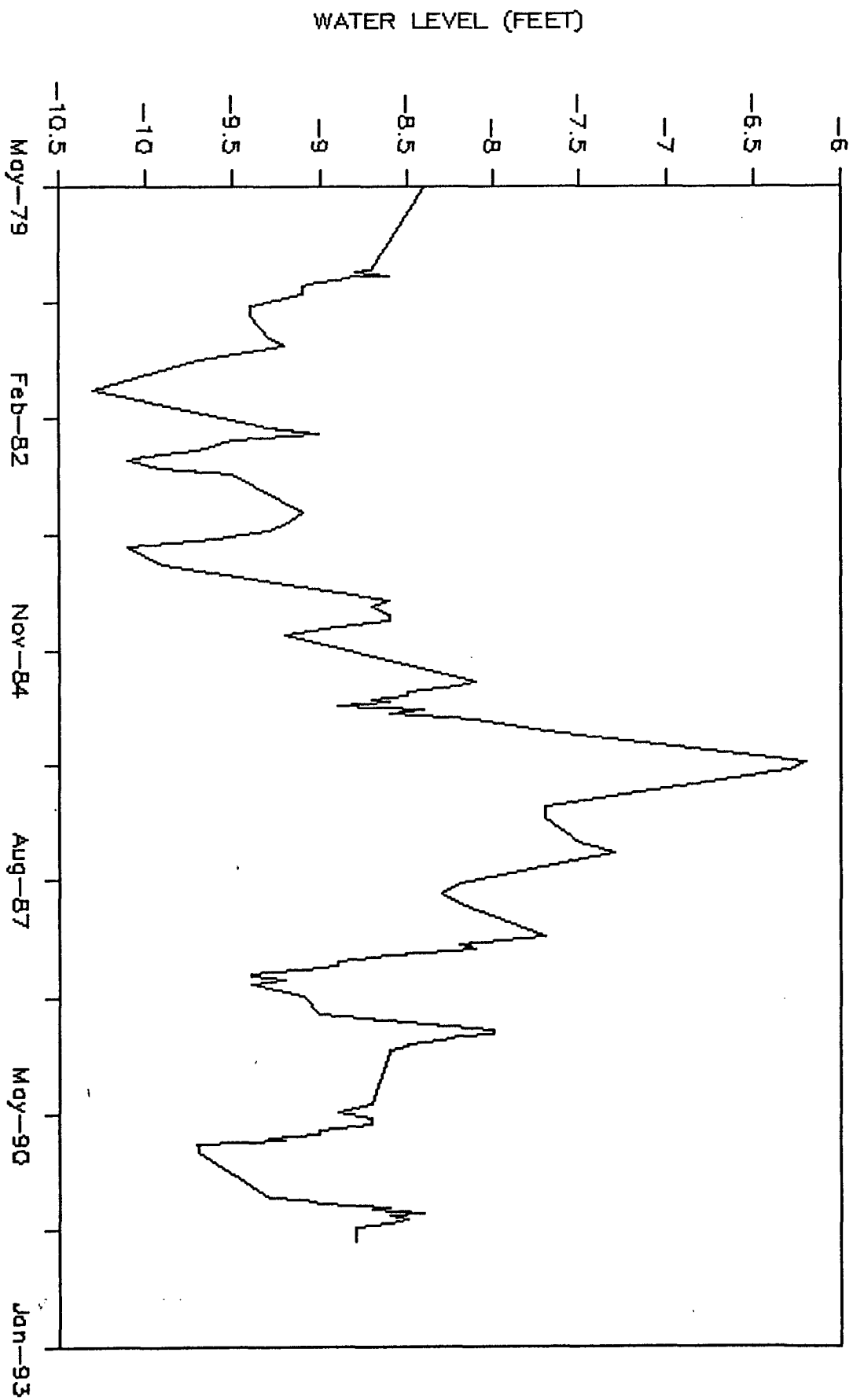
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Christensen, C.M., 1987, Geology and Water Resources of Clark County SD, Part 1 : Geology, SDGS Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.
- Hamilton, L.J., 1986, Geology and Water Resources of Clark County, SD, Part II: Water Resources, SDGS Bulletin 29, SD DENR, SDGS, Vermillion, SD 57069.
- Hedges, L.S., 1982, Evaluation and Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., 1983, same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1992, Observation Well Records for Clark County unpublished , SD DENR, Division of Water Rights, Pierre, SD, 57501.

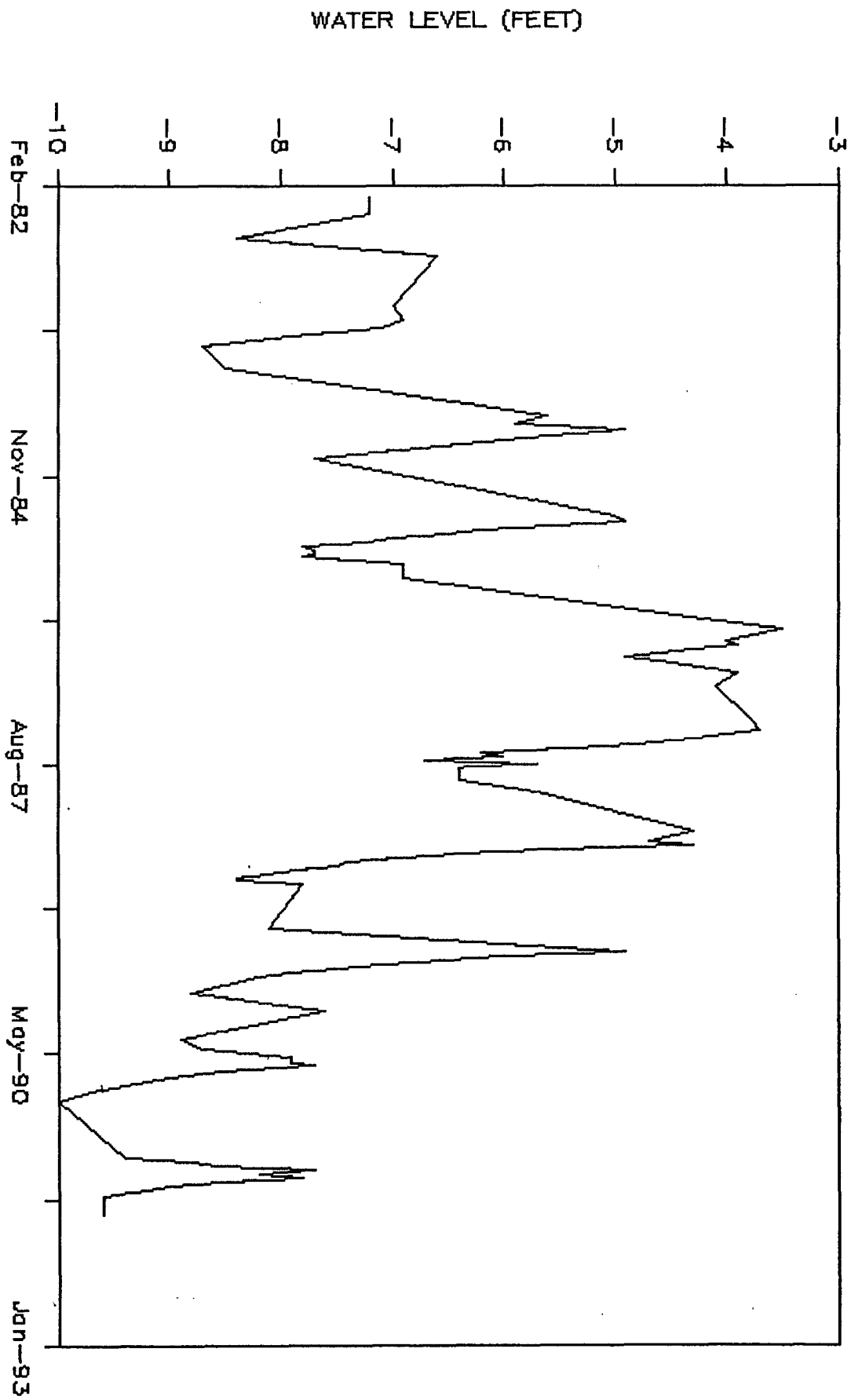
WATER RIGHTS OBSERVATION WELL

OK-78N



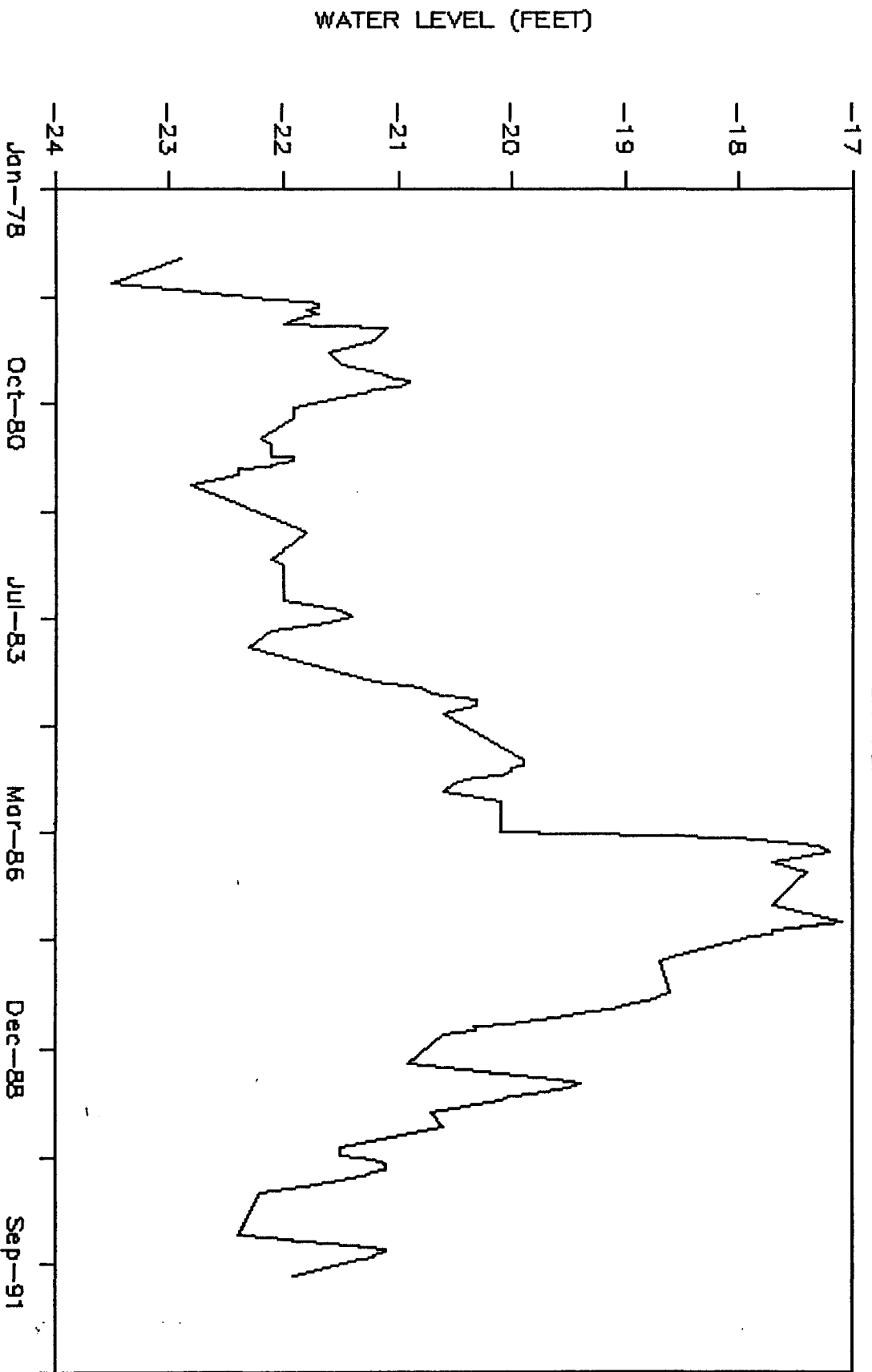
WATER RIGHTS OBSERVATION WELL

OK-780



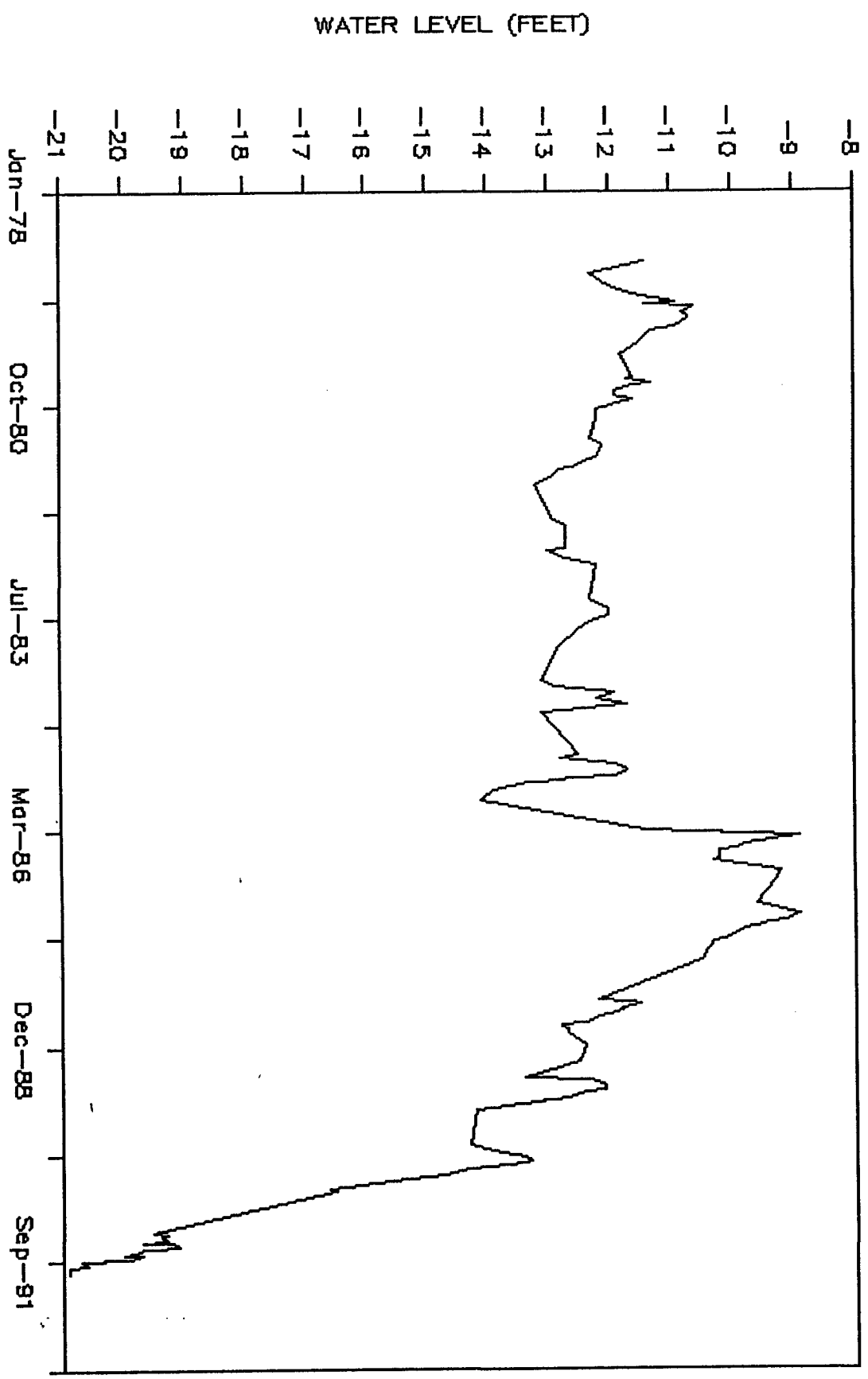
WATER RIGHTS OBSERVATION WELL

OK-78P



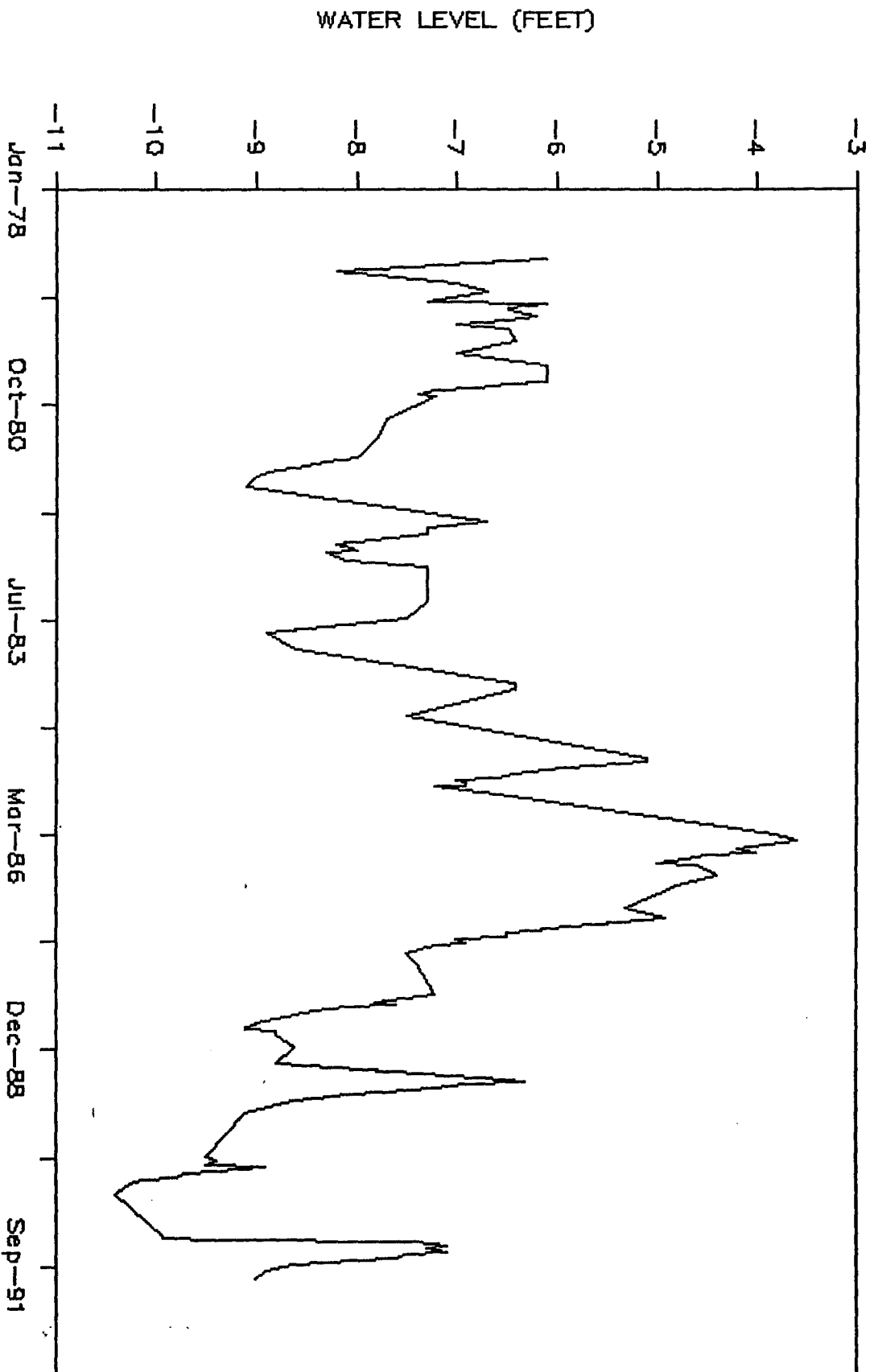
WATER RIGHTS OBSERVATION WELL

OK-78Q



WATER RIGHTS OBSERVATION WELL

CK-78R



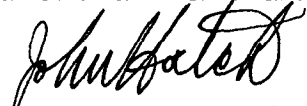
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5606-3, Clark Rural Water System, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5606-3, Clark Rural Water System, Inc., c/o Duane Stokes, PO Box 162, Clark, SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 5606-3 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 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. Approval of Permit No. 5606-3 authorizes maximum annual withdrawal of up to 260 acre-feet annually.
3. That the Clark Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year under Permit No. 5606-3.

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 3, 1992



**DEPARTMENT of ENVIRONMENT
and 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 25, 1992

Duane Stokes, Manager
Clark Rural Water System
PO Box 162
Clark, SD 57225

Dear Mr. Stokes:

Water Permit Application No. 5606-3 for rural water system 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 Clark County Courier printed at Clark, SD; Public Opinion printed at Watertown, SD; Reporter & Farmer printed at Webster, SD; and Estelline Journal printed at Estelline, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

Clark County Courier
Box 189
Clark, SD 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5606-3 to be published twice. Please publish the first notice on April 1, 1992, 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 Clark Rural Water System, PO Box 162, Clark, SD 57225.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

Public Opinion
PO Box 10
Watertown, SD 57201-0010

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5606-3 to be published twice. Please publish the first notice on March 30, 1992, 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 Clark Rural Water System, PO Box 162, Clark, SD 57225.

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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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

Reporter & Farmer
Box 30
Webster, SD 57274

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5606-3 to be published twice. Please publish the first notice on March 30, 1992, with the second publication 7 days later.

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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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

Estelline Journal
Box 159
Estelline, SD 57234

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5606-3 to be published twice. Please publish the first notice on April 2, 1992, 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 Clark Rural Water System, PO Box 162, Clark, SD 57225.

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

March 30, 1992, April 2, 1992
Instruction to Newspaper - Publish first Notice on April 1, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5606-3 to Appropriate Water

Notice is given that Clark Rural Water System, PO Box 162, Clark, SD 57225 has filed an application for a water permit to construct and place to beneficial use 0.6 cubic feet of water per second (434 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R58W. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5606-3 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 20, 1992. 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.

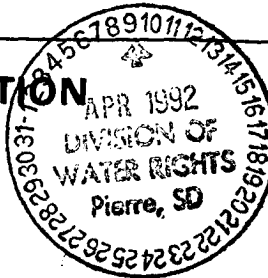
For purposes of publishing 1) the notice of hearing on Application No. 5606-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for April 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the April 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 April 29, 1992, 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 20, 1992.

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) ss.



I, Connie Jean Jensen

certify that the attached printed Notice was taken
 from the Estelline Journal

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

4-2-92

4-9-92

[Signature]
 (Signature)

[Signature]
 (Title)

4-9-92
 (Date Signed)

Cost of Printing: 600.12

Public Notice

48-2x-April 2, 9

NOTICE OF HEARING on Application No. 5606-3 to Appropriate Water

Notice is hereby given that Clark Rural Water System, PO Box 162, Clark, SD 57225 has filed an application for a water permit to construct and place to beneficial use 0.6 cubic feet of water per second (434 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R58W. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5606-3 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

CONNIE JEAN JENSEN
 My Commission Expires
 Sept. 29, 1994

25

must be filed by April 20, 1992. 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. 5606-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for April 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the April 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 April 29, 1992, 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 20, 1992.

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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 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 Clark) ss.

I, Bert Moritz

certify that the attached printed Notice was taken
 from the Clark County Courier

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

April 1, 1992

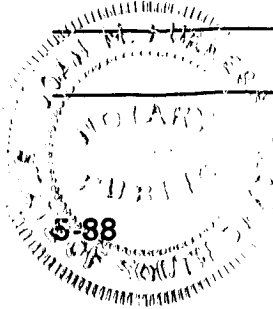
April 8, 1992

Bert Moritz
 (Signature)

Publisher
 (Title)

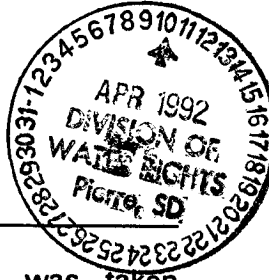
4/9/92
 (Date Signed)

Cost of Printing: \$62.01
116 lines
2 times



*Subscribed and sworn to before
 me this 9th day of April, 1992*

Joan M Funness
 My commission expires
 7-15-1999



NOTICE OF HEARING
 On Application No. 5606-3
 To Appropriate Water

Notice is given that Clark Rural Water System, PO Box 162, Clark, SD 57225 has filed an application for a water permit to construct and place to beneficial use 0.6 cubic feet of water per second (434 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R58W. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5606-3 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. Consider this application and the chief engineer will issue the permit recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

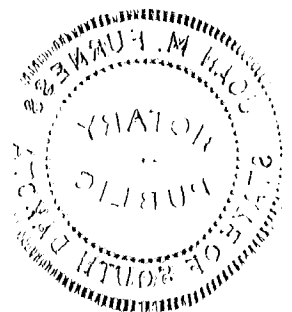
Any person interested in opposing, supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 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 20, 1992. 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. 5606-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for April 29, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the April 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and person filing peti-

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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. 4-1-2t



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County _____ Day _____) ss.



I, Larry Ingalls

certify that the attached printed Notice _____ taken
 from the Reporter and Farmer

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

Webster, S.D. of _____

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

March 30, 1992

April 6, 1992

 (Signature) Larry Ingalls
 Editor _____
 (Title)
April 6, 1992
 (Date Signed)

Cost of Printing: \$63.44

CRWS files application for a permit

(First March 30)
 NOTICE OF HEARING
 on Application No. 5606-3
 to Appropriate Water

Notice is given that Clark Rural Water System, PO Box 162, Clark, SD 57225, has filed an application for a water permit to construct and place to beneficial use 0.6 cubic feet of water per second (434 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R58W. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

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with qualification, 3) deter, 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.

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(Last April 6)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Codington) ss.

I, Monica K. Saathoff

certify that the attached printed Notice was taken
 from the Watertown Public Opinion

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 Watertown

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

March 30th, 1992

April 6th, 1992

Monica K. Saathoff
 (Signature)

Bookkeeper
 (Title)

April 6th, 1992
 (Date Signed)

Cost of Printing: 133.50



CLARK

NOTICE OF HEARING on Application No. 5606-3 to Appropriate Water

Notice is given that Clark Rural Water System, P.O. Box 162, Clark, SD 57225 has filed an application for a water permit to construct and place to beneficial use 0.6 cubic feet of water per second (434 acre-feet annually) from one well (Vermillion East Fork Aquifer) 60 feet deep located in the SE 1/4 NE 1/4 Section 36-T116N-R56W. This water was appropriated and reserved by Future Use Permit No. 4927-3. This application is for rural water system use in Clark, Codington, Day and Hamlin Counties.

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of the time and place of the rescheduled hearing before the Board 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 April 29, 1992, 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 20, 1992.

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(March 30; April 6, 1992)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 7 1992

Duane Stokes
Clark Rural Water System, Inc.
PO Box 162
Clark, SD 57225

Dear Mr. Stokes:

Enclosed is Water Permit No. 5606-3 authorizing construction of your water diversion system and beneficial use of the water, 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.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 8/13/1992TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181FROM: CLARK RURAL WATER Box 162 CLARK, SD 57225
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. 5606-3.

Water Permit No. 5606-3 states that the diversion system is to be constructed by APRIL 29, 1997, and that the water it put to beneficial use by APRIL 29, 2001.

The diversion system was completed on JULY 1, 1992.
Applying the water to beneficial use was completed on JULY 6, 1992

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

Duane C. Stoker, MGR.
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

Nos. 4384-3, 4384-3A, 4927-3 & 5606-3

Duane Stokes, Manager
Clark Rural Water System
PO Box 162
Clark SD 57225

Dear Mr. Stokes:

I am writing in response to our January 31, 1996, office visit concerning water permits held by the rural water system. This letter summarizes what the rural water system needs to do to address the permitting issues we discussed.

1. Based on an inspection of Permit Nos. 4384-3 and 4384-3A in 1991, the maximum diversion rate at which water could be treated was 800 gpm. The amount of water appropriated by Nos. 4384-3 and 4384-3A became limited to 800 gpm since that was the maximum diversion rate. Later, in 1993, the rate of treatment was increased to 1,200 gpm by adding another filter. This increase in diversion rate is, in part, covered by Water Permit No. 5606-3 which diverts 220 gpm based on information you supplied to me. Therefore, the remainder of the 400 gpm increase ($400 - 220 = 180$ gpm) needs to be covered by a new water permit application. I believe this extra 180 gpm can easily be accounted for by the new well you are planning on drilling in section 25 provided your test drilling locates a suitable site. We can work on a permit application once you have selected a well site. The new application will specify a pump rate for the new well and a total combined diversion rate of 1,200 gpm from all of the wells.
2. The area of your proposed test drilling in section 25-T116N-R58W is outside of the current future use area. If you plan to locate a well in section 25 and use the remainder of your future use reserve, then a permit application will be needed to expand the area reserved for future use. Currently, future use permit No. 4927-3 is limited to portions of section 36-T116N-R58W and section 31-T116N-R57W.

As a side note concerning your future use reserves, it is possible that a portion of the future use water appropriated under Permit No. 5606-3 may be available for use from the proposed well in section 25 (assuming expansion of the future use area is approved.) According to General Rule 74:02:01:26.01, any amount of water not developed under a permit (5606-3) is reinstated to the future use permit (4927-3.). Diverting 220 gpm at 19 hours per day for one half year yields approximately 140 acre-feet of water per year. Currently, No. 5606-3

February 6, 1996
Duane Stokes, Manager
Page 2 of 2

Nos. 4384-3, 4384-3A, 4927-3 & 5606-3

authorizes use of 260 acre-feet per year; therefore, approximately 120 acre-feet ($260 - 140 = 120$) can be reinstated to the future use permit (please take into consideration whether use of the well will ever increase resulting in more than 140 acre-feet being pumped each year.) Future use permit No. 4927-3 currently has 174 acre-feet in reserve so the total amount in reserve would be 294 acre-feet ($120 + 174 = 294$.)

3. A permit will be needed for construction of any well or wells in the area north of Watertown.
4. The rural water system may want to consider applying for another future use permit especially if the remaining water under future use permit No. 4927-3 will be put to use in the near future.
5. Connecting the city of Clark and town of Wallace to the rural water system also needs to be included in one of your permit applications. The application for the additional well in section 25 would be suitable for this purpose.

Please don't hesitate to contact me at (605) 773-3352 if you have any questions. I probably put more in this letter than is necessary for the moment, but it will provide a good reference for all of us in the future. I will also assist you with applications (blank forms enclosed) when you are ready to proceed.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program

enc.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5606-3

DATE OF INVESTIGATION:	October 20, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Duane Stokes, Manager
NAME & ADDRESS OF PERMIT HOLDER	Clark Rural Water System, Inc. PO Box 162 Clark, SD 57225
DIVERSION POINT LEGAL LOCATION	540 feet west and 2518 feet south of the Northeast corner of section 36, T116N R58W in Clark County, SD.

Other permit(s) associated with the project: 4384-3, 4384-3A, 5974-3, 4927-3, 5974A-3

WELL INFORMATION:

- 1) Well Drilling Firm: LTP Enterprises, Inc.
- 2) No. of Wells one
- 3) Depth(s) 53 feet
- 4) Well log is available Y/N
- 5) Comment: drilled in 1991, called well #4

Casing:

- 1) Diameter 12 inches
- 2) Length 46 feet
- 3) Type steel (49.56 lb/ft)

Screen:

- 1) Type 12 inch ss 55 slot set from 43 to 53 feet blsd
- 2) Length 10 feet
- 3) Static water level 33.1 feet

Pump:

- 1) Make Grundfos
- 2) Model 230S100-3
- 3) Size
- 4) Capacity 220 GPM

PERMIT NO. 5606-3

Motor:

- 1) Make _____
- 2) Model No. _____
- 3) Horsepower rating 10 hp

PERMIT QUALIFICATIONS:

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

Permit No. 5606-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, October 20, 1999, made a thorough examination of the water use system constructed by Clark Rural Water System, Inc. of PO Box 162 Clark, SD, 57225 holder of Permit No. 5606-3, bearing the priority of September 2, 1982 authorizing the diversion of 0.6 cu. ft. per second Vermillion East Fork Antelope Lake aquifer for rural water system use purposes, in Clark, Codington, Day and Hamlin Counties.

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

A. Works used to divert the water:

One well 53 feet deep constructed with 12 inch steel casing and 10 feet of 12 inch stainless steel 55 slot screen equipped with a Grundfos 230S100-3 pump with 10 HP motor capable of diverting 220 gpm.

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

Pipeline from well to treatment plant located in the NE ¼ of section 12, T115N R58W.

C. Works used to apply water to beneficial use:

Pipeline from treatment plant to rural customers

The system is in the following condition **excellent**. The point of diversion is located **540 feet west and 2518 feet south of the NE corner of section 36, T116N R58W**. The works are capable of diverting and conveying to the place of use **0.49** cu. ft. per second of water used for **rural water system use**. Water has been put to beneficial use to the maximum extent as follows:

The license should be issued for **0.49** cfs.

Applicable permit qualifications have been complied with: Yes ☒ No ☐

Exceptions to compliance are: **none** Date report completed: **January 10, 2000**

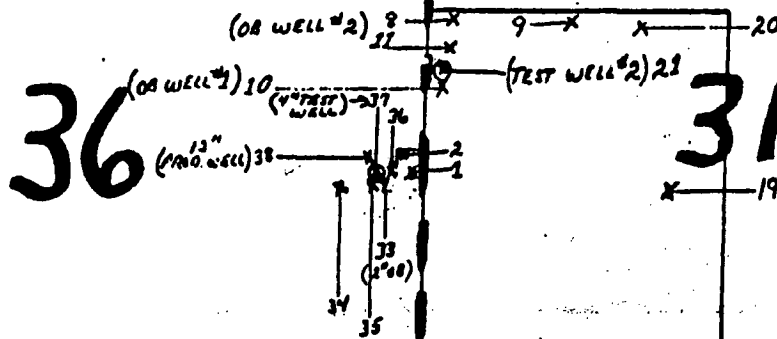


James A Goodman
Natural Resources Engineer
DENR, Water Rights Program

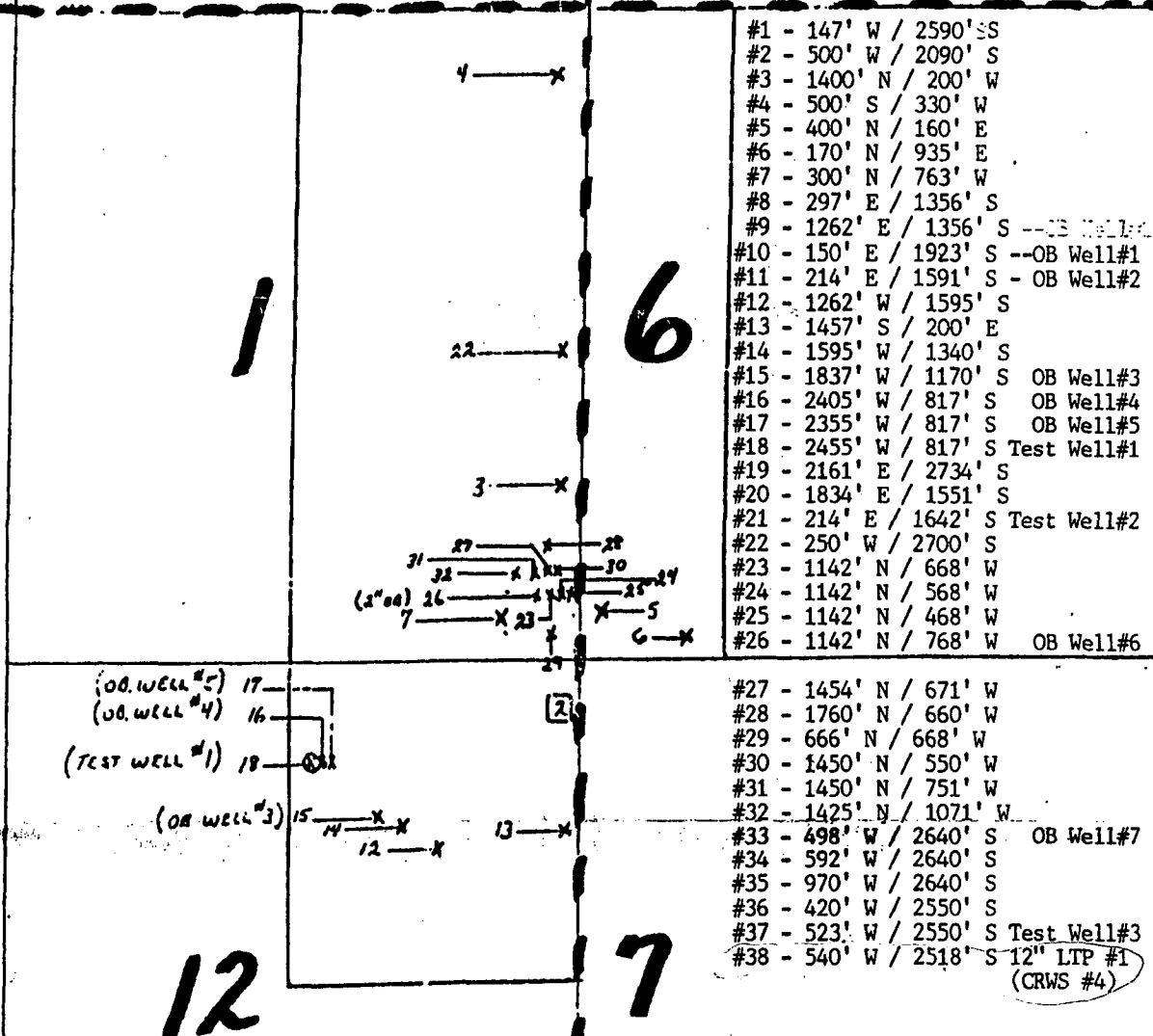
11/6N 58W

1160 52w

Clark Rural Water System 1991 Exploratory
Well Drilling Map - LTP Enterprises



Measurements are from respective section lines



SKETCH MAP OBTAINED FROM DUANE STOKES
ON 20 OCTOBER 1999 BY J. GOODMAN

③ MEASUREMENTS BY WHEEL.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5606-3

(1) Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 made Application No. 5606-3, December 26, 1991 for a water permit to divert 0.6 cubic feet of water per second (260 acre-feet annually) from groundwater (one well), Clark County, South Dakota for rural water system use purposes. Permit No. 5606-3, with a priority date of September 2, 1982 (established by Future Use Permit No. 4927-3) was approved April 29, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 29, 1997 and for the application to beneficial use of said water on or before April 29, 2001.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 17, 1992. The *Notice* stated the diversion system was completed on July 1, 1992 and the water placed to beneficial use on July 6, 1992.

(2) It is certified that the permit holder 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 0.49 cubic feet of water per second for beneficial use (213 acre-feet annually). The location of the diversion point is 540 feet west and 2,518 feet south of the northeast corner of Section 36-T116N-R58W (SE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in Clark, Codington, Day and Hamlin Counties.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Clark Rural Water System, Inc., PO Box 162, Clark SD 57225 the holder and/or owner of Water Right No. 5606-3 is issued a license to appropriate water, the right to use 0.49 cubic feet of water per second (213 acre-feet annually) from groundwater (one well) with a priority date of September 2, 1992 (established by Future Use Permit No. 4927-3) from the location specified in (2) of this license for rural water system use. This license is subject to any limitations or qualifications listed in Water Right No. 5606-3 and subject to South Dakota State Law.

FEB 22 2000

date

Garland Erbele
GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 18, 2000

5606-3
5974-3

Clark Rural Water System, Inc.
%Duane Stokes, Manager
P.O. Box 162
Clark, SD 57225

Dear Mr. Stokes:

The investigation of your water use systems was conducted on October 20, 1999, by Jim Goodman, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5606-3 and 5974-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$100.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

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

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416358

Pierre, January 21, 2000

RECEIVED OF Clark Kurwal Water System, Inc., Box 162, Clark, SD 57225
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>5606-3</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 Harold E. Lube
Chief Engineer

Water Rights Program - File Documentation

NAME: Clark Rural Water System, Inc.

ADDRESS: Clark SD

DATE: 1-25-2000 COUNTY: CK TELEPHONE: 605 532-5201

RE: Future Use Permit No. 4927-3

COMMENTS:

Water Permit No. 5606-3 authorized:	0.6 cfs	260 AF annually ¹
Investigation found system capable of diverting:	- 0.49 cfs	<u>213 AF annually ²</u>
Reverting back to future use:	0.11 cfs	47 AF annually

¹ Full time pumping = $0.6 \text{ cfs} \times 724 = 434 \text{ AF annually}$
Permit issued for 60% of 434 = 260 AF annually

² Investigation found system pumping 0.49 cfs
Full time pumping $0.49 \times 724 = 355 \text{ AF annually}$
Maximum expected pumping volume is 60% of 355 = 213 AF annually

Karen Schlaak
Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

FEB 22 2000

5606-3

5974-3

Clark Rural Water System, Inc.
%Duane Stokes, Manager
P.O. Box 162
Clark, SD 57225

Dear Mr. Stokes:

Enclosed are Water License Nos. 5656-3 and 5974-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416358 and 416359 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5606-3 and 5974-3, 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 Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

CLARK RWS

5606-3 5974-3
5974A-3 6280-3
8360-3

4384-3: VEF:AL 2.0 cfs 2 new wells
#1 SE ¼ SE ¼ Sec 25-T116N-R58W
#2 NE ¼ NE ¼ Sec 12-T115N-R58W
#4 W ½ SW ¼ Sec 7-T115N-R57W

- Originally requested 2.4 cfs from 4 wells. Well sites # 2 (SW ¼ NE ¼ Sec 31-T116N-R57W) & #3 (W ½ SW ¼ Sec 7-T115N-R57W) removed and reduced to 2.0 cfs per 1980 letter.
- Incorporated into 5974A-3.**

4348-3A: VEF:AL n/a CFS 1 new well
#3 NE ¼ NE ¼ Sec 12-T115N-R58W

- Adding additional diversion point, no increase to diversion rate.
- Incorporated into 5974A-3.**

4927-3: VEF:AL **FUTURE USE 221 ac-ft remaining**
Area: W ½ Sec 31-T116N-R57W
E ½ Sec 36-T116N-R58W

5606-3: VEF:AL 0.49 cfs (213 ac-ft) 1 new well
#5 SE ¼ NE ¼ Sec 36-T116N-R58W

- Placement of water to beneficial use from **FU No. 4927-3**

mapped as #4

5974-3: VEF:AL 1.56 cfs (675 ac-ft) 1 new well
#6 E ½ NE ¼ Sec 12-T115N-R58W

- Well moved from original location in SW ¼ SE ¼ Sec 25-T116N-R58W

mapped as #5

5974A-3: VEF:AL 2.62 cfs 3 existing wells + 1 new well
#1 E ½ NE ¼ Sec 12-T115N-R58W
#3 (2) NE ¼ NE ¼ Sec 12-T115N-R58W
#4 (3) SW ¼ SW ¼ Sec 7-T115N-R57W
#7 SE ¼ SE ¼ Sec 25-T116N-R58W

mapped as #s
1, 2, 3, 7

- Well #1 moved from original location in SE ¼ SE ¼ Sec 25-T116N-R58W
- Permit says Wells 1, 3, and 4 are capable of 2.62 cfs but permitting under 4384-3 & 5974A-3 only has 2.22 cfs
- Well #4 developed in SW ¼ SW ¼
- Incorporated 4384-3 & 4348-3A
- License re-named wells #2 is actually #3 & #3 is actually #4.
- Well #7 was requested to be added to the same location Well #1 was previously at.

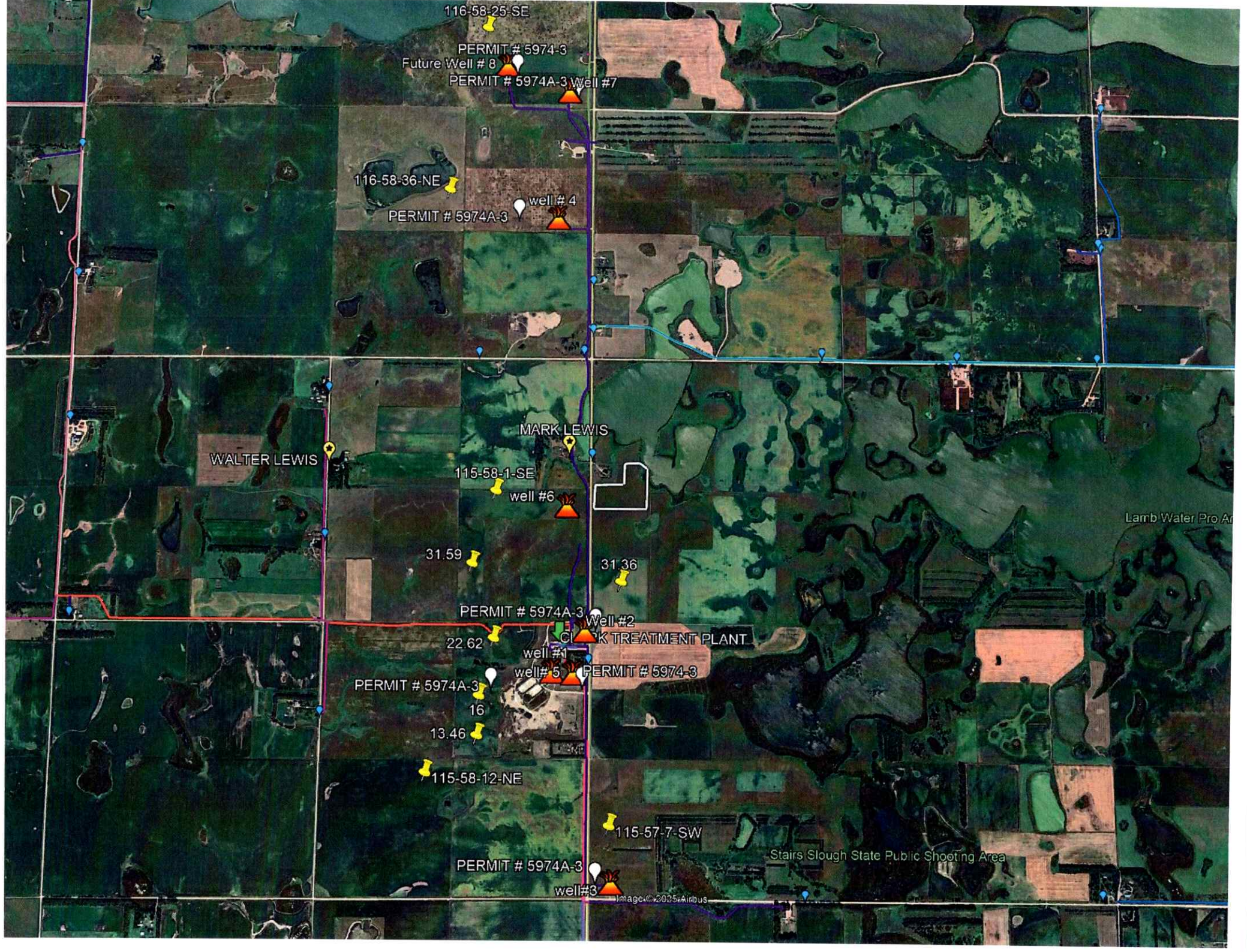
6280-3: VEF:AL 0.51 cfs (243 ac-ft) 1 new well
#8 NE ¼ SE ¼ Sec 1-T115N-R58W

mapped as #6

8360-3: VEF:AL Authorized connection of Wells #1-8 to other users.

8/28/25





116-58-25-SE

PERMIT # 5974-3
Future Well #8
PERMIT # 5974A-3 Well #7

116-58-36-NE

PERMIT # 5974A-3 well #4

WALTER LEWIS

MARK LEWIS

115-58-1-SE

well #6

31.59

31.36

PERMIT # 5974A-3 Well #2

22.62

CLARK TREATMENT PLANT

well #1

PERMIT # 5974A-3

well #5

PERMIT # 5974-3

16

13.46

115-58-12-NE

115-57-7-SW

PERMIT # 5974A-3

well #3

Stairs Slough State Public Shooting Area

Lamb Water Pro Ar

Image © 2025 Airbus



116-58-25-SE

Future Well # 8

Well #7

well # 4

115-58-36

115-58-1

well #6

CLARK TREATMENT PLANT

Well #2

well #1

well #5

115-58-12

well#3

Stairs Slough State P

Dewell, Amanda

From: Mathiowetz, Adam (DENR)
Sent: Wednesday, September 3, 2025 10:58 AM
To: Dewell, Amanda
Subject: FW: [EXT] Clark RWS current permitting and capacity
Attachments: Screenshot 2025-08-28 164854.png

Can you please add this along with this email chain to the Clark RWS permit files? If you think we need a file doc, let me know and I will try to get one done this week.

Thank you.



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: crws@itctel.com <crws@itctel.com>
Sent: Thursday, August 28, 2025 4:54 PM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Subject: Re: [EXT] Clark RWS current permitting and capacity

Here is a little cleaner map.

Terry Kaufman
Clark Rural Water System
605-532-5201
605-881-4364
Crws@itctel.com

From: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Sent: Thursday, August 28, 2025 3:19 PM
To: crws@itctel.com <crws@itctel.com>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: Clark RWS current permitting and capacity

Terry,

Below is the table of your wells as numbered on the map you provided and what permit the well is associated with based on our review of your various permit files included all of the change of diversion point and additional diversion point requests.

We do need some more information to determine if your wells as currently organized/operated are in compliance with your permits and if future well #8 is within your current permitting parameters or if it needs water that is currently reserved by your future use permit.

I have CC'ed our permitting administrator Amanda Dewell. I may ask for assistance or a slightly cleaner map that we may add to your permit file to document the current status of your system for ease of any potential permitting questions in the future.

Permit No.	CFS	Ac-ft/yr	CRWS Map Well #'s
5606-3	0.49	213	4
5974-3	1.56	675	5
5974A-3	2.62	n/a	1, 2, 3, 7
6280-3	0.51	243	6
????			8



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: crws@itctel.com <crws@itctel.com>
Sent: Friday, August 22, 2025 11:48 AM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Subject: Re: [EXT] Clark RWS current permitting and capacity

Here are 2 different file types just incase I didn't send them to you.

Terry Kaufman
Clark Rural Water System
605-532-5201
605-881-4364
Crws@itctel.com

From: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Sent: Wednesday, July 16, 2025 2:30 PM
To: crws@itctel.com <crws@itctel.com>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>; Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>; Duvall, Ron <Ron.Duvall@state.sd.us>
Subject: Clark RWS current permitting and capacity

Terry,

Please send us a map of your current well locations and what permits you believe are associated with each well. We will then figure out if that is correct, diversion rates and annual volumes permitted. That way we can make sure

database is accurate or help you through any potential permitting the rural water system may need to consider a possible new customer.



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov